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Ensuring Access to Court, Protection of Law and Human Rights to the Poor and Destitute People in Khulna: Role of the Non-Government Organisations

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ABSTRACT: Equality before law and equal protection law are the constitutional guarantees in Bangladesh. Government has initiated government legal aid service for the poor and destitute people. But these government activities are not easily accessible and sometime found inadequate. To fill this gap, NGOs have started providing legal aid which is very promising, proactive and easy to access. They proactively try to reach the door of poor people in many ways and act as their friends in legal battles in the court. ADR is practiced in the NGOs to save the time and money of the poor legal aid seekers. Training on various laws is launched for the poor and uneducated women of Khulna so that they can be aware about their rights. For the poor victims, some rehabilitation facilities are provided. Panel advocates activities are closely monitored whether they are supporting the victims properly and taking extra money or not. Sometimes the government legal aid service seek help form these NGOs. Elected chairmen and superior government officials are also trained specific laws which are helpful to legal aid activities.

KEY WORDS: Legal Aid, NGO, Social Justice, Access to Justice, litigants, victims

I. INTRODUCTION

Non-Government legal aid service means the NGO led legal aid service in the country. This type of legal aid services are the result of national and international collaboration. Some leading NGOs of our country have initiated these dynamic services. These services include free counseling, filing and continuing cases and suits in free of cost in the regular and special courts, creating awareness among the mass people, providing legal education to the ultra-poor, rehabilitation to the poor victims, making ADR etc. These are neither based on any statute nor follow any governmental rule. These are donor based service and the government doesn't have any financial contribution to these services. A good number of local and foreign people are attached with these service procedures. In this case, funds and working opportunities are very much limited. Their services are different types of target oriented. NGOs like to find and follow new area; people and system for providing their service on the basis of demand. In Khulna a good number of NGOs are providing legal aid service in organised way. Their successes are discussed below:

II. ENSURE ACCESS TO JUSTICE FOR THE INDIGENT PEOPLE

NGOs are pioneer in initiating legal aid service in Khulna. They started providing legal aid at least ten (10) years earlier than the government. NGO led legal aid service in Khulna is multidimensional. One of the causes of initiating this service is facilitating access to justice. NGOs have done a great job in Khulna by their legal aid service. Government is also trying to ensure access to justice by DLAO¹ Khulna. Sometimes the government legal aid service is found inadequate and less effective due to its formal nature. Geographically Khulna is in the south-west part and in the corner of Bangladesh. Still a large portion of the mass people is not so financially strong. BRAC started providing legal aid in 1986 in Khulna. At that time it was a revolution here in Khulna because it was the only recognized way for getting 'Access to Justice' for the poor and vulnerable people of Khulna. After BRAC, the next introducer of legal aid service in Khulna was BLAST. It started its service in 1993 in Khulna. Then other NGOs such as BNWLA, Rupantar and Ain Shohayota Kendra etc. started their legal aid service in Khulna. The present situation is that the total numbers of legal aid receivers of the NGOs are larger than the DLAO Khulna. The reason is that, government settled only one organisation for providing legal aid services but NGOs are numerous in number. In fact, NGOs are in the leading position in case of providing free legal assistance in Khulna. People feel free and comfortable to receive NGOs legal aid service because their process of accepting and providing legal aid a poor justice seeker is very easy and friendly

¹ District Legal Aid Office

than the government service. Moreover, NGOs provide TA/DA to the concerned receiver and his witnesses which is a great help for them. Some NGOs also provide shelter to the women victims if necessary. BRAC has created an option for providing medical treatment for the victims if necessary. Thus NGOs are trying to realize the basic problems of the poor justice seeker and creating the opportunity for the vulnerable people to access to justice in Khulna.

