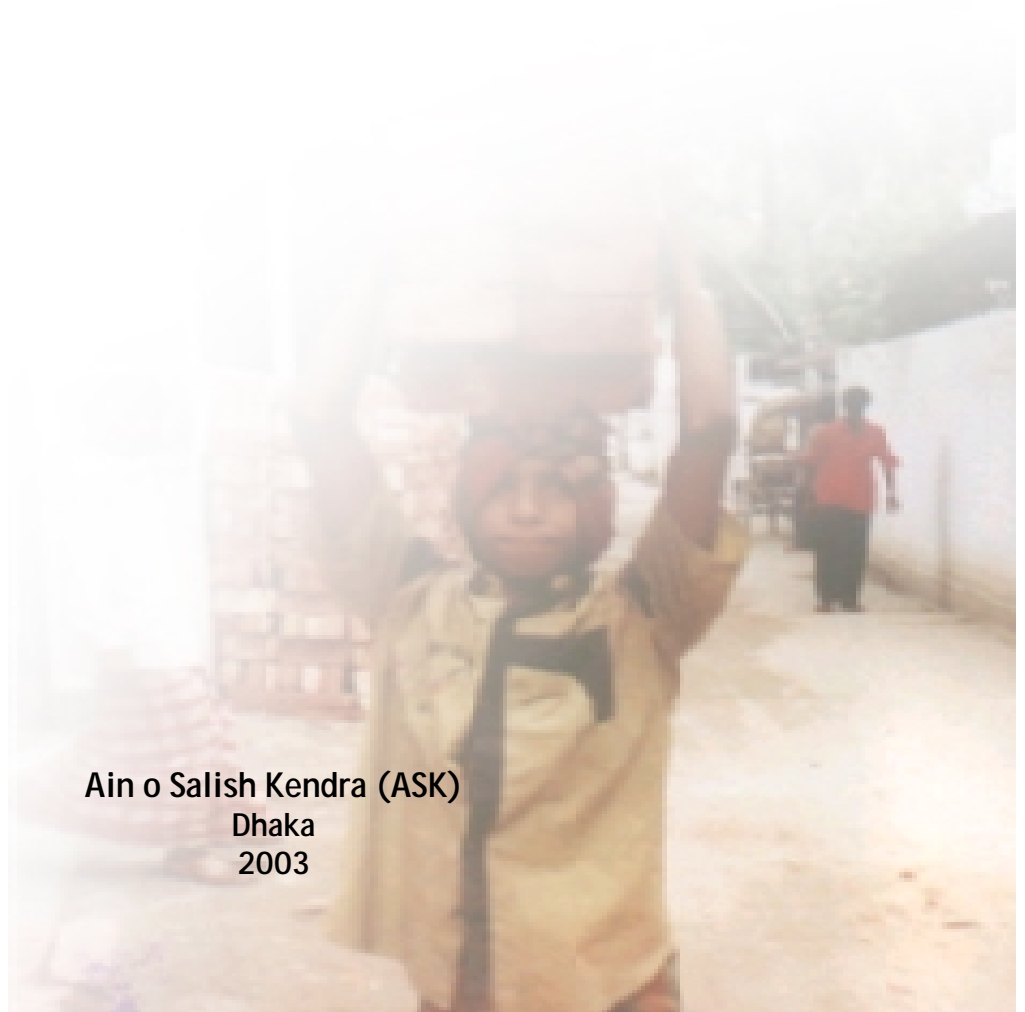


annual report 2002



Ain o Salish Kendra (ASK)
Dhaka
2003

Annual Report 2002

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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. In particular, thanks are due to Khursheed Erfan Ahmed, Hameeda Hossain and Syed Mansur Hashim for editing and proof reading.

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Nihad Kabir
General Secretary

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ASK at a Glance

Status

Societies Registration Act, 1860 since September 20, 1986.
Foreign Donation Regulation Ordinance, 1978 since June 28, 1993.
In special consultative status with UNECOSOC since July 31, 1998.

Members

Founding members: 9, one deceased (4 women and 5 men)
General members: 28 (17 women and 11 men)
Executive Committee members: 9 (6 women and 3 men)

Staff

Total: 133 (including regular, contract and part-time)
Women: 82
Men: 51

Units

ASK's strategies to access justice are implemented by 12 Units. Overall management of programmes is the responsibility of the Administration and Finance Units.

Output 1: Awareness of Legal and Human Rights

- Gender and Social Justice
- Popular Theatre
- Training

Output 2: Provision of legal services

- Legal Aid
- Outreach
- Field Liaison Support
- Investigation
- Child Rights

Psycho-social help in counseling is a new programme, and is not a Unit.

Output 3: Advocacy for Reform

- . Documentation
- . Research
- . Communication
- . Advocacy

Output 4: Programme Management

- . Administration
- . Finance

Legal Aid Clinics

Legal Clinics in Dhaka-4

Shah Ali Bagh, Mirpur, Johnson Road, Goran, (ASK DIC), Kamrangirchar.

Legal Clinics outside Dhaka in collaboration with BRAC-230

Drop in Centres for Working Children-7

Bashabo, Purana Paltan, Mirpur, Mohammadpur, Goran, Shantibagh, Ekota.

Partner NGOs

ASK collaborates with six partner organizations in six thanas for Gender and Social Justice and Popular Theatre. Its partners are Nari o Shishu Unnayan Sangstha (Mukti) (Kushtia), Sirajganj Uttaran Mohila Shangstha (Sirajganj), Pabna Protisruti (Pabna), Welfare Efforts (Jhenaidaha), Shabolomby Unnayan Shamiti and Women Development Organization (Netrokona Purbadhala and

Sadar). ASK also runs a legal aid programme with BRAC in 185 rural locations in Dhaka and Rajshahi divisions.

National Networks

- . Bangladesh Shishu Odhikar Forum (BSAF)
- . Coalition for the Urban Poor (CUP)
- . Strategic Action Team for VAW
- . Beijing Plus Five for Women's Rights

Regional and International Networks

- . Asia Pacific Forum for Women, Law and Development (APWLD)
- . Asian Network for the International Criminal Court (ANICC)
- . Women's Caucus for Gender Justice
- . Asian Migrants Forum
- . Asian Regional Resource Center for Human Rights Education (ARRC) Bangkok
- . Forum Asia
- . International Women's Rights Action Watch (IWRAP)
- . Women Living Under Muslim Laws (WLUML)
- . South Asians for Human Rights (SAHR)

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P u b l i c a t i o n s 2 0 0 2



V i d e o s



B u l l e t i n s



B o o k s

Human Rights in Bangladesh 2001 (English edition) included chapters entitled:

The Burden of Citizenship, Nature of the Bangladesh State, Corruption and Human Rights, Role of the Judiciary in Furthering Human Rights and Justice, State of the Environment, Impediments to Freedom of the Press, Freedom from Torture and Ill Treatment, Freedom from Arbitrary Arrest and Detention, Condition of Prisons and Prisoners' Rights, Right to Freedom of Assembly and Movement, Right to Work and Rights at Work, Rights of Migrant Workers, The Right to Shelter, Women's Rights: Freedom of Participation and Freedom of Violence, Rights of Minorities.

Manobodhikar Bangladesh 2001 (Bangla edition) is a first time translation of the above.

Four issues of ASK's periodical *Bulletin* in Bangla included cover stories on:

- *Sexual Harassment of Working Women*, March 2002.
- *Use of section 54 for illegal arrests*-June 2002.
- *Freedom of Speech*, September 2002.
- *Justice for War Crimes*, December 2002.

Unpublished reports include the following:

Women and Housing Rights by Jenefa Jabbar
Right to Freedom of Information by Mika Kitora

Other publications still available from ASK's Documentation Unit and other book stores:

Narir Ekattor 71 o Juddho Poroborti Kotha Kahini edited Shahin Akhter
Her Unfearing Mind by Sultana Kamal
Amar Prithibi by Khurshheed Erfan Ahmed
Daktari Obohela (Medical Negligence)



Political and Social Context



In the eighties, at the time ASK started functioning informally, most of us were involved in the movement against military rule and for democracy. Each of us came from a different vantage point, some from the women's movement, some were development workers, and some were engaged in the field of justice. To most of us democracy meant more than a populist scrambling for votes, that sent the highest bidder to the control post. For fifteen years, we had experienced military interventions that imposed controls over the freedom of speech and information, that paid little heed to fundamental rights, that violated constitutional norms.

At the height of the movement against military rule, we were encouraged by a written Declaration signed by the major parties on November 19, 1990 promising to restore independence of the judiciary, freedom of press and autonomy of the electronic media, and return to parliamentary form of government.

In the years that followed there was more space for citizens' engagement in addressing institutional lapses and promoting an environment for negotiating gender equality and human rights. ASK saw legal aid as a tool for citizen's participation in establishing their rights and responsibilities, as well as in promoting the principles of gender equality, justice and human rights. As the nineties have moved on, Bangladesh has become caught in a vicious cycle of vendetta politics, that has encouraged non-democratic practices and institutional weaknesses. These regressive developments tend to encourage authoritarianism and we, as human rights defenders, are again faced with the dilemma of starting from scratch to demand that the political system establish checks and balances on the executive, that the judiciary functions independent of the executive, that information is made available to the citizens.

In the last decade our illusions for a representative government, responsive to citizens has been shaken by the non-functioning of institutions such as the Parliament and the tendency towards executive authoritarianism. If physical, social, political and economic controls over our lives tend to disempower citizens, society itself becomes dysfunctional. As conscious citizens, it has become imperative that we intervene to prevent injustice against individuals, discrimination against marginalised groups or communities, and exclusion of the majority from fundamental freedoms and rights. Even if the space for this struggle is limited, it is important to negotiate the makings of a pluralist society.

It is as part of this struggle that ASK believes that legal aid and awareness of rights are necessary steps towards the recognition of rights and responsibilities.

Sultana Kamal
Executive Director

From Individual Legal Aid to Collective Interventions

An agenda for promoting human rights

An o Shalish Kendra (ASK) was founded by a group of lawyers, social workers, journalists and development workers in 1986. At the time, its overarching goal was to enable citizens' access to legal aid as a tool in negotiating and resolving disputes. The struggle for democracy in the state, community and family could not be envisioned without justice, and legal aid was seen as a critical tool in the struggle for rights, particularly for the disenfranchised.

ASK facilitates access to justice. Priority is given to the poor and the excluded, particularly women, workers and working children, religious and ethnic minorities. Access to justice for all requires a sensitive judicial system, a certain level of awareness of law and human rights in the community, a commitment to the values of human rights and equality in one's public and private life. Respect for rights presupposes tolerance of differences and acceptance of diversity in a democratic society.

Where the formal judicial system is traditionally biased against women and the poor, shackled by archaic laws, and subject to executive control, it becomes all the more necessary to support citizens through free legal aid. Disputes within the family and within the community are rampant; state controls have led to repression and violence on citizens. Legal and social activism is needed to establish norms of equality and non-discrimination in economic and social relations.

The pursuit of social and gender justice is central to ASK's mission. Free legal aid is provided to the poor and the vulnerable in order to help them negotiate their legal rights. ASK started off with only one legal clinic in the head office, but now the **Legal Aid unit** has expanded its service to four clinics in Dhaka with the assistance of the **Field Liaison Support unit**. The process of providing legal aid demands a certain level of awareness of legal and human rights from the disputants. Successful legal aid service also calls for establishing an understanding with the police department in order to sensitize them to issues relating to women. This unit works with a rather complicated set of problems ranging from deeply embedded social, cultural and religious values that may deny women's rights; a formal judicial system that often appears to ignore the compulsions for women's autonomy and self reliance; limitations of the clients'

economic and social realities and finally the political context in which her struggle is carried out.

Clients who bring their complaints of marital disputes or violence need a lot of courage to air their problems. They feel weak and confused and unable to take strong decisions particularly when the offender is the husband. A woman's traditional dependency has made her unwilling to break the cycle of violence. Rather than support the victim, the community tends to isolate her. This is why legal aid for women has to go beyond technical interventions to provide her social and emotional support so she can gain confidence and self-reliance. This realization has influenced ASK's holistic strategy for legal aid. It steps in to help each client with social and economic support. It was this consideration that led to the inclusion of the Field Liaison Support Unit and psycho-social help in ASK's programme. The organization's relations with the client do not end with the conclusion of a case. Field workers continue to liaise with the clients over a period of time to ensure that the settlement is observed. They encourage confidence building by supporting the client through the legal process and through referrals to other organizations for skill training, jobs, medical care, etc.

