



LAW *campaign*



FOR YOUR *information*



World Refugee Day 2010

A description given by the UN refugee agency UNHCR, declares that a refugee is someone who has been put on to run away from his or her country due to harassment, war, or hostility. As a result, the refugee's revisit to his or her home country is prohibited for the reason of the terror of harassment on the basis of race, religion, nationality, political judgment and devotion in a particular social group.

The United Nations' (UN) World Refugee Day is remembered on June 20 every year. This occasion respects the bravery, power and strength of mind of women, men and children who are required to flee their mother country under danger of discrimination, clash and aggression. The day is devoted to lift up consciousness of the state of affairs of expatriates all through the world. The day is a greeting to the strength and bravery of the world's many refugees, forwarding to them our back up, support and admiration. There are just about 40 million people on the earth who have been expatriated from their homes due to hostility and maltreatment, and in the prospect this number will amplify due to more and more complex issues, such as the sprain on civilizations and economies from harsh transformations in climates. Roughly a third of refugees are public who have run away their nations because of civil wars and racial, ancestral and religious brutality. They were forced to escape, they have lost the whole thing and they can't revisit their home nation. On the other hand, many of them decline to give up hope. Commemorating their bravery and guts and make them see our support is what World Refugee Day is all about.

World Refugee Day history

For years, many nations and districts have been holding their own events parallel to World Refugee Day. One of the most extensive proceedings is Africa Refugee Day, which is notable on June 20 in many countries. The UN General Assembly espoused a decree to state its solidarity with Africa on December 4, 2000.

The Decree noted that 2001 was the 50th anniversary of the 1951 Convention connecting to the position of refugees, and that the Organization of African Unity (OAU) decided to have International Refugee Day happen together with Africa Refugee Day on June 20. The Assembly consequently decided that June 20 would be observed as World Refugee Day from 2001 onwards. This day was chosen by the UN High Commissioner for Refugees to bring concentration to the dilemma of around 14 million refugees round the world.

World Refugee Day events and activities

People credit the guts and bravery of millions of refugees globally on World Refugee Day. It is a day to highlight the contributions of refugees in their society. Associations for instance Amnesty International and the International Rescue Committee (IRC) frequently get occupied in a variety of activities for the day. They may include:

- Campaigners remonstrate against making use of prisons to hold migrants and asylum seekers.
- Screenings of movies about the life styles of asylum seekers living in western nations.



- Association members trip to asylum seekers in imprisonment to offer moral support.
- Notes and appeals to governments on the management of asylum seekers in custody.

Some group of people devote a complete week that comprises World Refugee Day to cheer people to feel about the lives of refugees and the human right to a safe place to that one may refer to as "home".

Emblems

The UN Refugee Agency's (UNHCR) emblem is frequently connected with the day. The colours used are either white on a blue backdrop or blue on white backdrop. The logo comprises olive twigs that represent tranquility surrounding or shielding two hands in front of each other and in the centre a shape of a person shielded by these hands. The logo is at times featured with the words "UNHCR", tagged on by "The UN Refugee Agency" in minor text to mark the logo.

The UNHCR in Canada makes use of an unusual World Refugee Day symbol that comprises two figures one smaller figure on the left and a taller figure on the right. They are confined by brackets or half circles. The words "World Refugee Day" are positioned at the centre apex of the figures, and "20 June" is positioned at below the figures at the centre. All the constituents of the logo are in the single shade green.

This year

This year's World Refugee Day on June 20 has as its theme, "Home," in recognition of the plight of more than 40 million uprooted people around the world. Around 10 million of them are refugees of special concern to UNHCR.

UNHCR helps people find new homes and new futures through resettlement, through voluntary repatriation and through local integration. Most of the time, and where it's possible, refugees prefer to return to their home countries. Nonetheless, and with conflict continuing or escalating in many countries, finding new homes and allowing people to restart their lives is increasingly difficult.

This year, for World Refugee Day, UNHCR is planning events around the world to highlight the plight of refugees under their care and to advocate on their behalf for the help they need.



