

Law and Our Rights

Children First: a Joint Appeal for Placing Children on the National Agenda

54 national and international member organizations affiliated to Bangladesh Shiksha Adhikar Forum make an appeal to the national political leaders to uphold the rights of the children in Bangladesh.

As our country enters an important phase of national dialogue on the vital issues that will shape the Bangladesh of the twenty-first century, we find it our duty to call the attention of our people, and that of the various political parties and leaders, to the pressing issues of women and children, and to formulate clear commitments to our national goals, in measurable and accountable terms.

We recall that our Constitution asks for taking special measures to address the needs of women and children (Part 3, Article 28.4), and that Bangladesh has been striving to accelerate the progress of women and children's development, through a National Plan of Action to achieve the goals set by the World Summit for Children for the year 2000.

The question we raise today is a matter of rights: the right of our own children to receive the very best possible from us, not only as individuals or families, but also as a society; and the right of women to contribute and benefit, on an equal footing, to and from the process of development. Our obligation is all the more imperative when we consider that children do not have the means to defend, let alone promote, their rights. Thus our action is at the very heart of the democratic process and the essence of social justice. It is also in line with our Constitution's emphasis on basic human rights and the respect of human dignity and values (Part 2, Article 11).

The international consensus on child rights is embodied in the United Nations Convention

(4) To specify their commitments to women and children, with reference to achieving the Goals for the year 2000, namely:

* Reducing infant and under-five child mortality to 50 and 70 per 1000 live births, respectively.

* Reducing severe and moderate malnutrition among under-fives by half, compared to 1990 levels.

* Providing universal access to sanitation.

* Universal access to primary education and completion of primary education by at least 90% of primary school-age children.

* Reducing adult illiteracy rate by at least half its 1990 level, with emphasis on female literacy.



The recent National Immunization Day, of 16 April, has generated welcome support from most sections of our society, including political parties. Now further action is needed to build on this momentum towards anchoring in the nation's conscience the primacy of human development concerns, particularly those related to women and children.

Such action would address the special needs of women and children, constituting the great majority of our people, seeking to mobilize through them the potential for advancement and bringing it to the centre of our existence as a viable nation. This will also serve to release powerful formative forces to shape the Bangladesh of tomorrow. By taking this initiative, we will be seizing a historical opportunity to narrow the gap between the people of Bangladesh and other rapidly transforming nations. These reasons compel us to speak up. But, even more important,

on the Rights of the Child to which Bangladesh is one of its first signatories. It is vital that our political parties commit themselves to the energetic fulfillment of the promise given to the children in this convention.

Taking the above into consideration, we call upon our political parties and leaders:

(1) To pledge themselves to keeping child rights on a common national agenda, thus avoiding possible negative effects on children's interests caused by controversies or conflicts. Children must remain above party politics.

(2) To redevote but political system to giving 'First Call to Children' by providing the maximum possible allocations from national resources, as well as cooperating with development partners to optimize their support towards the same end.

(3) To dedicate all necessary efforts to the elimination of disparities and discrimination that affect the girl child and women.

male literacy. Providing improved protection for children in especially difficult circumstances, such as working, street and other disadvantaged children.

(5) To include in the Code of Conduct for Elections a reference to ensuring that services for women and children are not disrupted by political action.

While the children of Bangladesh, the voters of tomorrow, have a legitimate right and hope that these minimal and achievable goals will be incorporated into the national agenda, and expressed in party manifestoes and declarations, it is important that the people remain vigilant as to their implementation. This would be in line with our Constitution's emphasis on basic human rights and the respect of human dignity and values (Part 2, Article 11).

All sectors of civil society, including the media, have a role to play in making this appeal come into reality.

Fair Elections, Laws, and Independent Judiciary Key to Democracy

by Charles W. Corey

A truly democratic nation is a nation of laws, and a good electoral process is a process of rules, regulations, and laws, all backed up by a free press and an independent judiciary, a prominent US election specialist told an African television audience.