A client's security is of utmost concern particularly during the period of a court trial, and ASK used to locate safe shelters to move them from the site of violence. Since 2000, ASK has started a **Half Way Home** where approximately ten clients, with children, can stay for a maximum of six months. Another lesson of legal aid is the need for help in **psycho-social counseling**. There are no institutes of counseling available in Dhaka. The need for trained counselors has become very urgent. ASK therefore has arranged several learning workshops by bringing in expert counselors. ASK personnel and those of only a few other organizations have received an orientation in basic marital and trauma counseling.

ASK is thus able to provide some measure of emotional help in psycho-social counseling to its clients. In recognition of this need, ASK continues to lobby with academic institutions to establish a diploma or degree course in counseling. Legal aid, it must be recognized, cannot be limited to an one-off technical assistance, but needs to be backed by social, emotional and eco-

conomic support for the client if she is to engage in a struggle for rights, particularly in a society where inequalities are so marked.

Working with women brought ASK in close contact with children. Given the preponderance of child labour in Bangladesh, ASK started off by investigating the lives of working children in different professions. Its experience in the early nineties was translated into its programmes for providing help in education, health and legal protection to working children. **The Child Rights Unit** now offers a flexible system of non-formal education in **Drop in Centres** and has forged an untrodden path to support working children to access their rights.

The motivation for ASK has been social change. However small its intervention, it is seen as a significant step towards equal and non-discriminatory relationships. This has inspired ASK to create an awareness building strategy to sensitize the public as well as inform members and staff of different organizations about human rights. **The Training Unit** has developed methodologies for human rights and legal rights education, which it offers in response to requests from different organizations and in ASK's working areas. ASK therefore had felt the need to move out beyond its urban space to work in rural areas, to broaden its approach so as to engage in a discourse with those who are powerful and in decision making positions. This has entailed sensitizing elected representatives, officials, lawyers, journalists, teachers and other professionals or community leaders. Two of ASK's programmes, **Gender and Social Justice Programme** and **ASK-BRAC Outreach Legal Aid Programme** were started respectively in 1996 and 1998. The latter has taken ASK's clinic methodology to villages, where BRAC group members demanded access to legal services. This demand created the basis of ASK's current outreach program with BRAC.

A strategy for dialogue with the community has also inspired human rights activism in the local community, where small groups have linked up to monitor *shalish* or to intervene in incidents of human rights violations. Awareness building is an important element in realization of this objective. ASK's **Training Unit**, **Popular Theatre unit** and **Gender and Social Justice unit** work together with partner organizations in six thanas to facilitate community activism. This has resulted in members, who were oriented by ASK's courses in human rights, to form their own monitoring or theatre teams.

The **Popular Theatre unit** has trained small groups to perform issue-based drama for village audiences. Union level theatre groups are merging at the thana level to ensure the strength and sustainability of the programme. The **Gender and Social Justice unit** started off by forming Ain Shohayota Committees (ASC) in every ward to monitor cases of human rights violations in the area. That committee has now evolved into a union level committee called *Manobadhikar Songrokhon Porishod* (MSP) where the theatre workers and ASC members join forces to defend cases of human rights violations and ensure

lawful *shalish*. New federations such as MNS (*Manobadhikar Nari Samaj*) and MAP (*Manobadhikar Ainjibi Porishod*) also advanced from the needs of the community. Creation of such spontaneous clusters in the community promises sustainability of the programme and continuing accountability of the system. Access to justice demands awareness of law and human rights not only in the disenfranchised community, but also in the decision-making community. This is why the Gender and Social Justice unit dialogues with local elected representatives and local lawyers on matters of law and human rights.

Media campaign to raise public awareness is an integral part of the struggle for rights. ASK uses the print media and publishes its own publications to draw attention to violations of legal and constitutional rights through the **Communication unit**. Materials developed by this unit are used to train workers of the Popular Theatre, Gender and Social Justice and Training units. Its publications are also widely disseminated to professionals, students, academics, development workers and many others.

ASK felt it had to engage not only with individual violations but also with the general state of denial of human rights in the country. It had to identify, assess and investigate the situation of human rights so as to strengthen a collective legal activism. This is why initiatives to record and investigate cases of human rights violations began with the **Documentation unit** and **Investigation unit**. Documentation unit records data from newspapers to highlight cases of human rights violations and legislative changes; the Investigation Unit investigates cases of human rights violation to assist other units such as the Legal Aid unit, Advocacy and Child Rights unit.

As ASK attempts to promote larger changes in the community it has moved beyond individual redress into class action: from legal aid to Public Interest Litigation (PIL). The **Advocacy unit** attempts to challenge systemic patterns of discrimination and injustice based on class, ethnicity, religion, gender and age. The **Research unit** studies aspects of law and human rights and their implications for social relations. The Advocacy unit has carried out public interest litigation against eviction of slum dwellers, to prevent violence against religious and ethnic minorities, violence against women, prisoners' rights, police violence, etc. This unit also lobbies for fair policies to protect the rights of citizens. Advocacy would be incomplete if it was not supported with efficient documentation, investigation and research and a sensitive analyses of experiences culled from different sources.

Awareness of Legal and Human Rights



Training Gender and Social Justice Popular Theatre

ASK aims to create an awareness of legal and human rights as a step towards justice. Strategies have been identified to increase people's awareness on rights related issues. In order to create sustainable and broad band social changes it is very important to reach out to the rural areas. For this purpose ASK initiated its Gender and Social Justice programme in 1996. The **Gender and Social Justice unit (GSJ)** works in close collaboration with the **Popular Theatre unit (PT)** and **Training unit (TU)**. The three units work with six partner NGOs in six thanas.

Table 1: Partner Organizations in six thanas

Name of Thana and District	Name of Organization
Jhenaidah Sadar	Welfare Efforts (WE)
Kushtia Sadar	Nari O Shishu Unnoyan Sangsthya (Mukti)
Pabna Sadar	Pabna Protisruti (PP)
Netrokona Sadar	Women Development Organization (WDO)
Purbodhola thana, Netrokona	Sabolombi Unnayan Samiti (SUS)
Sirajganj Sadar	Sirajganj Uttaran Mohila Sangsthya (SUMS)

ASK has a training unit comprising skilled trainers, mostly lawyers. After assessing the needs of the organization or group to be trained, the unit plans the training. Modules have been prepared for courses on family laws, constitutional rights and human rights. These modules are reviewed and modified, and refresher courses conducted after six months. Refresher courses become a means for follow-up and review of training impact. Bulletins, leaflets published by the Communication Unit are disseminated to local kazis, imams, chairmen, UP members, government officials, CBOs and other community leaders to enhance their understanding of the laws.

ASK uses training methodologies to create public awareness of rights, sensitize local elected representatives, government officials and community leaders towards a just system for dispute resolution and to sensitise collective groups, i.e. CBOs about their rights. The Training unit provides necessary training for the local theatre activists of the PT unit, participants of the Gender and Social Justice Programme, and to other organizations upon request.

An assumption behind the GSJ programme was that there are systematic patterns of discrimination in the laws, application of the law and the entire path through which people, especially women attempt to access justice. The GSJ seeks to sensitize the public as well as to press for just settlement

of disputes through informal dispute resolution system. It is not enough to provide training and awareness raising programmes for villagers if no resources are created to access the formal system of justice. Gender and Social Justice unit creates such avenues by forming groups such as Manobadhikar *Songrokh Parishad* (MSP), *Manobadhikar Nari Samaj* (MNS), *Manobadhikar Ainjibi Parishad* (MAP)-to defend human rights. GSJ unit also engages with local elected representatives in the Union Porishods, in making the informal system of justice more sensitive to women's rights, and to activate the Village Courts.

Popular Theatre unit trains local theatre activists to perform issue-based drama so as to sensitize the local population about law and to orient them to the Universal Declaration of Human Rights. The Unit hopes to change people's perceptions on women's rights. Theatre is a dynamic method to convey information to a wider audience, particularly non-literates. PT unit trains and mobilizes local theatre personnel to perform plays on social and political problems and to provoke discussions on human rights. A theatre team member facilitates analyses by the audience on cause, effect and possible solution to a social problem.

Training Unit

An assumption that knowledge activates social mobilization is not always true. What empowers people is sensitisation to a Rights Approach. The trainees were seen to be stimulated by the courses, and to intervene when they witnessed a violation of rights. The courses offered by the Unit provide knowledge and also help to conscientize. The Unit has prepared several modules on topics listed below. The number of participants in different courses, as well as actions taken by the participants after their training, are given in each course.

Family Laws (Muslim, Hindu and Christian):

Family laws or personal laws are derived from religious precepts. The course outline contains discussions and other relevant exercises on family laws related to marriage, divorce, dower, marriage registration, maintenance, polygamy, guardianship and custody of children. Special attention is given to the concept and methodology for successful application of family law in mediations. In 2002, six courses were offered, which were attended by 150 participants (127 women and 23 men).

Actions Taken by Participants after the Training:

- Raised awareness in the community regarding women's rights to dower money.
- Prevented and protested under age marriage.
- Ensured registration of marriage and secured women's right to divorce by explaining the need to complete appropriate section in the *kabin nama*.

- Raised awareness about invalidity of oral divorce.
- Mobilized the community against polygamy.
- Encouraged women to file polygamy case, if the first wife's consent was not given.

Women's Rights and Violence against Women:

In this course, discussion revolves around gender relations and women's rights under CEDAW and the Constitution. It critiques women's discriminatory position in personal laws, and the contradictions between legal and constitutional rights. Case studies of violence and state responses to combat violence were analyzed in the discussions. In 2002, six courses were provided to 187 participants (114 women and 73 men).



Training preparation going on

Actions taken by the participants after the training:

- Refusal to accept dowry demands.
- Supported victims of rape and domestic violence in filing court cases.
- Protested and prevented violence against women in the family as well as outside.

Human Rights and Constitutional Rights:

Main purpose of this course was to sensitize trainees to the principles of the Universal Declaration of Human Rights (UDHR), and fundamental rights guaranteed in the Constitution. In 2002, six such courses were provided to 171 participants (78 women and 93 men).

Actions Taken by Participants after their Training:

- Followed up and monitored cases of human rights violations and supported the victims by contacting MSP and MNP members.
- Raised awareness, generated public discussion and supported victims of human rights violation.

Para-Legal Training:

A three day training programme is organized for MSP, MNP and MNS members on various issues. Selected trainees are then nominated for participation in a six day training on para-legal matters which include orientation to family laws (Muslim, Hindu, Christian), human

rights, constitutional rights, gender equity, mediation, women's rights, legal aid and violence, violence against women, formal and informal systems of justice, etc. In 2002, two such courses were provided to 48 participants (10 women and 38 men).

Actions Taken by Participants after the Training:

- Raised awareness about Village Court and tried to activate Village Courts in the area.
- Collaborated with local MSP to prevent and protest violence against women.
- Raised awareness about mechanisms for using government legal aid fund.
- Supported victims by lodging FIR, filing GD and bringing victims to police station, court and hospital.

Package Course on Gender Equity, Family laws and Mediation:

This course analyses links between the three issues through discussion. It is hoped that the knowledge gained by theatre activists will be used to perform issue-based theatre in the unions and villages. In 2002, a total of six courses were provided to 174 participants (151 men and 23 women). As there are fewer female members than male members in MSP and Manobadhikar Nattya Parishad (MNP), the bulk of participants in these courses are men.

Actions Taken by the Participants after Training:

- Arranged meetings, public demonstrations to raise public awareness.
- Ensured non-discrimination in resolving disputes in shalish.
- Observed mediations.
- Promoted women's participation in the mediation process.

Participants in Training Courses:

The Training Unit has offered its courses to:

- Clients who attend ASK's legal clinics in Dhaka.
- BRAC staff working with the BRAC-ASK Outreach Legal Aid Program.
- Participants in Gender and Social Justice programmes including community leaders, MSP and MNS.
- Local volunteers who participate in Popular Theatre Unit programmes including MNP.
- Members of relevant organizations who request specific training courses.

In 2002, the Training unit provided 135 training courses. 39 courses were provided for CBOs and PNGO staff and 96 courses were provided for other relevant organizations that requested training.

The Unit had been engaged in designing training modules on Women and Land Rights, Gender Relations and Good Governance for the next phase of the program.

The Unit through follow up (6 months after imparting training to partner NGOs), observes the trend in marriage and birth registration, as well as incidents of institutional violence in local areas.