BAKANGA LAM COMMISSION

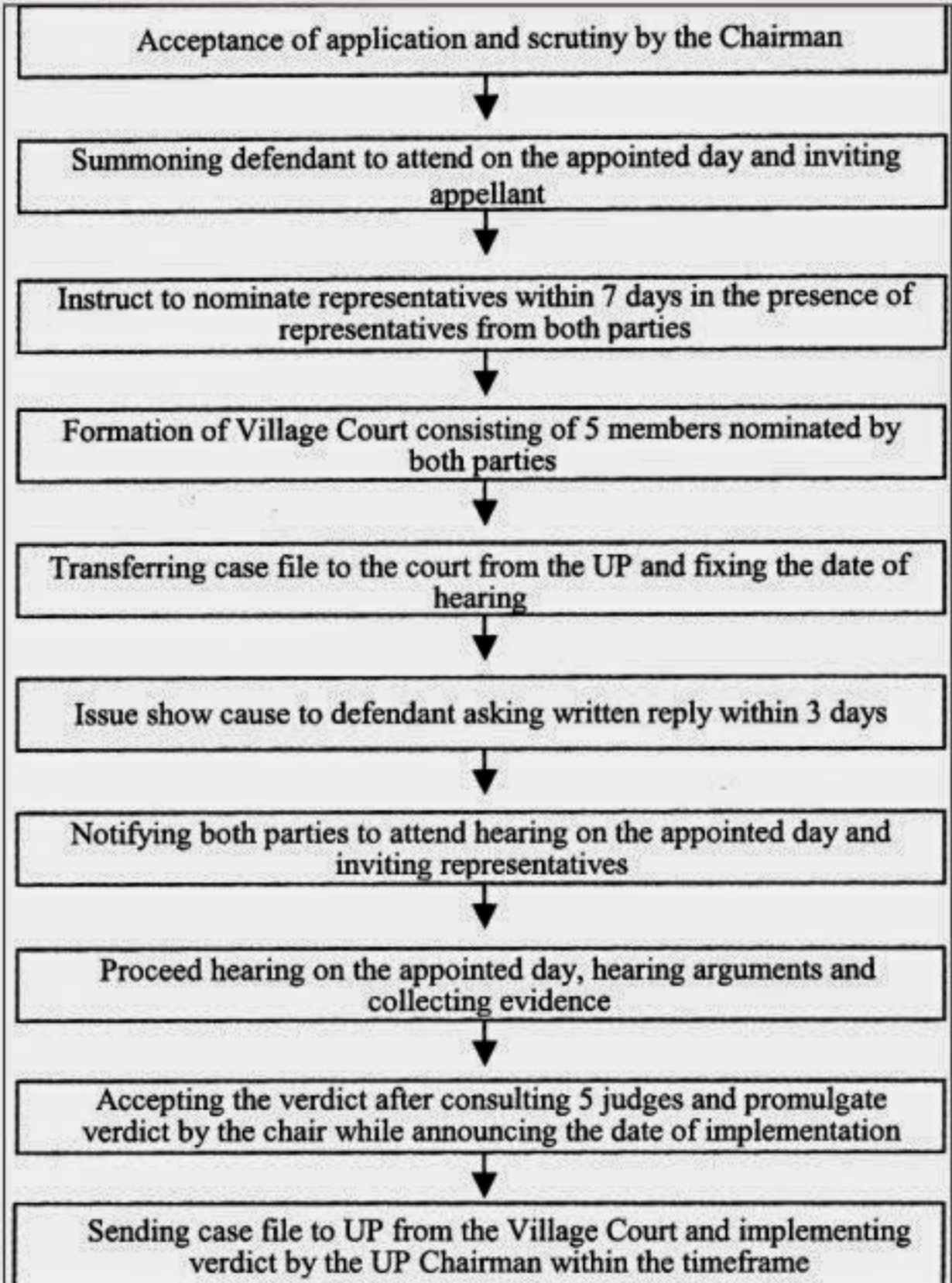
nisms that are short of, or alternative to, full-scale court processes. The term can refer to everything from facilitated settlement negotiations in which disputants are encouraged to negotiate directly with each other prior to some other legal process, to arbitration systems or mini-trials that look and feel very much like a courtroom process.

