

LAW EVENT



National Plan of Action: Launched

Collective efforts can translate the law into reality

BANGLADESH is a source and transit country for the heinous acts of trafficking of men, women and children. To combat all forms of trafficking the Government of Bangladesh has been making committed efforts through making partnership with NGOs and developing partners. The significant achievement from these efforts is the recently enacted comprehensive anti-trafficking law that is Human Trafficking Deterrence and Suppression Act 2012. To ensure and implement the goals of this law into reality a National Plan of Action outlining the responsibilities of different agencies with respect to planned activities would provide a vital tool for combating human trafficking. In this context, a launching ceremony of the National Plan of Action to combat Human Trafficking 2012-2014 was held on May 19th in a city hotel by Ministry of Home Affairs, with the support of USAID/Bangladesh and Winrock International. A dialogue was designed to disseminate the "National Plan of Action for Combating Human Trafficking, 2012-2014" and to raise awareness and commitment for effective implementation of NPA and new Trafficking in persons (TIP) law.

Advocate Shahara Khatun, MP, Hon'ble Minister of MOHA, launches the national plan of action and thanked her ministry for their brilliant effort and for the assistance of the INGOs and US government to combat human trafficking.

Engr. Khandker Mosharraf Hossain,

MP Hon'ble of MoEWOE, stressed on cross checking migrants data, especially the less skilled migrants, who are the largest group of migrating people to ensure safe migration, which is an effective way to combat human trafficking. He stressed on proper registration and process of issuing SMART card, is ensuring safe migration. With a team of expert, including civil aviation they are now developing a stronger screening mechanism to cross check other category of visas to combat human trafficking issue, especially people traveling with visit/travel visa.

Mr. Dan Mozena, Hon'ble Ambassador, US Embassy, Dhaka congratulates our government and said, "with the help of NPA, government now can better fight the horrid criminals who sell young girls and boys as sex slaves, house servants, agricultural workers. Horrid criminals who sell women into prostitution and men into forced labor at home and abroad".

Dr. Dipu Moni, MP Hon'ble Minister of MoFA, Anti trafficking law is the expression of promise made by our government to ensure rights of person, who are the victim of trafficking. We are not only making laws but Home Ministry develops an action plan to make a proper implementation of the law.

We are becoming a part of international instruments to accelerate the process. Not only within SAARC but in global part particularly with US government, we are working with promising effort to take the issue seriously. To eradicate the flaws



on migration process, which contributes to human trafficking, MoEWOE takes initiatives to come out from the scenario, she added.

Dr. Kamal Uddin Ahmed, Additional Secretary, MOHA, shared the government initiatives and the Plan of action. He briefly outlined the total process of developing this plan of action and strategies.

Among others valued comments were made from, Ms. Sara Piazzano, CoP, Winrock & Member of NPA Drafting Committee, who termed this NPA as a gross rooted document with international standard. Mr. Hassan Mahmood Khandker, MPM, PPM, ndc, IGP, stressed on new law, which is a tool to combat this heinous crime. Mohamed Mijarul Quayes,

Secretary of MoFA, shared the limitation of recourse to establish more mission in abroad. Major General Anwar Hussain, ndc, psc, BGB, 70 victim rescued and four traffickers held in last three months.

Mostly people who are trafficked in India are victimized through fake marriages, and women who are affected by domestic violence also at risk for trafficking.

Since the Actions for Combating Trafficking in Persons (ACT) program began in 2008, Winrock International has supported civil society and government efforts in Bangladesh to prevent human trafficking, protect victims of trafficking and prosecute perpetrators of trafficking.

-From Law Desk.

LAW NEWS



Urge to promote human rights education

SARBANI MIA

THE Faculty of Law, Dhaka International University (DIU) has organized a seminar on "Human Rights Education in Bangladesh" on 19 May 2012 at CIRDAP auditorium.

Professor Mizanur Rahman, Chairman of the National Human Rights Commission (NHRC) of Bangladesh was the Chief Guest at the seminar while Professor M. Shah Alam, Chairman (Acting), Law Commission of Bangladesh was the Special Guest.

Dr. Uttam Kumar Das, Associate Professor and Dean (Acting), Faculty of Law, DIU has presented the key note paper.

Professor Mizan said that the Constitution of the country has guar-

anteed now in a "disastrous situation."