Gender and Social Justice

The Unit engages the community through a process to:

- Select local partner organizations in working areas and coordinating plans
- Develop their capacity to implement programs
- Organize union-level workshops to form Manabadhikar Songrokhon Parishad (MSP).
- Motivate MSP members to monitor shalish, human rights violations and prevent unlawful decisions at shalishes.
- Sensitize the Local Elected Bodies (LEBs) and local administration and monitoring the accountability of LEBs to citizens.

Gender and Social Justice programme, in consultation with TU and PTU selected six local NGOs headed by women, to develop their leadership qualities and to encourage them to use a rights based agenda, paying special attention to women's rights. For successful implementation of workshops, meetings, personal communications and comprehensive reporting purposes, six Community Organizers were selected in the working areas. They were required to organize workshops, meetings and liaise with the PNGO, monitor activities of the *Shalish* committees (ASC) and report every month to ASK on *shalish* decisions.

Functions of ASC:

ASC is a ward-based committee constituted by five members, three men and two women. Members of ASC observe local *shalishes* and report back to the CO/PNGO. Communication is maintained at monthly meetings between the ward convener, CO and GSJ programme organizer.

ASC members receive special training on use of legal and human rights for mediation and dispute resolution. The involvement of ASC has increased women's participation in the *shalishes*, given the *shalish* a defined structure where mediation process pays heed to human rights and existing laws.

Formation of Manabadhikar Songrokhon Parishad (MSP):

The ASC (Ain Shohayata Committee) and ULTTs set up by the Popular Theatre Unit had worked separately to protect human rights. Both groups realized the need to consolidate their activities. Preparation for merging both groups into *Manabadhikar Shangrakhan Porishod* (MSP) started in December 2000. By April 2001, 27 unions formed MSP committees who attended courses given by the Training unit on the structure, goal, action plans and future prospects of a collaboration between PT and GSJ units. Members of the MSP held meetings with panel lawyers of PNGOs, local police officers, journalists and lawyers from the District Courts. Through these meetings members of MSP became known to the key lawyers and professionals who could provide legal assistance.

MSP members participated in a three-day training on legal and human rights. In 2002, 15 training courses

were held and 212 men and 204 women participated. MSPs in 12 unions held meetings. They did this without help from GSJ and managed their own funds. MSPs discussed their progress in monthly thana level meetings. An initiative to create thana based MSP was one of the results of such meetings. In 2002, 47 meetings were arranged in six thanas. In Kushtia and Netrakona, three MSP Committees were formed by 40 and 73 former ASC and ULTT members. The MSP was supposed to work as an independent community organization. At their annual meetings they formed plans for the next year after reviewing activities of the previous year. In 2002, MSP participated in 76 *shalishes* and monitored 96 cases of human rights violations.

It was also noticed that causes of human rights violations were not limited to family disputes, *fatwa* or rape; but extended to corruption in the social and political arena which made it difficult for the public to access government services or facilities without harassment or bribery. MSP began to observe other forms of violations as well.

Table 2: Incidents of Human Rights Violations and *Shalish* observed by MSPs

DISTRICT	ORGANIZATION	No of HR Violations	No of <i>Shalish</i>
Kushtia	MUKTI Nari o Shishu Unnayan Sangstha	21	20
Jhenaidah	Welfare Efforts	12	12
Pabna	Pabna Protisruti	30	17
Sirajganj	Sirajganj Uttaran Mohila Sangstha	13	14
Purbodhala	Shabolambi Unnayan Samity	15	15
Netrokona	Women Development Organisation	23	21
Total		114	99

Formation of MNS (Manabadhikar Nari Samaj):

Even though each MSP has a certain number of women members, they are not very vocal or active in the decision making process of *shalish*. As a response to this problem initiatives were taken to create a separate forum for women. This led to the formation of the *Manabadhikar Nari Samaj* (MNS). Three initial meetings were held to discuss the problems women face in access-

ing justice through the *shalish* and the need for female participation and leadership. Interested women from nine wards attended these meetings. After the meetings, a union based daylong workshop was held where MNSs were constituted. Local women NGO workers, women elected to the Union Porishods, teachers, family planning workers and others interested participated. Two women from each village were selected to form the union level MNS.

MNS focuses on enhancing women's leadership in the family and community and to ensure women's active participation in the *shalish*. A collective approach offers the women a certain level of agency and assures some accountability in the *shalish* process. MNS intervenes in disputes that undermine women's rights, such as maintenance, child custody, divorce, domestic violence, etc. MNS also commemorates national and international days for women's rights.

In 2002, seven meetings were held in two unions. Nine courses on advocacy for gender equality were held for 141 participants in Pabna, Purbodhala, Savar and Netrokona Sadar.

Formation of Manabadhikar Ainjibi Parishad:

It is important to sensitize lawyers to the principles of human rights lawyering so that they can become activists for a fair system of justice, and provide free legal services. This initiative was taken informally in Jhenaidah, Kushtia, Pabna, Netrokona and Sirajganj. The working model in these areas can help to replicate the formation of MAP in other areas. The grounding meeting of MAP was held in Sirajganj in 2001. In 2002, 20 monthly meetings were held in Jhenaidah, Kushtia, and Pabna in order to form MAP in those regions. In 2002, a full-fledged committee of MAP was formed in Sirajganj with 35 members (18 women and 17 men).

Legal Camps:

MSP members have been arranging legal camps in their own region where lawyers gather and provide free legal advice. This initiative was taken by the MSP members and has proved very responsive and successful. The legal camps have been successful in attracting lawyers and local people to disseminate free legal advices. The mere presence of lawyers in the localities enhances the process of implementing *shalish* verdicts such as delivering maintenance money or resolving petty disputes. This gives the local people a chance to meet with the lawyers and have a better understanding of the legal systems. The lawyers also enjoy participating in such Legal Camps as it enhances their personal connections and visibility in the area.

Workshop with Imams and Kazis:

Local leaders play an important role in mediating disputes. The imams, kazis, and religious leaders are often



Training on Legal Awareness

CASE STUDY

K (a woman) fell in love with N. The latter promised to marry her but later retracted, after K became pregnant. N was forced to marry K, but they were unhappy, and N became violent. N threw K out of the house and denied her maintenance for the child. Moreover, the community blamed her for her extra marital relationship with N.

On 12 August, K attended a legal camp arranged by the local MSP, where it was decided to arrange a shalish. It was realized that K's marriage was not legally registered nor was there a kabin namah. She was unable to claim her dower. But the shalish succeeded in making N pay her 15,000 taka, and 300 taka every month for the child's maintenance. The money was given to her on 9 September.

Many laws and legal procedures are not observed. The Parliament enacts laws without discussing their implications at length. Laws do not help unless the public becomes aware and learns to question the administration. Public interest would make the administration more accountable to the public. Public pressure is necessary for government accountability in a democratic society. The GSJ unit along with Training and PT unit raises public awareness, and tries to hold the elected representatives and the administration accountable. This creates an avenue for citizens to access their rights, create a responsible judicial system, and thus help create a more democratic society.

called in for *shalishes*. They offer *shalish* verdicts on their own interpretation of *Sharia*, which may not always correspond with the law and may be unjust to women. It is very important to convince them to subscribe to the laws and legal procedures under the 1961 Muslim Family Laws Ordinance. At workshops and meetings with the

religious leaders the following questions were raised:

What do you comprehend of human rights?

What is the scenario of human rights violation in the area?

What are your views on hilla marriage, oral divorce, fatwas?

Even though the religious personnel did not necessarily agree with arguments for women's rights, their attendance exposed them to ASK's perspectives and legal discussions. These workshops provided an opportunity to engage with such groups. At the end of the workshop most participants conceded that the Constitution and national laws have to be observed. It was felt that more workshops and discussions would be required in order to convince them.

Four workshops were held in Kushtia, Pabna, Jhenaidah, Sirajganj, Purbodhala, Netrakona for 128 Imams and Kazis to familiarize them with human rights, family laws, constitution, and to understand their reservations.

Workshop with Local Elected Bodies (LEBs):

One of the main goals of the GSJ program is to sensitize the local elected bodies and involve them in fair *shalishes*. A workshop was organized to discuss law, human rights, gender equity, and government's accountability. The LEBs were also made aware of the activities of the GSJ unit and the succession of ASCs into MSPs. The workshop also focused on collaboration between LEBs and MSPs to defend human rights and ensure access to justice. The following conclusions emerged from the workshop:

It is important for cooperation between MSP and LEBs to activate Gram Adalat (Village Court).

It is important to increase women's active participation to ensure that their voices are heard in shalish decisions.

The table below shows different trainings/activities organized by the Unit in the thanas with PNGOs to build the capacity of local groups as human rights activists.

Table 3. PNGO follow up of dispute resolution in six thanas (No indicates the number of incidents)

Area	No.	Organization	Topics
Kushtia	12	MUKTI Nari o Shishu Unnayan Sangstha	Maintenance, Custody, Dower, Inheritance, Restitution of Conjugal life.
Jhenaidah	11	Welfare Efforts	Dispute relating to land, distribution of land, seduced into pregnancy, cattle lifting
Pabna	15	Pabna Protisruti	Oral Divorce, false promise to marriage, dowry
Sirajganj	11	Sirajganj Uttaran Mohila angstaha	Kidnapping, false promise to marry
Purbodhola	13	Shabolambi Unnayan Samity	Torture due to dispute over crop, for dowry oral divorce
Netrokona	15	Women Development Organisation	Torture for dowry, Sexual harassment, oral divorce.

Popular Theatre Unit

Popular Theatre Unit mobilizes local youth, students, artists and other interested persons to perform issue based dramas so as to provoke discussion in the villages. Formerly known as Union Level Theatre Teams, these have been amalgamated into *Manobadhikar Natya Parishad* (MNP). Members of MNP are given orientation courses on laws, human rights and gender equality. MNP is responsible for performing issue based dramas in the area and transmitting their skills to others who are interested in becoming members of MNP or forming their own MNP. Union MNPs have federated into a thana level MNP. The strategies and plans are reviewed every six months.

Table 4. Activities of MNP members

Nature of activity	No
Workshops for training in issue based drama	24
Training of Trainers	3
Orientation on Laws and Human rights for Theatre activists	6
Workshop for local club members	5
Working meetings with PNGOs	2
Training on legal rights given by trainers	49
Observation of <i>Shalish</i>	67
Intervention to prevent Human Rights Violations	73
Observance of National and International days of significance	150
MNP drama festivals	4
Discussion on Law and Human Rights in schools conducted by MNP members	112
Performance of issue based dramas	521

Formation of Union *Manobadhikar Natya Parishad* (former ULTT):

A theatre activist from the PT Unit, with the help of partner NGOs, meets with a wide cross section of the community to stimulate interest in the concept of popular theatre for human rights activism. Theatre activists form into groups to identify social problems (eg rape, dowry, oral divorce, domestic violence, deceitful political influence, *fatwa*, etc.). This group is given an orientation on laws and para-legal methods and later works as a resource team that encourages formation of new groups in the neighbouring areas. After the training, theatre activists form new groups, and try to prevent incidents of human rights violations; they also attend village *shalishes*, etc.

Workshops on Issue based Theatre Production:

Workshops help the group to identify the nature of conflicts and analyze the causes of conflict in the family. In doing so, the theatre workers become well aware of the social, economic and political power dynamics portrayed in the story and are able to stage the drama and face questions relating to law and human rights. In 2002, 24 such workshops were conducted.

Performing Issue based drama:

When such issue based dramas are enacted in front of a village audience, they provoke open ended but thought-

ful discussions, and the audience then identifies a possible solution. In order to direct the discussion in an orderly manner, an MNP facilitator is present. Each team usually performs two issue-based dramas per month. Sometimes the drama triggers discussions and debates that last for hours and continue to stir controversy in local tea stalls, bazars and other gatherings. In 2002, a total of 521 issue-based dramas were performed in six working areas.

Training of Trainers (TOT):

In order to enhance sustainability and continuity of the programme, it is important to train members of the popular theatre group who have been involved with the group for at least one-year and have displayed creativity and some leadership qualities. In each course 25 persons were trained at a residential training program. As a result, a group was formed to independently train more theatre activists in the area. In 2002, three such courses were offered. The trainees of TOT conducted 59 workshops on issue-based drama.

Constructing *Manobadhikar Natya Parishad* (MNP):

Local theatre groups performing plays regularly in the unions have been federated into MNP (*Manobadhikar Natya Parishad*) in the thanas. Their efforts to prevent human rights violations have also increased; this has created a need for local theatre groups to organize into thana level and then national level theatre groups. It has enhanced their visibility, influence and networking.