In the absence of an effective ADR, the number of pending cases in the country increases rapidly. The parliamentary sub-committee, in its report placed before the standing committee recently, said over 15 lakh cases remained pending with the subordinate courts till January this year (The Daily Star/February 14, 2010). Of this, 8.07 lakh cases were pending with the tribunals, district and session judge's courts and metropolitan session judge's courts, and another 7.18 lakh cases with the judicial and metropolitan magistracy.

Conclusion

To sum up, activation of Village Courts is not only significant to strengthen local government, smooth functioning of the local justice system would help in reducing case loads in the courts of Bangladesh. Poor and marginalized people would be largely benefited if village courts safeguard their interest while delivering justice.

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Process of trial

According to the Village Courts Act, there is a process of trial to be followed. It starts with the acceptance of the application while ends up with the implementation of the verdict as shown in the flowchart.

Dispute resolution and appeal

Village court is authorized to resolute dispute having a value of up to Take 25,000. There is a provision of appeal against the decision. Appeal must be submitted to the court of Assistant Judge for civil case while appeal must be submitted to first class magistrate for criminal cases.

Alternative Dispute Resolution

The term "alternative dispute resolution" or "ADR" is often used to describe a wide variety of dispute resolution mecha-

Village court: Bringing justice to the grassroots

OLI MD. ABDULLAH CHOWDHURY

VILLAGE Courts Act is comprehensive piece of law though courts are yet to be established in most of the places in the country. Activation of village courts if successful would pave the way for the spontaneous flourishing of alternative dispute resolution. Mediation and arbitration at the local level would help solve many problems without going to the formal courts where there is already a backlog of cases.

Strengthening local government

Strengthening of local government was suggested in the constitution, the process, however suffered on many occasions due to unstable socio-political situation. A number of initiatives to activate UP Standing Committee to ensue accountability at the local level did not sustain. National Union Parishad Forum (NUPF), an umbrella body of UP elected representative though took a number of commendable advocacy initiatives; decision-making at the local level is still a far cry.

However, elected representatives of the local government would have an opportunity to play an active role in the local justice system through village courts. If the UPs through village courts become successful in establishing justice for the poor and marginalized, governance at the local level would improve. It would also strengthen local government institutions as confidence of different stakeholders would rise.

Village Courts Act

The Village Courts Act was enacted in 2006. The act entails the functions of a village court, its jurisdiction and formation. The act has been formulated in order to resolve disputes quickly and easily within the jurisdiction of UPs.

Formation of village court

A village court would be comprised of five members. There would be 2 members (1 UP member and local elite) from the appellant side and 2 members (1 UP member and a local elite) from the side of the defendant. Chairman of the local UP would act as the chair of the Village Court. If one of the parties has reservation regarding the chairman of the UP, they can apply to the UNO in writing while mentioning the reason of dissatisfaction. In that case, UNO would nominate other member to act as chairman of the court.

LAW *interview*

Decent work for domestic workers

Domestic work employs millions of workers, mostly women, around the world. The June 2010 session of the International Labour Conference will hold a first discussion on a new international labour standard for a domestic workforce that is growing worldwide. **ILO Online** spoke with **Manuela Tomei**, Director of the ILO's Conditions of Work and Employment Programme, about working conditions of domestic workers, and how they can be improved.



ILO Online: How would you define domestic work?

Manuela Tomei: Domestic workers may cook, clean, take care of children, the elderly or the disabled, even domestic animals. Domestic workers may work full- or part-time as wage workers for one or more employers. They may also be self-employed with substantial control over the terms of their work, or provide services in individual homes while being paid by licensed institutions. Domestic workers, especially full-time migrant domestic workers, may also live in the employer's home.

