BANGLADESH
NATIONAL WOMAN
LAWYERS’ ASSOCIATION

ANNUAL REPORT (2008-2009)
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Message from the President

Violence against Women and Girls are universally common but they vary from society to society and generation to generation. Underlying causes of violence against women and girls have been found as a combination of poverty, structural inequality, poor access to education and resources etc which affects the lives of women and children pushing them to a more and more vulnerable position.

Bangladesh National Women Lawyers' Association (BNWLA) was established in 1979 firstly to create a platform of women lawyers from across the country and secondly, to enhance their professional capacity to fight gender based violence in Bangladesh. This was achieved by providing legal support voluntarily to the survivors of various forms of violence against women and children. In this way the organization has set up the best mechanism possible to ensure access of women and children to justice and to reduce the discrimination against them.

Being the president of BNWLA I am proud of the member lawyers from across the country who support the organization voluntarily and at considerable personal cost. In particular, I want to acknowledge the work of the Executive Committee, elected bi-annually from the members, which gives valuable suggestions and generous support to all the staff and initiatives of BNWLA.

My special gratitude towards the staff members who relentlessly contribute to the process that brings BNWLA into the stream of success and help us realise our common dream.

Advocate Fawzia Karim Firoze
President
Message from the Executive Director

Discrimination between men and women is one of the most enduring forms of violence prevalent in our country. In Bangladesh, the civil society and media have rallied against this injustice, yet violence against women and children persist, and is continuously changing in shape and nature.

Bangladesh National Women Lawyers’ Association (BNWLA) has been providing services to the survivors of violence and attempting to establish the human rights of women and children since its inception in 1979. BNWLA successfully advocates for the creation of opportunities for the most deprived and vulnerable sections of society to get access to justice and to reduce the discrimination against them.

Members of BNWLA from across the country have extended their efforts voluntarily which has created a landmark for providing legal supports to the survivors and I want to acknowledge their contribution and the work of the Executive Committee, which gives valuable suggestions and generous support to all the staff and initiatives of BNWLA.

BNWLA has published the report covering the activities and achievements during the year 2008-09. We are particularly grateful to our development partners and donors specially NIDA SIDA, Save the Children (Sweden and Denmark), Plan Bangladesh, Group Development (France), UNICEF, Manusher Jonno Foundation and Asia Foundation for their technical and financial support.

We are proud to mention that BNWLA has effective working relationship with various government departments including the NGO Affairs Bureau, Directorates of Women Affairs, Directorates of Social Welfare and various ministries, especially the Ministry of Women and Children Affairs, the Ministry of Local Government & Rural Development, The Ministry of Law, Justice and Parliamentary Affairs & The Ministry of Home and Foreign Affairs.

BNWLA especially expresses its deep appreciation to our friends in the media for covering news and views of the organization, highlighting important cases of gender-violence and further our efforts to bring about justice in Bangladesh.

Special thanks go to the staff of BNWLA who, through their contributions, enthusiasm and support have contributed to the success of the organization.

Salma Ali
Advocate Salma Ali
Executive Director

Organizational Overview

Organizational views regarding Bangladesh’s Human Rights Situation (2008-2009)

Bangladesh returned to democratic rule in 2009. Constitutionally guaranteed rights, suspended during most of 2007 and 2008, were in place and the elected government made strong commitments to address a number of serious human rights problems. Yet, extra judicial executions, custodial torture, and impunity for members of the security forces continued. Following a bloody rebellion within the Bangladesh Rifles (BDR), thousands of guards were arrested, many were reported tortured, and some died in detention.

(Source: Human Rights Watch Report 2009)

Political Developments Elements in the Bangladesh Rifles (BDR), the country’s border guard unit, staged a rebellion at BDR headquarters in Dhaka, on February 25-26, 2009. In the rebellion 74 people, including 57 commanding officers from the army, were killed. Despite pressure from the army to place those suspected of involvement in the rebellion before a court martial, the government decided in accordance with a recommendation of the Supreme Court to try them in civilian courts and under the BDR ordinance. As of September 2009, about 3,700 border guards were detained as a result of the indiscriminate arrests that followed the rebellion.

Extra Judicial Killings On several occasions during 2009 the government promised that it would end the grave problem of extra judicial executions by members of the security forces. Yet, the Rapid Action Battalion (RAB) – an elite anti-crime unit – and the police continued to kill people in what the authorities refer to as “crossfire” killings, encounters, and “shootouts” but in fact constitute thinly disguised extra judicial executions. The killings increased significantly during the second half of the year, suggesting a lack of commitment to confront the security forces once the government settled into office. Alleged members of outlawed left-wing political parties were particularly targeted. In echoes of previous governments’ statements that had been heavily criticized by the Awami League while in opposition, the government claimed that law enforcement agencies were only exercising their right to self-defense.

On May 27, RAB killed two Dhaka polytechnic students, Mohammad Ali Jinnoh and Mahshin Sheikh, in what RAB referred to as a “shootout.” However, witnesses stated that the two men were arrested at night of their campus. Jinnoh’s family has filed a murder case against 10 RAB officers questioning how the victims, while allegedly running to escape, were shot in the chest, abdomen, and throat.

Several persons taken into custody following the BDR rebellion in February 2009 died under suspicious circumstances. Many detainees were subjected to physical torture, including beatings and electric shocks. Relatives of Motihar Hassan, one of the BDR members who died after being detained, alleged that he was tortured to death. Sources at the Dhaka Medical College Morgue told the media that human rights workers, including Muslim workers, were particular targets. In May, the government announced that a commission had been established to investigate the deaths of BDR members in custody. The findings of the commission, which submitted its report within 15 days, have not been made public.
On October 22, F.M. Masum, a journalist at the New Age newspaper was detained by RAB officers and tortured. Masum has written several reports about the paramilitary including on its involvement in extra judicial killings.

Laws that facilitate torture by undermining fundamental rights of safeguards against arbitrary arrest and detention remained in effect, including the Special Powers Act and the newly adopted Anti-Terrorism Act.

Impunity: In 2009 Human Rights Organizations could identify no cases of members of the security forces being convicted and imprisoned for killings, torture during custody and interrogations or for illegal detentions. The government removed few individuals from their post responsible for human rights abuses such as the Directorate General of Forces Intelligence (Bangladesh's most important military intelligence agency) during the former interim government's anti-corruption campaign.

Legal provisions that have traditionally shielded members of the security forces and other public officials from prosecution still remain in effect.


Freedom of Expression and Information: Despite the election of a new government, few journalists feel that they are able to write freely about the involvement of members of the armed forces in human rights abuses, corruption, and other illegal practices. There is no indication that the government is working to implement the Awami League's election promise of bringing to justice those responsible for killings of journalists in the past.

Women's Rights: Bangladesh's ratification against the requirement in the Convention on the Elimination of All Forms of Discrimination against Women to ensure equal rights for women and men remain in effect. Though the present government appointed several women in key positions of the government, discrimination against women is still common in both the public and private spheres. Domestic violence, sexual harassments (both at work place and educational institutes) are daily reality for many women. Long awaited laws on domestic violence are still pending in 2009. The Domestic Violence Act recently (2010) passed by the cabinet and waiting for approval by the parliament. According to a monitoring cell at the police headquarters, from January to October 2009, at least 3,413 women were tortured or over worn, 83 women fell victim to torture, 2,336 were abducted, 2,476 were raped, 39 were killed after rape, 38 were injured after rape, and 117 women were killed, but there were only a few convictions. In order to prevent violence against women, it is necessary to provide the rule of law, carry out proper and competent investigations, reduce poverty and all kinds of discrimination (men and women) and implement existing laws protecting women. At the same time, it is necessary to ensure the security of witnesses and victims. Corruption must be fought against during the time from when the case is filed until the trial is finished. Political pressuring must be stopped. To prevent women's oppression gender sensitization is essential and men must come forward.

Prisoners' Issue: According to newspaper reports there were 97,579 prisoners in 68 jails in the country, which was more than three times the combined capacity of 27,366. At least two thirds of the number were prisoners awaiting trial, many of them for petty crimes, who may actually have over stayed their likely prison sentences. Slow court procedures have violated their rights to a fair trial and their freedom. Political leaders and businesspersons convicted of corruption charges were given extra privileges such as staying in hospital wards.

Mass Arrests: According to reports from the media, 50,215 persons were arrested in a month long operation by the joint forces in May 2009 which must have been tried either by dismissal or on bail.

Foreign Prisoners in Jails: At least 299 prisoners of foreign nationality have been confined in different jails of the country due to diplomatic and bureaucratic tangles, even though their jail terms have expired. After the High Court order to release these prisoners and to repatriate them, the Home Ministry and the Foreign Ministry contacted their diplomatic missions.

Migrant Workers: A huge number of Bangladeshi workers in Malaysia and Bahrain are under imminent risk of losing their legal status due to eased visa and labor recruitment process. Unpaid, underpaid, abused and cheated around 500,000 such workers were reported in April 2009 from Malaysia and in May 2008 from Bahrain.

In addition the situation of migrant workers in Kuwait and other Middle East countries is not satisfactory. In July and August of 2008 thousands of migrant workers protesting low wages, poor working conditions and other exploitation were assaulted by law enforcing agencies and many were deported. The number of deported migrant workers may have passed over 500 and it is assumed numbers will grow. Talks are ongoing with the Kuwait Government for compensation of these workers. Many underpaid workers were unable to renew working permits upon expiration as per new Malaysian policy. Employment of Bangladeshi workers in Bahrain also came to a halt, as it stopped issuing work permits to Bangladeshis recently.
Consequences of country's overall human rights situation for the functioning of BNWLA's activities:

Year 2009
As a result of democratic government's presence in 2009, BNWLA made success in changing two of the targeted policies. On 21st May 2009, a high court ruling.gifs ruling will be treated as law until the separate law is enacted. It was given regarding the prevention and protection of women and girls from sexual harassments offenses based on a complaint filed by BNWLA. BNWLA has conducted a series of meetings with Home Based Workers to raise awareness on the subject of the ILO Home-based Workers Convention. It is worth mentioning that during the meetings, BNWLA realized that there was no unity among the Home Based Workers. Following that, the organization has been working consistently with the home based workers to unify them so that they can place their demand to the Government for ratifying ILO home based workers convention. However, the government is at present not interested to sign the convention. But The Government is interested to make a code of conduct for Domestic workers and it is mentioned that on behalf of Labour Ministry, a committee has been formed whose Chairman is the Deputy Secretary of Labour Ministry and two members from Domestic worker rights network (who are Executive Director of BLS and Deputy Director Advocacy from BNWLA). The Committee drafted the code of conduct and submitted it to the Labour Ministry on 18th October 2009. For the formulation of Domestic Violence Prevention and Protection Act, BNWLA worked hand in hand with the Cabinet in March 2010. In upcoming session of National Parliament, the act will be placed for enactment. BNWLA is presently in process to develop rules of procedure for its enactment. Except a few policy changes, BNWLA did not face any major difficulties during the year of 2009.

In terms of practice level changes, the organization had achieved complete success in 2009.