MNPs were established in Kushtia in March 2001 and soon after in Jhenaidah and Sirajganj. MNP has organized events on a larger scale, published annual literature and calendars. They supervised union MNPs and lobbied for protection of human rights with local police officers, lawyers and judges.

The strategy of using popular theatre is gaining ground as a mobilizing force. Villagers have utilized the structural support provided by the PT unit and organized the following:

- Discourse for members of MNP to elaborate methods of seeking justice. *Leaflets* and *Bulletins* produced by ASK's Training and Communication units stimulate discussion.
- Commemoration of national days, cultural or international human rights events. In 2002, 150 programmes were arranged to commemorate five national and international days of significance.
- Observation of local *shalish*. Even though ASK's PT unit limits its work in training theatre activists, often the theatre activists are called to a *shalish* to observe whether justice is done. In 2002, MNP members participated in 67 *shalish* and took action in 73 cases of human rights violations.
- Discussions in local schools about laws and human rights. After their trainings, workshops and study

circles, MNP members organized discussions in schools on laws relating to marriage, under age marriage, dowry and violence against women. In 2002, 112 such discussion sessions were held.

- Regional H.R. theatre festivals with performances of human rights dramas, songs and dances or discussions on laws and human rights. ASK provided financial support for the first H.R. theatre fair, but ever since local MNPs have contributed. In 2002, four festivals were arranged.
- Trained local club members on popular theatre. Most unions and villages have local youth clubs that are influential in the community. The initiative to train the local club members through a three day long issue based drama workshop started in 2002. So far five such workshops were conducted.
- School based consciousness-raising programmes to orient students about laws and UDHR are planned for 2003. This may enhance female participation in the MNPs since the consciousness raising programmes will also extend to girls' schools. This could be an entry point to the parent-teacher community.

The following case study poses some questions demanding a socio-political analysis of the area. Although public opinion was mobilised to pressurise authorities to treat this as a criminal offence, the political misuse of authority and force resulted in compromise and withdrawal of charges. The perpetrators went unpunished because of the victim's family's low-income status. ASK activists need to evaluate the constraints within which they can intervene.

The helplessness of B and her family is projected firstly in their ignorance of laws and human rights, which pushed them to be guided by the local authority or the MNP. Publicity of the case had adverse social and cultural effects on B's future. The case aroused publicity only with the attack on the MNP member's home. The MNP involved B in this campaign, but there was no agency to justify her position in society.



Popular Theater in Horipur Village, Kushtia District.

CASE STUDY

B, a 13-year old village girl lived with her father who worked as a day labour in the local bidi factory. She had four siblings, and the family was not well off. B was a 4th grade student in the local BRAC School.

On 14th April, B was going to her school to celebrate Pohela Boishak (Bengali NewYear). On her way she was caught and raped by 21 year old S near a river bank. Some local persons came to the spot on hearing her screams. They decided to resolve the matter in a shalish, and to request the local members and chairman to attend. The shalish started on 20 April. The MNP members were present at the meeting and they insisted that the chairman follow legal procedures, as rape was a criminal offence and had to be taken to court. The chairman wanted to proceed with the shalish and then decide whether they needed to go to court. The shalish decided that S should be made to marry B. But the former did not agree. After this the shalish decided that S should be whipped seventeen times and made to pay B Tk. 10,000. In spite of protests the shalish decision prevailed because S and B's family as well as the present village members complied with the shalish.

The local MNP called for an urgent meeting and carried out some basic investigations into the case. Their investigative report was published in five local newspapers. Based on this report the police started their investigations. B was taken to the clinic for a medical test and S was taken to the thana. The chairman at this point went into hiding.

The chairman then started organizing his mastans to find out who had reported the incident to the newspaper and the police. Later at night the house of an MNP member was attacked and burgled. This incident was also published in the media and stirred public attention. Police investigated in the area again. This stimulated much public discussion in the village about the rape case and the incidents that followed. The MNP members were obliged to negotiate with the chairmen, and at a meeting of the local MNP, MSP and PNGO, the members decided that all charges would be withdrawn except for the rape charge against S.



Action for Redress

Legal Aid

Field Liaison Support

Outreach

Child Rights

Investigation

Counseling Programme

In Bangladesh, mediation is often preferred as a means of dispute resolution. Litigation is used as a last resort because it can be very time consuming, biased, expensive and unjust for the poor and marginalised. Legal organizations such as ASK create access for the poor and marginalized, particularly women, workers and working children, to both the formal court and informal systems of justice. From 1990, **ASK Legal Aid Unit** has served clients in its office or in weekly legal clinics, which were set up in urban communities.

Most clients, especially women, seek support in sensitive family disputes or cases of violence. In our society exposing a woman's life in front of the courts increases her vulnerability to social criticism, stigma and rejection by the family. This is why she needs not only legal help, but emotional and social support, to strengthen her resolve to make decisions about her own life. The **Field Support and Liaison Unit** organizes the legal clinics throughout the process of gaining legal aid. This unit escorts clients to the police station and helps them file their complaints. It compliments the work of the Legal Aid Unit by arranging awareness workshops for clients, provide social and job related support, sometimes by referrals to other organizations. The clients are also referred for in-house psycho-social help in counseling. A critical element in pursuing a case is to ensure emotional as well as social support for clients.

The demand for legal support has led to the expansion of legal clinics to rural areas. Since 1998, ASK and BRAC have collaborated to service BRAC's members as well as non-members and to train BRAC staff as para-legals. The problems faced by the Outreach Unit differ from the urban clinics, because the traditional biases against women are much more embedded in rural society than they are in urban areas. Problems such as dowry, polygamy, child marriages, violence against women are also more visible in the villages. The **Outreach Unit** has trained BRAC organizers as para-legals so they can identify and

help their group members negotiate settlements in family or other disputes. Panel lawyers have been identified in BRAC working areas to handle litigation cases. The responsibility of the Outreach Unit is to replicate the legal clinic system and supervise its functioning, in order to ensure justice to poor women. The strategy requires working closely with the community, regularly following up cases, sensitizing and training local elected bodies in matters of law and human rights.

Since 2000, ASK has set up a Half Way Home to house clients who need to move away from the site of violence or who need a secure place during case hearings. This provides a temporary shelter. In addition, during the same period, ASK has been able to organize several trainings on **psycho-social help in counseling**. As a result, several of its staff have now been trained to listen to clients and one member has been appointed as a psycho-social helper in counseling to “actively listen” to clients in the Half Way Home as well as others who bring their complaints to ASK or are engaged in litigation.

Child labour issues require direct intervention through services and support. The goal of the **Child Rights Unit** (CRU) is to enhance physical, social and emotional well being of working children. This goal is attained through developing awareness of their rights and providing access to legal protection, health care and education. Securing child rights means creating awareness amongst adults who are in control of the children. This has motivated ASK to look at it’s Child Rights unit as an entry point to address and resolve issues raised by parents or employers of working children, and to sensitize the teaching community to work for their mental and physical well-being.

The **Investigation Unit** provides back up support to the Legal Aid unit with fact finding reports on clients’ background. It investigates institutional violations or negligence in police stations and hospitals and encourages the Legal Aid unit to take up these cases. Further it carries out fact-finding investigations into systemic forms of violence, and its reports are used for public campaigns, for public interest litigations or for alerting a wider constituency.

In providing legal aid and other services to the disenfranchised, ASK has had to contend with:

- Social attitude towards single women that discourages divorce or women’s autonomy.
- Bias in the legal system affecting the bargaining power of the disenfranchised.
- Absence of uniformity of personal laws discriminates against women, particularly, those of minority communities.
- Lack of support from the society and family and economic dependency creates a blind alley for women seeking divorce.
- Women’s vulnerability to violence and rising violence against women.

Legal Aid Unit

The Legal Aid unit attains it’s goal through mediation, legal advice, counseling, litigation in all the courts and advocacy.

- Legal advice is given personally in the office or clinics, and sometimes by email or telephone in family disputes e.g. concerning polygamy, dowry, maintenance, custody, family dispute, dower and divorce.
- Mediation is the preferred mode in family disputes, not involving violence or a criminal offence. Both parties are invited to a settlement which is negotiated or mediated on the basis of the laws.
- Litigation is conducted in appropriate courts within Dhaka division in criminal cases such as rape, murder, violence or violation of fundamental rights.
- Social support services e.g. shelter, counseling, medical care, employment are provided to clients through ASK’s liaison with other organizations.

The tables below explain the entire range of work taken on by the Unit during the year.

On going cases are classified under old clients. Complaints by new clients are registered either in the office or legal clinics, and these are processed for advice, for mediation or litigation. (See table 5)

Table 5: Number of clients registered and visits by clients

Activities	Performed
Old Clients seen during the year	3302
New clients registered with LAU	864
Visits by clients (office + clinics)	6448

In table 6 below it is seen that mediations were undertaken in a very high proportion of complaints. Out of the total mediations, a little more than 25 per cent could be disposed or settled, while almost 75 per cent were under process. Litigation of 181 old and new clients was ongoing. The field workers were able to maintain liaison with about 10 per cent of clients who were attended to this year.

Table 6: Status of new complaints in 2002

Activities	No of cases
Mediations disposed/settled	222
Mediations under process	599
Referred for litigation	38
Referrals for cases, investigation, support	5
Total complaints	864

The larger proportion of complaints related to desertion, while assault was the second most common. ASK received only one complaint of acid burn, which may be because the Acid Survivors Foundation was handling most complaints. There were 89 cases for release of women and

children from safe custody and 20 cases of rape, which ASK handled through the courts. Two property disputes were also taken on. (See table 7) 173 complaints listed under others referred to petitions for release of detainees from jail, threats, seeking shelter, fraud, under age marriage.

Table 7: Break down of complaints received in 2002

Type of complaints received in 2002	No of complaints
Family Matters:	
Desertion	227
Divorce	29
Dower	19
Dowry	21
Maintenance	32
Polygamy	36
	414
Violence:	
Child custody	05
Rape	20
Acid Throwing	01
Assault	143
Kidnapping	08
Murder	04
	181
Others	
Work related	05
Property	02
Safe custody	89
Others	173
Total	864

Table 8 provides a breakdown of cases handled by panel lawyers and staff lawyers. Many of these cases have been on going for several years. Panel lawyers conducted jail appeals and detention cases.

Table 8: Breakdown of litigation cases handled by panel lawyers and staff lawyers

Court	No of cases in 2002		Pending from previous years (upto 2002)	
	Panel Lawyers	Staff Lawyers	Panel Lawyers	Staff Lawyers
Family court		57	87	232
Magistrate's Court		23		
Nari o Shishu Nirjatan				
Daman Special Court		16		
Juvenile Court	48	0		
Labour Court	61	0		
High Court		05		
Total	109	101	87	232

Time consuming court procedures, gender bias of family court judges or police department discourage many clients from filing court cases. Other limitations such as lack of legal documents, social stigma and insecurity make it difficult for clients to pursue their cases. While social realities may present obstacles for effective legal

remedies, legal aid is a valuable tool to facilitate women's struggle for rights. Coming to grips with the social realities opens an avenue for the Legal Aid unit to develop new mechanisms to fight discrimination, inequality and violence against women. The Unit is able to draw upon its experiences with clients to recommend reform of laws and legal procedures at:

- Seminars to sensitize judges, advocates and other legal personnel to the need to recognize women's rights.
- Solidarity programmes with clients.
- Orientation programme for registered clients to understand legal procedures and legal rights.

Table 9: Gender and age of clients

Gender/Age	Child (0-12)	Adolescent (13-17)	Adult (18+)	Total
Female	43	66	702	811
Male	12	2	39	53
Total	55	68	741	864

Apart from regular legal aid, the Unit obtained release of 110 sex workers from police and jail custody, release of 89 women from safe custody (in thanas), moved for repatriation of two women survivors of trafficking, provided legal assistance in 28 cases outside Dhaka, filed eight appeals for release from jail, and sent urgent appeals to law enforcing agencies in 144 incidents of violations. Unit members also wrote articles for the media.

CARE referred cases of sex workers for ASK's legal support. The Unit also had to respond to increased requests from the police to provide secure temporary shelter for children or women who may be in their custody.

Success of legal aid rests on the fact that it opens a window for clients to claim their legal rights. The number of cases filed demonstrated that people did have faith in the Legal Aid unit, and many times this had been justified by the success of cases. It is rare for the poor and the weak to be provided free legal aid in a supportive environment, where the system is motivated by money and power.