III. PRO-ACTIVE ATTITUDE

NGOs are habituated in pro-active activities for sustaining people's faith on them. In Khulna, NGOs are following the same pro-active policy for providing legal aid to the poor. In fact, this attitude is one of their strengths which make them different and efficient than the government service of legal aid in Khulna. Lots of employees and representatives of different NGOs work through the whole district. While working if they find any such person who is in need of free legal assistance they not only inform him about the free legal assistance but also bring him to the office, listen to him carefully and take necessary steps so that the concerned person can access to his proper legal remedy. BLAST has appointed some Paralegals² who visit the bus stands, railway stations, hospitals, police stations, court buildings etc. every day for finding out those types of poor people who are in need of legal aid. These Paralegals help those poor justice seekers in getting legal aid from BLAST. Sometime those paralegals become the surer on behalf of any person who is unable to provide such to the court. In the court buildings paralegals provide information to the mass people about the locations of different courts of Khulna, efficient lawyers and other relevant issues sought to them. In case of the government legal aid service it is the personal duty of someone to communicate and receive his legal assistance from it and there are no such paralegals to find out a poor justice seeker and bring him to the DLAO Khulna. The scenario is, NGOs are trying to reach to the poor justice seekers before they come to their office. These non-government organizations are proving that they are more concerned in preserving and protecting the rights of those poor destitute than any other authorities of Khulna.

IV. SOLVING DISPUTES EASILY THROUGH ADR

Alternative Dispute Resolution (ADR) is such a process through which a legal dispute can be solved in a quick time and in an easy way. In Khulna legal aid NGOs frequently practice ADR for solving the disputes come to them. In fact, in most of the cases ADR becomes the first choice of the NGOs because their clients are poor and helpless. If it is possible to save some of their time and money, those people will be highly benefited and the motto of the free legal assistance will be successful. Moreover, the mass people of our country bear a fear about the law and court system of our country due to inherent complexity in its procedure and long duration in resolving the disputes. ADR helps in removing that fear from the mind of the poor masses and bring their faith back on the courts and its systems. That's the ultimate outcome of practicing ADR by the legal aid NGOs in Khulna. The present scenario is that whoever comes to the legal aid NGOs for free legal assistance, NGOs approach for ADR at the first instance if possible. In Khulna, more than 90% legal aid seekers are women and their issues relate divorce, dower, dowry, restitution of conjugal rights, maintenance etc. These issues are civil matters and ADR is mainly possible in civil suits in our country. Moreover, people of this region, especially the women are conservative in nature and they like to keep their issues personally rather making them public. So, ADR seems to be very friendly to them. These are also the causes behind the widely acceptance of ADR in Khulna and its practice by the NGOs. In case of making ADR, NGOs follow their own strategy in Khulna. When and how they will conduct ADR it depends mainly on the number of the suits or cases. As BLAST³ Khulna Unit is a large one and its number of suits is huge it conducts ADR in its Khulna office every day at 10.30 am except the holidays. BRAC⁴ and BNWLA⁵ make ADR in a specific day of the week. An exception exists in BRAC's ADR. It conducts ADR in its every Unit Office in each Upazilla in a prefixed date and time of every week. BNWLA makes ADR in its office in Khulna in every week. The specialty of this organisation is that it only makes ADR of the women's cases. NGO personnel's comment is that more than 50% of the legal aid cases are getting solved by applying ADR in Khulna.

² A paralegal is a person trained in legal matters who performs tasks requiring knowledge of the law and legal procedures. A paralegal, like a lawyer, can be employed by a law office or work freelance at a company or law office. Paralegals are not allowed to offer legal services directly to the public.

³ Bangladesh Legal Aid Services and Trust

⁴ Bangladesh Rural Advancement Committee

⁵ Bangladesh National Women's lawyer Association

V. INNOVATIVE AND DEMAND BASED SERVICE

Besides the regular legal aid services, NGOs are initiating innovative and demand base legal aid services in Khulna. All the legal aid providing NGOs of Khulna are donor based organisations. They have the targets and limitations for fund and number of cases to be received for providing legal aid. Not only this, some other things are relevant here. Each and every NGO is providing legal aid to all those people who are in need of it and there is no common network and plan between the NGOs to execute their efforts collectively. Sometime it is found that some people or a specific community needs special care for securing their rights. NGOs in Khulna realize these demands and sometime they take necessary initiatives to meet such situations. Such as, BLAST has appointed Paralegals for mass people's help. It also observed that female students from different schools are coming with various legal claims against their schools, teachers and other boys. BLAST started a special project for the school students for surveying the actual situation of the schools and making the students, guardians and teachers aware about their rights and duties. A specific register is maintained of the complains from the students. In Khulna jail, a good number of poor prisoners are available who cannot access to superior courts due to various obstacles. Some of them are under jail without any trial. To help those people BLAST started the IRSOP project to get rid those helpless prisoners from their agonies. Beside the poverty, ignorance is a very common obstacle to access to court for the poor masses. BRAC is trying to overcome this hurdle by providing legal aid and human rights education to the poor women of the villages of the whole Khulna for a long time. BNWLA is a women oriented organisation. It is arranging 'Day Long Workshops' on different legal issues for informing and making aware to the female students of various institutions. Most of the NGOs have announced a 'Hot Line' for all so that anyone can communicate to them at any time from any corner of Khulna. This is how, NGOs are trying to invent and initiate new horizons of free legal assistance everyday on the basis of the need and demand of the people of Khulna.