Appearing on a Worldnet television broadcast, William Kimberling, deputy director of the Federal Election Commission's Office of Election Administration, said a good democratic government operates like a soccer game. You have to follow the rules in order for there to be a game, and the best way to make sure that everybody will follow the rules is for them to sit down and work out those rules together.

The teams, the referees, the players, all of the interested parties must sit down and work out a set of rules — and then stay with it," he told programme participants in Kaduna, Lagos, and Abuja.

He added that it is the "will to make it work" that is most important to a well-functioning democracy. "If the will to make it work is not there, the best system in the world will fail. Once you have a set of rules — if the will is there — any system in the world can be made to work."

For a democracy to function, each group participating in the process must ensure that the people within its group observe and play by the rules, he stressed. "That is the nature of leadership," he told his audience, "and the leadership of a country must come together in order to lead any nation out of its current problems."

Asked about the undue influence of money on politicians and election campaigns, Kimberling said, "Let me assure you that Africa has no monopoly on the problem of money surpassing merit in the field of politics."

Out of concern for that problem, the United States Congress, he noted, created the Federal Election Commission in 1975 to enforce a series of laws enacted to limit the amount of money that can be contributed to candidates running for office.

"It would be ideal... to have a level playing field [fair and equal process] so that only merit would be rewarded in the field of politics — but what's true is that money is an advantage in any business and anything that you do — and politics is no exception," Kimberling said.

For that reason, he added, public scrutiny is an important part of the effort to keep the process as fair as possible.

People have jobs. They work. They have a routine. We don't gather much together in political gatherings anymore and, as a result, politicians in order to reach people — try to reach people through the electronic media — radio and television, primarily — and these are very expensive."

Kimberling estimated that 80% of the money in American politics is spent buying media time. American media companies are privately owned and operated in the United States, he reminded his audience, and thus candidates must compete against commercial buyers for advertising time if their commercial advertisements or campaign messages are to air.

Asked if American candidates use money to buy votes, Kimberling said that that is illegal and seldom the case. "We have an entire battery of laws that prevent the use of money for buying votes. In fact, it is a federal crime and you can end up in jail... for using money to buy people's votes, to pay them to register to vote, or to pay them to vote one way or another."

Asked how US commercial broadcast stations treat candidates on their news and public affairs programmes, Kimberling said, "The role of the media in politics is, in many ways, misunderstood in the United States."

Well-known politicians are already well known, and thus, he said, "there is not much in the world the media is going to do to change the public image of a candidate."

"The role of the media is really more important for politicians who are not yet well known, because many people begin to formulate their ideas about politicians by what they see on television, when they are just shaping their opinions."

Kimberling stressed that the US media has its own form of discipline that helps ensure fair treatment of all candidates. Being a commercial industry, he explained, media stations must be very careful about their viewers' who have political opinions.

Viewers are always very sensitive on whether this channel or that channel is tilting the news in favour of one party or one candidate or another... The public eye is on all of them. Not only can they lose viewers if they tilt too much one way or another, if they lose viewers, they lose [ratings] points. If they lose points, they lose money, because sponsors do not want to sponsor a programme that is not being widely watched. So there is a kind of odd commercial discipline that takes place."

Asked about corruption, Kimberling reminded everyone that the idea of government is public service, not private enrichment. You [as a candidate] compete for government to do a good job for everybody. It is not a competition to see who can sack the treasury most effectively and hand it out to their friends. — USA

Journalists Brace Themselves for 'Toughest Fight'

Like governments and editors elsewhere, those in the South Pacific regularly trade accusations about press freedom. But the arbitrary detention of a Tongan journalist for publishing pro-democracy letters, reports Gemini News Service, has shocked the region.

by David Robie

CONCERN about press freedom in the South Pacific has been growing following the jailing of a journalist in one country and alleged moves to muzzle the media in three others.

International protests followed Tonga's recent detention for 26 hours of Filo Akau'ola, deputy editor of the weekly journal Taimi 'o Tonga, for publishing pro-democracy letters. Two letter-writers were held for even longer, and the journalist was eventually charged with threatening a civil servant.