Discrimination against women and disrespect for them is embedded in social tradition and political power, and it will take time and concerted effort to reform and radicalize social attitudes. It may not be possible for women to claim ultimate justice only through legal aid. The success of the unit can be determined by the means it uses to move towards its goal and not how far it is from the goal. If the move is made in the right direction it will only shorten the distance to the main goal.

Absence of law on domestic violence is a deterrent to justice. Case study II shows that the only way for S to seek justice for physical violence was to file a case under the Anti-Dowry Act. This required strong evidence of grievous violence and a written dowry demand. Marital violence is a common occurrence in Bangladesh but only evidence of grievous injury is recognised as gender violence.

CASE STUDY

I

M (48 years) was married in 1970 and her Nikahnama was registered. The Dower money was 501 taka. She was forced to leave her husband's home with her son and daughter after 10 years of marriage due to marital violence. As she was not aware of her legal rights she did not ask for maintenance from her husband.

After 22 years she met an ASK field worker who told her of her right to maintenance. M came to ASK's Dhaka based legal aid clinic and filed a complaint against her husband. After sending a couple of notices and messages through field workers, M's husband agreed to sit for mediation. He was given legal counseling and made aware of his legal obligations. It took six shalish sessions, but at the end the ASK lawyers were successful in retrieving 2,04,357 taka for M's past 22 years' maintenance. The money was delivered on 7 October 2002.

II

S (age 29) a doctor by profession was married in 1997 by registered Nikahnama. Her dower was fixed at 500,000 takas. Her married life was not happy because her husband often abused her mentally and physically and demanded dowry. In 1999, on the night of 10 April she was brutally beaten by her husband all night long. The next morning S left her husband's house and came to her parents' house. Shortly after this she visited ASK's legal clinic and said she was confused. ASK lawyers provided her with legal counseling and made her aware about the existing laws and options she had within the law. S eventually made up her mind to divorce her husband. S's husband filed a suit for restitution of conjugal rights; ASK lawyers supported S throughout this case. ASK lawyers filed a petition for dismissing the case of restitution of conjugal rights and the case was dismissed. After that with the help of LAU's lawyers S filed a suit in Family Court demanding her dower and maintenance. Finally she was successful in getting her dower and maintenance money.

Field Liaison Support

The Field Liaison Support unit provides support to clients of the Legal Aid unit by:

- Organizing solidarity workshops and maintaining in-depth communication with the clients.
- Encouraging women to talk about their social and family problems through sensitive interaction with the clients.
- Networking with other organizations or solidarity groups to find job opportunities for the clients, place them in shelter accommodation, provide medical care and other basic necessities for the clients.

Follow up of Clients' Cases:

In 2002, 1,510 clients attended five legal clinics held every week in five areas of Dhaka. The lawyers from LAU listened to their complaints and advised them while FLS workers maintained liaison with 150 clients.

Workshops for Clients:

Clients often suffer from depression, lack of confidence and confusion about making decisions during the mediation/litigation process. FLS unit helps the clients overcome their crisis by discussing their problems in monthly workshops. In these workshops each client's problems are discussed and they are made aware of their legal rights and the legal provision available to them. Nine workshops were arranged and 98 clients attended.

Health Care, Training and Job Opportunities for Clients:

Health care is provided to all residents of the Half Way Home and to other clients, should they need emergency care. Primary treatment is given to clients who are suffering from malnutrition, night blindness, pregnancy problems and other injuries. The clients are taken to government hospitals and to the Dhaka Community Hospital, with the help of FLS unit. Pregnant clients are advised on health care and sometimes a trained midwife is contacted for childbirth.



Women seek legal advice from ASK lawyer

The Unit tries to help with referrals for jobs to match their capabilities and qualifications. Clients have been appointed at garment factories, for domestic work or trained to run independent, petty, retail business; they have also received training in making and selling home-made pickles, paper bags, tailoring, baking and tie-dye. YWCA in Dhaka has provided such trainings.

Table 10 : Work undertaken by the Unit

Nature of work	Total
Attendance of Clients in Legal Clinics	1757
Clinics Organized	193
Legal and Human Rights Training	04
Client Follow-up	2366
Shelter to Women and Children in HWH	213
Health and Medical Facilities	315
Referred for Counseling	198
Providing Job	83
Client Workshops	09
No of clients attending Workshop	88

Half Way Home

FLS unit runs a Half Way Home to house clients in crisis or pending their trial, to ensure their security. Survivors of domestic violence, rape or sexual assault find a short-term safe space, where a women can rebuild her confidence, stay with other women, and look after herself. It has a capacity to house 10 adult women and a few children. The home provides food, health care, training and recreational facilities.

Table 11. Support to Clients in Half Way Home

Type of Support	Number of Clients Accessed the Support
Shelter in Half Way Home	213
Other Shelter Homes	13
Food	213
Health Care	68
Clothing	89
Counseling	53
Legal Service	41
Basic Literacy Training	30
Recreational Facilities	213

The clients are referred to ASK's psycho-social helper (in counseling), who visits the half way homes twice a week to listen to the clients. Training courses are given on confectionary, sewing, painting and basic literacy. Before the clients leave the home they are asked to give comments on their stay.

Help in Psycho-Social Counseling:

A helpers' association was formed in June 2000 by trainee participants of counseling courses organized by ASK.



Legal Aid clients with field worker

Some staff of ASK have also participated in the training on basic counseling and ASK has appointed a Helper in psycho-social counseling for "active listening" to clients on April 2002. 198 clients from the Legal Aid, Field Liaison and Child Rights units received individual or group help in psycho-social help.

Table 12: Types of Psycho-Social Complaints

Activity	FLS		LAU		CRU		Total		Total Session
	F	M	F	M	F	M	F	M	
Individual help	30	1	18	1	8	14	56	16	147
Group help	34				11	10 1	45	101	13
Couples helped					3		3		15
Guardians helped					2		2		2

Limitations of Field Support:

It is a common phenomenon to find that a rape client's medical test has been neglected by the police officers or a victim is not able to seek legal assistance because of pressure from influential members of society. Often the accused is very influential. The Half Way Home has its own limitations, since clients can only stay here for six months; this period is not adequate for them to acquire skills that could make them self reliant. As a result ASK can only provide short-term training and short counseling sessions.

Outreach Unit

ASK shares its resources by collaborating with other NGOs in Bangladesh in their areas of work. An important networking programme is carried out through the BRAC-ASK Joint Legal Aid Program. Under this programme, ASK duplicates its model of legal aid service to BRAC clients as it does at its urban clinics through the Legal Aid unit. BRAC's group members had received training on legal literacy, and human rights issues for several years first through a pilot programme on para-legal training and then as a long-term project on law and human rights training. After learning about legal rights, BRAC group members demanded legal support to secure their rights. This demand created the basis for ASK's current outreach program with BRAC. It was started in Manikganj and Mymensingh in 1998 and then expanded to 185 legal clinics in 27 districts. During 2002 the Outreach Unit received 4,620 complaints.

Table 13. Complaints Received: 2001-2002

Description of steps taken	Total complaints	
	2001	2002
Complaints Accepted	2,376	4,687
Settled through Mediation	1,304	2,252
Cases Conducted by Lawyers	201	242
Cases Disposed	81	121
Complaints Pending	790	2,072

Table 13 shows the increase in numbers of complaints received. This is explained by an increase in the legal clinics in Rajshahi and Dhaka. As in the case of complaints received in urban areas, women in the villages also appear to prefer mediation to litigation.

The work of the Unit involved:

- Creating a network between the Outreach Unit staff lawyers and BRAC staff and panel lawyers.
- Providing a para-legal training for BRAC programme officers (PO) and area coordinators (AC) in charge of each legal aid clinic, which enables them to understand laws, mediation, court procedures and practical aspects of client management.
- Coordinating meetings for regional managers, R.S.S, area coordinators, programme officers, panel lawyers and outreach unit staff lawyers.
- Arranging workshops for clients in order to brief them about the legal aid procedures.

Networking with the BRAC Area Staff:

In the beginning of each programme an orientation session is arranged in order to familiarize the BRAC staff about ASK's mission, philosophy and activities. This session also introduces the basic structure of the programme and a work plan.

The second step in the outreach programme is to select panel lawyers who could provide legal support to the clients. Lawyers are selected on the basis of their experience, commitment to rights and legal aid. Female lawyers are given priority to enhance their participation

in the legal aid process. A total of 101 lawyers were selected to serve on the legal aid panel for this programme in 26 districts.

Training for Legal Aid Staff:

One of the most important conditions for successful delivery of legal assistance is capable and knowledgeable staff for client management. ASK arranges six day long theoretical trainings and three day long basic trainings respectively for the programme officers and area coordinators. This training includes laws regarding family matters, land rights, violence against women and criminal cases. Court procedures, know-how of case management in police stations and courts, police and UP chairman's social duties are also discussed in this training. The practical part of this training takes place at ASK's office. Trainees learn to interact with clients, file cases and proceed with the case. Practical training also looks at aspects to build client confidence through workshop discussions; follow up cases, visiting shelter homes to provide support to clients.

Investigation unit provides training for the BRAC staff on fact finding. Legal aid often needs some field investigation to collect documents in support of the case. It is not uncommon for clients to come with little information and few legal documents; in such cases, collecting documents becomes the responsibility of the legal aid staff. Programme officers are given refresher courses each year to focus on topics discussed in the theoretical, practical and fact finding trainings.

Coordination Meeting:

The Outreach Unit manages the programme in the districts, but it is very important to meet with the regional staff and panel lawyers to assess the demands and progress of the programme. Four meetings are held each month for the regional manager, R.S.S, area coordinators, programme officers, panel lawyers and Outreach unit staff lawyers.

This meeting distinguishes cases that need to be taken to the courts and distributes the cases among the panel lawyers. Follow up of on going cases, future plans and discussions on each and every problem faced by the legal aid staff is discussed in the coordination meetings.

The Outreach unit visits BRAC area offices in order to oversee the developments and sort out any problems that may occur. This visit helps maintain an information flow on cases, and monitor their progress.

Table 14. Number of BRAC staff who participated in courses:

Type of Training	No. of Training	Total Number of Participants	Male	Female
Theoretical Training	7	202	168	34
Basic Training	7	144	129	15
Para-Legal Practical Training	4	33	17	16
Fact Finding Training	2	36	20	16
Refreshers Training	8	170	128	42
Fact-finding, Filing and Documentation Training	7	164	143	21

From the previous table, it is clear that the number of female participants is fewer than that of male participants. The selection of staff is done by BRAC and many of their programme officers are men.

Support to Clients:

Clients who come to the legal aid clinics for services often have no knowledge of laws and court procedures. They tend to get frustrated and impatient about the

- We endeavor to solve the complaints primarily through mediation, so the number of litigation is very small, because litigation is resorted to when mediation fails or in criminal cases.

In a total of 230 legal aid clinics, average number of complaints was about 20, out of which about 10 complaints had been settled through mediation and 1 complaint filed for litigation.

Table 15. No of complaints handled in different clinics

Sl	Region	Total Clinics	Total Complaints	Total Mediations	Total Cases*	Total cases disposed of*	
1.	Manikgonj	17	386	192	24	16	
2.	Mymensingh	15	430	162	50	19	
3.	Faridpur	09	281	151	04	05	
4.	Gazipur	08	133	63	00	03	
5.	Jamalpur	08	237	168	11	09	
6.	Narshingdi	10	238	129	24	15	
7.	Sherpur	11	295	198	02	12	
8.	Tangail	13	293	150	05	03	
9.	Gopalganj	05	132	67	10	01	
10.	Madaripur	04	131	55	09	04	
11.	Shariatpur	06	95	54	06	04	
12.	Rajbari	05	139	50	09	01	
13.	Kishoregonj	10	236	103	20	16	
14.	Netrokona	07	150	81	08	10	
15.	Natore	08	194	78	09	01	
16.	ChapaiNawabgonj	06	92	78	02	00	
17.	Rajshahi	09	204	104	15	00	
18.	Munshigonj	06	36	34	01	00	
19.	Noagaon	11	144	64	09	00	
20.	Narayangonj	Figure merged with that of Munshigonj					
21.	Joypurhat	05	81	22	00	00	
22.	Dinajpur	15	108	25	02	00	
23.	Nilphamari	06	69	22	03	00	
24.	Gaibanda	08	126	25	03	00	
25.	Sirajgonj	08	101	36	08	00	
26.	Kurigram	08	143	40	04	00	
27.	Rangpur	12	213	101	04	02	
Total		230	4687	2252	242	121	

*The figure shown is of original suits/cases only. Appeals/execution suits are not included in the figure.

process of asserting legal rights. During the coordination meeting in August 2001, it was decided that workshops would be held at legal clinics to explain laws and legal procedures to clients. In 2002, a total of 34 client workshops were held.

