

# What we need to do



4. The Election Commission should expeditiously carry forward its work to completion in accordance with the roadmap. In particular, it should adopt necessary legal regulations which would require political parties: (i) to de-commission and disband armed cadres, (ii) to enforce the law effectively against all criminals and their "godfathers", regardless of their party memberships, and affiliation etc. (iii) to publish audited financial statements of their income and expenditure, (iv) to declare and publish the assets owned by party office-bearers and elected representatives and their dependents, (v) to comply with their party constitution and ensure periodic free and fair election of office-bearers, (vi) establish fair and transparent procedures for nominations of party candidates to elective office, after local consultation with members in the constituency concerned, and (vii) to ensure respect for rule of law recognizing that all persons are equal before the law; no one is above the law, and everyone is entitled to equal protection of the law; no person who violates the law can be conferred with immunity, nor can victims be denied the protection of law.

5. The judiciary at all levels must remain independent and separate from the executive and be accountable for its actions.

the nation - this principle must be respected in promoting investment, foreign and domestic and affording access to equal opportunities for education and training to all, in particular, to enable our youth to make their fullest contribution to national development;

- that national development truly benefits all of the people, expands employment opportunities and encourages investment and productive activities;
- equal opportunities are provided for all and that all sections of the people are assured of access to education, health, shelter and livelihood and safeguards against discrimination and disparity within the state, society and the family, so that poverty is not just alleviated but becomes history.

## National dialogue

It is through national unity that we can overcome the challenges that face us. To that end a national dialogue should be undertaken by citizens drawing upon their experiences that will lay the foundation of social and economic change. All sections of the people (including political parties, professional organizations, civil society, Adibashis, human rights and women's organizations) should engage in a national dialogue. The agenda of the national dialogue should aim to arrive at a consensus on the following matters:

- \* to re-affirm commitment to shared national goals that can become a People's Charter for National Unity;
- \* to identify and agree upon steps that are to be taken by all concerned individually and collectively to achieve the national goals and for that purpose to formulate a roadmap;
- \* All sections of the people through mutual consultation and cooperation must ensure that all steps towards timely holding of a free and fair election are completed with a sense of urgency and to work together to create congenial conditions in which the emergency may be progressively relaxed and finally lifted.

All sections of people through mutual consultation and cooperation must ensure that urgent measures are taken: (i) to relieve sections affected by the price hike, (ii) to respond to the urgent needs for rehabilitation of affected communities in the natural disaster affected areas (iii) to dispel the uncertainty that inhibits investment and to remove other bottlenecks which may impede economic activities. For this purpose, we need to establish a monitoring and implementation mechanism, constituted by experienced and competent persons, including professionals, to ensure that targets set in different sectors are met and any impediments or grievances, identified and reported, are urgently resolved.

It is through such a process of national consultation followed by action that we can expect to move forward.

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decades, that since 2004 an intensive campaign began to be built for genuine political and electoral reforms involving all the democratic forces. It is a key element of political party reform that every party must be required by law to disclose its source of finance, and to comply with requirement of transparency and accountability in relation to its members. To claim that a political party must be above the law, is like saying that every company has a right to remain above the law, defying the law like Enron in America or Oriental Bank in Bangladesh. Political parties cannot claim to be above the law. The law must ensure that they do not become patrons of godfathers, armed cadres, and owners of black money. These ailments, according to Chief Justice Habibur Rahman resulted in our political system becoming a "feudal democracy".

Electoral and political reforms have become a national priority which aims not only to ensure free and fair elections but to transform a feudal democracy into a genuine working democracy. The challenge of change calls for citizens' activism to play a pro-active role in creating citizens' awareness of their rights and responsibilities and nurturing a democratic culture so that meaningful change can be brought about.

## Citizens must actively build consensus on the following issues

\* Voters must exercise their vote to choose honest and competent representatives, for which purpose all necessary information should be made available to them through the press and elec-

tronic media and through disclosure requirements made mandatory by the electoral law. This will rescue voters from the practice of blind voting in response to manipulative appeals.

\* Confrontational politics, an extreme form of sick politics results in tribalism which undermines national unity. In a multi-party democracy a level playing field must exist not only for free and fair elections but must be maintained after elections, so that fair access to public resources, public employment and to services provided by the state is ensured and does not become a monopoly of a ruling party or alliance.