Year 2008
As a result of country's overall situation in 2008, BNWLA didn't face any barriers in implementing its field activities with partners & also in legal service delivery. As the country was under emergency rule for two years & elected political government was absent in power, BNWLA couldn't validate all of its efforts in changing targeted policies. In the last two years (2007 & 2008), the organization had made a lot of ground works in relation to changing targeted policies & also motivated the concerned political parties to protect women and children rights in their election manifestos so that whenever they will be in power they will be able to take initiatives in changing policies and practices. The organization had presented the minds of future government leaders of 2009 and reached at the last level of policy advocacy. BNWLA is hopeful that, in democratic government's regime, all targeted policy level changes will be achieved and applied.

In terms of practice level changes, the organization had achieved complete success in 2008.


Year 2009
- The organization operationalized "Internal Audit Unit" under Finance Division.
- The organization updated five years strategic plan with redefined vision, mission, objectives, strategies and thematic directions which contributes in shaping organizational products, objectives, strategies as well as setting directions to bring social changes.
- The organization updated "Program Operation Manual". The manual contains clear monitoring and responding mechanism to respond to changes in the environment, in which it operates.
- The management of the organization felt opportunities to install new leadership and review it.
- The organization introduced a Functional Internship Program in its various cell and projects.
- The organization had initiated a professional training center Institute of Rights and Development with an aim to deliver professional training services.

Year 2008
1. Following Self-Evaluation (2007) meeting's recommendations, organizational thematic directions & organogram, BNWLA introduced the positions of 5 new Directors (Director Legal, Director Psychosocial Rehabilitation Center, Director Operation, Director Training and Director Projects) in 2008 & accordingly did the necessary staffing and reorganization. Reporting & communication channels from field to the centre has been reshaped following organogram change and Directors' new roles and responsibilities.
BNWLA's New Vision, Mission, Values and Others

Vision

*To ensure rule of law and gender equality by accountable, transparent democratic practices of state to respect Human Rights and Fundamental rights.*

Mission

Bangladesh National Women Lawyers Association (BNWLA) is a human rights organization engaging themselves with proactive individuals and for establishing rule of law and gender equality by constant advocacy (i.e. lobbying for return of law, policy, action research/awareness programs), capacity building, women lawyers, delivering legal services, delivering comprehensive psychosocial package services, building social safety net & ensuring good governance through democratic practices & also addressing women & children in conflicts (i.e. disaster, child political and natural & discriminatory laws etc).

Values

BNWLA as a human rights organization believes in progressive, democratic practices with religious tolerance, creating gender equality through mutual respect, collective responses along effective coordination and openness.

Goal

Empowerment and children’s rights & social justice

Objectives

1. To provide legal protection to targeted women and children.
2. To undertake advocacy on enactment, reform and amendment of laws/policies.
3. To enhance the professionalism of members/staffs and stakeholders for ensuring social justice.
4. To provide comprehensive psychosocial support and social safety net for targeted beneficiaries.
5. To practice gender equality & good governance.
6. To strengthen organizational management.

2. The organization became experienced in partnership management in 2008. For utilizing government resources & also to create alternative livelihood opportunities for large numbers (approx. 5000 women & children) of distressed and high-risk women and children, the organization formed official partnership with the Department of Youth and Sports under the Ministry of Youth and Sports. For ensuring qualitative victim support services at government-run victim support centers, the organization had formed official partnerships with Bangladesh Police, Correct Conducting Fact Finding of VAW (Violence Against Women) related issues, BNWLA had also involved itself as a partner of CID’s Criminal Investigation Department under Bangladesh Police. Apart from that, the Ministry of Home Affairs had officially made partnership with BNWLA to capacitate 2711 numbers of law enforcing agency members from different branches (i.e. Bangladesh Police, Bangladesh Air Force & Bangladesh Rifles) of LEA (Law Enforcing Agencies) on VAW & human rights related issues. University of Dhaka (Department of Women Studies) & Asian University of Women had formed an official partnership with BNWLA in capacitating their students’ skills in *Use of Law and Empowerment of Women*.

3. Under a partnership with Ministry of Social Welfare, the organization had also delivered “Satrito Home Operational Management Training” to its affiliated shelters, vacant homes and correction centers.

4. BNWLA extended its geographical coverage in 2008. The organization had promoted its direct coverage from 22 to 50 districts & was also able to attract more than 200 new member lawyers around the country. More than 50 items from different countries (i.e. UK, Japan, Canada, Australia & Bangladesh) applied to BNWLA for completing their leadership in the year.

5. The organization introduced “Core Technical Group” with an aim to initiate strong monitoring system of every project and also to ensure their smooth implementation.

6. The organization introduced “Provided Fund” to Staff Welfare Fund for its employees.
Organizational Key Achievements

During three decades of journey, BWLWA achieved several remarkable successes in the arena of women and children rights. It also attained national, regional and international recognition & acceptance from different bodies and States. BWLWA's few key achievements are the following:

1. As a professional lawyers' body, the organization had technically assisted Bangladesh government in drafting different policies/laws/ protocols/action plans in relation to woman and child rights. Along with that, the organization has also received several landmark judgments in relation to restoration of woman and child rights.

2. The organization had established good coordination and strong working relationship with certain Ministries (i.e. Ministry of Women and Children Affairs, Ministry of Home Affairs, Ministry of Social Welfare, Ministry of Law, Justice and Parliamentary Affairs). BWLWA recently initiated formal partnership with the Ministry of Social Welfare (MOSW) and is providing technical assistance and direct support to three GO shelters and playing key role in improving victimized woman and girls' life status.

3. The Ministry of Law, Justice and Parliamentary Affairs has involved BWLWA as a member of Government Legal Aid Committee for ensuring proper support to disadvantaged women in getting government's legal aid at grass root level. As a member of this committee, the organization is contributing for the best uses of government legal aid fund at district level for the protection of disadvantaged women and children.

4. As a member of Acid Control & Prevention Committee and as an implementing partner of OSCC project, BWLWA is playing crucial role under the Ministry of Women and Children Affairs. The organization is directly assisting the Ministry in drafting country report on CRC & CEDAW. As an active member of National Anti-Trafficking Committee under the Ministry of Home Affairs (MOHA), the organization is also helping Bangladesh government to rescue, repatriate, reintegrate and reorient trafficked women and children & also formulating country paper on trafficking in women and children and National Action Plan on Trafficking in persons.

5. As a steering committee member of Police Reform Project under MOHA & UNDP, BWLWA is playing an important role in setting model police stations, introducing women and child friendly policing and establishment of model victim support center.

6. BWLWA is also working with the Ministry of Health, Ministry of Youth and Employment, Ministry of Foreign Affairs and Ministry of Expatriate Welfare on different women and child rights related issues (i.e. repatriation, migration, alternative livelihood options, rights of HIV/AIDS infected people).

7. BWLWA created models of "Community based Social Prevention and Protection Mechanism through establishment of local level Community Counseling Centers, Violence Prevention Village Committees (VPPV) & Social Protection Centers" covering 25 districts of Bangladesh to assist violence against women and children.

8. At regional and international level, BWLWA is directly involved in drafting of alternative reports: UNCHR: Optional Guidelines of sale of children, child prostitution & pornography, CEDAW & is also playing a key role in execution of SWAC Convention on Trafficking and formulation of MOLR on Trafficking between Bangladesh and India.

BWLA's approaches and program diversity

Under three thematic approaches BWLWA initiated programs and activities to address violence against women and children.

Prevention
- Awareness raising/Sensitization events (both at grassroot and national level);
- Capacity building of relevant stakeholders (including lawyers, judiciary people, police, women leaders, etc.);
- Referral services (to govt. and non-governmental organizations, community members, local government officials);
- Referral services (to relevant govt. and non-governmental organizations, community members, local government officials);
- Networking (national, regional and international);
- Cooperation with government agencies, governmental organizations, non-governmental organizations and community members;
- Technical assistance to government in drafting/amending laws/policies & structuring 60 services;
- Media advocacy;
- Community based preventive interventions (i.e. initiative of community based centers for local level prevention and immediate support).

Protection
- Country wide legal service delivery (both at grassroot and national level);
- Legal aid services (through 34 legal aid service delivery centers & 42 grass roots level partner organizations);
- Referral services (from different Government agencies);
- Referral services (to relevant govt. and non-governmental organizations, community members, local government officials);
- Victim and witness protection through community based and institutional services delivery.

Psychosocial Rehabilitation and Reintegration
- Comprehensive shelter package services (i.e. shelter, medical care, vocational training, educational services, etc.);
- Community based sustainable psychosocial rehabilitation services (i.e. family identification, referral to local government officials, etc.).
Protection

Understanding the term “Protection”

Protection means “a set of policies and programmes (under Constitution and different laws) designed to reduce vulnerability by:
- Promoting women and children rights;
- Diminishing exposure to risks;
- Enhancing people’s capacity to protect themselves against violence;

Protection aims:
- To assist individuals to break the cycle of vulnerability;
- Reducing people’s vulnerability to risk;
- To help people to ensure access to justice;
- To ensure victim/witness protection during legal procedure.

Protection and Legal Service Delivery

BNWL A undertakes various strategies to deliver protection to the victims of torture, violence and especially to the victims of gender violence.

Legal service delivery is one of the strategies which BNWL A adopted to ensure the enforcement of rights of the individual, especially of women and children.

BNWLA provides legal assistance and protection to the victimized women and children through a team of legal practitioners all over the country. At present there are 44 Legal Service Delivery Centers under six divisions. These centers collect information through fact-findings; partners, Legal Aid Clinics, the help-line especially from follow up reports of electronic and print media. During the reporting period, 269 fact-findings were conducted. This initiative helps to investigate the cases, which ensure successful prosecutions.

During the reporting period, a total of 1,2639 complaints related to various forms of violence against women and children were received and registered through the Legal Service Delivery Centers and Community Counselling Centers, Victim Support Center and OSRC.
BMALA successfully negotiated the post marriage rights of women where a total of Tk. 3257035/- (Thirty two lakhs seventy thousand thirty five) was recovered in six divisional offices (2008-2009) and Tk. 87/23005/- (Eighty Seven lakhs Twenty Three thousand five hundred) taken through different committees developed during community interventions.

Key Strategies of Protection

1. Country wide legal service delivery (i.e. mediation/Shalishes, court case conduction etc) through 6 divisional offices, 34 out-reach legal service delivery centers & 42 grass root level partner organizations;
2. Rescue/release from different confinement;
3. Repatriation from different countries;
4. Fact finding services;
5. Referral services (both grass root & national level);
6. Victim and witness protection and protection through community based and institutional service delivery
7. Legislative Advocacy (through PILs, drafting laws/policies, studies/researches etc.)

(Objective of Legal Service Delivery Center)

- To deliver direct legal assistance (with victim and witness protection) to the targeted women and children
- To pick up the issues/needs to make advocacy on enactment, reform and amendment of laws/policies
- To enhance women and child friendly professionalism of members/staffs and stakeholders for ensuring social justice
- To practice gender equality & good governance
- To ensure access to justice for all

(Sources: BMALA)

Approaches and Services of Legal Counseling Center

Service of Legal Counseling Center

- Behave with Dignity and Respect
- Confidence Building
- Positive Attitude
- Trust Building
- Dealing in Understandable Language
- Maintaining Transparency
- Provide Information and Precedure
- Ensure Woman and Child Friendly Support Services

Comprehensive Psychosocial support

Referral Service (GO-NGO)
BNWLA's Rescue and Release Mechanism

Rescue

Rescue efforts and release of women/child victims from exploitative situations must be rights based and should be done with dexterity, alertness and where necessary with assistance of law enforcing authority. Release presupposes pending cases and custody of victims either in prisons/police station or other legislative provisions where certain procedures have to be fulfilled to release the victims/survivors from such confinement. The survivors have to be kept in home environment (whether it be government or NGO run homes approved by the government or certified institutes) under all round care and surveillance till disposal or settlement of the pending cases filed for the abuse committed against the victims. Rescue and release are inter-linked as the latter generally follows the former. The approach to the victim/survivor should be defensive and offensive towards the abuser/perpetrator.

