



LAW campaign

ANNUAL UN DAY CELEBRATIONS

Global problems demand global solutions

THE world is moving in favour of the United Nations but the Organization must strengthen its ability to produce results in the areas of peace and security, development and human rights, Secretary-General Ban Ki-moon said in his message to mark UN Day, 24 October 2007. From the

tional flag-raising ceremony as part of a series of events to observe the Day. Professors and students at Kabul University in Afghanistan held a question-and-answer session about the role of the UN in which the Secretary-General's Deputy Special Representative Christopher Alexander partici-

the UN to maintain its rightful place on the world stage, continuing reform was necessary. "But we the Member States also have to do our share," he said. "We need to have the political will to empower the UN to take action as and when necessary. We need to provide the UN with sufficient resources."

In Vienna, the UN Information Service (UNIS) in the Austrian capital organized a student forum bringing together more than 80 students from universities in Austria and Slovakia. Classical music concerts were also held tonight in both Geneva and New York. In the Swiss city, Luigi Cherubini and Maurice Ravel performed at Victoria Hall, while the Seoul Philharmonic Orchestra performed at the General Assembly Hall in New York.

In his first UN Day message as Secretary-General, Ban Ki-moon said that "More people and governments understand that multilateralism is the only path in our interdependent and globalizing world," and "Global problems demand global solutions and going it alone is not a viable option." He stressed that the demands on the UN were "growing every day," and warned that "we will be judged in the future on the actions we take today on results."

The UN Country Team in Myanmar issued its own statement saying the Day should serve as an opportunity to "reflect on the importance of ensuring development, prosperity, peace, security and dignity for all" and stressing that all peoples deserve to have these rights and freedoms. "In Myanmar, the peaceful demonstrations that followed the sudden hike in fuel prices on 15 August highlighted that many of these aspirations are not yet a reality for the people here," the statement

noted. Tamrat Samuel, the Secretary-General's Deputy Special Representative in Nepal, said UN Day should be used in the Asian country as a time to reflect on what can and should be done in the year ahead to foster peace and development, regardless of any recent setbacks. In Sudan, a televised debate was held to discuss the UN and climate change, the theme of this year's Day, while in Kenya more than 500 people attended a ceremony awarding the "UN in Kenya Person of the Year" to Abbas Gullet, Secretary-General of Kenya Red Cross Society.

Indonesian children took part in a quiz on UN activities and watched animated films on the work of the world body, while in Togo a ceremony was held to mark the symbolic destruction of arms and weaponry. Elsewhere, special events were also staged in Algeria, Argentina, Bangladesh, Belgium, Brazil, Burkina Faso, Burundi, Cameroon, Colombia, Egypt, France, Germany, Ghana, Greece, India, Iran, Italy, Japan, Kazakhstan, Mexico, Morocco, Namibia, the Netherlands, Peru, Poland, Portugal, the Republic of Congo, Romania, Russia, Senegal, South Africa, Spain, Tanzania, Turkey, the United States, Ukraine and Zimbabwe.

UN Day has been celebrated on 24 October every year since 1948, exactly three years after the UN Charter entered into force when China, France, the Soviet Union, the United Kingdom, the United States and a majority of other signatories had ratified the document. In 1971, the General Assembly adopted a resolution recommending that the Day be observed as a public holiday by Member States.

Compiled by Law Desk.

LAW vision

Tourism and women's rights

MOHAMMAD SHAHIDUL ISLAM

WOMEN and tourism -- the thought has been receiving sincere consideration from United Nations World Tourism Organization (UNWTO) for years. Women occupied special attention of world tourism day this year. "Tourism opens doors for women" was the theme for the United Nations World Tourism Day observed on 27 September, the anniversary of the adoption of the original UNWTO statutes. Following on the "Tourism Enriches" theme of 2006, this year's campaign highlighted the opportunities that the sector offers for women.

The theme 'tourism opens doors for women' satisfied the world human rights leaders. They thanked United Nations World Tourism Organization (UNWTO) for considering women in their international tourism theme-2007. They also expressed concern at the same time about the meaningful success of the theme.

Minu Hemmati, a renowned tourism expert writes in her article Women's Employment and Participation in Tourism (published in Sustainable Travel & Tourism Pp 17-20, 2000)

"Women's Rights, Stereotypical Images, Sexual Objectification: The Universal Declaration of Human Rights (1948) and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979), and respective national legislation are the legal and policy basis of addressing human rights and women's rights issues in tourism (Keefe & Wheat 1998)...."