\* A democratic society must be protected by active citizens from divisiveness, discrimination and intolerance created by manipulation of religious and ethnic sentiments through inciting hostility between groups on the basis of religion or ethnicity.

\* In key areas affecting national interest, including national security and foreign affairs, bi-partisanship must be promoted.

\* Institutions which are needed to ensure accountability must be entrusted to persons of integrity and ability through an appointment process which is objective and transparent: Ombudsman, Human Rights Commission, Independent Anti-Corruption Commission, Public Service Commission and the Office of the Auditor and Comptroller General.

\* In the light of experience of over three decades, a

Constitutional Review Commission should be established after public consultations in the National Dialogue to propose amendments, which would be adopted in the next Parliament. These amendments could include the following: (i) inclusion of checks and balances preventing abuse of power, such as by laying down standards and establishing a process for ensuring appointment of persons of integrity and ability as Judges of the Supreme Court, Members of the Election Commission and Public Service Commission, (ii) significant increase in the representation of women on the basis of direct election (iii) Article 70 of the Constitution, under which a member loses his seat for voting against the party which nominates him, should be revised so that it does not restrict the capacity for effective representation of a Member of Parliament.

We need to face these challenges through national unity in order to achieve our national goals of a free and fair election according to the roadmap, to elect a truly representative Parliament, composed of honest and competent representatives and to ensure the effective functioning of democratic institutions. This is the path to healthy politics and a stable and clean government, which our people have aspired for. We must move forward through consensus on a Charter for National Unity, and by mobilizing support through a national dialogue. Only through active participation of citizens throughout the coun-

try it will be possible to create the energy and the strength to bring about meaningful change, a vibrant democracy and a just society. The text of the proposed charter given below is based upon dialogues with citizens throughout the country and it is hoped would be the basis for further intensive discussions in a process of National Dialogue, which is also described below:

## Charter for national unity

1. The entire nation yearns for meaningful change. Independence, which was achieved through national unity and sacrifices of all of our people ensured that power belongs to all of our people and is to be exercised through their elected representatives.
2. Only a truly free and fair election, free from the control of black-money, armed cadres, extremism and "dollokoron" can ensure effective representation of the people by honest and competent representatives.
3. While a free and fair election is the first step towards achieving democracy, the working of democracy requires that democratic institutions function effectively and a culture of democracy is consciously promoted through citizens' activism. This means strengthening democratic institutions and upholding the basic values of democracy. To that end, we must all commit ourselves:
  - to recognize that all parties within a multi-party system must in all their actions demonstrate that national goals and interest must prevail over party and personal goals

and to promote mutual respect and tolerance, and strive for bi-partisan support in pursuit of national goals and policies;

- to uphold the rule of law and equality before the law, that is, recognition that everyone however powerful is not above the law;
- to uphold the right to information of citizens who must have access to information about all matters that affect their lives and the nation;
- to uphold the freedom of the press and freedom of expression;
- to ensure participation of the people through effective means of consultation in making of policies which affect the nation and their lives;
- to promote gender equality in all spheres of public and personal life and ensure due representation of women in decision making;
- to strengthen democratic institutions and create conditions to enable the effective functioning of these institutions, including: Parliament, Parliamentary Committees, Watchdog bodies, such as Ombudsman, National Human Rights Commission and Anti-Corruption Commission;
- to ensure transparency and accountability in the functioning of all public institutions.
- to ensure respect for human rights in accordance with the Constitution and all international instruments to which Bangladesh is a party.

6. Educational institutions must be protected from the negative impact of partisan politics, and academic standards and academic character of these institutions must be upheld so that appointments and promotions of faculty members, officers and staff, and granting of admission and grading of students is based on merit and not on partisan considerations. Academic institutions and environment must be protected from partisan political interventions, and must be totally freed of armed cadres;
7. Local government institutions must be strengthened and ensured adequate resources to serve the need of local communities and be free from partisan interventions.
8. Police and administration must perform their duties impartially in a non-partisan manner and strictly in accordance with the law, and within the limits set by the Constitution and the law; arbitrary arrest and detention, torture and inhuman treatment in custody are prohibited by the Constitution.
9. Communalism, understood to be abuse of religion for political purposes leading to extremism, intolerance and terrorism and the practice of discrimination on the basis of religion, must have no place in our society.
10. The economy must be developed and economic decisions taken based on a strategy which ensures:
  - that national and human resources are harnessed so as to optimize benefits for