He informed that the NHRC is going to raise people's awareness on human rights with the participation of law students from both public and private universities. The NHRC is also initiating a campaign against violence against women and girls named "Brave Men Campaign." It is to target boy's students to raise their awareness on gender equality and generate respects for their counterparts.

Prof. Dr. Shah Alam, Chairman (Acting) of Law Commission observed that without proper human rights education we cannot prevent and protect people's human rights. "We need a pool of well educated and skilled manpower to run our activities related to prevention and protection

Up to 40,000 people living in the biggest slum in Dhaka, the capital of Bangladesh, could be facing eviction after a court order to clear government land in the city. So far 4,500 have been put out of their homes, and activists claim there are similar plans for the rest of the residents in the coming months.

"Our day starts with the fear of bulldozer sounds and ends with the same fear," Sopna Begum, 35, who lives in the Korail slum in the northern part of the city, told IRIN. "We cannot sleep at night, not knowing whether we will be evicted the next day or not."

Such stories are not uncommon in this megacity of 14.6 million people, which the World Bank expects to top 20 million in 2020.

Between 300,000 and 400,000 new migrants arrive each year in search of a better life, placing additional strain on already stretched services. Thousands settle in makeshift shelters in large informal settlements on government land, where there is often no piped water, electricity or sanitation, or provision is informal and not always safe.

Exact numbers are not available, but at least 60,000 people were displaced by evictions in 27 of Dhaka's slums between 2006 and 2008, the Economic Empowerment of the Poorest (EEP) Programme, a joint initiative by the UK's Department for International Development (DFID) and the Bangladesh Government, reported in 2011.

Although some of the people in Shopna's shanty were evicted in early April, she and her three children and husband were still able to remain in their partly demolished shelter. Not everyone is that lucky - many are now spending their nights in the open.

On 4 April, the Dhaka district administration began demolishing around 2,000 illegal structures. According to the rights group, Coalition of Urban Poor, some 4,500 people were forced to leave their homes without advance notice, making it impossible for them to retrieve their belongings.

District magistrate Selim Hossain Bhuiyan noted that the evictions had been carried out in accordance with a January court order instructing that the land be cleared, and that "The High

Court order is valid until someone appeals or gets a stay order."

Korail, located on 69 hectares of government land, is the largest slum in Dhaka and home to at least 40,000 urban poor, many of them former farmers who came to the capital in search of jobs and now work as rickshaw pullers, garment workers or domestic helpers.

Constant threat

Dhaka's slum residents face the constant threat of eviction, rights activists say, and warn of consequences if Korail's slum dwellers do not receive the assistance and support they need. Many accuse the government of ineptitude in addressing the problems of providing housing and services.

"I have no place to go. I will have to live on the streets with my husband if I am evicted," said Johra Begum, 60, who has lived in the Korail slum for the last 15 years. She collects used bottles along the roadside and earns around US\$45 per month to care for herself and her handicapped husband.

For the moment, a court order has stopped further demolition, but the risk of eviction in Korail is not over. "There will be a social problem in the city if a large number of people are evicted without any rehabilitation programme," said Khondaker Rebaka Sun-Yat, executive director of Coalition for Urban Poor, emphasizing the need for government assistance.

"It is government's responsibility to ensure the accommodation for all its citizens," said Tofail Mohammad Alamgir Azad, one of the authors of a 2011 report by EEP and an expert on urban poverty. He warned of the adverse impact of eviction on residents.

"Without ensuring their rehabilitation, government cannot evict the slum dwellers," he said. In 2008 the Bangladesh High Court ordered the government to ensure rehabilitation arrangements for Korail's residents were in place before evicting them.

According to The United Nations Human Settlement Programme, more than 500 million people in informal accommodation - over half the world's slum population - live in the Asia Pacific region, which includes countries like Bangladesh.

-From Law Desk.

of human rights," he said adding "For that expansion of Human Rights Education is a must." He appreciated DIU for introducing a master's programme on Human Rights Law, first of its kind in the country.

Dr. Uttam Kumar Das, Associate Professor and Dean (Acting) of the Faculty of Law, DIU in his key note paper recommended for a National Policy on Human Rights Education, introduce Human Rights as an independent subject and interdisciplinary subjects under the Faculties of Arts, Social Sciences, and Law among others. He also underlined the importance to introduce practical aspects in legal and human rights education including clinical approaches.