VI. STRONG MONITORING SYSTEM

Monitoring is very important for an effective and successful legal aid service in anywhere. Monitoring means to supervise the lawyers whether they are performing their duties properly or not and whether the receivers are well informed of the relevant dates and other issues. It is discussed earlier that the NGOs are highly pro-active in performing their duties in Khulna. They also maintain very strong monitoring to the advocates and the poor legal aid receivers to fulfill the object of the service. The scenario is not like that the advocates are unwilling to proceed with the legal aid cases or the clients don't have any faith on the NGOs in Khulna. In fact, advocates spend very busy time in the courts and their chambers with their professional matters. Though advocates maintain diary, a possibility is always there that they may forget the dates of the relevant case or suit provided to him by the NGO. On the other hand, poor legal aid seekers are always busy in search of their daily livelihood. Moreover, they are ignorant and fear to attend the courts and legal institutions. Most of the time, they don't care about their regular and effective participation in the proper time declared by the courts. As a result their claim and possibility of winning become weak. Sometime it is claimed by the poor litigants that advocates demanded additional money personally from him which should not be done at all. Because all the relevant cost are completely provided by the concerned NGO. So, most of the legal aid providing NGOs of Khulna maintain a regular communication and close monitoring of the concerned advocates and poor legal aid seekers. Generally NGOs inform an advocate and the poor client about the next date of the concerned case at least two or three days ago and take the update of the relevant issues if necessary. Finally, they again inform this matter to the advocate and the client on the very morning of that date so that they don't miss it. NGOs provide relevant suggestions to the advocates at any stage of the case if necessary. They also inform the poor clients to bring any necessary document and witness if required. In a true sense, monitoring is a mandatory tool to fulfill the object of the NGO legal aid service in Khulna.

VII. SPECIALIZED PROJECTS

'Special Project' in the legal aid sector is initiated for providing close attention to a specific class of people and their legal problems and solutions. Sometime these projects are initiated on the basis of the local problems and sometime on the basis of the national issues. In case of the local issue, a special project is commenced for that local area only. When the issue is a national one, a pilot project may be initiated in some of the districts at a time. In Khulna, only BLAST operates two (2) special projects. The first one is 'Community Action for Child Protection from violence' (CACPV) and the second one is 'Improvement of the Real Situation of over Crowding in Prison' (IRSOP). The CACPV project is financed by the European Commission (EC). Primarily fifteen (15) schools have been selected within the City Corporation area for the implementation of this project. Its objects are to observe whether the students are sexually

harassed, brutally beaten or tortured by their teachers or mates. A fifteen member watch committee has been formed in each school to complete the mission. So far, the result of this project is the students and their guardians became aware of their rights and action against the violation of their rights. BLAST also informed them that any student victim can come to it and receive free legal assistance on his behalf. There is no need that the student should be a poor or destitute. So far more than twenty (20) complains have been received by BLAST in Khulna under this project⁶. On the basis of those complains more than ten (10) cases have been filed in different courts in Khulna. The IRSOP project is a national initiative and implemented as a pilot project in four districts of the country jointly and Khulna is one of them. German government is financing this project. The motto of this project is to provide free legal assistance to the poor and helpless prisoners of our country which is available in Khulna now. BLAST arranged a completely separate office for this project in Khulna. It has appointed some paralegals under this project who frequently visit Khulna Jail, try to find out the helpless prisoners and inform their issues to BLAST. Then BLAST takes necessary steps for them. Some remarkable successes are achieved by this time. A ninety three (93) years old man has been freed under bail; a man who was in jail for fifteen years has been freed under this project. In fact, these two projects have brought new hope and strength for the school going students and helpless poor prisoners of which they were in lack of.

