

Stateless People in Bangladesh Inc.
Operating as:
The Stateless in Bangladesh & Pakistan
3615 Brier Gardens Drive
Houston, Texas 77082 U.S.A.
Daytime: 832-884-9473 Evening: 281-496-7292
Fax: 443-581-2332
www.StrandedPakistani.org

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Current Status of Legal Work – Tasks Completed:

1. Draft of constitutional petition is ready.
2. The Open Society Institute authored an amicus brief based on International Human Rights Instruments and Pakistan's responsibility to the subject population in light thereof. This will not require any additional review.
3. We had a free-lance legal researcher author another brief based on a thesis (by Sumit Sen) based on obligations of Pakistan to her former citizens as a successor state. This brief is available for sponsorship by any Human Rights body or a member of civil society.
4. Denver University grad student under guidance of Dr. Golten is drafting a complaint for filing with the CERD committee based on Convention for the elimination of all forms of Racial Discrimination.
5. We had a free-lance legal drafter in India prepare an amicus brief regarding Pakistan's obligations to the subject population under the CERD.
6. A part time lawyer we have hired in Pakistan is researching case law in respect of the constitutional petition. (The Constitution and Citizenship Law)
7. We are preparing to register another charity in Pakistan with the same objectives as SPIB. This is not required for legal reasons. American charities have indicated that they will help us financially only if we are a locally registered charity.
8. We have signed up about 5 dozen grieved individuals to represent in the action.

What needs to be done:

1. The constitutional petition needs to be reviewed carefully by at least two lawyers, one local and one foreign. Most likely local individual shall be Justice (Retd.) Wajihuddin or Ch. Justice (Retd.) Saeeduz Zaman Siddiqui. Responsibility: Local review SPIB, Foreign review: Need Help.

2. We have hired a part time lawyer in Pakistan. He will be doing the case law research in Pakistan with reference to our case. (The basis of research shall be the Constitutional clauses and articles of Citizenship Law invoked in the petition.) Responsibility SPIB.

3. Incorporation of case law research in to the petition. Need help.

4. Independent review of the CERD brief. Need help.

5. We are preparing to register another charity in Pakistan with the same objectives as SPIB. This is not required for legal reasons. American charities have indicated that they will help us financially only if we are a locally registered charity. Responsibility: SPIB

6. Preliminary Motions:

Many motions are almost certain to be filed by the State and SPIB. We need to prepare reasoned motions and responses to State motions before hand. The actual response will be tailored exactly once the exact language and reasoning of it becomes known to us. Some of the probable motions might be:

a. Jurisdiction of the SC of Pakistan:

Persons in question are not a responsibility of the State;

Persons of the group are entitled to Nationality of the State of their residence;

Large numbers of people in this group were born outside Pakistan.

The members of the group do not wish to return to Pakistan, etc. etc.

b. Motion to Set Aside MD Tahir Petition (A very flawed petition in a lower court whose pleader has recently died.)

c. Motion to set aside the Judgment of Bangladesh High Court.

d. Leave of the Court to be represented by a lawyer from Outside the Country

We need help for all of the items under #6.

7. Research on the background information on all of the sitting justices. Responsibility: SPIB

8. Effort to recruit an American or British lawyer to be our attorney of record in the Supreme Court of Pakistan. Need help.

9. The actual filing of the case. Responsibility: SPIB
10. Concept for another amicus brief based on a thesis prepared by a graduate student at the Texas A&M University. Human Rights Enforcement: A Fundamental Duty of Sovereign State. In view of all the amicus briefs we already have this may be an overkill or it might be worthy of consideration.
11. We would like to add a world survey of procedurally or substantively, individual or collective arbitrary deprivation of nationality. With a search of cases in adjudication or already judged upon (in favor of citizens) in the British common wealth and beyond. A summary of currently unresolved cases of arbitrary deprivation of nationality.
12. A comparative study of Constitutional and Nationality law of Pakistan in comparison with India, Bangladesh, UK and US. Our objectives are to show how primitive and unsophisticated the Pakistani constitution and nationality laws are.

General Areas of Assistance:

- a. Review of documents drafted so far.
- b. Help in finding Pro Bono help.
- c. Drafting of the motions.
- d. Give classic examples of arbitrary deprivation of nationality to the justices based on comprehensive, reliable worldwide cases. Drafting of comparative legal study of constitution and laws.

The Importance of Foreign Legal Talent:

Standard of legal education as well as the practices of local legal professionals are absolutely horrible. Foreign lawyers are much better educated, professional and trustworthy. Lawyers from British common law countries especially from UK, US, Canada, Australia and New Zealand are held in high esteem. Most suitable lawyer might be a native English-speaking middle aged white male. (My apologies I don't believe in stereotypes, but I have to be mindful of what will work best in a third world court room) if we get really lucky a well recognized name would be an icing on the cake. Like Ramsey Clark, Bill Clinton, you get the idea. Also Academics or former high ranking legal officials such as retired Attorney/Solicitor generals (Federal/State/Provincial) or Ministers of Law or Justice.

We just can't afford to pay the high price of legal help in Pakistan. The range of cost is anywhere from US\$15000-60,000. Even at this high cost we can't be sure that we will have a devoted and competent lawyer. Also keep in mind that by the time all is said and done we will have 90% of the leg work of the case. There is a reason why this group has not had their day in the court. They are dirt poor and Stateless.

We will pick up the tab for all out of pocket costs of our pro bono attorney. Meaning air travel, ground transportation, lodging, meals, recreation, sight seeing etc.