The writer is student of Law at Stamford University.

LAW WEEK

Khokon denied bail again

A Dhaka court on May 24 again rejected the bail petition of BNP lawmaker barrister Mahbub Uddin Khokon in connection with an arson case. Judge Mohammad Zahurul Haque of the Metropolitan Sessions Judge's Court passed the order after his lawyer submitted an appeal seeking bail against the rejection order of the Chief Metropolitan Magistrate's Court on May 21. The same court on May 23 rejected bail petition of 33 opposition leaders including BNP acting secretary general Mirza Fakhrul Islam Alangir in the case filed for torching a bus near the Prime Minister's Office during hartal on April 29. Tejgaon police filed the case hours after the incident. Earlier on May 9, a Dhaka court granted bail to Khokon for 11 days on his surrender before it. - *The Daily Star online edition May 24 2012.*

HC questions RPO section

The High Court has questioned the legality of a section of the Representation of the People Order (RPO), under which the candidacy of Abul Kashem from Tangail-5 constituency was cancelled and Mahmudul Hasan was declared elected. The Election Commission (EC) on May 7 declared BNP leader Mahmudul Hasan elected MP from the constituency, and cancelled candidacy of Jatiya Party MP Abul Kashem, who was elected from the constituency in the parliamentary polls on December 29, 2008. The HC on May 22 issued a rule upon the CEC, secretary to the EC, and Mahmudul Hasan to explain in 12 days why the Section 51(2)(b) of RPO, 1972, which empowered the election tribunal to declare any other candidate securing second highest vote as returned, should not be declared contrary to the constitution. - *The Daily Star May 24 2012.*

HC asks ACC to probe allotment process

The High Court on May 22 directed the Anti-Corruption Commission (ACC) to immediately launch a thorough investigation to find out whether there was any corruption in the process of allotting plots in the capital's Begunbari-Hatirjheel area. Calling the people involved in allotting and purchasing lands ignoring the due process as "thieves", an HC bench ordered the ACC director general to submit the probe report to it by July 15. The bench of Justice AHM Shamsuddin Choudhury Manik and Justice Jahangir Hossain Selim ordered Ziaul Haque Zia, Kamrul Islam and Shafik Rehman to submit separate reports before it by July 15, mentioning the total number of plots that they and their family members have in Dhaka and the manner of receiving those plots. - *The Daily Star May 23 2012.*

HC summons UNO, OC on child marriage issue

The High Court on May 21 summoned an upazila nirbahi officer (UNO), a local police Station officer-in-charge (OC) and two ward councillors to appear before it to explain their roles over an incident of child marriage at Sadar upazila in Meherpur. Shah Momin, UNO of Sadar upazila, Jahangir Alam, OC of Sadar Police Station, and Moniruzzaman and Abdullah Al Mamun, ward councillors of Meherpur pourasava, will have to appear before the court on May 29. The court also issued a rule upon the government to explain why it should not be directed to punish the persons involved in the incident. The HC issued the suo moto rule following a report published on the daily Prothom Alo on Monday under the headline 'Two councillors arrange child marriage'. - *The Daily Star May 23 2012.*

Charge accepted against BNP leaders

A Dhaka court on May 21 accepted charges against BNP acting secretary general Mirza Fakhrul Islam Alangir and 44 other opposition leaders in an arson attack case. The magistrate's court, however, did not fix any date for hearing on charge framing. The court issued arrest warrants against acting Jamaat-e-Islami Ameeq Maqbul Ahmed and two Islami Chhatra Shibir leaders, who went into hiding after they were made accused in the case. Earlier, Police filed the case on April 29 accusing the 45 opposition leaders of arson attack after a vehicle was torched near the Prime Minister's Office during hartal hours. - *The Daily Star May 22 2012.*

Bar Council election on June 20

The High Court on May 20 ordered the Bangladesh Bar Council authorities to hold its elections by June 20, with updating the voters' list within next 10 days. The court came up with the directive while delivering verdict on a writ petition challenging the process for holding the elections to Bangladesh Bar Council, the licensing authority for allowing legal practice to lawyers. Election to Bangladesh Bar Council was scheduled to be held on May 28. - *The Daily Star May 21 2012.*

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