

Sara Hossain

Advocate, Supreme Court

Partner

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PROFESSIONAL QUALIFICATIONS

1989	Called to the Bar of England and Wales from the Honourable Society of Middle Temple, London, United Kingdom
1990	Enrolled as an Advocate of the District Court, Dhaka by the Bangladesh Bar Council
1992	Enrolled as an Advocate of the High Court Division of the Supreme Court of Bangladesh
2008	Enrolled as an Advocate of the Appellate Division of the Supreme Court of Bangladesh

EDUCATION

1988	B.A. (Hons) in Jurisprudence Wadham College, University of Oxford
1989	Barrister-at-Law Middle Temple, London

PROFESSIONAL EXPERIENCE

2009-Present	Partner Dr Kamal Hossain and Associates Practice Areas: Administrative Law; Commercial and Corporate; Company Law; Family Law; General Practice; Human Rights; Litigation.
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1997-2003 **Legal Officer (South Asia)**
INTERIGHTS (International Centre for the Legal Protection of
Human Rights), UK

AWARDS AND OTHER ACHIEVEMENTS

2008 Named as “Young Global Leader” by *The World Economic Forum*
(www.weforum.com)

2007 Named as “Asia 21 Fellow” by *The Asia Society*, New York, USA

2005 Received the *Ananya* (A Bengali language Magazine) “Top Ten Leading
Women Award”

1993-1994 “Human Rights Lawyer Award” by *The Lawyers Committee for Human*
Rights (now “Human Rights First”), New York, USA

MAJOR TRANSACTIONS

1. *Significant judgments obtained on gender equality:*

- Represented petitioners in habeas corpus petitions regarding forced marriage/
choice in marriage (*Dr. Shipra Chowdhury & Ain o Salish Kendra (ASK) v Md. Joynal*
Abedin and others 29 BLD (2009) 183 Judgment delivered on 19 January, 2009)
- Represented a leading human rights organization, ASK, in an intervenor petition
regarding discrimination related to women's political participation in local
government (*Shamima Sultana Shima v Bangladesh* 57 DLR (2005) 201 Judgment on
16 August, 2004)
- Represented public interest petitioners in a writ case establishing standard of proof
in disciplinary proceedings regarding a sexual harassment complaint (*Prof Sirajul*
Islam and others v Jahangirnagar University and others 61 DLR (2009) 745 Judgment
delivered on 17 May, 2009)
- Represented clients in cases of child abduction/custody (*Abdul Jalil v Sharon Laily*
Jalil, 50 DLR (1998) AD 55 Judgment delivered on 30 March, 1997; *Zahida Ahmed*
Liza 29 BLD HCD 375 Judgment delivered on 16 March, 2009)
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- Represented a leading human rights and legal aid organization, BLAST, as intervenor and obtaining directives on forced veiling constituting a form of gender discrimination (*Advocate Salauddin Dolon v Bangladesh*, 63 DLR (2011) HCD 80 Judgment delivered on 8 April, 2010)
- Represented leading development and human rights groups, BRAC, BLAST, ASK and others, in a public interest petition establishing that extra-judicial penalties in the names of 'fatwa' are a clear violation of fundamental rights (*BLAST and others v Bangladesh and others*, 63 DLR (2011) HCD 1 Judgment delivered on 18 July, 2010)

2. *Other judgments on human rights issues relating to judicial review:*

Represented and acted as counsel in the matter of right to life and livelihood on slum evictions *Bangladesh Legal Aid and Services Trust and others v. Bangladesh and others*, 13 BLC (2008) HCD 384 Judgment delivered on 15 November, 2007