"The scandalous realities of sex tourism and trafficking of women are not being addressed here. They do indeed represent a most horrific violation of human rights and dignity. Fighting sex tourism and trafficking needs to be a priority on the agenda of everybody involved in tourism. Raising consumer awareness and introducing effective legal measures, including in the country of tourist origin, are among the crucial strategies."

"But there is also a strong case for eliminating less obvious variations of sexual objectification of women working in the tourism industry. Studies have shown that women are expected to dress in an 'attractive' manner, to look beautiful (i.e. slim, young, pretty) and to 'play along' with sexual harassment by customers (e.g. Gruetter & Pless 1996, Griffiths 1999). Stereotypical images of women are in many cases part of the tourism



product. Friendly smiling women, fitting certain standards of attractiveness, who seem to be waiting to submissively serve the customer's every wish are being portrayed. Women working at destinations as well as indigenous women are being shown in a stereotypical way in tourism brochures and other material."

Human rights leaders strongly believe, women would not be maltreated and no injustice will be applied to their employment history and other relevant approaches in the tourism industry. Their contribution and recruitment should not be seen as intentional or technical device. It is true that women are still struggling to reach the top of the hospitality industry because of difficulties juggling work and family commitments, leading figures in the sector have warned. Despite the increasing number of women entering the industry over the last decade, the highest positions in the industry are still commonly held by men, due largely to women shying away from longer hours when starting a family. If women want to see their kids after

school, look after them when they are ill or spend time with them on holiday, then the senior, more time-consuming positions can be restrictive.

We hope, UNWTO will ask supports from employers in hospitality industry to offer more help to women. Women should be exempted from their odd timing of job responsibilities. But for this help, it needs assurance; their career promotion will not be hampered. They must be privileged to see more home help and crèche facilities to allow women the time to reach the very top.

The world humanitarian leaders feel happy to urge the respective governments of developing countries to provide the women more legislative support. They need some sort of tax relief to help with childcare, more women on boards and equal pay for all. On the other hand, womanhood will be unconditionally entertained with esteem and admiration in the entire industry.

The writer is a faculty member of National Hotel And Tourism Training Institute (NHTTI).



planting of some 2,000 trees in Ethiopia to the opening of an exhibition inside one of Asia's largest shopping malls to a public forum in Afghanistan to the staging of classical music concerts in New York and Geneva, people around the world are marking United Nations Day, which celebrates the day in 1945 when the Organization was born. In Addis Ababa, UN staff members are planting up to 2,000 trees in a national park above the Ethiopian capital and holding their tradi-

tion. In Bangkok, 22 UN entities and international organizations with offices in the Thai capital are taking part in a bilingual exhibition in CentralWorld, the city's largest mall, to show the many ways in which the Organization tries to improve the lives of people in the region. Musical performances and other events will also take place during the life of the three-day exhibition. Thai Prime Minister Surayud Chulanont told a separate ceremony to mark the Day that for

FOR YOUR information

WORLD FOOD DAY

Where hunger and malnutrition persist, there can be no justice or security

Where hunger and malnutrition persist, there can be no justice or security. A just and secure world is one where every woman and man - every girl and boy - can live in dignity, without wondering where the next meal will come from.

According to FAO, the world has sufficient resources to feed its entire population. Yet the number of people who go to bed hungry every night continues to increase. It does so despite repeated political pledges to end hunger and malnutrition, despite the commitment of all UN Member States to achieve the first Millennium Development Goal, to "eradicate extreme poverty and hunger".

Ensuring access to adequate food and preventing hunger is not only a development issue, it is also a

rights issue. Individuals or groups cannot, for reasons beyond their control, enjoy the right by the means at their disposal. States must make very effort to provide them directly with adequate food or resources to get it.

Human rights are indivisible: enjoyment of the right to food is essential to the enjoyment of all human rights. Freedom from torture and slavery, or the right to express ideas, are not meaningful to those starving or suffering from chronic malnutrition, nor can the rights to education or health be enjoyed without adequate food. Likewise, the right to food cannot be enjoyed where other human rights are violated - for example, where discrimination flourishes or where the right to work, to participate in public affairs, or to enjoy the equal protection of the law is denied.

Adopting a comprehensive human rights-based approach to food security helps find sustainable and equitable pathways



human rights imperative. The human right to adequate food is recognized in the Universal Declaration of Human Rights and in many of the international human rights treaties which every State has ratified. It will be realised when everyone has, at all times, access physical and economic to adequate food or to the means to obtain it. It has been described as the right to have regular, permanent and unrestricted access to food - or the means to acquire it - which is sufficient, respects cultural traditions and ensures a fulfilling and dignified life, free of fear.