The mode of rescue of a victim would vary according to:
- The place of residence: (whether it be the family home or a rented room in a public place or in broad daylight);
- The age of the victim;
- The physical and mental condition of the victim/survivor.

Protection of Victim during Pre and Post Rescue Operation

- Completion record keeping
- Comprehensive report of victim
- Counseling
- Maintain confidentiality
- Applicability of Section 406
- Police station must have social workers
- Female support person during interview
- Trained interviewer
- Counseling with respect & dignity
- Victim should be taken in certified/recognized place
- Social Worker must accompany the victim
- Camera record proceeding
- Special facilities for juveniles
- Determination of Age
- Detection of any injuries
Rescuing sexually abused women and children from his/her own family:

In a closed and conservative society like Bangladesh there is no healthy sex education for women and children. Here sexual abuse of women and children are seldom recognized and is hardly reported. Situation becomes more difficult when a step parent or any other immediate family member is the abuser. Under such circumstances if the mother (in case of child) or an adult member of the family, who is in an authoritative position comes to know about the nature and severity of the abuse who may intervene by:

- taking charge of the situation herself/himself by talking, according to the nature and extent of the abuse;
- taking medical help if necessary;
- approaching a local child or women rights organization directly or through the organization's hot line (if any) and seek support for the crisis as a last resort;
- informing the local police station (this is not advisable where the police are not women and child friendly). Victims are traumatized and need professional handling so that they can have trust on police personnel. They have to be assured of future safety and should have assurance of justice that the perpetrators will be punished.

If help is sought from the police then the following steps should be taken:

- take the woman and child to a registered medical practitioner within 24 hours and obtain a certificate;
- file a complaint (FIR) with the local police station, if necessary, with the help of a human rights organization;
- if abused by any family member and it is difficult to keep the victim at home then the victim's shelter homes (either in a government's shelter home or shelter organization in a relative's or a friend's house) is also safe for the victim to return home;
- visit the victim's family, as per requirement, for counseling and moral support;
- if the abuser is a family member boycott him/her for few days and observe his reaction and take subsequent suitable steps.

Rescue of sexually abused/abused and torturer woman and child domestic workers:

This is generally done on secondary information and thus requires considerable handling as the perpetrators are likely to be the male employer himself or his son, a visiting relative, a tutor, or other servants of the home. Such rescue is also not common but when resorted to human rights NGO, action should be taken in the following manner:

- Make a General Diary (GD) about the incident to the nearest police station;
- Set up an investigation team to look into the incident. Investigate the abused/tortured victim separately, interview other domestic workers of the home and of next door neighbors if necessary;
- If statements from different quarters lead to believe that offense has taken place then keep an FIR on behalf of the victim and rescue the victim from her place of work /occurrence of abuse/torture, that is, the domestic home.

Rescue of victims of internal trafficking (from a brothel or rental accommodation on secondary information):

- Verify information received from one or two long term residents of that area;
- Prepare a rescue operation plan comprising a team of three/four persons;
- Inform and request the District Superintendent of Police (DSP), local police to accompany the NGO rescuers; the time gap between actual rescue-operation and informing the DSP should be as brief as possible so that the victim cannot be removed from the brothel/rental accommodation or the perpetrators escape;
- On rescue which should be voluntary if the victim is above the age of 17 years the victim should be taken to the local police station and a FIR should be lodged naming the persons who brought her to the brothel/rental accommodation; within 24 hours the victim is to be produced before a court, or the rescuing NGO may obtain permission from the concerned court for custody of the victim (with permission of the court); the victim may also be handed to her family or the NGO having her consent to go to her family and the family too is agree to receive her.

Rescue of victims in transit of cross border trafficking:

- A neighbor or an officer on suspicion may report to a local NGO working in trafficking, and the NGO after verifying through secret field investigation may intervene and rescue the children and/or women;
- Law enforcement in police stations or posted at exit points of the country in land route may be informed of suspected movement of a group of people and they may intervene and rescue;
- Security staff or surveillance team set up by the Ministry of Expatriate Welfare and Overseas Employment at airport on suspicion of a travel group may intervene and rescue by preventing the group from onward travel and sending them to the police station for further screening and satisfactory explanation.

Rescue of sexually abused street children:

Sexually abused street children are not rescued in the proper sense of the term. They are sometimes picked up by any police and sent to prison through the court or to government run Vagrants' Homes and detained under the Bangladeshi Vagrancy Act, 1943, although most of such children do not fall under the definition of vagrants of the said Act.
The following process is observed for the victim’s release:

- An NGO, on coming to know of such arrested victims files petition (without a warrant of attorney commonly known as vakalaatnama) praying for safe custody of the victim;
- If the court is satisfied with the security and care of the NGO’s provision of shelter, prayer is allowed;
- NGO’s representative goes to the prison with a certified copy of the order given on the petition and the prison authority on verifying the contents of the petition hands over the victim to the NGO’s representative with an undertaking that the victim would be produced in court when called for.

BNWLA’s Repatriation Mechanism

Repatriation means ‘to send back to the country of origin’. In contrast to inter-country or cross-border trafficking of persons’ repatriation means sending back such victims to their country of origin. No country wants to keep a foreign national, particularly when the entry of the individual is illegal. Such entry also has the possibility of trafficking victims to be pushed back across the borders which again leads to further risks. Identity of nationality is a time consuming process, which results not only mental sufferance to the trafficked, but also requiring expenditure and other inconveniences to the government of the receiving country.

Besides, human rights organizations (considering the age and tenure of stay of a trafficked victim in the receiving country) are of the opinion that repatriation should be voluntary and not be forced upon the trafficked survivor which may cause further victimization of the latter. Without ensuring secured life through economic empowerment and psychosocial strengthening, a rescued victim would be put into another mental trauma to get herself/himself adjusted to original home /family.

There are instances where the attitude of receiving country is compassionate particularly when the victims are poorly literate, socially or economically marginalized children and women, who are severely exploited, abused and trafficked on false pretexts. When such victims get caught while being taken surreptitiously across border or rescued from brothels or from any public place and abandoned after rape, they are first taken to police stations of the receiving country. From there the survivors/victims are produced before relevant court of the receiving country which directs the survivor to be kept in government’s shelter homes or approved shelter homes of NGOs. During their stay in those shelter homes, the NGOs also hold to identify their nationality.

Reparation of emotionally/physically/sexually abused/exposed children and young women is very sensitive and has to be handled with a humane approach and should not be forced upon them.

The following steps are thus suggested for sustainable reparation:

- Attend to the survivor physical and mental distress;
- Develop rapport with the survivor;
- Counsel and prepare the survivor for return to her/his country of origin. (This is very important because those who are trafficked can not trust anybody and feel secure in their home. Their mistrust their family members for repetition of the act and social ostracism.)
- Repatriation also involves expenses by way of medical/psychological/social care of the survivors and basic life skills empowerment so that a survivor is enabled to be reintegrated in mainstream life. For all these reasons, the NGOs have to take appropriate cooperation of NGOs volunteering to act in the best interest of the survivor.

Repatiation steps by Government and repatriation as facilitated by NGO:

Once identification of nationality has been established by the Ministry of Home Affairs, the following steps are taken at the government level for repatriation of a survivor:

- Embassy/High Commission/Consular Office is informed and steps taken for issue of survivor’s nationality.
- Embassy/High Commission/Consular office issues letter to the effect that the survivor’s files are permitted to return to their country of origin.
- Safe shelter authority releases the survivor/s and depending on funds, the survivors are returned either by land or air to their country of origin.

There are occasions when the Ministry of Home Affairs may also use its discretion to give permission to a local NGO in the survivor’s country of origin to repatriate a survivor. In such an event the NGO in the survivor’s country of origin has to meet the following requirements:

- Obtain clearance certificate from the Ministry of Home Affairs for taking charge of the survivor;
- Obtain a letter of authority from the parents of the survivor to receive the latter;
- Contact the NGO/shelter home in the receiving country where the survivor is kept and forward to it papers of the concerned survivor with a covering letter of request to the receiving country NGO/shelter home to facilitate the process of repatriation of the survivor.
- Arranges for repatriation of survivor along with an escort either by land or air.

In instances where the parent/guardian of the survivor is eager to bring back their child or ward he/she gives a letter of authority to the local NGO, which furnishes the said letter of authority along with the survivor’s identification particulars to the Ministry of Home Affairs (in the victim’s country of origin), Embassy/High Commission (at the receiving country) and the concerned organization/shelter home.

In instances where the parents or relative of the survivor cannot be traced or the parents or relatives do not want to take back the survivor or the survivor does not want to visit the government of the survivor’s original home and requires the survivor to be transferred to an appropriate shelter home or to that of an NGO approved by it.

At the country of origin the local NGO should follow the following to receive the repatriated survivors:

Address a letter to the Civil Aviation Authority or local Police Station and Bangladesh High Commission (BHC) camp, regarding the route of entry of the survivors and the Letter/escort, with names of representatives of the local NGO who would receive the survivors.

Post Repatriation:

Soon after repatriation of the survivor is complete, the following steps should be taken:

- Inform the Ministry of Home Affairs of the arrival of the survivor for records;
- Make a General Letter (GL) at the Police Station and an FIR against the accused or identifiy who transported the survivor back to the home to be arrested;
- If FIR was not already filed by the victims parents, then, the victims parent or closest family member should file/his/her own name in respect to the case.
- File a case in court on behalf of the survivor only if the survivor knows the trafficker.
Key Achievements

- Member lawyers received professional capacity building trainings.
- Women and Child Repression Prevention Court (WCRP Court) tribunals gave the responsibility to BNWLA to conduct 6 cases for inquiries.
- Filed/conducted 13 cases (including Public Interest Litigation (PIL)-Writ, Civil Revision Criminal Appeal Criminal Misc. etc.) in the Honorable High Court of Bangladesh, 03 cases disposed by the Honorable High Court during 2008-2009.
- When mediation is failing in the compounding matters and in the other cases directly in consultation with the complainants staff/member lawyers and panel lawyers, Legal Service Delivery Centers file cases in the courts and conduct the cases. In the year 2008-09 a total of 1536 cases were filed through different Legal Service Delivery Centers & divisional offices. Out of these cases 584 cases were disposed during the reporting period.
- BNWLA got custody of 42 survivors of Cross-border trafficking and re-integrated them to their family: BNWLA knowing from the Daily News paper that Bangladesh Rifles arrested 22 females and 20 males both adult and children from the Shajibpur border area of Rajshahi between Bangladesh and India. All were nationals of Nepal and Bangladesh. They were arrested based on a tip-off from the Bangladesh Rifles. A case was filed by an officer of BOR Police arrested the perpetrator who tried to send them to India illegally. Rajshahi Divisional Office of BNWLA prepared a report for the court. The Honorable court allowed BNWLA’s prayer. BNWLA re-integrated the survivors to their family.
- Two victims of abduction rescued from a residential area of Dhaka City who were forced to sex trade: Received information from an anonymous letter about a confined girl in an apartment in Dhaka’s Segunbagicha area who was forced to sex trade for two years. On the basis of the information BNWLA officials filed a GD with Shahbagh Thana. Afterwards Shahabag Thana police along with BNWLA officials raided a flat on the 12th floor of Segunbagicha apartment and rescued Rima (not her real name) along with another girl Salta (not her real name) who were abducted and forced to sex trade... A criminal case against their abductors was lodged at Shahbag Police station and BNWLA has been providing legal support. Salta is now residing at BNWLA’s shelter home (Prochanta) and Rima was handed over her father’s custody.
### List of filed/conducted Writ petition (PIL)

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### List of filed/conducted Civil Revision, Criminal Appeal, Criminal Misc etc.