The total number of complaints, mediations cases filed and disposed of in the year 2002 are shown in table 15. The table above shows that:

- The variance in numbers of complaints in different districts arises because of the difference in time of starting a legal clinic. For example the programme was started in Manikganj and Mymensingh in 1998, the next six districts in 1999, No. 9 to 14 in 2000, No. 15-21 from 2001 and Sl. No. 22-27 from 2002.
- In 2002, about 50 per cent of the total complaints were settled through mediation, about 5 per cent were filed as litigation, about 50 per cent of total litigation had been disposed of and about 45 per cent of total complaints were on going.

Child Rights Unit

The Child Rights Unit runs six Drop in Centers in Dhaka city where 1,106 working children ranging from 8 to 14 years received services during the year. 665 children were new comers to the DICs and 441 were registered earlier. A total of 388 children's profiles were maintained. The centres provided basic, continued and general education and operated on flexible timings, which is why they have acquired the name of *Jokhon Tokhon Shikkha (Any time School)*.

Basic Education:

Children learn how to read and write through learner-centered methods. By the end of grade I, DIC children are usually able to recognize about 400 words in simple sentences and read books. In 2002, 180 children were given basic education.

Continued Education:

Literate children are promoted to grade II. By this time most students become enthusiastic readers. Mini libraries in each DIC are equipped with more than 100 books for post literacy needs. This year, 208 children were registered users of the mini-libraries. Newspaper assembling and children's theatre raises awareness amongst the students.

General Education:

Students learn through workshops based on a 12-unit syllabus entitled *My World*. In 2002, six DICs organised 150 workshops for 150 children participated in these workshops. These workshops used a structured communication strategy, generated a keen interest in general knowledge, increased the children's awareness, and contributed to personality development.

My World syllabus has been used both for literate and non-literate children and their parents. It covers twelve topics entitled Myself, My Body, My Health, My Food, My Country, My Environment, My Neighbors, My Culture, My Reproductive Health and Gender, My History, My Beliefs, My Rights.

Teacher's Forum:

The unit organized many teachers' forums with neighbouring primary schools to discuss and evaluate *My World* module. The last forum was held in November 2002 at Dhaka University's Institute of Education Research, where eminent educationists and teachers commented on the manual. Feed back from 80 participants confirmed that the manual was an important aid for teachers and the topics are necessary for adolescents. Teachers felt that a training manual is an essential supplement in training. ASK considers quality education as a human right particularly child rights and therefore endeavors to promote good methods of teaching through teacher's forums.

Enrollment and Scholarship:

Students who show regular interest in further studies are admitted into government, non-government and NGO based schools. Enrollment is based on the availability of sponsorship funds. In 2002, 19 students were enrolled in formal schools.

Health Care:

Informative sharing sessions were organized for DIC educators in order to raise their awareness on topics such as Dengue fever, nutrition and family planning with the help of doctors from the community hospitals.

Most children suffer from serious occupational health problems such as allergies, respiratory disorders, injuries, skin infections and general weakness. A doctor from Dhaka Community Hospital visits the DICs twice a month and offers health care for the children. For emergency purposes children are taken to the hospital and the Unit bears the costs. As most of the working children are malnourished lunch with rice, vegetable, lentil and meat is provided to the children as a part of the health care program. Last year 781 children received health care service and lunch was provided to all those who attended the DICs.

Legal Protection:

As children have little facility to seek legal support through the traditional judicial system, the CRU takes responsibility of providing legal advice, mediation and litigation (when necessary) for children. The complaints are referred to the Legal Aid unit for legal advice or mediation between children and their employers. Legal clinics are organized at Goran and Mirpur Drop in Centres for community adults. The CRU refers clients to the Legal Aid Unit in case of litigation and complicated mediation and legal advice. In 2002, nine children were provided legal support.

Meeting with Parents:

A total of 36 meetings were arranged with parents of children who attend the Drop in Centres. 681 parents attended the meetings. Topics such as, the work of Child Rights unit, concepts of human rights, health tips, child marriage and polygamy were discussed.

Meeting with Employers:

Twelve meetings were arranged with 89 employers of DIC children to explain the work of the unit, human rights and issues regarding child marriage.

Creative Works

Drawing and Painting-Art forms part of children's learning process. During 2002, eight prizes were won by DIC children, including one national first prize. Mennonite Christian Committee used the children's pictures in their CD cover, which was appreciated by the audience. The children are now participating in both national and international art competitions. They took part in competitions arranged by ILO, UNFPA, World Children Art in Japan and art competitions arranged by Hunger Project, Bangladesh.

Acting, Theatre and Film:

Many children have shown interest and potential in acting. The DIC theatre group 'Kontho' has participated in theatre productions for the National Children's Theatre Festival, Child Rights Week and International Children's day. Ten children from DIC's acted in Tareq Masud's film *Matir Moina* (The Clay Bird). One of the children Rusel Faraeze played a leading role. It is important to mention that this movie received massive publicity in the country and won an award in the Cannes Film Festival.

Writing

Four issues of *Srijanshil*, the working children's magazine was published in 2002. Children contributed with poems, short stories and personal essays.

Rapid Action Committee:

In order to deal with the rising trend in violence against children, nine organizations formed a committee to monitor these incidents in Dhaka city, maintain liaison with

the police and lawyers regarding the cases and provide moral and legal support to the families. This committee also took the responsibility of publishing the news in the national dailies, and raising the concern of the public as well as government agencies.

Child marriage, by choice or arrangement, lack of awareness amongst employers, concern with sustainability of work, need for counseling services for children, parents and maintaining liaison with sponsored school going. The following suggestions were made by unit staff -

Table 16. Working Children's Profiles

Children	Boys : Girls	Occupations
1106 (823 boys, 283 girls) Between 8-15 years of age.	74 : 26	Van Driver, Garbage Collector, Tempo Helper, Rickshaw Puller, Garage Worker, Brick Chipper, Factory Worker, Electrician apprentice, Helper, Garments Worker, Tailor, Domestic Helper, Shop Assistant, Vegetable, Fruit, Flower and Fish Sellers, Tiffin Carrier, etc.

Table 17. Occupation wise Diseases

Occupation	Name of Diseases
Domestic Helpers	Muscle Cramp, worms, fever, cough, joint pain, injury in eye, injury in leg, dental problem.
Shop Assistants	Scabies, worms, cough, eye problem, ulceration of upper lip, elbow pyodermat, hernia, and jaundice.
Hawkers	Helminthiasis
Garbage Collectors	Worms, cough, Helminthiasis, ear pain, angular stomatitis, skin diseases, infection, anemia, night blindness, nose block, growth on the tongue, dental problems
Loaders	Injury, worms

Table 18. Working Children's Participation in DIC Activities During 2002

Sl No	Activities	Event	Participants		
			Boys	Girls	Total
1.	Registered Child visitors	-	823	283	1106
2.	Profiles	-	283	105	388
3.	Literacy learning (LL)	-	116	64	180
4.	No. of visits	-	31,875	16,965	48,840
5.	News Assembly	348	3292	1844	5073
6.	Library Book users	-	132	76	208
7.	Workshops	151	927	953	1880
8.	Project Task	78	926	747	1673
9.	Enrollment to other schools	-	110	83	193
10.	Recreation/ Rest	-	31,875	16,965	48,840
11.	Nutrition	-	28,752	14,185	42,938
12.	Art Class	97	1410	640	2050
13.	Music Class	279	3441	1765	5206
14.	Theatre	44	189	174	363
15.	Children's magazine	-	-	-	4
16.	Health	-	586	195	781
17.	Legal service	-	1	14	15
18.	Parent's meeting	36	27	654	681
19.	Employers meeting	12	26	63	89
20.	Sponsorship	-	-	-	19
21.	Training in Counseling	1	-	-	15
22.	Field Visit	-	-	-	497
23.	Supervision	-	-	-	77
24.	Children Gathering	15	252	126	387
25.	Art Competition	14	101	23	124
26.	Children Meeting	17	83	44	127
27.	Excursion	1	68	45	113
28.	Teacher's Forum	2	19	22	41
29.	Calendar	-	-	-	100

- Arrange awareness raising meetings with parents and employers to investigate the causes of child marriage and mode of prevention.
- Improve the unit's liaison with employers.
- Generate income through selling teaching material and facilitating trainings and workshops.
- Request private schools to give space for Drop-in-Centres after regular school hours.
- Campaign to encourage sponsorship for working children.
- Interact with government programmes for under privileged children.
- Dissemination of quality education in the media through Teachers Forum and TOTs.
- Lobby with employers of domestic child workers for better treatment.
- Hold workshops and group counseling for adolescent sex workers.

Working children find an opportunity for learning, broadening their understanding of rights and participating in different activities. Children who use the DIC facility learn about themselves and the world around them, they gain an understanding of who they are and how they should relate and react to the world around themselves. The 12-unit *My World* provides general education which helps the children to interact with their environment. Numeracy and literacy helps them to read books and newspapers. They are served lunch, provided health care, creative outlets and recreational opportunities as well. The educators provide social support, empathy and protection.



Working children of ASK in 'Matir Mayna' film

Some children were provided counseling services and it proved to be effective in boosting their confidence and enabled them to improve working relationship with their employers and the parents. Workshops in counseling were led by experts.

CASE STUDY

I

When R was very young his father remarried. R came to Dhaka with his mother and two sisters in search of employment. His mother sold bananas and soap to support her family. R started working in a fish stall where he was paid 20 taka per day. At this point he joined the Goran DIC. As he was a bright student after passing fifth grade from the Goran Primary School he was admitted to the Post Office High School by the DIC authorities. Currently he is in eighth grade. R's mother caught tuberculosis and was unable to support the family anymore. R started working harder at the fish stall, but due to lack of proper food and cleanliness he also was infected with T.B. R and his mother both were treated and recovered. R's mother decided to go back to her village again. But R decided to stay back and continue his education. The DIC arranged for R to join Surovi (a residential school for destitute children). He is now continuing his education at Surovi.

II

S came to Dhaka with his parents and two siblings in search of work. His father remarried after coming to Dhaka and stopped providing maintenance for S and his mother. S became a domestic worker to support the family. Even though S had a difficult life she still continued coming to the DIC and participating in acting, theatre, singing and debate. She won first prize in a debate contest arranged by the Shishu Odikhar Forum on Child Rights Week. S's picture was published in the newspaper. This was a boost to S's overall situation. She was respected in her community and was inspired by her mother to continue attending the DIC. She is now continuing her education.

The success of the unit can only be judged from the joy and freedom of expression working children find through the various activities. The teachers create a safe circle for the children; food provided stops them from begging, health care ensures their growth and counseling takes care of their emotional well being. In the world of working children sad stories are many, but CRU helps to create moments of joy and happiness.

Investigation Unit

Activities:

- Conducting field visits, interviews with eye witnesses, victims, suspects, police, local people etc.
- Collecting relevant documentation for evidence.
- Using reports for follow-up legal action, public campaigns and advocacy.

Methodology:

Field Investigation-Investigation includes interviews with eyewitnesses, victims, suspects, police, local persons and relevant government officials. In 2002, the unit undertook 118 incidents of human rights violations.

Observation and Monitoring-Investigators observed two police stations and two hospitals in Dhaka city to identify victims of violence who might require legal aid. The nature of complaints lodged at the stations, complaint recording procedure, handling of violence against women cases were observed carefully. At the hospitals, cases of acid burn, rape, police violence, unnatural death were investigated and the morgue and original location of violence were visited.

In addition, different high profile teams visited Bhola, Comilla and Rajshahi districts during 2002 to meet with victims of attacks on Hindu minority and adolescent girl victim's family. Such visits play a pivotal role in highlighting the plight of the affected through mass media coverage, ensure that victims receive proper legal advice, and secure the cooperation of the local administration.

Fact Finding Training-The unit provides Human Rights Fact Finding Training to interested NGO workers, human rights activists and journalists to initiate impartial investigation.