Recognising the human right to food imposes an obligation on States to respect, protect and facilitate - and when necessary provide - access to food. Thus, States must do nothing that interferes with the ability to obtain food and must ensure business enterprises or individuals do not deprive others of such access. States must also engage in efforts to strengthen everyone's ability to obtain adequate food, including by promoting food security. Indeed, when specific indi-

viduals or groups cannot, for reasons beyond their control, enjoy the right by the means at their disposal, States must make very effort to provide them directly with adequate food or resources to get it. Human rights are indivisible: enjoyment of the right to food is essential to the enjoyment of all human rights. Freedom from torture and slavery, or the right to express ideas, are not meaningful to those starving or suffering from chronic malnutrition, nor can the rights to education or health be enjoyed without adequate food. Likewise, the right to food cannot be enjoyed where other human rights are violated - for example, where discrimination flourishes or where the right to work, to participate in public affairs, or to enjoy the equal protection of the law is denied. Adopting a comprehensive human rights-based approach to food security helps find sustainable and equitable pathways

out of hunger and malnutrition. A human rights approach requires ensuring that policy priorities reflect human rights concerns and emphasise the needs of the most disadvantaged. It also requires priorities to be defined through inclusive democratic processes. It empowers people to hold their governments accountable and to become participants in the process of human development, rather than being passive recipients. The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security seek to reflect existing human rights standards and provide useful guidance to States and those supporting their efforts. Progress must be made in implementing them, within a strategy that promotes greater enjoyment of all human rights.

Though people are increasingly understanding the human rights obligations of States, the full realisation of the right to food for all remains a distant goal. It is now time for deeds, rather than words: we must act now to make the right to food a reality".

Source: UNITED NATIONS Press Release.

LAW week

CJ to inaugurate judiciary separation on Nov 1

Chief Justice (CJ) M Ruhul Amin will formally inaugurate the historic event of separating the judiciary from the executive control over the subordinate courts on November 1. With the inauguration of the separation at a landmark ceremony at the district court in Old Dhaka, the country's judiciary, one of the state organs, will be fully independent in its domain of dispensation of justice. Informing the media about the preparation, Supreme Court Registrar Iktedar Ahmed yesterday said, "The newly appointed judicial magistrates have already started joining their respective courts." Initially, a total of 179 judicial magistrates have been appointed and they have obtained an orientation course prior to taking up their new profession. - Unb, Dhaka, October 23.

DCC comes under task force watch

Amid allegations of massive corruption and irregularities, the army-led Task Force against Egregious Crimes and Corruption started looking after the activities of Dhaka City Corporation (DCC) to bring necessary reforms to make it a vibrant service-oriented organisation. The DCC came under the task force's supervision as part of the caretaker government's drive against institutionalised corruption in the second phase of the ongoing anti-graft campaign. The task force is already looking after the activities of Rajdhani Unnayan Kartipakkha (Rajuk) that first came under its monitoring. Such other organisations, allegedly corrupt, will also be brought under the purge but they are giving priority to training their guns first on service-oriented ones, according to sources. "The task force came to look into the DCC's service rules and its mandates and work for bringing reforms in it to make the corporation more service-oriented so that people could get more facilities. They will also look into whether there were any corruption in the DCC in the past," Mayor Sadek Hossain Khoka told The Daily Star. A task force team led by Lt Col Shamsuzzoha Mohammad Salehuddin held a meeting with the mayor and heads of different wings of the DCC. Talking to reporters, Salehuddin said they came to the DCC to review its policy-level matters. -The Daily Star, October 23.

Executive magistrates to get temporary judicial power

Caving in to some demands of the administrative officials, the government yesterday decided to give the executive magistrates temporary judicial powers in certain cases. Announcing the decision after an inter-ministerial meeting, Law Adviser Mainul Hossain said rules would be amended later to give it a legal cover. The admin cadres at a highly charged seminar called for the government to defer and review of separation of the judiciary scheduled to take effect from November 1. The following day Bangladesh Administrative Service Association met the law adviser and placed a set of recommendations. They urged the government to return some managerial powers to the administrative officials so they can initiate legal proceedings, order investigation into cognisable cases, maintain

law and order, run mobile courts during anti-adulteration and eviction drives and inspect examination halls. "The executive magistrates will continue work like running mobile courts," the law adviser observed. An amendment to the rules in the process of separation of the judiciary took away the judicial powers of the executive magistrates. He said his ministry is working on a draft of amendments to give them the power permanently. -The Daily Star, October 24.