VIII. TRAINING PROGRAMS FOR THE GOVERNMENT OFFICIALS AND ELECTED REPRESENTATIVES ON LEGAL RIGHTS AND ISSUES

Beside the regular legal aid service, some leading legal aid NGOs of Khulna arrange training programs on various legal issues for different government and non-government employees, professionals and elected representatives in different places of the districts. These training programs are mainly related with creating awareness among the above mentioned professionals which make them more efficient in their respective services. These training programs actually help to make the entire legal aid service more strong and effective in Khulna. In case of providing law related training BRAC holds the leading position. It provides training on some those laws which are closely related with our daily life such as Muslim, Hindu and Christian Succession Law, Criminal Law, Civil Law and Family Law. This training program is named as 'Community Leaders Workshop'. BRAC arranges these programs in two segments. The first one is in the Unions and Upazillas of Khulna named as 'Local Community Leaders Workshop' and the second one is in the district level named as 'Zilla Community Leaders Workshop'. In the Union level, the 'Local Community Leaders Workshop' is comprised of twenty (20) members including the Chairman of the concern Union, Councilor, Secretary of the Union and some elite people of that union. In case of Upazillas the workshop is held in two segments both of which include twenty (20) members. The first fragment includes Upazilla Nirbahi Officer (UNO), Upazilla Chairman, Upazilla Social Welfare Officer, Officer in Charge of the Local Police Station, all other government officers, the President of the Local Marriage Registrar's Association etc. In the second phase, six marriage registrars, four religious leaders from different communities, Head teachers and local commander of the freedom fighters are invited to be trained. In the district level the workshop is held also in two segments including men from district administration and judiciary. In the first part, Deputy Collector (DC), Superintendent of Police (SP), Civil Surgeon, District Social Welfare Officer, District Women Affairs Officer, Information Officer and other officers are trained. In the second segment, members from the local judiciary such as District and Session Judge and other judges, Chief Judicial or Metropolitan Magistrate and other Judicial Magistrates are trained. In all the cases the trainees are trained on those above mentioned laws. In these workshops, the trainees are trained not on all subject matters of those laws, rather on those provisions which closely relate to our daily life. While providing training, BRAC also informs to the trainees about its legal aid program and the trainees can send any poor victim to it for free legal assistance. Except the above mentioned people, BRAC also trains up its panel lawyers one or two in every year. In those training sessions the advocates are mainly informed about the newly enacted laws of the state, developing the case management procedure etc. BNWLA is also arranging workshops in its Khulna office premises in a very small scale. In every year two or three times it arranges such programs for the female students of different institutions, advocates and government officers. It is to be mentioned here that BNWLA includes the women in those programs. This is how; NGOs are trying to promote their legal aid services into a social movement in Khulna.

IX. LEGAL EDUCATION FOR POOR WOMEN

This is a unique initiative in Khulna by BRAC and it has been continuing since 1986. In fact, BRAC legal aid service was originated from this program. It is designed exclusively for providing legal education to the poor and ignorant

⁶ Information provided by Rima Khondokar, Staff Lawyer, BLAST Khulna Unit

women of the villages. Because different statistics proved that women like them are mainly victimized in most of the cases in our country. BRAC believes that legal aid can only help in the court proceedings but if the poor women have a minimum knowledge on some specific laws they can fight against any conspiracy occurred to them. This may result in reducing their torture and victimization. The program is named as 'Human Rights and Legal Aid Program' (HRLE). It is a continuous process and twenty five (25) poor women are selected in each batch who are given legal education for six weeks (12 classes) on civil, criminal, family and succession laws of Muslim, Hindu and Christian community. During this time, those women are also taught about the free legal aid service of BRAC. They are informed that they can easily have access to any Officer in Charge of Police Station, to the concerned chairman of the Union or Upazilla, to the Officer of Women affairs etc. if they are victimized. They are prepared to realize that those people are their friends and appointed and elected for serving them. In fact, BRAC tries to remove the fear from their mind which took birth due to lack of information and knowledge. Now the situation is that it's not so easy to take the negative chances against them. In fact, this education program can be treated as an indirect legal aid service which is helping make the direct legal aid service more fruitfully and effectively.