Meanwhile, in Vanuatu, a gagging order was placed on the media by former Prime Minister Serge Vohor to stifle press reports about moves to oust him from leadership. Vohor held the premiership briefly after the recent general election, but was replaced by Carlot Korman after a split in the ruling party.

In Fiji, the government has denied it plans to muzzle the press following claims by opposition leader Jai Ram Reddy, who told the public that members of a cabinet faction "don't want you to know all the details about the scandals in government."

And here in Papua New Guinea, a hastily-constituted Media Council, representing the country's news organisations, staged a two-day public seminar involving leading politicians, judges, academics, an archbishop, journalists and grassroots activists in an attempt to defend press freedom.

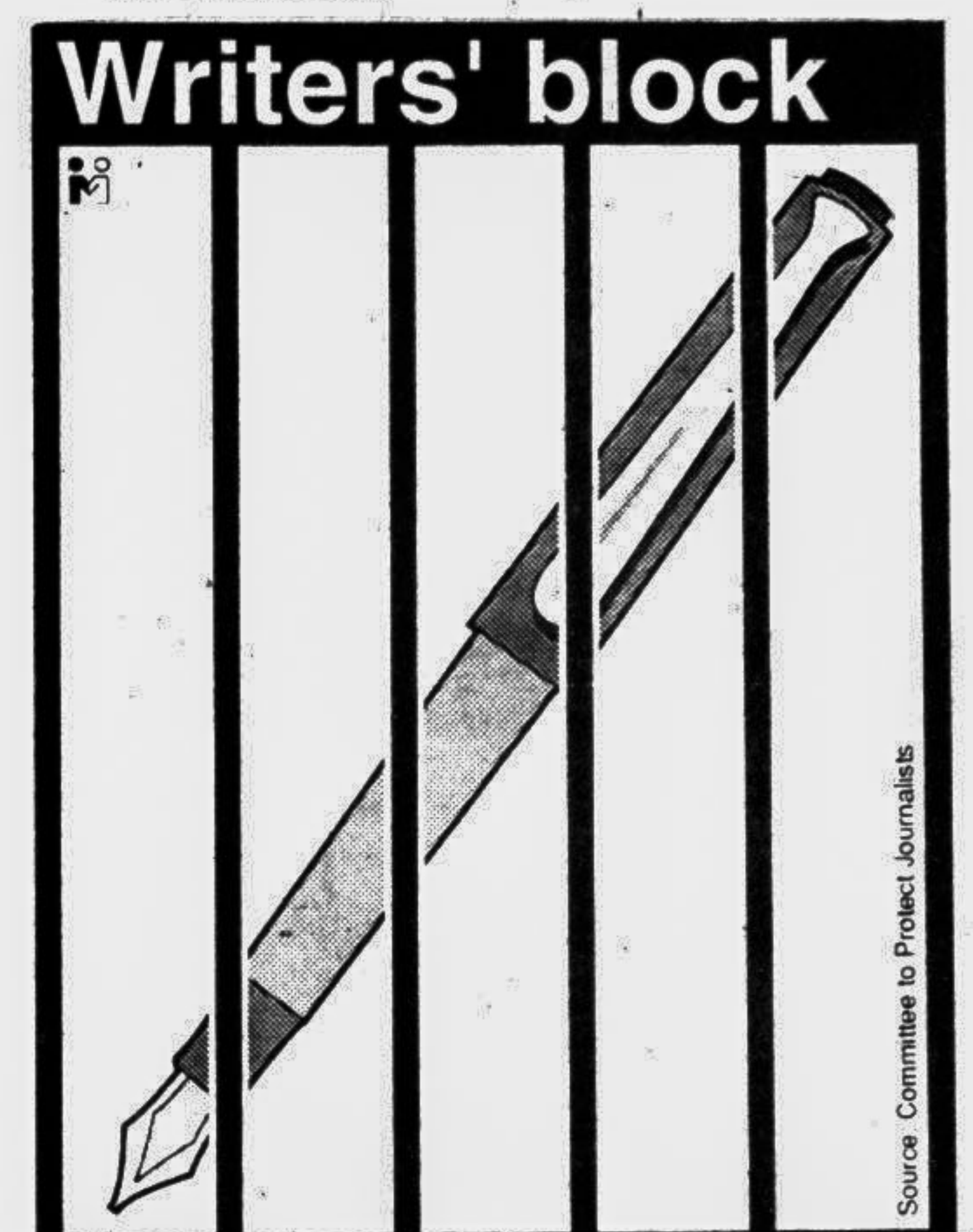
As part of a constitutional review, expected to steer Papua New Guinea towards becoming a republic, Prime Minister Sir Julius Chan's government is seeking to introduce legislation that could fetter a traditionally free press.