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<td>Civil Revision- 1549/2001</td>
<td>Moulavi Refiq Ahmed vs Mat. Rekaya Begum</td>
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<td>On 23.7.09 the Honorable High Court affirming the Judgment of Lower Appellate Court and Respondent (Mat. Rekaya Begum) got the Decree of 1,49500 Taka as Dower &amp; Maintenance.</td>
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High Lighted Judgments

Judgments from District level Courts and Tribunals

Judgment – I: 10 years imprisonment with fine of Taka 50 thousand for Acid Throwing.

The victim aged 16 was injured by acid throwing by her cousin because she refused his love proposal. The victim’s father filed a case against the perpetrator. The police arrested the accused. The accused party tried for bail and also tried to compromise by giving money to the victim’s family. BNWLA’s lawyers provided legal support to the victim’s family. After contesting the case, the honorable judge gave verdict in favor of the victim. The accused got 10 years imprisonment with a fine of Taka 50 thousand and in default paying 50 thousand Taka more he will get extra two years imprisonment.

Judgment – II: Life imprisonment with fine of Taka 10 thousand for murder.

Because of property a mother and her daughter was killed by her husband’s relatives. BNWLA provided legal support to the victim. Ten accused were arrested and 25 persons gave witness for this murder case. The session judge declared the verdict, 5 persons got life imprisonment with Taka 10 thousand as fine in default paying Taka 1 thousand more and extra 2 years imprisonment.

Judgment – III: Juveniles get justice and child ron rights prevail.

Enamul (15) and Rjan (14), two runaway from their home Madakhil to their way to Kukuta were waiting for Feri at the Bariash Amori Feri Ghat. Suddenly they were caught by the local chairman and ward commissioner for false theft charge and were tortured. They were sent to the nearest Police station and a Fine was lodged against them by hiding their original age. Police arrested them and sent them to the Borgan Jail. When this news was published on the daily newspaper, BNWLA took initiatives in favor of the two adolescent boys. BNWLA collected their birth certificates and submitted it to the Senior Additional Judicial Magistrate Court for their bail and got it. Court by considering their age according to Children Act-1974 discharged them under sec-241(A) of Criminal Procedure code.

Judgment – IV: Life imprisonment with fine of Taka 1 thousand for wife murder.

Arij and Khushna’s marriage was an arranged by their guardian. Later Khushna demanded Taka 1 thousand from Arij as dowry, otherwise he will abandon her. In 2005 the dowry was fixed at Taka 1 thousand by family compromise. Still Arij was tortured regularly and lastly she was burnt to death by the brutal husband by putting kerosene fire on her body. Her parents filed a case at Bariash Mullick Police Station against her husband and 12 co-accused. In 2007, trial court charged sheet was given against her husband and other 12 co-accused. The husband only was found guilty and other were acquitted. Women and Children Repression Prevention Tribunal, Bariash pronounced the judgment by sentencing Khushna to life imprisonment and Taka one thousand as fine. The Bariash Lawyers of Bariash conducted this case by assisting the public prosecutor to ensure justice.

Judgment – V: Life imprisonment with fine of Taka 20 thousand for trafficking.

Sathi and Rabeya two garment worker resisted near their factory, Gazipur. The accused, their neighbor lured them promising better job opportunity in India and took them to Jessore for trafficking. The neighbors revealed the accused intention rescued them and informed the police station. The victim Sathe filed a case and Police arrested the trafficker. On behalf of state, 14 witnesses were examined. The accused was proven guilty and got punishment under Section-8(1)30 of Women and Children Repression Prevention Act, 2000 (amended as 2003). The accused got life imprisonment and 30000/-Tk fine for compensation. BNWLA’s Jessore member lawyer provided legal support in favor of the victims and assisted the Public Prosecutor.


Fourteen years old Bilka’s neighbor Nila took her from her mother and kept her at border area in Barapukuria, village Galtpara, at the house of Sajid Islam. Sajid Islam along with Salim and Sukru Ali brought Bilka near to Indian border for trafficking. BDR rescued Bilka and arrested Sajid Islam. BDR filed trafficking case under Section-6 of Women and Children Repression Prevention Act, 2000 (amended as 2003). Tribunal gave Bilka’s custody to BNWLA office Jessore and she was taken to BNWLA’s Shelter Home. On 4.4.2007 police also arrested Nila. The Learned Tribunal gave verdict and the accused persons got life imprisonment. After the judgment the victim Bilka was handed over to her mother.


A three years old girl was raped by her neighbor Sayed (22). Sayed called her to give lichi and sent the girl to her home after rape. The girl was seriously abused and was injured and was sent to COC, Dhaka Medical College Hospital. A case was filed by her father under section-9(1) of Women and Children Repression Prevention Act, 2000 (amended as 2003). The accused was arrested. After long hearing on June 28, 2009 the learned Judge of Women and Children Repression Tribunal pronounced the judgment by sentencing the accused for life imprisonment.
Judgments from High Court Division of Supreme Court of Bangladesh

Highlighted Case-1: Sexual harassment (Writ petition No.: 5916/2008) BNWL vs Government of Bangladesh and Others

- Directives are aimed at filling up the legislative vacuum in the nature of law declared by the High Court Division under the mandate and within the meaning of article 111 of the Constitution.
- A process is ongoing to finalize the draft of "Protection against Sexual Harassment at Educational Institutions and Workplaces" B.D. 2010.
- A process is ongoing to amend Section 503B, 232 of Penal Code for addressing Eve Teasing at Public Places.

Sexual harassment in educational institutes has been on rise. Since last decade in different universities like Jahangir Nagar University, Rajshahi University, Dhaka University and in various workplaces, occurrences of sexual harassment are quite rampant. As there is no legislative provision to address sexual harassment of women and girl children, it is felt imperative to find out an effective and/or alternative mechanism to tackle this social nuisance. In this situation in consultation with the civil society and with eminent citizen of the country, a writ petition bearing No. 5916/2008 has been filed by BNWL on 07.06.2008 for seeking direction to formulate guidelines/policies for protection of women and girls from sexual harassment in workplaces/educational institutes and other public places and take immediate steps for enactment of proper legislation to address sexual harassment. After several days of hearing, High Court division bench comprising Honorable Justice Syed Mahbub Hassan and Honorable Justice Guangpal Islam Siddiqui pronounced the judgment on 14.05.2009 by giving directives in the form of guidelines as safeguards against sexual abuse and harassment of women at workplaces and educational institutions along with the following observations:

- The fundamental rights guaranteed in chapter II of the Constitution of Bangladesh are sufficient to embrace all the elements of gender equality including prevention of sexual harassment or abuse. Independence of judiciary is an integral part of our constitutional scheme. The international conventions and norms are to be read as the fundamental rights in the absence of any domestic law occupying the field when there is no inconsistency between them. It is now an accepted rule of judicial construction to interpret municipal law in conformity with international law and conventions when there is no inconsistency between them or there is a void in the domestic law.

- Protection from sexual harassment and right to education and work with dignity is universally recognized as basic human rights. The common minimum requirement of these rights have received global acceptance. Therefore, the International Conventions and norms are of great significance in the formulation of the guidelines to achieve the purpose.

- The objectives and functions of the judiciary include the following:
  - To ensure that all persons are able to live securely under the Rule of Law;
  - To promote within the proper limits of the judicial function, the observance and the attainment of human rights; and
  - To administer the law impartially among persons and between persons and the State.

Highlighted Case-2: Fatwa (Writ petition No.-4322/2008; BNWL vs Ministry of Home Affairs and Others)

- The honorable court issued a Rule Nisi to the respondents to show cause as to why 1-4 No. Respondents shall not be directed to take appropriate action into the matter the action of the Respondent No. 6 should not be declared to have been taken illegally without lawful authority and Respondent No. 5 & 6 should not be award compensation of Tk. 15,000,000/- (Ten Lacs) to the victim.
- The honorable court directed 1-4 No. Respondents to make an immediate inquiry into the matter.

A young adolescent girl was raped by two persons in Lalsharip district. The father of the victim wanted to file a case, but few local elders restrained him and they assured to take appropriate action against the perpetrators. A so-called Shalish was called by the local elders and finally the perpetrators were fined Tk. 15,000 each and were sentenced to 100 Domes and 50 Domes for the victim girl. The victim girl was given 50 Domes of no fault of her or of no offence committed by her. The Shalish must ably imposed the alleged punishment on the victim girl by giving Fatwa and castrating her in the society. BNWL filed a PIL bearing Writ petition No.-4322/2008 as petitioner to ensure the fundamental rights as well as ensure justice to the people. The honorable court issued a Rule Nisi and the case is pending for hearing.
**Highlighted Case-3: Slum Eviction Writ petition**

No.-7045/2008; BNWLA and others vs Secretary, Housing and Public Works and Others.

- Without providing full and adequate rehabilitation scheme eviction of slum dwellers is violation of Human Rights.
- The constitution of Bangladesh obligates to respect right to life, right to adequate shelter, right to freedom from force eviction and right to freedom from violence and obligation under international laws ratified by Bangladesh.
- The honorable court issued a rule nisi calling upon the respondents to show cause as to why the impugned letter regarding eviction from their homesteads on the plea of illegal unauthorized occupation without any proper rehabilitation and providing alternative accommodation should not be declared to have been issued without lawful authority and to be of no legal effect and/or such order or further order or order passed as to this court may seem fit and proper. The conditional order of status quo is extended till disposal of the rule.

This petition has been filed for seeking direction to be given upon the respondents not to harass or take any legal action to evict the slum dwellers of Sheela Bari Basti situated in section-2, Mirpur, Dhaka. About 20000 slum dwellers are living for their last 33 years. Most of the slum dwellers of the basti are day-labor, petty businessmen, textile workers, garment workers. They do not have any property or permanent source of income. Ten thousand (10000) slum dwellers of this slum are permanent voter and they have been casting their votes in several general elections. They also have registered their name in present voter list and obtained national ID card. In August '08 the slum dwellers came to know that a notice will be issued to evict them forcibly at any moment without providing alternative accommodation. It is also observed that the impugned letter regarding eviction of the residents of the Sheela Bari basti is contrary to the national Housing Policy 1993 formulated by the government and especially on the need to prevent forcible displacement of slum dwellers. To consider the above situation BNWLA filed a PIL in High Court division, Supreme Court of Bangladesh not to evict them from their domain.

**Highlighted Case-4: Dumb Women released from Safe Custody. Criminal Miscellaneous (Suo Moto Rule) No. 10541/2008 Seema Zahir vs. the State and Others**

The Deputy Commissioner, Khagrachari is directed to take necessary steps for sending the dumb woman to safe home and for finding out her parents. A legal guardian by publishing notice with photograph in widely circulated three National Daily Bangla News Papers and also one National electronic Media.