Lobbying and Campaign- Eight articles based on investigative reports were published in the national media and in ASK's Bulletin to create public awareness of the nature of violence or violations of human rights. As part of its lobbying efforts, 137 appeals or memorandums, based on investigation were sent to relevant authorities. The unit organized a press conference to protest joint action by BDR and police.

Table 19: Use of Investigations in 2002

Activities/ Sub Activities Field Investigation	Remarks
Lobbying & Campaign Media articles Writing letters/appeals Discussion / Workshops	Several articles published in National dailies. Letters initiated legal actions.
Observation & Monitoring Hospital visits Police Station watch Election Monitoring National (Parliament) election UP election	Due to priority to other activities and also for restriction- PS and Hospitals visits were limited. Shortage of fund & manpower, target minimized. Fund was not available.
Training Arrange fact-finding Training for unit staff. Investigation Report Writing for unit staff.	Supposed to be organised by Admin. Management. No training was provided to unit staff.

Table 20: Investigations carried out in 2002

Subject	Completed	Referred for Action		
		LAU/Adv	Comm.	Appeal to Authority
STATE VIOLENCE				
Custodial Death	11	4	1	4
Police, BDR & Army Torture	8	8	1	8
Illegal Arrest	5	4	1	4
Torture and Death (Operation Clean Heart)	19	6	2	8
Death in Police Shootout	2	2	-	2
Unnatural Death	12	9	-	10
Slum Eviction	2	2	-	-
Other Evictions	3	2	-	2
VAW				
Rape / Gang Rape	8	6	-	5
Rape & Suicide	2	2	-	2
Illegal shalish & torture of a women	1	1	-	1
Torture on woman	1	1	-	-
Violence against Domestic Workers	2	2	-	1
ATTACKS ON MINORITIES	16	16	-	16
CHILDREN				
Trafficking	1	1	-	1
Tracing Missing Children	2	2	-	-
POLITICAL VIOLENCE	4	4	-	2
Torture, Arrest (Journalist)	5	5	1	5
Murder of Journalist	1	-	-	1
INSTITUTIONAL VIOLENCE				
HIV Foreign Prisoner	1	1	-	-
Medical Negligence	3	2	-	2
Remand / Danda bari	1	1	1	1
Garments	1	1	-	-
OTHERS				
Rohinga Refugees	1	1	-	-
Miscellaneous	6	3	1	2
Total	118	86	102	77

The unit works on highly sensitive issues. Investigating influential persons or institutions is often difficult and risky. During the past year the unit felt the need for-

- Female investigators who could handle interviews with women more sensitively.
- Tape recorders, mobile telephones and cameras to capture the evidence and communicate with other team members.
- Training programmes on fact finding investigation and writing reports on human rights.
- Maintaining contact with political leaders and government officials.
- Liaising with the media to improve coverage and campaign.

The unit has expanded its work to investigate systemic violations of human rights and its reports have been used for PIL, lobbying for law reform, research or advocacy. Some organizations have invited the unit to conduct training in fact finding and investigation.

Advocacy for Reform

Documentation

Research

Communication

Advocacy



Accurate and adequate information is essential to prepare a court case, whether it has to do with violations of human rights or legal justice. Specially, when ASK takes up cases for the disempowered, it is important that its briefs be based on hard evidence and accurate background information. Primary information is collated from the Documentation Unit, files of newspaper clippings maintained on human rights subjects. Statistics compiled from newspapers on different types of violence or human rights violations are published periodically in the media or circulated to readers from different professions.

ASK's research seeks to examine the implications of laws and policies on rights of the citizens. Research unit conducts research on various topics, either independently or in collaboration with other organizations. Policy research or action research is carried out by consulting secondary sources, collecting primary data and dialoguing with concerned groups or communities. Last year the Research Unit assessed the work and records maintained by three ASK units. Themes of research are usually proposed in discussions with other units. More immediate research may be carried out to prepare public interest litigation briefs, or to recommend immediate policy reforms. Currently ASK is conducting an extensive research on *shalish* practices and interventions by several NGOs including ASK.

Both documentation of media reports and research findings are useful inputs for ASK's advocacy, whether preparing briefs for class action or policy papers. An important support comes from the Communication Unit, which is responsible for media campaigns and creating public awareness. ASK's thematic publications and its regular periodicals or articles written by members and staff for the national media have found an influential niche amongst practitioners and policy makers.

Documentation Unit

Activities:

- Monitoring media reports for incidents of human rights abuses and referring relevant cases to the Legal Aid or other units for rapid action.
- Compiling newspaper clippings on subjects related to human rights, governance and citizens' rights and tabulating and compiling statistics on human rights abuses.
- Maintaining a library, including cataloging/classification of materials and accumulating computerized data.
- Purchasing and cataloging videotapes produced by ASK and other organizations on human rights issues.

Outcome:

1. Information gathered by the Documentation Unit was used for public interest litigation on illegal arrests by BDR under the Joint Investigation Cell, or campaign against on ban of meetings at Shahid Minar, police violence on students of Shamsunnahar Hall, in Dhaka University.
2. Statistical compilation on violations of human rights was disseminated to the media and made accessible to teachers, students, journalists, writers, non-government and government officials for researchers and other users.
3. Tabulated data was used for the *Human Rights Report 2001*.
4. A computer based archive was maintained.

Table 21. Documentation Unit's Activities in 2002

Planned Activities	Planned No.	No. of Achievement
Computer Catalogue on Law Books and Human Rights.		Books-55, Reports-216, Journals-330
Inventory of Library Materials	12	10
Maintained Newspaper Clippings, Scanning, Cutting, Pasting and Filing	Daily-10 Weekly-2	Total newspaper-3,218, 24,385 pages
Prepared Statistical Chart on Violence against Women (Rape, Acid Attack, Domestic Violence)	28	29
Statistical Tables on Section 144, Custodial Death and Torture, Political Violence, Harassment of Journalists.	4 each issue	27
Number of Library Users	-	934
Published Bibliography on ASK Articles and Publications	1	On going
Index of Collected Photographs	1	On going
Identified Locations where Fatwas instigated Violence Against Women	01	In the process
Maintained and Catalogued Video Collections	01	On going
Distributed ASK Bulletins, Leaflets etc.	-	Distributed-15,000 Sold/ Complimentary Copies-1,480

ASK staff and members, as well as external readers use the library services. During the reporting period 934 individuals and organizations utilized ASK's library facility. Its usage would improve if there was more space for readers.

Regular users of the unit facilities included lawyers (District Court, High Court, Supreme Court), District Bar Councils, District Judges, journalists, NGO staff, government agencies, Union Parishad Members/Chairmen, doctors, police, student teachers, researchers from within the country and abroad.

Newspaper clippings were compiled on 26 subjects related to human rights, gender equality, women's rights, governance, etc.

Communication Unit

Media campaign is an integral part of the strategy to raise public awareness. ASK uses print media and publishes its own publications to draw attention to violations of legal and constitutional rights. Publications from the unit generate discussion on loopholes in the law and possibilities for legislative changes. Communication unit is committed to disseminating information to educate the wider public through mass media. It produces a quarterly bulletin and leaflets on law and human rights in simple language; its press release and articles are published in the national dailies regarding issues of laws and human rights violations. Materials developed by this unit are used by the Popular Theatre, Gender and Social Justice and Training Units and the local community organizations they dialogue with in six thanas.

Activities:

- Published quarterly *Bulletin*, pamphlets and books on issues of human rights, women's rights and laws.
- Facilitated publication of research materials and provided necessary documents for advocacy.

Pamphlets- Pamphlets provide an analysis of social or political constraints on observance of human rights and facilitate discussions that seek to promote law reform.

Bulletins- ASK's *Bulletin* is a quarterly publication that highlights legal and social implications of processes that impinge upon human rights. For example the September 2002 *Bulletin* raised the issue of freedom of speech. The *Bulletin* reports on developments relating to ASK's strategies, it highlights matters of current human rights concern, and analyses the political and social context. Besides the main cover story, discussion of current issues relating to women's rights and human rights are useful in stimulating discussions. In 2002, the four cover stories in the *Bulletins* were on the following topics-

- *Sexual Harrasment of Working Women*, March 2002.
- *Use of section 54 for illegal arrests*-June 2002.
- *Freedom of Speech*, September, 2002.
- *Justice for War Crimes*, December 2002.

Leaflets on laws are published in very simple language and are illustrated, so that they can be understood by those with minimum education. They are in demand in the six thanas that form ASK's working areas. Their readership includes chairpersons, members of Union Parishods, local officials, community leaders, members of community organizations, ASC, MSP and MNP members. Topics include specific laws and human rights. Usually one topic is raised in each issue, and cartoon sketches increase its readability.

Publications in 2002 included the following:

1. *Smriti o Kotha 71* by Anjali Lahiri is being translated into English.
2. *Human Rights Report 2001*. (in Bengla and English)
3. *ASK's Annual Report 2001*
4. Legal Handbook on Public Interest Litigation (PIL), that will analyze prominent PIL cases conducted in Bangladesh and other countries of South Asia. (forthcoming)
5. Articles written by staff and members on the following issues were published in national newspapers: Violence against women, Women's Rights, Violence Against Minorities, Mob Violence (suspected hijackers were killed by mob), Blasphemy Laws, Analysis of newly enacted laws, Analysis of abusive provisions & procedures of criminal justice administration, Right to Shelter, Articles on different International Days relevant to HR, Right to freedom of expression, constitutional legality of joint operations by army, paramilitary and police forces (Operation Clean Heart).
6. Press releases were issued by the Unit to protest violations of legal or human rights, or against policy lapses and to publicize events relating to governance and civil rights.

Research Unit

Activities:

- Examine how laws and policies affect lives and options for citizens.
- Analyze the consequences of the application or neglect of specific laws, policies and programmes.
- Research into specific areas for law reform, and
- Prepare reports for advocacy with public representatives and policy planners to mobilize public opinion around critical issues for law and policy reform.
- Assess the effectiveness of different Units by examining their reports.

Methodology:

- Consult secondary sources, survey, interviews, focus group discussion, Review and analyze relevant national and international laws and policies, Prepare reports, Disseminate findings to media and formulate recommendations for advocacy related activities

Reports

Human Rights Report 2001: This year's report on the state of human rights in Bangladesh included fourteen chapters that discussed relations between state and citizens, institutional promotion or negligence of rights, violations of groups rights, civil and political rights.

Working Children: Assessed the impact of the Child Rights Unit on working children who attend the DICs. It highlighted the quality of life and livelihoods of working children. Findings from this research were presented to ASK staff, specially to members of the CRU, to consider further problems of working children.

Socio-Economic Background of ASK Clients: Initiated a research on the socio-economic background of ASK's clients and process of legal aid at ASK.

ASK-BRAC Outreach Legal Aid Program: The purpose of this research was to examine legal aid services under the ASK-BRAC partnership in rural areas. The first part of the research has been started by BRAC in consultation with ASK Research Unit and Outreach Unit staff.

Women and Housing Rights: This paper was prepared in collaboration with the International Habitat Council, for inclusion in the report to the UN. It was done by an external researcher and will be included in the *Human Rights Report 2002*.

Freedom of Information: This report was prepared by an intern as ASK for the Commonwealth Human Rights Initiative (CHRI) for inclusion in their report to CHOGM.

Advocacy Unit

Changes in policies or laws in the formal sense, can be brought about through legislation enacted by Parliament or through judicial directions. ASK uses both methods. Petitions for public interest litigations are prepared on the basis of information provided by the Documentation and Investigation Units, case experience of the Legal and Outreach Units, and the analyses provided by research done by both the Research and Advocacy Units.

In 2002, the Unit worked on the following public interest litigations, preparing petitions, filing writs in the name of ASK alone or with other organizations such as



Garments workers demanding 3 months' back pay

BLAST. High Court directions were sought through Public Interest Litigations in the following matters:

1. Right to shelter: against illegal and forcible evictions

Amtoli basti (15,000 residents) WP no 658/2002
HC issued stay order till disposal of case against eviction.

Kallyanpur bosti (100,000 residents) WP 1471/2002
HC directed the filing of a new petition addending possible rehabilitation scheme.

Jheelpar Bosti WP No. 4334/2002

HC Rule issued on the respondents to explain why HC guidelines for resettlement before eviction were not followed.

2. Freedom from Torture, illegal detention and arrest

Against arrest of citizens by BDR and prayer for compensation on behalf of the victims. WP 3621/2002. HC declared such incidents of torture and arrest illegal.

3. Rights of the Child

Jononirapotta Case No 241/2002 against trial of two minor children in the same case with adults.

