



12 June 2017

PRESS RELEASE

**“Compensate victims for deaths and injuries caused by negligence of state authorities”**

**SPEAKERS CALL FOR PROMPT PAYMENT OF COURT’S  
COMPENSATION TO VICTIMS OF 2003 NASREEN LAUNCH CAPSIZE,  
FOLLOWING LANDMARK COURT JUDGMENT**

Speakers at a meeting today called for ensuring the immediate distribution of compensation to the victims of the 2003 capsizes of the MV Nasreen-1 launch capsizes of 2003 including the families of the 110 persons deceased, and for legal changes to ensure adequate levels of compensation and prompt disbursement to all victims of river disasters.

The meeting, organized by the Bangladesh Legal Aid and Services Trust (BLAST) follows the landmark decision of the High Court on 5 June which upheld a 2016 Dhaka District court judgment to award compensation amounting to Taka 17 crores and 11 lakhs Taka to the victims of the MV Nasreen launch capsizes. The High Court rejected the appeal made by the Bangladesh Inland Water Transport Authority and others including the owner of the launch.

Senior Advocate Dr Kamal Hossain, who chaired today’s meeting and who represented BLAST in the High Court hearings said: *“This is a landmark decision upholding the rights of victims of launch disasters to obtain adequate compensation. After all these years, the Government should now act swiftly to distribute compensation to the suffering families. It is time to re-examine the law and procedure to ensure adequate compensation is paid to all victims, reflecting loss of earnings or income and the need for prolonged medical treatment, and to ensure that this is disbursed in a timely way.”*

Special Guest, former Appellate Division Judge, Justice Nizamul Huq Nasim, said: *“If there are deaths and injuries caused due to the negligence of a state authority, the state must compensate the losses of the victims. Launch disasters have been all too familiar in Bangladesh causing unnecessary death and injury particularly among vulnerable people, It is only right that the families who suffer in these disasters receive adequate compensation.”*

Speakers at the meeting also made recommendations to the government and to civil society to take appropriate action to ensure distribution of compensation to victims; review and reform existing laws; establish an Accidental Compensation Tribunal; implement existing laws and mobilise young lawyers to come forward to support the poor and marginalized communities to claim remedies in cases of deaths and injuries on the waterways.



# বাংলাদেশ লিগ্যাল এইড এন্ড সার্ভিসেস ট্রাস্ট (ব্লাস্ট) Bangladesh Legal Aid and Services Trust (BLAST)

Advocate Syed Ziaul Hasan a witness in the case highlighted the context of the filing of the original case, noting, “*This incident was not an accident, but a result of the negligence of the authorities and violation of laws and regulations, that’s why compensation was sought for the victims.*”

Advocate Jibananondo Jayanto called for necessary amendment of the Shipping Ordinance, 1976, and the need for closer coordination within the three relevant departments of the Shipping Directorate.

Speakers included Supreme Court lawyers Advocate Subroto Chowdhury, Advocate Ziaul Hasan, Advocate, SM Rezaul Karim and Dr Ridwanul Hoque, of Dhaka University as well as lawyers, human rights activists and organizations and journalists.

**Background:** The MV Nasrin capsized at the confluence of the Meghna and Dakatia rivers on 8 July 2003 when travelling from Dhaka to Lalmohon in Bhola district. The bodies of 110 people were found and 199 were missing. That year, the DC of Chandpur published a list of 400 affected families to whom the River Disaster Trustee Board then awarded certain amounts to the victims. In 2004 BLAST filed a petition in the Dhaka District Court on behalf of victims’ families claiming that the compensation provided was wholly inadequate. On 2 February 2016, 13 years after the capsized, the Dhaka District Court found in favour of the victims and ordered the government and others to pay Taka 17 crores and 11 lakh compensation to them. BIWTA and other defendants filed a civil revision to the High Court against that judgment on 24 October 2016 and the High Court initially issued a rule asking why the judgment and the compensation award should not be set aside. However, on 5 June 2017, the High Court discharged the rule and upheld the lower court decision.

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