X. REHABILITATION FOR ULTRA POOR CLIENTS

Rehabilitation is the action of restoring someone to health or normal life through training and therapy after imprisonment, addiction, or illness⁷. In Khulna, more or less all the legal aid NGOs make rehabilitation for their ultra-poor clients. In this case rehabilitation means professionally establishing the poor victims and bringing them back in the normal course of life. Rehabilitation is not a legal aid or part of it but it can help in reducing the number of legal aid seeker. In Khulna, BNWLA is in the leading situation in rehabilitating the poor and helpless clients. The specialty is, it rehabilitates only the women. It rehabilitates in various ways. Because it looks for any single and tiny opportunity for a woman so that she can survive a better life. In this course BNWLA trains those women for sewing, block and boutique printing, beauty parlor etc. Not only this, it arranges different jobs for those victimized women and buy them sewing machine, cloths and bobbins so that they will not stop due to lack of cash or any other issue. BLAST arranges rehabilitation in Khulna but they are not so large or great or multidimensional in nature like BNWLA. It provides rehabilitation under its 'IRSOP' project only. Only skill development training can be given under such rehab program. The nature of the training depends upon the personal expertise of the old victim. BRAC too provides rehabilitation in Khulna. It mainly rehabilitates the women though sometime provides to the men also. BRAC contains a specific fund named 'Ultra Poor Fund'. When any such poor legal aid seeker is found he is directly provided money from that fund. If the situation demands, goats and cows are arranged for them from that fund. Though rehabilitation programs are arranged by the legal aid NGOs in Khulna but their funds are very limited. Only a few people can access these facilities. Government does not have any such initiative in Khulna. Sometime it happens that NGOs want to rehabilitate someone but due to the lack of fund it cannot be come in true. If it is possible to raise the rehabilitation funds in a satisfactory level by the central authorities of those NGOs in Khulna, poor and destitute can find a new horizon.

XI. STRENGTHENING GOVERNMENT LEGAL AID SYSTEM

Legal aid providing NGOs in Khulna sometime co-operate the DLAO in implementing their various activities and help them to be successful. The fact is, DLAO Khulna does not have sufficient staffs to implement all of its activities properly. At present it has only three staffs available and they manage its official jobs like receiving applications from the legal aid seekers, send them to the District Judge for final approval, resolving disputes through ADR, provide counseling to the visitors etc. with the help of those staffs. But when the situation is like that a program is needed to be arranged in the outdoor, DLAO seeks help from the NGOs. NGOs are much more equipped with staffs than the government legal aid service. In every year a colourful rally is arranged on the eve of the 'International Legal Aid Day' under the supervision of the DLAO Khulna. In this event, different legal aid NGOs in Khulna co-operate the DLAO by informing the mass people about the rally, making banners and festoons, arranging fair and cultural events on legal aid and strongly participating in the rally. As a part of creating awareness, DLAO arranges seminars and symposiums on legal aid in different places and communities in Khulna. Sometime DLAO arranges such gatherings jointly with one or two NGOs. NGOs provide funds in such initiatives if it relates their official interest of providing legal aid service.

⁷Rehabilitation, at

https://www.google.com/search?source=hp&ei=jPucWs6LGlqBvQT9l63wAQ&q=definition+of+rehabilitation&oq=definition+of+rehabilitation&gs_l=psyab.3..0i19k1l10.92964.100882.0.101266.28.16.0.12.12.0.232.1966.0j6j4.10.0....0...1c.1.64.psy-ab..6.22.2144...38j0i131k1j0i30k1.0.dLdfDCzSt7s last visited 15.10.2024

DLAO takes help of the NGOs for creating awareness and informing the mass people of rural area as it does not have sufficient staffs. DLAO provides different types of posters and documents to BNWLA for disseminating them in the very remote areas so that people can know about the government legal aid service. Another NGO, Rupantar is creating awareness in entire Khulna, especially in the remote areas. There are some NGOs which don't provide legal aid by themselves due to lack of fund. But whenever any poor guy comes to them seeking legal help they send them to the DLAO. This is how NGOs are helping DLAO to make its legal aid service more strong and effective in Khulna.