DMP to punish and act against illegal arrest

Dhaka Metropolitan Police (DMP) is going to introduce a mechanism to punish policemen for any illegal arrest and allow the victims to lodge complaints about any such harassment. Under the new mechanism, the policemen concerned, the officer in-charge and the supervising officer will face punitive actions if any illegal arrest is made. The step comes as a tough action to check harassment of innocent people by policemen through wrongful arrest and confinement. To ensure accountability of their subordinate officers, DMP deputy commissioners (DC), additional DCs and assistant commissioners (ACs) will monitor all cases and arrests. The victims of police harassment from now on will be able to lodge complaints to the commissioner, additional commissioner, DCs or OCs against the policemen responsible. "If any illegal arrest is made the supervising officer, OC and the police officer concerned will face tough departmental action," DMP Commissioner Naim Ahmed told The Daily Star. The DMP authorities have already identified 10 means corrupt police personnel have been using to harass people over the years. These include making illegal arrest, issuing threat of arrest, detaining wrongfully and releasing later in exchange for money, unnecessarily taking into police remand for illegal purpose, forcing people to provide money by issuing unnecessary inquiry slip, misusing court petitions to compel people to bribe the police, implicating people in false cases, taking bribe from complainants and misusing section 54 of Criminal Procedure Code and DMP Ordinance. -Prothom Alo, October 24.

Justice Fazlul Haque quizzed, flat raided

The joint forces have conducted a nearly five-hour raid on the apartment of Justice Fazlul Haque, adviser to the immediate past caretaker government, who had been listed as one of the corruption suspects by the Anti-Corruption Commission (ACC) recently. A group of some eight joint forces personnel arrived at Haque's apartment at Al-Baraka Tower at city's Katagon and quizzed the former adviser for hours. The law enforcers searched his flat thoroughly and seized some documents, sources in the law enforcement agencies said. None of the joint forces members talked to the media waiting outside the building. Haque could not be reached for his comments either, as he neither opened the door of his apartment nor received any calls. Haque's name was mentioned on the ACC's fresh list of

corrupt suspects published on October 4. "The ACC has recently entrusted its Assistant Director Mohammad Ibrahim to investigate the wealth of Haque, who was the adviser for law, justice and parliamentary affairs, forest and environment and land in the Iajuddin Ahmed-led caretaker government. -The Daily Star, October 24.

ACC seeks changes to its constitution

The Anti-Corruption Commission (ACC) yesterday proposed bringing amendment to its constitution in order to determine its status as "independent, self-governed and impartial" instead of the present "independent and impartial". The commission sent a letter to the Cabinet Division regarding the proposal as it has been facing difficulties in carrying out different tasks, including recruitment and formulation of recruitment rules. Although the preamble to the ACC constitution declares the commission as independent, the anti-graft body will not be able to work effectively if it is not made self-governed, said officials at the ACC. ACC Secretary Mukhles Ur Rahman, who submitted the proposal to the Cabinet Division yesterday, said, "In order to run the commission independently and work faster and better, it is necessary to have the commission self-governed." The commission has recommended bringing amendment to section 3(2) of the ACC Act 2004, which declares it as independent and impartial. ACC sources said the Cabinet Division has already initiated moves regarding the proposal. -The Daily Star, October 24.

Rokon-Ud-Doula withdrawn from magistracy

Magistrate Rokon-Ud-Doula, who shot to fame leading anti-adulteration drives in the capital, was withdrawn from the magistracy apparently for his recent broadside against the separation of judiciary slated for November 1. The Supreme Court (SC) gave its consent to the government move to remove him from the Court of Chief Metropolitan Magistrate (CMM). Earlier, the establishment ministry had sought the apex court's permission. Talking to The Daily Star last night, Supreme Court Registrar Iktedar Ahmed said the ministry did not mention any reason for the withdrawal. Rokon-Ud-Doula will remain a magistrate until further notification. Addressing a seminar in the city Sunday, Rokon demanded that the separation be deferred till 2021 to remove "inequality" between executive magistrates and judicial magistrates and put in place adequate infrastructure and logistics support. Saying that he might even be arrested for making such statements, he called on the executive officials to go on a work stoppage from November 1. -The Daily Star, October 24.

Corresponding with the Law Desk

Please send your mails, queries, and opinions to: Law Desk, The Daily Star 19 Karwan Bazar, Dhaka-1215; telephone 8124944, 8124955, fax 8125155; e-mail dslawdesk@yahoo.co.uk, lawdesk@thedailystar.net