- Represented and acted as counsel in the matter of right to franchise and electoral roll (*Alhaj Advocate Rahmat Ali, MP v. Election Commission & others*, 11 BLC (2006) 380 Judgment delivered on 4 January, 2006).
- *Represented and acted as counsel in the matter of NGO governance and freedom of association (Selima Sarwar v. Bangladesh 14 BLT 258 Judgment delivered on 22 February, 2005*
- *Represented and acted as counsel in the matter of freedom of expression/contempt/religious freedom (Taslima Nasrina's case Nurul Alam, Officer in Charge, Motijheel Police Station v. Taslima Nasrin (Complaint Case No. 1315 of 1994) unreported; Ahmadiya book banning case)*
- Represented and acted as counsel in the matter of freedom from arbitrary arrest and ill treatment (*Ain-o-Shalish Kendra v. Bangladesh*, 56 DLR (2004) HCD 620 Judgment delivered on 20 September, 2004)

3. Involved in litigation support, research, training and publications on the use of international and comparative law before national, regional and international courts and tribunals during working as a Legal Officer (South Asia) for INTERIGHTS:

- *Litigation Support/Intervenor Briefs included in:*
 - *MC v Bulgaria*, relating to requirement of proof of force in rape as gender discriminatory before the European Court of Human Rights
 - *Singharasa v Sri Lanka* relating to fair trial before the Human Rights Committee
 - *Elmi v Australia* relating to torture before the Committee on Elimination of Racial Discrimination
 - *FWLD v Nepal* relating to marital rape as gender discrimination before the Supreme Court of Nepal

- Ramjattan's Case before the Inter-American Commission on Human Rights
4. Conducting research on human rights and gender equality in a multi-country (Europe, Americas, Middle East and South Asia) research and advocacy-based project on 'crimes of honour' as a manifestation of violence against women; edited related research papers and publications

PUBLICATIONS

• Books/Reports

- 2009 Editor, *Handbook on Legal Remedies for Forced Marriage* (forthcoming, Universal Law Publishers, New Delhi, 2014)
- 2009 Editor, Bangladesh UPR Forum's Submission to the Human Rights Council, 2009
- 2006-8 Editor/Co-Editor, *Human Rights in Bangladesh*, ASK, Bangladesh
- 2005 Co-editor (with Lynn Welchman) *'Honour': Crimes Paradigms and Violence against Women* (Zed Press, London; Zubaan Press, New Delhi; Spinifex Press Australia)
- 1996 Editor (with Shahdeen Malik and Bushra Musa), *Rights in Search of Remedies: Public Interest Litigation in South Asia*, University Press Limited, Dhaka

• Articles

- 2010 'Wayward Girls and Well Wisher Parents: Habeas Corpus, Women's Rights and the Bangladesh Courts', in Aisha Gill (ed) *Forced Marriage* (Zed, London, 2010)
- 2010 'Confronting Constitutional Curtailments: Attempts to Rebuild Independence of the Judiciary in Bangladesh' in Paul Brass (ed) *Handbook of Politics in South Asia* (Routledge, 2010)
- 2008 Iain Byrne and Sara Hossain 'South Asia' in Malcolm Langford (ed), *Social Rights Jurisprudence: Emerging Trends in International and Comparative Law*, Cambridge University Press, 2008
- 2005 'The Right to Marry', in Indira Jaisingh (ed.) *Men's Laws, Women's Lives* (Zubaan Press, New Delhi)
- 2004 "Apostates, Ahmadis and Advocates : Uses and Abuses of Offences against Religion", in WLUML, *Warning Signs of Fundamentalism*, WLUML, 2004

- 2001 Co-author (with Suzanne E. Turner), 'Abduction and Forced Marriage: Rights and Remedies in Bangladesh and Pakistan,' in *International Family Law*, March
- 1996-date Contributor, chapters on human rights law or legal developments, *Human Rights in Bangladesh*, Ain o Salish Kendra, Dhaka
- 1995 Co-author, with Sajeda Amin, "Women's Reproductive Rights and the Politics of Fundamentalism: A View From Bangladesh", *American University Law Review*, April 1995, Vol. 44(4), 1319
- 1994 "Equality and Personal Laws in South Asia", in Rebecca Cook (ed.), *Human Rights of Women: National and International Perspectives*, Philadelphia, University of Pennsylvania