Trial Court Order for children to be produced in Court, and transferred to the Tongi Correction Centre and to frame separate charges against them.

Lobbying to promote implementation of rights

On slum eviction: With Secretary of Housing and Public Works relating to WP 658/2002 to stop eviction of Amtoli Bosti.

Police Violence in University: Statement to Chairman of Judicial Enquiry Commission relating to violence against students of Shamshunahar Hall.

Illegal arrests: Distributed Court Orders on WP no 3621/2002 to 64 Police Superintendents regarding arrests by BDR.

Illegal Detention of Bangladeshi citizens in Alipur Jail, West Bengal: Memorandum submitted to Justice J.S. Verma, Chairperson of the National Human Rights Commission India.

Workshops and meetings to promote advocacy on particular issues

1. The Unit attended and arranged workshops and meetings to discuss rehabilitation schemes for evicted slums, with architects, urban planners and other professionals.
2. Arranged discussions with concerned Sylheti community groups on Forced Marriages, on rights of garment workers, to consider amendments to the proposed Acid Aporadh Domon Ain 2002, on reserved seats for women in Parliament, trafficking of children as camel jockeys, on post-election violence.
3. The Unit attended meetings arranged by other organizations to discuss the terms for a Human Rights Commission, on Children in Jails, on post election violence, on Mental Health Policy, on penal reform,

on analyses of PIL strategies and interventions.

4. Gave lectures and trainings as resource person on various issues, including at the Summer School Training Programme organized at BARD by Dhaka University Law Department.

Liaison to strengthen advocacy

1. The Unit submitted proposals for reform of family laws to the Law Commission as well as to the Minister of Law, Justice and Parliamentary Affairs.
2. Memorandum to the Inspector General of Prisons to take measures to prevent outbreak of TB in the jail.
3. Memorandum to the Chief Justice protesting the detention of 40 persons as 'lunatics' in Sylhet Jail without providing proper treatment or transfer to an asylum.
4. Memorandum to the Chief Justice against violations of human rights by the armed forces under the 'Operation Clean Heart'.
5. Memorandum to the Secretary of Home Affairs against the reported forced slavery of children in the coastal areas of Bangladesh.

Research for advocacy

The Unit staff conducted research with the assistance of the Investigation Unit on different slums in Dhaka, in areas where post election violence had been reported, on land grabbing of minority community in Natore, in Keraniganj village where the BDR had arrested some villagers, on the legality of army deployment and on rules determining use of the Shahid Minar.

Networking

In pursuing its campaigns and advocacy for legal and policy reform, ASK works together with several organizations or groups concerned with a common issue. Some of this collaboration is institutional, some of it is in response to particular incidents or episodes.

As a result ASK staff from different units have made critical contributions to proposed changes, and affected the course of campaigns.

1. ASK is a member of BSAF and Coalition for the Urban Poor (CUP).
2. UNICEF and the Ministry of Women and Children's Affairs advisory board to prepare a handbook and training material on Juvenile Crime and Justice. ASK was represented in the working group of juvenile justice and protection of children and women from violence, abuse and discrimination.
3. ASK members have been involved in informal networking to prevent eviction of slums, for resettlement of slum dwellers, violence against women and prison reforms amongst other human rights issues.
4. Participation in Special Action Team (SAT): ASK was represented by members of the Legal Aid and Outreach unit in the Special Action Team (SAT) for rapid action formed to resist violence against women. The Deputy Directors of Legal Aid and Outreach units represented.

Programme Management

Administrative Unit:

Activities:

The unit is responsible for overseeing that the administrative policies and service rules are implemented properly and it also provides support to the various programmatic areas. More specifically, the unit's functions are as follows:

Prepare Reports:

Following a clause in the MoU between ASK and its consortium of donors, the organization submits a half-yearly, annual and final report (end of project).

Personnel Rules and Administrative Procedures:

ASK revised its service rules in 2001. In this connection, ASK has amended its rules particularly in case of recruitment and leave. A number of new personnel were recruited to replace staff members who had resigned.

Management Capacity:

A staff development plan has been included in the project proposal to build capacity for future programmes. In 2002, 71 staff received different types of training and courses.

Other Tasks:

Arrange all meetings of Directors, Coordinators, staff and administration on a regular basis, record and distribute proceedings to concerned units. Organize an annual retreat where all ASK staff members participate.

Finance Unit

Activities :

- Daily checking of officials bills, receiving and paying cash/cheques, record keeping of financial transactions.
- Monthly financial reports of all projects and distribution of to all units
- Six monthly financial reports of on-going projects.
- Annual financial statements of all projects for EC, Donor agencies, NGO Affairs Bureau, DC office and annual budget for ASK.

Other Tasks:

Arrange project-wise and annual audit when necessary, submit foreign donations audit report and financial statements to NGO affairs bureau, submission of project wise activities report, financial statements and audit reports to DC Office, monitor expenditure of each project and ASK General Fund against planned budget, prepare Accounts Manual.

MEMBERS

Founder Members

Taherunnesa Abdullah
Fazle Hasan Abed
Khurshid Erfan Ahmed
Advocate Aminul Haq (Deceased)
Dr. Hameeda Hossain
Amirul Islam, Barrister
Advocate Abdul Khaleque
Salma Sobhan, Barrister
Justice K.M. Subhan

Executive Committee Members

Taherunnesa Abdullah (Chairperson)
Nihad Kabir, Barrister (Secretary General)
Advocate Mohammed Assaduzzaman (Treasurer)
Dr. Hameeda Hossain (Member)
Amirul Islam, Barrister (Member)
Advocate Sultana Kamal (Executive Director)
Neela Matin (Member)
Advocate Z.I Khan Panna (Member)
Salma Sobhan, Barrister (Member)

General Member

Advocate Mohammed Assaduzzaman
Advocate Khurshid Alam

Shameem Akhter
Dr.Syed Refaat Ahmed
Advocate Karunamoy Chakma
Dr. Meghna Guha Thakurta
Advocate Fatema Rashid Hasan
Sara Hossain, Barrister
Roushan Jahan
Advocate Adilur Rahman Khan
Advocate Saira Rahman Khan
Advocate Rokshana Khondokar
Advocate Sultana Kamal
Md. Nur Khan
Nehad Kabir, Barrister
Neela Matin
Advocate Md. Zaved Hasan Mahmood
Justice Md. Nizamul Huq Nasim
Dr. Faustina Pereira
Advocate Roushan Jahan Parvin
Advocate Z.I Khan Panna
Advocate Syed Mahbubar Rahman
Advocate Tahmina Rahman
Isaac Robinson, Barrister
Advocate Umme Habiba Shumi
Advocate Dilruba Shahana
Advocate Tanzina Huq Tiru
Advocate Afsana Wahab

PERSONNEL

Executive Director Sultana Kamal

Khursheed Erfan Ahmed- *Advisor*

Directors

Dr. Hameeda Hossain-*Research*

Suraiya Hanam-*Finance*

Md. Nur Khan-*Investigation And Documentation*

Saidur Rahman-*Training,GSJP,PTU*

Training Unit

Saidur Rahman (Director), Shaheen Akhter (Coordinator), Dalia Afroz (Sr.Trainer), [Sayeed Ahmed, Abidur Rahman, Rafiq Ahmed Shirajee, Zakir Hossain Sarkar, Momy Monjury, Tanvia Roseleen Sultana] (Trainers)

Gender and Social Justice Unit

Sanaiyya Faheem Ansari (Coordinator), [Moniruzzaman Monir, Dilip Kumar Pal, Taufiq al Mannan, Gulsan Ara Parvin, Tarikul Islam] (Programme Organizers).

Popular Theatre Unit

Mothar Uddin Akand (Coordinator.), [Eva Shaha, Sabina Yasmin Saba, Md. Jahangir Alam, Zahirul Islam, Jahedul Islam, Sk.Ehsanur Rahman] (Theatre Activists), Nurur Rahman (T.A.Substitute)

Legal Aid Unit

Ila Chanda (Deputy Director, Mediation), Chamon Akhtar (Deputy Director, Litigation), Salma Jabin (Coordinator, Litigation), [Nina Goswami, Dilruba Haque] (Sr. Staff Lawyers), [Monira Akhter Ratna, Nilufar Akhter, Selina Akhter] (Staff Lawyers), Shamsun Nahar and Momtaj Begum (Field Officers), Shithi Rani Das (Unit Asstt.), Topan Sarker (Court Clerk), Nasreen Akhter (Receptioninst), Konika Biswas and Nahid Shams (Interns)

Outreach Unit

Roushan Jahan Parvin (Deputy Director), [Fahmida Akhter, Assaduzaman, Amirul Islam, Khan Md. Mahfujul Houque, Abdullah Al Masum Khan, Shahidul Islam, Md. Mashooqur Rahman Sikder, Md. Kamrujjaman, Mohammad Mosleuddin] (Staff Lawyers), Shamima Parvin (Staff Lawyer), Naima Ahmed Keka, (Intern), Khokon Gomez (Messenger),

Field Liaison and Support Unit

Dilwara Aktar Jahan (Coordinator), Rajia Begum (Field Organiser), [Anowara Begum, Ayesha Begum, Ayesha Islam] (Field Workers). Rokeya Begum (Aya)

Child Rights Unit

Geeta Chakrabarty (Deputy Director), Moqsud Maleque (Coordinator), Nargis Akter (Sr. Facilitator), Rashida Khanam (Facilitator), [Rita Parvin, Mina Sanyal, Rasheda Akhter, Shamsunnaher, Mehraj Jahan, Ambika Roy, Runa Khandakar, Md.Assadujjaman] (ELOs), Ali Akram Tarafdar (Artist), Kamrunnessa(Teacher's Helper), Nasima Akter, (Psycho-social Helper, Counseling), [Hujiron, Mabia, Nargis Aktar Mafia, Mukta Aktar] (Ayas)

Investigation Unit

Md. Nur Khan (Director), Mohammed Tipu Sultan (Coordinator), John Asit Das (Sr. Investigator), [Sheikh Nasir Ahmed, Shah Alam Faruk, Rahima Akhter] (Investigators)

Documentation Unit

Zafreen Sattar (Coordinator), Fahmida Zaman (Sr.Documentalist), [Fatema Zannati, Nargis Akhter, Khorshed Alam] (Documentation Assts.), Chanchal Mandal (Intern)

Communication Unit

Shaheen Akhter (Deputy Director), Rahima Khatun (Sr.Publication Organiser), Mushfiqur Rahman (Communication Asstt.).

Research Unit

Salma Chowdhury (Sr. Research Organizer), Shohana Shabnam and Jharna Khanam (Research Assts.).

Advocacy Unit

Faustina Pereira (Deputy Director), Abu Obaidur Rahman (Coordinator), [Mahmudul Huq and Kowsar Ahmed (Staff Lawyers), Leena Chakma (Unit Asstt.), Iftekhar Ahmed (Intern).

Administration Unit

Nazneen Begum (Deputy Director), Mahmuda Sultana and Shirin Aktar (Admin. Asstt.s), [Nasima Akter, Anil Chandra Mandal, Md. Moshin Ali] (Sr.Computer Operators), [Rehana Sultana, Abedul Moula, Mosharraf Hossain] (Computer Operators), Sabina Yeasmin (Receptionist), Tahsina Ahmed

(Substitute Receptionist), Mintu Barua (Messenger), Md. Haider Ali (Technical Asstt.), Nur E. Alam (Store Keeper), Md. Sekandar Ali (Messenger), [Fazila Begum, Fatema Begum, Jahera Begum, Mariam Begum, Rekha Begum] (Ayas), Laila Begum (Cook), Majeda Begum (Cook), Shamim Hossain (Messenger), Rizwanul Huq (Intern).

Finance Unit

Suraiya Hanam (Director Finance), Md. Shahidullah (Deputy Director, Accounts), Hosnara Begum and Philip Arnold (Accountants), Tahera Begum and Taposh Kumar Ghosh (Assistant Accountant).

SPONSORS OF WORKING CHILDREN

Abu Sayeed
Ashrafun Hossain
Aurelio Pasotto
Jörn Kellermann
Kanchana Ruwanpura
Lucio Baccaro
Dr. Markus Litz
Mushtak Hossain
Paru
Peter Haase
Rumana Kazmi

Sahara Ahmed
Salma Chowdhury
Samantha
Sarah Leigh
Supriyo Chakravarty
Tulu Matin
Wahidur Rahman Azad
Waltrand Haase
Zafrin Sattar
Zonta International Club II, Dhaka