A dumb young woman was arrested from the hands of delinquent people at Morung Bazar on August 20, 2007 and thereafter she was sent to the Safe Custody at Khagrachari District Jail as the authorities failed to find out her identity or any of her relatives. Since then she had been detained not being an accused in any criminal case. The report published in The Daily Star at page 14 on July 12, 2008 under the caption “Dumb woman in safe custody for a year”. On July 13, 2008 the report had been brought into the notice of a High Court division bench comprising Justice Md. Mominul Haque and Justice M. Mahmudul Haque by Adv. Seema Zahir, Member of BNWLA. Hence the Suo Moto Rule was issued upon the Deputy Commissioner, Superintendent of police, Chief Judicial Magistrate and Jailer of Khagrachar, asking them why detention of the dumb woman should not be declared illegal and without lawful authority.

**Highlighted Case-5: Disable Rights (Writ Petition- 7129/09; BNWLA vs. the Cabinet Division represented by Cabinet Secretary & others)**

- Rule nisi issued by Honorable High Court calling upon the respondents to show cause as to why the respondents should not be directed for taking immediate measures to implement the statutory object ensured in the Disable Welfare Act-2001 and in the light of the recent direction as given by the Prime Minister on 19th October, 2009 in the 5th National Conference for Disable persons and on the basis of CEDAW and UNCRPD.

BNWLA filed the writ petition as Petitioner and asking for the direction to the respondents to take immediate measures for implementation of the statutory object in Disable Welfare Act-2001 in the light of the recent directives of the Honorable Prime Minister and on the basis of Convention on the Elimination of Discrimination Against Women (CEDAW) and United Nations Convention on Rights for person with Disability (UNCPRD) ratified by Bangladesh Government. For the directions to the respondent No-17 to report to the Honorable court every six months on the adoption and implementation of the Prime Minister’s directives given by her speech in the 5th National Conference on Disable at B.U.C.C on 19th October, 2009. Also for the direction to the respondent No-19 (Ministry of LGID),10 (Ministry of Public Work and 11 (Chamion, Rajuk) to make immediate circular to create accessibility for disable persons by building RAMPs and toilets in all Public place including Government and private corporations and offices.
Highlighted Case-6: Custody (Writ petition No.-5359/2006: BNWLA vs Ministry of Home Affairs and Others

- Honorable High Court gave custody to BNWLA of 7 children.
- Seven children are staying at BNWLA's Shelter home 'Proshanti' and BNWLA provide proper care to the children. The seven children will stay at Shelter home till the age of 18 years.

Writ petition no- 5359/2006 (DIG's case): In 2006 the highlighted issue published in daily News paper that a former DIG claimed that he is the father of septet (7 children born at the same time). BNWLA conducted an in depth fact-finding of the incident. After investigation BNWLA filed a writ petition before the High Court division bearing No. 5359/2006 to take the custody of 7 children to Shelter home 'Proshanti'. After completion of the DNA test in 2008 it was proved that the DIG was not the biological father of 7 children and honorable High Court gave BNWLA the custody of 7 children. Now the 7 seven children are staying at BNWLA's Shelter home 'Proshanti' and will stay there till the age of 18 years.

Prevention

Prevention Efforts of BNWLA

BNWLA incorporated an integrated and a comprehensive prevention program including training, research, and advocacy at all levels. The organization emphasizes the bottom-up approach as it believes that if demand could be created at the grass-root level, then respective authorities could be made more accountable to supply the necessary provisions for ensuring justice to disadvantaged women and children.

The major objectives of BNWLA's prevention mechanism are:

- To generate support from local, regional and international communities for the protection of human rights through the promotion of human rights (especially women and children rights) in Bangladesh.
- To raise human rights and other development issues among people and the concerned state bodies in order to ensure the protection of human rights in the country.
- To ensure that human rights will not be violated by any legislation or by development policies and programmes.
- To ensure that voices of women and children are heard by conducting public forums, debates and media campaigns.
- To make regular suggestions through the media and other channels to the National Assembly and to the government to ensure enactment of satisfactory laws and legislation concerning women and children.
- To make positive change of judiciary through experience sharing sessions.
- To organize capacity building activities and information campaigns in order to increase women and children's knowledge and capacity to solve their problems.

A wide range of activities fall under BNWLA's advocacy and prevention work and are categorized by the types of strategy adopted.

Influencing Policy:

This is done by direct advocacy to targeted authorities on selected issues. This includes:

- Lobbying.
- Technical assistance in drafting legislation.
- Petitions and joint statements in influencing policy.
- Reports.
- Media Campaign & Production.
- Sensitization events with policy makers & grass-root level people.
Training to enhance capacity:

The partner organizations play a significant role in providing issue-based training. Therefore, BNWLA follows a strict selection criterion to select partners. BNWLA selects NGOs as partners from the districts where Legal Service Delivery Centers are located. These centers work with members of the community, lawyers, and NGOs to provide legal assistance. The training is provided in a prescribed format and a selection committee finalizes the partners as per the selection criteria.

BNWLA in providing training follows a two-step mechanism. BNWLA imparts training to the partner organization's staff, and they in turn impart the training to their beneficiaries. Other than grassroots beneficiaries, the participation of local government, community leaders, and local elected government have been included in the training process.

Technical assistance to draft/amend laws:

BNWLA as a professional group of lawyers has so far impressed the concerned stakeholders with its capacity to provide technical assistance to draft laws. The organization's strength lies in the fact that ongoing action research and the basis of technical assistance implying that people's opinion are in line with them, forming the basis of the draft law.

Studies and research:

The most effective advocacy continues to be the advocacy with a solid base of "proof," whether in terms of documented case histories or through studies of public attitudes. A very robust example of this kind of advocacy is BNWLA’s Violence against Women Annual Reports. The Violence against Women Report 2008-09 created a great impact at different levels. These reports stand as documents that are available to the international community and they influence international pressure. The relentless force of facts is also bound to have an effect, sooner or later, on public opinion in Bangladesh and in the perspective of policy-makers. BNWLA believes that more emphasis should be placed on advocacy reports of this kind. Throughout the year, BNWLA conducts series of issue and demand base studies and researches on women and child rights.

As such BNWLA

- Achieved national and international recognition
- Ethically, government's relevant ministers preliminary agreed to implement the recommendations of the research
- As a recognized and trusted organization has been invited to deliver feedback to technical supports in formulating/amending different policies, plan of actions, acts in relation to women and children.

Partnership and Cooperation with the Government

BNWLA has intensive working relationship with relevant Ministries and Departments of the government of Bangladesh. The organization has been working as a pressure group and by the time has become members of number of Task Force formed under different ministries.

BNWLA has formed and maintained partnership with the following ministries & corporate sector in the year 2008-2009:

- Ministry of Home Affairs (for implementing a project - Community Based Child Protection Mechanism Building at 111 union of 65 upazila in 28 Districts, partner in delivering victim support services both through police’s Victim Support Center and from its own shirt, the organization also has a partnership with CDO for conducting fact finding in crucial cases)
- Ministry of Social Welfare as well as Department of Social Services for delivering improved counseling, education, medical and reintegration services for the survivors of Government affairs)
- Ministry of Youth & Sports (for delivering series of vocational trainings to the victims and agents of risks)
- Signed series of MOUs with BOMA and different vocational training service providers.
BNWLAs membership in different networks

Nationally (Remakable)

NGO Coalition on Beijing plus five, VSO Bangladesh, Free Election Movement Association (FEMA), Bangladesh Shishu Adhikari forum, Acid Survivors Foundation, Action against Sexual Exploitation of Children (ASEC)-Bangladesh Chapter, Save the Children Alliance, Social Action Committee Girl Child Advocacy Force.

Regionally (Remarkable)

Women Cause Lawyers; Lawyers Collective Delhi, India; Human Rights Commission, India; Nirmal Chhaya, Delhi; DCHD, Pakistan; SNARC Women's Lawyers' Forum, Human Rights Commission Pakistan; Women Rights Commission (India); Inhuman International (Nepal); Lawyers for Human Rights and Legal Action (Pakistan); Maiti Nepal; Praeak Development Society (India); Perona (Mumbai); Sanlaap (Kolkata); Sathi (Mumbai); STOP (Delhi); Sanlaap, SLSRTC and Praeak in India. SAFAT - South Asian Forum For Anti-Trafficking and Regional Focal Point, Sexual Exploitation of Children, NGO group for the Convention of the Rights of the Child, Geneva.

Internationally (Remarkable)

The American Center, Amnesty International; Asia Pacific Women's Law and Development (APWLD); British Council; Equality Now; Global March for Women; International Women's Rights Action Watch (WRAW) Asia Pacific; South Asian Women's Empowerment Anti Slavery International (UK); Coalition against Trafficking in Women (CATW); End Child Prostitution Child Pornography and Trafficking in Women (ECPAT); Globalization against Trafficking in Women (GATW); UN Agencies (Remarkable)

UNFEM, UNFPA, UNDP, ILO, UNICEF, ICM

Partnership with Development Agencies

USAID, DFID, SIDA, CIDA: The Asia Foundation; The British High Commission; The British Council; Manusher Jonno Foundation, NOVIB; Save the Children Sweden Denmark; ICM; Plan Bangladesh; Networking

BNWLAs has networks mainly on 6 prioritized areas:

- Violence against Women
- Domestic Violence
- Trafficking (Protection & Prevention)
- Child Rights
- Domestic Workers and Garments Workers Rights

Partnership and cooperation with Civil Society Organizations and NGOs

Participation of strong and effective civil society organization and non-government organizations help prepare poor people to exercise their rights. Therefore, the primary focus of BNWLAs lies on involving local level organizations and community people to advocate issues of concern. BNWLAs selects NGOs as partner organizations from the districts where Legal Aid Clinic exist and where there are member lawyers or where there is a plan to open a clinic in the near future. The interested NGOs applies for membership following a prescribed format and a Selection Committee finally selects the organizations as partner. BNWLAs provides technical and financial support to enhance their capacity to negotiate the rights of the women and children they are working for. The existing partners according to divisions are:

Rajshahi Division

- Proyash Manobik Unnayan Society
- Jamuna Samaj Kalyan Sangsthana
- Shaw Unnayan
- Mahab Pati Unnayan Sangsthana (MUPS)
- Pragati Samaj Kalyan Sangsthana (PSKS)
- Dapop Samaj Unnayan Sangsthana
- Barindabadi Social Development
- Own Village Admiration (OVA)
- Manabi Kalyan Parishad (MKP)
- Gano Kalyan Sangsthana (GKS)
- Bangladeshi Social Development Academy (BSDA)
- Center for Rights and Development (CRD)
- Thannpara Swallow Development Society (TSDS)
- LUSTRE

Dhaka Division

- Women Development Organization (WDO)
- Shuktara Nari Shishu Kalyan Kendra
- Nari Unnayan Samhy (NUSA)
- Mahato Unnayan Foundation (MLF)
- Pragati Kendra, Dhaka
- Ganexha Society

Khulna Division

- Women Empowerment (WE)
- Friends Association for Integrated Revolution (FAIR) Kushtia
- PRANTRI Development Society
- Grameel Unnayan Sangsthana (GUS)
- Manabi Unnayan Kendra (MU)
- Manabi Kalyan Sangsthana (MKS)

Barish Division

- Chandrapur Development Society (CDS)
- Association of Voluntary Action for Society (AVAS)

Advocacy Efforts of BNWLAs

BNWLAs has been vigorously advocating for establishing a mechanism for the prevention of possible victims. The advocacy techniques consist of public opinion and media work by mobilizing public opinion on the women rights issues and the role comes from the policy makers will be pursued to take proactive measures to prevent the problem and an effective law to be adopted for comprehensive protection of women and children.