The Constitutional Review Commission has been given a directive to produce a draft law by June. Commission chairman Ben Micah recently led a fact-finding delegation to five Asian countries — including China — regarded as having an authoritarian view of the news media or practising censorship.

"Is there a real justification for such a move?" asked The Independent newspaper. "Any attempt to tamper with the freedom of the media must be viewed cautiously."

Micah was asked to cite three examples of alleged abuse by the press as evidence of a need for legislation. He listed two instances — both involving himself.

The Media Council argues that regulating the press is not a substitute for good government. Both the Commission and the Prime Minister have pledged that the basic, constitutionally guaranteed freedom of the media will be upheld, but that greater "accountability" will be sought. But community leaders and



At least 182 journalists were in jail in 22 countries at end of 1995. Worst offenders: Turkey 51, Ethiopia 31, China 20, Kuwait 18

editors are sceptical. They say laws of defamation and an existing process of self-regulation based on a press council are adequate safeguards.

The arrest of the Tongan journalist increased concern among the media in Port Moresby, because Tonga's constitution — like Papua New Guinea's — guarantees freedom of speech.

Although Papua New Guinea has rarely figured on international lists of transgressing nations over violations of press freedom — two gagging of the National Broadcasting Commission in the past two years have been cited — editors believe they are now facing their toughest fight.

Professor David Flint, chairman of the Australian Press Council, told the Media Council seminar that the United States constitutional protection for the press was an example the Pacific should follow.

In effect, he said, the US First Amendment prohibited laws abridging freedom of the press.

Flint also highlighted safeguards within Papua New Guinea's own constitution. Under Section 46, every

person in Papua New Guinea has the right to freedom of expression and freedom of the press.

Opposition Member of Parliament John Momis, one of the fathers of the constitution, said the objective of Section 46 was to be a "formal guarantee" and a "formal protection of the citizen's innate rights and freedoms."

He recalled that the provision was founded on "one of the great principles on which democracy rests — [that] is the right to differ on any topic of discussion, be it social, economic, political, cultural or religious."

If the government were truly to honour this constitutional provision, he said, a Freedom of Information Act would be passed.

A leading Papua New Guinea journalist, Neville Togarewa, branded the constitutional media review as "rash, ill-conceived and without justification."

He said the review had been forced by the government's "failure to financially support its own information and communication services to better serve government and the public."

The Daily Star Entertainment Guide

Table with multiple columns listing TV and radio programmes, including titles like 'Dark Justice', 'Garfield', and 'James Bond', along with their respective channels and times.



Dark Justice on BTV, Tonight at 9:00. Live English Cricket The One Day Game AXA Equity & Law Sunday League Kent v Lancashire 12:30 Formula Nippon From Japan 2:00 NBA Playoffs 1st Round Game 3 Chicago vs Miami @ Miami 4:00 NBA Playoffs 1st Round Game 3 San Antonio vs Phoenix @ Phoenix

Garfield comic strip by Jim Davis. Panel 1: Garfield says 'I KNOW WHY YOU PEOPLE DON'T GET MY JOKES! YOU'RE NOT HIP! YOU'RE TOO OLD!'. Panel 2: Garfield says 'WHY DON'T YOU ALL GO HOME? ISN'T IT PAST YOUR BEDTIME?'. Panel 3: Garfield says 'KONK!'. Panel 4: Garfield says 'OK, RAMON. CASE HIS ROOM. I'VE GOT A FEELING ABOUT THAT LIMEY!'.