What is the composition of this workforce?

MT: The composition of the domestic

workforce changes by country and over time, but, everywhere, their numbers are growing. According to a new ILO report prepared for this year's International Labour Conference, domestic work absorbs a significant proportion of the workforce, ranging between 4 and 10 per cent of total employment in developing countries and up to 2.5 per cent of total employment in industrialized countries. While domestic work is overwhelmingly comprised of women, an important proportion of them migrants, men also work as gardeners or as guardians in private homes or as family chauffeurs.

What are the reasons behind this increase in

domestic work?
MT: Changes in the organization and intensification of work and the marked rise in female labour participation rates, which has reduced women's availability for unpaid care work, are responsible for this increase. Besides, the ageing of societies, intensified national and international migration of women and the decline in state provision of care and social services have made it increasingly difficult for families to reconcile paid work with family responsibilities. As a result, reliance on domestic work has increased everywhere across the world as a private strategy to counter mounting work-family tensions.
What are their conditions of work?
MT: Despite its growing social and economic significance, domestic work has been, and remains, one of the most precarious, low-paid, insecure and unprotected forms of employment. Many domestic workers are overworked, underpaid and unprotected. Abuse and exploitation are common, especially when children and migrant workers are involved. Because of their young age or nationality, and the fact that they often live in the employer's household, they are particularly vulnerable to verbal and physical violence. There are frequent media reports on such violence, including suicides and homicides in the worst case.
Where does the lack of protection come from?
MT: The serious decent work deficits facing domestic workers are a consequence of their legal and social vulnerability. Domestic workers are excluded either de jure or de facto from the effective protection of national labour law and social security regimes-both in industrialized and developing countries. Another flagrant case is the exclusion of domestic workers from the scope of occupational safety and health legislation in most countries, as the household is erroneously perceived as safe and non-threatening.
What is so specific about domestic work that it needs special regulation?
MT: Domestic work differs from other types of work in many respects. First, domestic work is largely limited to inside the home, and therefore can escape the outreach of conventional mechanisms of control, such as labour inspection services that face legal and administrative obstacles to inspecting private premises. Second, domestic work mirrors work traditionally performed by women without pay, and is thus perceived as lacking in value and exoge-

nous to the "productive" economy. This explains why domestic workers commonly earn low wages, and may often be either under- or unpaid at regular intervals.
Third, domestic workers have limited bargaining power as they are an "invisible" (working inside the household, out of public sight) and isolated workforce, with no peer workers to turn to for support or guidance on what is to be considered a reasonable request or an unacceptable treatment. When migrant workers are involved, their isolation may be even greater as they often do not master the national or local language and have no family or other supportive networks to rely on. All these characteristics reinforce the perception of domestic work as not constituting "real" work, thus contributing to its further undervaluation and neglect.
Why do we need international labour standards on domestic work?
MT: Existing international labour standards do not offer adequate guidance on how to ensure meaningful protection to domestic workers as they either fail to address the specific context in which domestic work takes place or allow for their exclusion. This led the ILO Governing Body to agree to include a standard-setting activity on decent work for domestic workers on the agenda of the 99th Session (2010) of the International Labour Conference (ILC). The latter will deal with this question according to the double discussion procedure. This means that, while in 2010 the ILC will be called to discuss the desirability and form of a possible international instrument (s) on the subject, a final decision on a possible adoption will be taken in June 2011.
A specific international norm for domestic workers, to be effective, would need to reaffirm the protections to which domestic workers are already entitled to under existing ILO standards, while recognizing their special employment relationship and providing for specific standards to make these rights a reality. The decision to discuss such a norm on decent work for domestic workers reflects the ILO's commitment, as embedded in its Decent Work Agenda, to bring workers once deemed to be outside of its constituency into its mainstream work. It recognizes that domestic workers are real workers and takes account of the fact that the overwhelming majority of domestic workers in the globalizing economy are women.

Source: International Labour Organization (ILO).

Source: UNHCR and Alltius Directory.