During the reporting period (2008-2009) BNWLAs mainly focused on following advocacy issues:

- Enacting the Domestic Violence (Protection & Prevention) Bill 2010
- Adopting a Guideline on Sexual harassment
- Ensuring proper representation of women in parliament through direct election
Mobilising Public Opinion to Create Gender Sensitive Society

BNWLA experienced that unless the social attitude is changed it is not possible to eradicate the causes of Violence. Therefore the organization has adopted mechanism and programs to enhance gender sensitization across different section of population.

BNWLA has organized special events with the media to disseminate the Landmark Judgment related to the rights of women and children by the High Court division of the Supreme Court. The Daily Prothom Alo and the Daily Star have published reports on “Sexual Harassment Guideline Discussion Meeting” and “Convention of the National Women Lawyers respectively.

BNWLA has also produced Village Theater through its partners to create awareness among the mass people at community level. Different messages on gender-based violence are being incorporated in dramas, highlighting real stories of violence. The partner organizations with support from BNVLA member lawyers arrange meetings at village level and discuss the causes and consequences of violence against women and children. They help possible victims referring them to Legal Services Delivery Centers and the Community Counseling Centers.

Acting as Catalyst to make the Local Government more responsive to women and children rights

BNWLA has experienced that Door Step Crisis Support Services need to be introduced to fight Violence against Women and Children. To make the process functional a vibrant community positive towards the rights of women is essential. As such Local Government Institutes and Local elected Bodies have been brought under a comprehensive training program called Legal Literacy Awareness Class. During the year 2008-9 a total of 129359 [3736 Male and 94123 Female] individuals took part in 1091 [339 Rich Class and 752 Refresher Class] Legal Literacy Classes.

BNWLA has also formed 600 Violence Prevention Village Committee (VPC) during the year 2008-2009. The communities comprise of village women who attended the awareness sessions. With a view to disseminate the learning the committees have arranged 4720 meeting at different villages where a total of 56558 participants [29389 Male and 27169 Female] attended. These committees have directed involvement in protecting women from various forms of violence: Child Marriage, MLA Marriage etc. and raised voices to punish the perpetrators.

BNWLA has been piloting the implementation mechanism of the proposed Domestic Violence Protection & Prevention) Law in 32 Union Parishads through establishing Community Counseling Centers (CC). Here Community Leaders and Local Community Leaders have been involved as members of the Vigilance Team and acted as social force to help the activities under the CCCs. Involving the local partner organizations BNWLA has organized 2477 meetings at village level comprising 60389 male and female participants.

Creating Champions of Women’s Rights through Capacity Building Training & Workshop

BNWLA has organized programs with the Judicial Administration Training Institute (JATI) participated by newly appointed Judicial Magistrates and Assistant Judges to aware them on child rights issues and on recent landmark Judgment related to Women and Child Protection.

BNWLA formed Community Care Committee involving the Local Elected Representatives, teachers of the local schools and any relative of the victim children. The Community Care Committees were formed firstly to look after the welfare of the Integrated children and secondly to ensure that no children will further be trafficked from that particular area. So far 111 such committees are active in different areas of the country. BNWLA also conducted six Legal Awareness Sessions highlighting child rights issues, trafficking, sexual abuse and exploitation including the support services rendered by the organization.

Domestic Violence [Protection & Prevention] Law 2010 and CIVD

In Bangladesh demand for an independent Domestic Violence Act was made by the Civil Society in general and women rights organizations including BNWLA in particular. The Bangladesh Law Commission prepared a draft Bill on Domestic Violence in 2004. However, this draft lacked public consultation and did not reflect the demand of the women folk and did not address the severity and diversified forms of the domestic violence. BNWLA has prepared an intensive commentary on the draft on Domestic Violence Bill prepared by the Bangladesh Law Commission. The organization has conducted an extensive study on the perception of domestic violence among the grass root people with analysis of the existing laws related to women’s rights which form the basis of drafting a bill on domestic violence.

Case Study: Rahima has no option to choose

Rahima (not her real name) of Ratnapur Village under Sadar Upazila of Comilla district without her consent was married to Sultan, an illiterate boy of neighboring village in the year 2004. At the time of marriage the dowry money was fixed at Taka 5,000 and Sultan was promised Job by Rahima’s father. Her father failed to provide job to Sultan for which she was mentally tortured and later physically. Sultan married for the second time with dowry. Finally physically and mentally distorted Rahima left her husband’s home even without informing her parents.

BNWLA initiated a national coalition “Children’s Initiative against Domestic Violence” by bringing all the national organizations working to combat domestic violence under a single platform. The members of the coalition had series of discussions and finalized the draft “Domestic Violence (Prevention & Protection) Bill 2009”, which was submitted to the Ministry of Women and Children Affairs during the CNGK Government on June 30, 2008. At present the Bill is under the review of the ministry and is expected to be passed before the National Parliament.
Key Achievements


1. Considering the alarming situation of sexual harassment incidences both at educational institutes & workplaces, BWLWA filed a writ petition to the High Court Division of the Supreme Court of Bangladesh in 2008 and, under Article 102 of the Constitution of the People's Republic of Bangladesh, a Rule nisi was issued calling upon the government to show cause as to why the government failed to adopt guidelines, or policy or enact proper legislation to address the issue of sexual abuse and harassment, for protecting and safeguarding the rights of the women and girls at work places, educational institutions/universities and other public places, as reported in the media. The High Court Division of the Supreme Court of Bangladesh after series of hearings of the Rule nisi and also analyzing the national and international provisions, in relation to women rights, finally delivered the following judgment:

"In the backdrop of discussion and observations and in view of the inadequacy of safeguards against sexual abuse and harassment of women at work places and educational domains whereby noble pledges of our Constitution made in so many articles to build up a society free from gender discrimination and characterized by gender equality are being undermined everyday in every sphere of life, we are inclined to issue certain directives in the form of guidelines to be followed and observed at all work places and educational institutions. All adequate and effective legislation is made in this field. These directives are aimed at filling up the legislative vacuum in the nature of law desired by the High Court Division under the mandate and within the meaning of article 111 of the Constitution."

Quotes from the Judgment:

Practice Level Changes (2008-2009):

- BWLWA has conducted series of meetings with Home Based Workers to raise awareness on the subject of the ILO Homebased Workers Convention. During these meetings, BWLWA realized that there was no unity among the Home Based Workers. Following that, the organization has been working consistently with the home based workers so that they can unite and place their demands to the Government for ratifying ILO Home Based Workers Convention. However, the government at present is not interested to ratify the convention but is willing to make a code of conduct for Domestic workers. Ministry of Labor formed a committee with the Deputy secretary as its chairman and two members from Domestic Workers Rights Network (who are Executive Director of BISL and Deputy Director Advocacy from BWLWA). The Committee drafted the code of conduct and submitted it to the Ministry on 18th October 2009. Presently the government is reviewing the code of conduct for its adoption.

- Considering the issue of disable people's rights, BWLWA filed a writ petition and asked for the direction of the Cabinet Division to take immediate measures for the implementation of the statutory object in the Disable Welfare Act-2001 in the light of the recent directives of the Honorable Prime Minister and on the basis of Convention on the Elimination of discrimination against women (CEDAW) and United Nations Convention on Rights of Person with Disability (UNCRPD) (drafted by Bangladesh).

- Based on BWLWA's prayers, the High Court Division of Supreme Court issued a Rule nisi and after series of hearings, the honorable court called upon the respondents to show cause against the O.P. P to why the respondents should not be directed for taking immediate measures to implement the statutory object as enshrined in the Disable Welfare Act-2001 and in the light of the direction of the Prime Minister given on 18th October 2009 on the 5th National Conference for Disable persons and as per the rights of the Disable in CEDAW and UNCRPD BWLWA is presently drafting the new disable law in line with UNCRPD & CEDAW and is subsequently lobbying with their government for its possible adoption. BWLWA also formed a national (with assistance of NADPO, BDFS) and international coalition (with assistance of Wellesley Center for Women - Wellesley College, New York USA) in this regard.

- After 6 years of relentless interventions at policy level BWLWA finally succeeded in formulating Domestic Violence (Prevention and Protection) Act. The draft has been approved by the Cabinet on 22nd February 2010 and presently the Bill is waiting for parliamentary approval.

- BWLWA experienced that political empowerment is one of the important mechanisms to eradicate violence against Women. The issue of women's political empowerment and partnership in political decision making in Bangladesh has been widely discussed. But lack of constructive initiative from political parties and the government, women's political empowerment and their effective participation in the political decision-making and in the legislative process had been within the periphery of mere discussion. But the Election Commission during the 2007-08 set out certain rules of women involvement for political parties. The initiative was supported by the political parties and civil society where BWLWA played an important role.
Rehabilitation

Understanding the term "Rehabilitation"

Rehabilitation implies empowering the victims by regaining back their confidence and the ability to resume back to their normal lives in terms of comprehensive psychological support and maintaining minimum standard of care. BNWLA provides immediate relief to victims by meeting their basic needs and reunifies the individual with family and community in ways that will provide long-lasting benefits to the individual, the family and community. In the process of rehabilitation, rapport building between survivors and care givers is important to make it sustainable.

"Rehabilitation" programming strategies

Comprehensive psychosocial services to the survivors of different forms of violence

The organization is delivering direct comprehensive psychosocial services to the survivors of different forms of violence through its shelter-based interventions. The objective behind providing these services is to improve the life status of survivors and to assist them to become self-reliant. BNWLA is also delivering different types of development trainings, education, socialization activities, psychosocial counselling, medical and emergency supports, legal awareness related supports & direct legal assistance to the survivors.

Community based integration

BNWLA practices community-based integration for the rehabilitation of survivors. Prior assessment of community and adequate facilitation from them reduces the time of case closure, allows the survivors to be integrated with minimal problems and in a more sustainable way. Once the survivor's family is located, the family's willingness and suitability to get the survivor back is assessed. The preliminary assessment is of fundamental importance to avoid reunifying survivor to an inappropriate situation and eventually expose them to exploitation, abuses and integration failure.

Family willingness and suitability assessment gives three scenarios in the worst case scenario where the family does not want or is not suitable to accept the survivor, mediation is tried. If the family is unable to integrate the survivor, BNWLA takes alternative solutions. Secondly, when the family is willing to take the survivor back and has no socio-economic problem, reunifying the family and the survivor will be rather easy. Three months monitoring to see the stability of the reunification is done. In the last case scenarios the family would welcome the child back but has typical socio-economic problems.

A thorough and complete family assessment is conducted with the help of several adapted tools. For socio-economic case, the analysis is done by identifying the social network and resources around the family. Through mobility maps and flow diagrams, the family itself shows the social resources and weaknesses. BNWLA is applying these tools for influencing the integration process with the family. Social network analysis is enabling to identify main actors in the family life, potential leaders who can accompany these people in the process of integration.
It is necessary to assess the economic situation of the family and BNWLA is applying specific tools to give measurable parameters to assess the poverty level, which eliminates the bias of the staffs that tend to consider all families poor and incapable.