XII. SOCIAL EMPOWERMENT OF THE INDIGENT WOMEN

Social empowerment is indispensable to achieving quality of life for people with disabilities and it is both a continuous process as well as a result. Social empowerment can be achieved through other areas of practice, such as inclusive education and socio-economic integration. It is also a specific area of practice where tools, methods and approaches exist to facilitate social inclusion. Personalized social support is one specific and tailored approach to social inclusion where a person is accompanied to thrive in his personal situation and environment⁸. Some of the legal aid NGOs in Khulna is trying to empower the poor and destitute women socially by providing them with education, training, free legal assistance, rehabilitation etc. Some of these initiatives are not legal aid but closely related with legal aid service. These can also be treated as the components of turning legal aid service into a social movement. What makes our rural women weak and underpowered? Their poverty, ignorance, fear etc. make them weak and push them backward. Even a good number of those women don't have necessary idea about the nearby town and important government and non-government offices where they can seek help in their necessity. In Khulna, NGOs are trying to find out such problems and initiating different projects to overcome them. BNWLA has targeted the young girls of different educational institutes of Khulna. Though these girls are not indigent but most of them don't have any knowledge about their rights and the remedies of law if those are violated. BNWLA is trying to train and teach them on those legal issues which they need to fight against in their personal or social victimization. For example, laws relating to sexual harassment, acid throwing, eve teasing, child marriage, dowry, domestic violence etc are taught. Those information are confirming them that they are not alone and weak as they think of themselves. The state is beside them with its various supports. Most of the poor village women in our country are housewives and unemployed. They are completely dependent on their husbands or other guardians. Even they don't get much support from their father's house after their marriage. Moreover they are not so educated. Their husbands and other guardians take these chances and victimize them by creating pressure for dowry, infringing conjugal rights or harassing them, beating, forcing for divorce, second marriage etc. Those indigent women could do nothing or fight against those suppressions because of their weaknesses. But now, they know that they don't need money to access to court, they can be self-sufficient through rehabilitation of the NGOs and go to the NGOs and relevant government authorities to claim their rights. Because they have been informed about the legal aid service and trained by different NGOs on these issues. They are aware now and they find themselves stronger than the previous time. In this way, legal aid service and its related programs are empowering the indigent women in Khulna. NGO led legal aid is more than a common legal service now. It has achieved the status of social revolution in Khulna.

XIII. ENSURING SOCIAL JUSTICE

Ensuring social justice means ensuring equality in all the sectors and among all the people of a civilized society. In Khulna, NGOs are playing a great role in ensuring social justice by creating the opportunity of 'access to court' in free of cost through free legal assistance. Because having justice is treated as a parameter of existence of social justice in a civilized society. In our country the court and legal system is an unknown subject to our mass people. A lot of causes are there behind this situation. Mass people have a fear to these departments for their childhood and they want to keep away from law enforcing agencies and courts. Old judicial system, highly complex procedure, huge cost and time consumption also helped to boost that situation in the country. Khulna is not out of this situation. The situation is that people here don't want to go to court for establishing their justice whether they are poor or rich. Though some rich and financially solvent people dare to access to court, poor people strictly avoid court. If they are asked about it, they will simply answer you that they don't have so much money and time required for filing and continuing a case in the local courts. It proves that rich people can enjoy the access to justice in Khulna but poor and indigent people cannot. Definitely it's a breaking point of social justice which should be properly ensured. No doubt the first responsibility goes

⁸ 'Social Empowerment' at '<http://www.asksource.info/topics/social-inclusion/social-empowerment>' accessed on 10.10.2024

to the government. Government is trying it's level best but due to huge number of critical issues it's not possible on the part of the government to meet the demand of the time and society regarding creating opportunity for accessing to court for the poor and indigent. Few years ago, perhaps in 2003 the government started providing legal aid in Khulna but it did not meet the demand of the whole district. NGOs are also providing free legal assistance to the poor and destitute people in Khulna. In fact they started providing legal aid at least fifteen (15) years ago in Khulna. Like the government, NGOs are not responsible either ethically or lawfully to ensure social justice for the poor and vulnerable people. NGO staffs go door to door to find out the poor victims, bring them to the office and provide them with legal aid. Sometime, the poor victims are given TA/DA for attending the courts because when someone will attend the court his daily income will be lost. In Khulna it is found that people prefers NGO's legal aid than the government because NGO's procedure of providing legal aid is very easy and friendly. NGOs make research on the point that which people should get legal assistance on priority basis? In Khulna, specific projects have been initiated by the NGOs for providing free legal assistance to the old people, children etc. If the last ten years data is observed closely, it will be proved that NGOs provided free legal assistance to much more people than the government in Khulna. NGOs not only provide legal aid in the courts, they also provide with training, arranges legal education, provides rehabilitation to the rural indigent people. These are actually for creating awareness among them about their rights and way of receiving remedies if those are violated. NGOs now practice ADR in a great number in their local offices for solving disputes in a hurry and people took it very warmly. The ultra-poor people now know that they can go to courts if necessary and that lack of money, knowledge and time is not a barrier for them. In Khulna, it is the NGOs who help the people to think in this way more than the government. A poor and helpless person does not bear such anguish in his mind that the opposite man is rich and he is poor so that he will not be able to move to court.