• **Consultancy Reports**

- 2011 Human Rights Expert and consultant/contributor to Report on 'Baseline Survey on Human Rights in Bangladesh' for the National Human Rights Commission of Bangladesh
- 2010 Research on Review of Laws and Policies on Sex Workers Rights for CARE-Bangladesh/Sex Workers Network of Bangladesh
- 2010 Report on Judicial Colloquium in Maldives, and Background Paper, OHCHR
- 2009 Report of the Establishment of a Justice Sector Support Facility, UNDP Bangladesh
- 2009 Report on Support for the National Human Rights Commission, DANIDA Bangladesh
- 2009 Report on Review of ILO Proposal on Facilitating Rights for Indigenous Peoples, DANIDA Bangladesh
- 2008 Report on Harmonisation in the Justice Sector, GTZ Bangladesh
- 2008 Report on Review of the BRAC Human Rights and Legal Services Programme, BRAC
- 2008 Report on Advocacy and legislative reform for protection of survivors of domestic violence, GTZ Bangladesh
- 2005 Report on Access to Justice for Indigenous Peoples, UNDP Regional Centre, Bangkok, Thailand

- 2005 Report on Proposals for a Domestic Violence (Prevention and Protection) Law, ANCVAW (Action Network Coalition on Violence against Women)
- 1999 Report on Mapping Legal Rights in Bangladesh, Verulam Associates, Bangladesh
- 1995 'Legal Services for the Protection of Women's Rights in Bangladesh', prepared for the Canadian International Development Agency, Dhaka, (mimeo)

ORGANISING AND CONDUCTING SEMINARS/CONFERENCES

- Organising and conducting training programmes for lawyers and judges nationally (in Bangladesh and Nepal) and regionally (across South Asia/Asia Pacific) on the use of human rights law and mechanisms including on public interest litigation and the domestic incorporation of international human rights standards
- Organising international judicial colloquium for judges of superior courts in the Commonwealth (including Supreme Court of South Africa, House of Lords, Supreme Courts of Bangladesh, India and Pakistan) on Domestic Application of Human Rights Norms
- Organising and facilitating regional judicial colloquia for judges of superior courts across South Asia on 'Access to Justice and Poverty' with the Commonwealth Secretariat and the CHRI
- Facilitating and conducting training programmes for lawyers practicing in Supreme Courts across the Asia Pacific on domestic application of international norms and on use of CEDAW

CONFERENCE/TRAININGS AND SEMINAR ACTIVITIES

- 2011 Keynote speaker at 'Beyond Security? Democratic Contestations in Bangladesh and Pakistan' Columbia University, New York
- 2003-2010 Among others, training of lawyers, lecturing on international human rights law and gender equality in Bangladesh, India, Lebanon, Pakistan, Sri Lanka, Nepal, UK (with International Women's Rights Watch-Asia Pacific, Interights, at Essex University, LSE, SOAS, Institute of Commonwealth Studies), advocacy and legislative reform for protection of survivors of domestic violence including:
- Training for government officials from South Asia on the Convention on Migrant Workers, for IOM Bangladesh
 - Training for government officials in Bangladesh on the Declaration on the Rights of Indigenous Peoples

- Facilitation and presentation at Regional Consultation (South Asia Plus) by PLD India with the UN Independent Expert on Cultural Rights, Dhulikhel, Nepal, Sept 2010
- Facilitation and presentation at Regional Judicial Colloquium by OHCHR, Maldives, 2009

AFFILIATIONS/ MEMBERSHIPS

- Member, Honourable Society of Middle Temple, United Kingdom
- Member, Supreme Court Bar Association, Dhaka, Bangladesh
- Commissioner, International Commission of Jurists
- Member, International Commission on the Chittagong Hill Tracts
- Member, Human Rights Committee of the International Law Association (ILA)
- Member, Bangladesh Institute of Law and International Affairs
- Member, Advisory Committee, Women's International Coalition for Gender Justice (WICGJ), The Hague, Netherlands
- Member, Executive Committee, Ain o Salish Kendra (ASK)

LANGUAGES

- Fluent in Bengali and English