BNWLA staffs analyze the different information to produce a complete synthesis of the family in addition to some suggestions. The synthesis is shared with the survivor, the family and in the community care committee meeting. The result of the community care committee meeting are remarkable, showing an unexpected vividness and capacity for the community to take the responsibility in offering mutual help and to allow the survivor regain higher place in the family.

After completion of assessments and the meeting findings, BNWLA finalizes the integration action plan defining responsibilities and activities and the time frame and takes approval the survivor, the family and the community. According to the integration action plan, BNWLA staffs conducts the reunification. After completion of integration process, BNWLA staffs conducts case-by-case follow up for ensuring the sustainable integration

Case Management and Protection

BNWLA formed case management teams, composed of shelter home integration and staffs, psychologists, and lawyers assigned to each survivor for effective rehabilitation. Individual professionals are providing specific services to survivors and coordinating with other specialists. The basic features of the full protection and case management are as follows:

- Identifying children at immediate risk of abuse, and mobilizing the most appropriate protective measures for protection.
- With a presented case of abuse, collecting preliminary data followed by collecting and verifying facts and protecting the integrity of evidence.
- Assessing the case and planning a treatment and rehabilitation program.
- Executing the treatment and rehabilitation program.
- Planning and executing a social integration program.

BNWLA is conducting Intake Assessment to assess survivors physical, psychological, and social impact of the abuse and is determining what medical psychological treatment or social service proposed in treatment. BNWLA in involving its existing medical and level one, social protection, care development and community based integration unit to assist in the intake assessment. The process and mechanism employed for intake assessment are:

- Physical and psychological examination.
- Social Assessment.
- Interviewing.
- Creating case file.
- Need assessment and formulation of a treatment and rehabilitation plan.

Building community based prevention, protection & socialization mechanism model

BNWLA built a community-based prevention, protection and socialization mechanism model at selected areas under 6 divisions of Bangladesh. The objective are:

1. To create & activate community based local safety net for high-risk groups as well as victims of different forms of violence.
2. To eliminate woman and child rights violations from its roots.
3. To create woman and child friendly atmosphere in a family as well as in the society.
4. To set as an example of good practice of community-based interventions in Bangladesh.
5. To replicate the ideas of model in different parts of Bangladesh so that women and child rights violation scenario can be improved.

Level of Interventions
(i) Individual Level
(ii) Family and
(iii) Community Level
Levels of Interventions (Rehabilitation aspect)

**Proshanti (Shelter Home) - A Way to Live**

BNWLA established a shelter home, "Proshanti" at Eskaton, Dhaka in 1993. Proshanti was created as a safe house and to shelter victims of rape, trafficked, HIV/AIDS positive women and children and survivors who are suffering from trauma and victims of violence, detained prisoners, especially women in safe custody. Besides, rescued victims from different brothels and also those who are repatriated from India, Pakistan, and Middle East are kept there. At present a permanent shelter home is established at BNWLA's own property of 10 acres of land in Gazipur. There is a semi-pucca building which can provide shelter to 40-50 victims. Charities in the form of food, clothing, education, expenses, etc., were also received from some benevolent members of the society for the inmates of Proshanti.

BNWLA presently initiated several needs-based survivor-focused projects with the financial and technical assistance of The Royal Norwegian Embassy, SIDA, NOOR, the Save the Children, Sweden-Denmark, IQ, USAID, and NETZ.

**Mission of BNWLA's shelter services**

To build self-esteem among the survivors to make them fit for being mainstreamed into the society.

**Approaches of BNWLA's shelter services**

- Basic human approach (restoring respect and dignity of the marginal community)
- Creating a woman and child-friendly environment for effective program implementation and to ensure CRC
- Education and involvement of survivors in all decision-making processes of the program (planning, implementation, and monitoring of activities)
- Long-term preventive actions for reducing the future number of survivors
- Empowering the survivors at individual, community and at societal level through providing direct curative support

**BNWLA's Shelter Locations**

1. **Long Term Shelters**
   - Dhaka
   - Gazipur
   - Jessore
   - Chittagong

2. **Short Term Shelters**
   - Rajshahi
   - Khulna
Services at Shelters Homes:

- **Legal intervention**: Survivors received free legal assistance whenever they needed. One of the major objectives of the legal intervention is to protect and assist the legal rights of women and children and eliminate exploitation.

- **Basic need support**: Food, clothing, shelter, re-creational facilities are provided to the survivors for ensuring their fundamental rights to live.

- **Medical and psychological Care**: Medical treatment is provided 24 hours. Medical emergency service is open for the survivors. Regular counseling sessions for survivors who need it and for their families and for their communities.

- **Schooling interventions**: Shelter home based formal, non-formal and re-creational schooling system for the existing survivors.

- **Capacity building interventions**: Capacity building training is provided. A Training Unit is imparting training to staff, survivors and as well as for the partners. Shelter home staff members received the following training:
  - Orientation training in the light of CRC (Child Rights Convention) and Children Act; Cognitive behavior therapy; Shelter management training; Legal awareness session; Inter-communication skill development; Burn out management; Care givers empowerment.

- **Advocacy, Research and awareness related interventions**: BNWLA is conducting different advocacy, research and awareness related works for long-term preventive measures. A separate unit is functioning in the shelter home for conducting these works.

- **Resource Center**: Development of a resource center for those, who are interested to work on women and children rights related issues have been initiated. BNWLA's partners and others are contributing for the development of the resource center. Besides a specialized database has been developed for effective implementation of the resource center.

- **Rehabilitation and Integration related intervention**: The process of rehabilitation starts immediately after a victim is reached to the shelter home. Existing survivors of the shelter home are enjoying different trade oriented skill development training for their sustainability and greater impact. The end result of the rehabilitation is the successful reintegration of the victims in their respective families and community. BNWLA emphasizes on building community care for collective and sustainable integration. To this end the organization is mobilizing local level community through its grass root partners, local points and 54 legal services delivery centers across the country.

- **Skilled Development Training & Job Placement**: Survivors at shelter homes are receiving different professional trainings on functions, computer, garments items, stitching, bakery, confectionery and on other trades. These capacity building trainings are helping the survivors to become self-dependent. BNWLA is also delivering external skill development trainings to different survivors and placing them in different jobs.

- **Cultural Interventions**: Survivors are involved in different cultural programs like drama, poem recitation, and songs and in other events. These activities are strengthening survivors' personal development and as well as their psychology.

- **Follow Up of Survivors**

- **12. Follow up of repatriated survivors**

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In the year 2006, Koromchi, a one and a half years old Indian baby was trafficked to Bangladesh by a Bangladeshi woman, Hera Begum. The baby was rescued at Nalpur where a trafficking case was filed. Subsequently, Koromchi came into the custody of BNWLA from court. The trafficker was sentenced to life imprisonment. Koromchi was repatriated to India in 2009 with the help of BNWLA and STOP, Delhi, India. Now she is happily living with her family.

Arifa was two years old when she was trafficked to India from Bangladesh by an Indian trafficker, Nizar Jamal, on August 25, 2003. The Indian Border Security Force (BSF) rescued her a month and a half after she was trafficked. As Arifa's father lodged a complaint with the border guards, BNWLA facilitated the repatriation process and brought her back to Bangladesh with the help of the Bangladesh Government. She was handed over to her family from the shelter home of BNWLA in 2005. Now she is studying in a school and living happily with her family.
Community Participation

For making changes in a society and preventing violence as well as protecting victims at grass root level, there is no alternative but to involve community in the whole process of developing and implementing prevention & protection strategy.

It has been found in most cases that without community’s active involvement, families become unwilling to attach with the mainstream of the society. BNWLA’s long years of experience suggest to reduce gaps between high risk groups & actual community groups.

It had been observed that victims becomes repeatedly victimized due to some failure of the families and for absence of community based prevention & protection mechanism. It is difficult for communities to trace out actual criminals, middlemen/plunges due to corrupt practices at different levels of the society. As perpetrators are generally connected with influential people of the society, there is less possibility to ensure victim and witness protection in trafficking related case proceedings. Every year thousands of cases lose merit because of victim and witness insecurity.

One of the major problems encountered by the victim and witness while taking recourse of law is the lack of state-sponsored protection. As a result, offenders feel unharmed and in most cases harassed or threatened to file cases against them. Not only are victims and witnesses are put off by offenders’ actions, even the investigation process and court procedures are too demanding. The protection of victims and witnesses is thus a major concern in the pursuit of justice.

Community participation is an important and valuable tool to assist in the process of changing perceptions, empowering people and developing a common understanding. Community people can play multidimensional role in preventing & protecting victims. From rescue to reintegration of a victim & even in pre & post crisis situations, they can serve as a major actor in the whole process. Often, the community has made significant changes both at State Policy & Practice level. In restoring human rights and getting access to support services, the community can act as Change Maker.

Community Participation in Integration Process

Lipka & Nabi, two sisters who are daughters of a convicted prisoner (life time imprisoned for murdering husband) came to BNWLA for safe shelter when they were aged of 8 and 10 respectively. After nine years facilitation, they were integrated in their family through Community Care Committee (arranged by BNWLA). Now they are living in the community peacefully with local supports.

Presently BNWLA is implementing following activities to foster the process of community participation in preventing & protecting victims:

1. Setting community roles at different stages i.e. during rescue/release, investigation, legal procedure, family counseling, integration, local level advocacy & follow up of survivors’ protection.
2. Strengthening local community groups;
3. Increasing community based supports at local level;
4. Formulating of Self-Help group for Income Generating Activities;
5. Attaching religious communities and local government representatives at local level prevention and protection system;
6. Strengthening networking among different community groups & others;
7. Started process to sustain community groups;

Community’s participation at different level:

1. During Rescue
2. During Investigation
3. During legal procedure
4. During family counseling
5. During Integration
6. During advocacy
7. During follow up
BNWLA's Project Overview

BNWLA has been implementing the following projects, some of which were started in early 2008 and completed by end of 2008 or middle of 2009. There are some activities under different projects, which may appear as overlapping but the differences are very much visible in the ground, which has been adopted following the strategic objective of the organization. Brief of the projects are as follows:


The EXTENSION OF REALISATION OF HUMAN RIGHTS AND DEMOCRATIZATION (ERHRD) Project is the successful collaboration of Bangladesh National Women Lawyers’ Association with international donor and local, Bangladesh partners that has brought legal services, awareness of rights, protection and rehabilitation to a large number of disadvantaged Bangladeshi women and children who have been the victims of violence and abuse.

The purpose and key Results of this project are as follows:

Purpose

Rights of women and children (women workers) are improved in the programme areas through continuous advocacy on proper implementation of laws and reform/amendments to address discriminatory laws/domestic violence.

Key Results

Result 1: Communities are able to raise voice against existing discrimination in personal laws and demand proper enforcement of laws for the protection of women and children.

Result 2: Policy change/amendments to address women and children discriminatory laws and issues on domestic violence (Made through Prosecution Services, PIL/Class Action Suits)

Result 3: Women and child friendly support system and facilities are developed through lobbying with policy makers to initiate proper implementation of WCHR.

Result 4: Rights of women workers’ (Home Based & RMG workers) are recognized through lobbying & advocacy.