XIV. SECURE HUMAN RIGHTS

Legal aid is not only a general state responsibility rather it's a worldwide recognized tool to secure human rights for the poor and destitute people. It contains the same sense in our country too. In Khulna, NGOs are playing a great role in securing human rights for the poor by providing free legal assistance. It is worth mentioning here that NGOs are securing human rights in our country as well as in Khulna in many ways. Protecting human rights through legal aid is one of those ways. It will be more deeply realized if we examine the social condition of those poor legal aid seekers of that time when the NGOs did not start their legal aid activities in Khulna. In fact NGO's contribution for securing human rights cannot be undermined in Khulna. If compared, NGOs are found more active and effective than the government's legal aid service. In this case NGOs are securing human rights indirectly. They are, in fact, implementing the constitutional guarantee of 'Equality before law' and 'Access to Justice' which are fundamental rights too. Someone may claim that the rights secured by the NGOs in Khulna are very small and nominal in number. This is true because under the legal aid scheme only a few rights can be protected. NGOs have taken some revolutionary decisions regarding the legal aid service in Khulna. They have transformed the legal aid program into a social movement here. They chose the philosophy, 'Prevention is better than cure'. Their thinking is, if the people become aware and educated, the proportion of the victimization will be decreased. As a result, rights will be secured from its beginning point. So why are NGOs providing legal education, training on different legal issues and rehabilitation to the poor and destitute people irrespective of men, women, religion etc.? Now they know what their rights are and how will they get the remedies if they are violated? NGO's activities are very much pro-active and research oriented. They always try to find out the necessity and demand of the time and the society. In Khulna some NGOs initiated special legal aid projects on Children and vulnerable prisoners. They formed 'Watch Groups' in some schools of Metropolitan area and appointed 'Paralegals' to identify the poor prisoners of Khulna Jail. The school kids are learning about laws and their rights. Their parents and teachers now know that NGOs are providing legal aid for the students. As most of the legal aid seekers are women and they are very helpless, BNWLA invested all its legal aid initiatives only for the women of Khulna. In the village areas, most of the NGOs have efficient activists and strong committees. They are very conscious of their duties. They take care of the victims of their areas. They go to the doors of the poor victims and ask them if they need any help and also get them to the offices of the NGOs if necessary. This is how, legal aid providing NGOs have become the strength of the poor and vulnerable people by relieving their tensions in legal problems and securing their rights in Khulna.

XV. CONCLUSION

As the government legal aid service is very complex and lengthy in procedure and merely unknown to most of the people, NGO led legal aid service has become only substitute in this sector in Khulna. NGO's legal aid service extends

from the district to capital, from subordinate courts to the apex court. It has strengthened the social balance by creating the opportunity of accessing to court and ensuring justice. It has also helped in decreasing the social difference between the poor and the rich. The constitutional oath of 'equality before law' is also fulfilled through the NGOs legal aid activities. But, with these tremendous successes, some limitations also exist with NGO led legal aid. Such as, relying mostly on the donors for fund. If the donors keep their hands close, all the activities will be shut down. Some NGOs have their own income source. They can run some legal aid activities by their own. However, now it's not possible to exempt or avoid the NGOs in legal aid sector in Khulna. They should try to remove and lessen their limitations and make their service more available and effective for poor mass of Khulna.

REFERENCES

1. District Legal Aid Office
2. Bangladesh Legal Aid Services and Trust
3. Bangladesh Rural Advancement Committee
4. Bangladesh National Women's lawyer Association
5. Rima Khondokar, Staff Lawyer, BLAST Khulna Unit
6. Rehabilitation, at https://www.google.com/search?source=hp&ei=jPucWs6LGIqBvQT9l63wAQ&q=definition+of+rehabilitation&oq=definition+of+rehabilitation&gs_l=psyab.3..0i19k1110.92964.100882.0.101266.28.16.0.12.12.0.232.1966.0j6j4.10.0....0...1c.1.64.psyab..6.22.2144...38j0i131k1j0i30k1.0.dLdfDCzSt7s last visited 15.10.2024
7. 'Social Empowerment' at 'http://www.asksourc.info/topics/social-inclusion/social-empowerment' accessed on 10.10.2024



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