Result 5: Project Management has been functioning effectively.
2. Developing Prevention, Protection, & Socialization Mechanism through an Integrated Approach for the Children (DPSM Project) [Year 2008-2010]

BNWLA is implementing this project with financial assistance of Save the Children Sweden and Denmark for the duration of 2008-2010. The direct target groups of this project are 350 children who are the victims of sexual abuse exploitation & trafficking.

Secondary target groups are: 1. Local community people, Local Government representatives, Media, journalist, Teachers, local leaders, youth groups, local thana (police station), lawyers, doctors & all other duty bearers esp. the parents and the guardians of those children will be directly involve developing community based prevention and protection mechanism for prevention & protection of child sexual abuse, exploitation & other forms of violence against children. 2. All Police officers 3. For Policy Advocacy Ministry of Law, Ministry of Social Welfare, Ministry of Women & Children Affairs, Ministry of Home & Foreign Affairs. 4. BNWLA member-lawyers, University law students, staffs relevant to child rights programming.

Through this project BNWLA is directly working all over the Bangladesh and specifically emphasis on 6 areas of 6 divisions for making models of community based prevention and protection mechanism.

The development objective of this project is to diminish the rate of recurrence of child sexual abuse, exploitation, trafficking & other forms of violence from project's targeted areas following Rights Based Approach within 2008-2010.

The immediate objectives of this project are-

1) To develop a model of Community based Prevention & Protection Mechanism for improving the situation of vulnerability of children from sexual abuse, exploitation, trafficking & other forms of violence in targeted project areas within 3 years;

2) To develop a strong monitoring mechanism: to monitor the situations of child rights violations & to register all reported & unreported cases and to provide immediate services to the children rescued/rehabilitated/protected by the police & other organizations;

3) To ensure comprehensive shelter package services (i.e. legal, survival, development & reintegration services) to the survivors of different forms of violence during project period;

4) To strengthen policy advocacy with government concern authorities for formulating/amending/strengthening implementation of existing laws to protect children from sexual exploitation, abuse, trafficking & other forms of violence within three (3) years,

5) To build up technical capacities of member lawyers, project staffs & child led organizations/groups for protecting victimized children and for better service delivery within 2008 - 2010.

The broad head of this project's activities: i) Setting up community based prevention and protection mechanism at 6 areas of 6 divisions, ii) Monitoring the country child rights violation situation and registering cases & provide emergency services to the children; iii) Provide survival, development, legal, counseling, health and reintegration supports to the survivors of different forms of violence; iv) Formulate/amend/strengthen implementation of child rights related laws and conduct dialogues at different level and finally v) Increase capacities/skills of members lawyers of BNWLA, project staffs & child rights led organizations/groups for protecting child victim and better service delivery.

Following the activities and objectives, in three years (2008-2010) following outputs planned to achieve. Outputs are-

1. A Community based Prevention & Protection Mechanism model with increased awareness level has been developed for improving the situation of vulnerability of children from sexual abuse, exploitation & other forms of violence.

2. A strong monitoring mechanism has been developed for monitoring the situations of countrywide child rights violations, registering all victim cases, immediate supports and protection system operational for children rescued/arrested by the police & other organizations.

3. Comprehensive shelter package services (i.e. legal, survival, development & reintegration services) has been ensured for the survivors of different forms of violence during project period.

4. Laws have been formulated/ modified/executed concerning the sexual abuse, exploitation, trafficking of children & other forms of violence in Bangladesh through policy advocacy.

5. Member lawyers, project staffs & child led organizations/groups are capable to identify, monitor and take remedial and preventing actions to protect victimized children through better service delivery.

3. Developing Social Protection and Preventive Mechanism against Children's Vulnerability to Sexual Abuse & Exploitation (DSPP Project) [Year July 2006- June 2009]

The organization had started to implement this project from June 2006 (and up on June 2009) with financial assistance of Plan Bangladesh.

The major objectives of the project are:

1. To develop a model of Social Protection Mechanism for improving the situation of vulnerability of children from sexual abuse, commercial sexual exploitation & other forms of violence within 3 years

2. To develop a strong monitoring system to register all cases & to provide immediate services to the children rescued/released/arrested by the police & other organizations.
3. To strengthen Policy Advocacy with Government Concern authorities for formulating/modifying/strengthening implementation of existing laws to protect children from commercial sexual exploitation, abuse, trafficking & other forms of violence within three (3) years.

4. To build up technical capacities of relevant stakeholders for protecting victimized children and for better service delivery within 2006 – 2009.

First phase of this project ended on June 2009 and 2nd phase of the project started to implement from July 2009 (and up on June 2012). 2nd phase of project is a follow up project of BWLA to consolidate actions and achievements of previous project implemented during July 2006 to June 2009. The proposed project aims to reach more disadvantaged children beneficiaries in Dhaka slums and in other rural communities. Overall, specific objectives and expected results of this project are as follows:

Overall Objective
To develop a social protection and prevention mechanism within the target communities that is capable to contribute in reducing incidence of abuse, exploitation, trafficking and other forms of violence against children in Bangladesh.

Specific Objectives:
- To increase awareness between victim and children at risk of abuses, their parents and duty bearers within target communities on issues of child protection and availability of legal services.
- To strengthen existing social protection system for effectively deliver child protection and legal services to the victim and children at risk.
- To increase capacity of service providers including law enforcement agencies on child protection issues, monitoring child abuse cases and delivering child friendly legal services.
- To establish functional linkages and networks among NGOs, community groups and local government institutions at local and national level for providing sustainable child protection and legal services for the abused children.

Expected Results:
1. Children and service providers are better prepared to identify, monitor and receive/deliver child protection and legal services through increased awareness and access to information on child protection and legal services.
2. Social Protection Groups are established and functional in each target area to monitor child abuse cases and to deliver protection and legal services.

3. Duty bearers and other service providers are sensitized on child protection issues to formulate/modify favorable laws/policies and a legal framework developed to support victim children.

4. Established institutional linkages among GO-NGO service providers within the country established to provide legal support services in a sustainable manner.

4. Combating Domestic Violence (CDV Project) [Year 2006-2010]
This project is implementing in nine districts of the country, which is going through its second phase. Manusher Jonno Foundation has been supporting this program during the program since 2004 and will continue till April 2010. The main objectives of the project are:
- Influencing state’s policy levels for enactment of the Drafted Law on Domestic Violence.
- To improve access to information on issues related to Domestic Violence.
- Mobilizing local level organizations to be more concern and responsive to the needs of the women and children.
- Sensitive community people to take more pro-active role in combating Domestic Violence.

5. Counseling, Legal and Rehabilitation Support to the Victims of One Stop Crisis Center (OSCC Project) [2008-2009-2010]
This project is a unique example of government and non-government collaboration to address violence against women, which has been supported by the Ministry of Women and Children Affairs through its Multisectoral program on Violence against Women. Under this project BWLA has been providing legal support to the survivors of various forms of Violence against Women in six government Medical College Hospitals in six divisional towns. The objectives of the project are:
1. Provide the necessary legal support to the OCC victims.
2. Provide basic survival support like food, clothing, medicine and others to victims who become resident at shelter home after referral from OCC.
3. Rehabilitation through vocational training, reformation education and reintegration into the family.

6. Community Based Work to develop Child Protection Mechanisms (CBPM Project) [Year 2008-2010]
The organization started to implement this project with assistance of Ministry of Home Affairs and UNICEF Bangladesh from 2009. The proposed project has been designed to address the issues and other determinants of priorities particularly focusing to develop a functional mechanism of anti-trafficking at community level. The goal of this project is to - Develop Child Protection Mechanisms in 65 Upazillas of Bangladesh where children previously involved in camel racing in the UAE have been re-integrated with their families. Expected outputs and activities of this project are as follows:
Expected Outputs and Activities

Output 1: Children and adults are aware about process and consequences of trafficking and informed on available services to prevent and protect children from trafficking, violence, abuse and exploitations

Activities
1. Organize rational level anti-trafficking campaigns
2. Develop area based program communication Strategies at community level
3. Conduct mapping of available support services and improving protection referral system

Output 2: Capacity and skill of parents and children developed to protect children in communities from violence, abuse, exploitation including trafficking

Activities
a. Conduct assessment of skill development needs in local areas
b. Develop training Manual for skill development training
c. Conduct community based skill development training
d. Conduct community based job placement and social employment services
e. Develop and promote ownership of protective and child rearing practices among children, parents, teachers and religious leaders.
f. Train the members of the local law enforcement agencies on child protection, including mechanism of rescue, repatriation, interview skills and child friendly policing.

Output 3: Local community leaders and administration are active to prevent and protect children from trafficking, violence, abuse and exploitations

Activities
a. Advocacy with the district level anti-trafficking committees involving members and officials from the relevant government, local administration, public representatives and civil society
b. Train the local stakeholders on the issues of trafficking, legislation and enforcement and advocacy to include and advocate preventive and protective initiatives in their political agenda

Output 4: Activate and strengthen anti-trafficking committees at grass-root level

Activities
a. Form, strengthen and activate Upazila / Union / Ward level child protection motivational committees (UNO and UP Chairmen) with members from community, like Imam, UP members, Teachers and representatives community, care committee.
b. Developing referral mechanisms in cooperation with Ministry of Social Welfare, Ministry of Women and Children Affairs, local government and NGO.
c. Develop monitoring, follow up and reporting process for action to prevent trafficking and strengthen integration of children in the community.

Output 5: Information management of the children, learning and documentation of good practices

Activities
a. Develop database on trafficked, repatriated, rehabilitated and reintegrated children’s information, which will have link with destination country’s database, if applicable
b. Document and learn from good practices applied in Bangladesh project and projects in other countries

7. Counter-trafficking interventions on prosecution, repatriation and reintegration of victims of trafficking in Person in Bangladesh.” (CITA-SANJOG-II Project) [Year 2008-2011]

BNWLA is implementing this project with assistance of Group Development France. Project descriptions are as follows:

Project Goal
■ Human rights of women and children protected.

Project Purpose
■ Prosecution, Repatriation and Reintegration related supports to the survivors of trafficking provided.
■ Necessary changes in trafficking related laws/policies and enforcement taken place.
Project Objectives

- To assist in prosecuting traffickers;
- To conduct policy level advocacy for bringing necessary changes in trafficking related laws/policies and also in law enforcement;
- To repatriate women and children from different locations;
- To integrate survivors of trafficking;
- To integrate survivors of trafficking into the society/community.

Project expected results

Result-1: Increased number of traffickers prosecuted.
Result-2: Survivors of trafficking repatriated.
Result-3: Survivors of trafficking reintegrated.
Result-4: Necessary changes in trafficking related laws/policies & also in enforcement taken place.

8. Making difference in the lives of women through using democratic governance strategies (MDG) [MDG project, supported by SIDA] [Year 2009-2011]

BNWLA is implementing this project with assistance of SIDA. Project description are as follows:

Goal of the project

Making difference in the lives of women through using democratic governance strategies.

Purpose of the project

Rights of women are protected and democratic governance system is improved in the program areas through creating greater opportunities for women and men living in poverty & also to assess and demand quality and non-discriminatory social service delivery.

Expected Outputs

1. Women rights have been protected through qualitative legal services delivery.
2. Democratic governance system has been improved through applying different policies/bill to protect rights of women at all levels.
3. Project management team has been well functioned through capacity building.
4. Organization's sustainability has been ensured through exploring different modes of opportunities.