

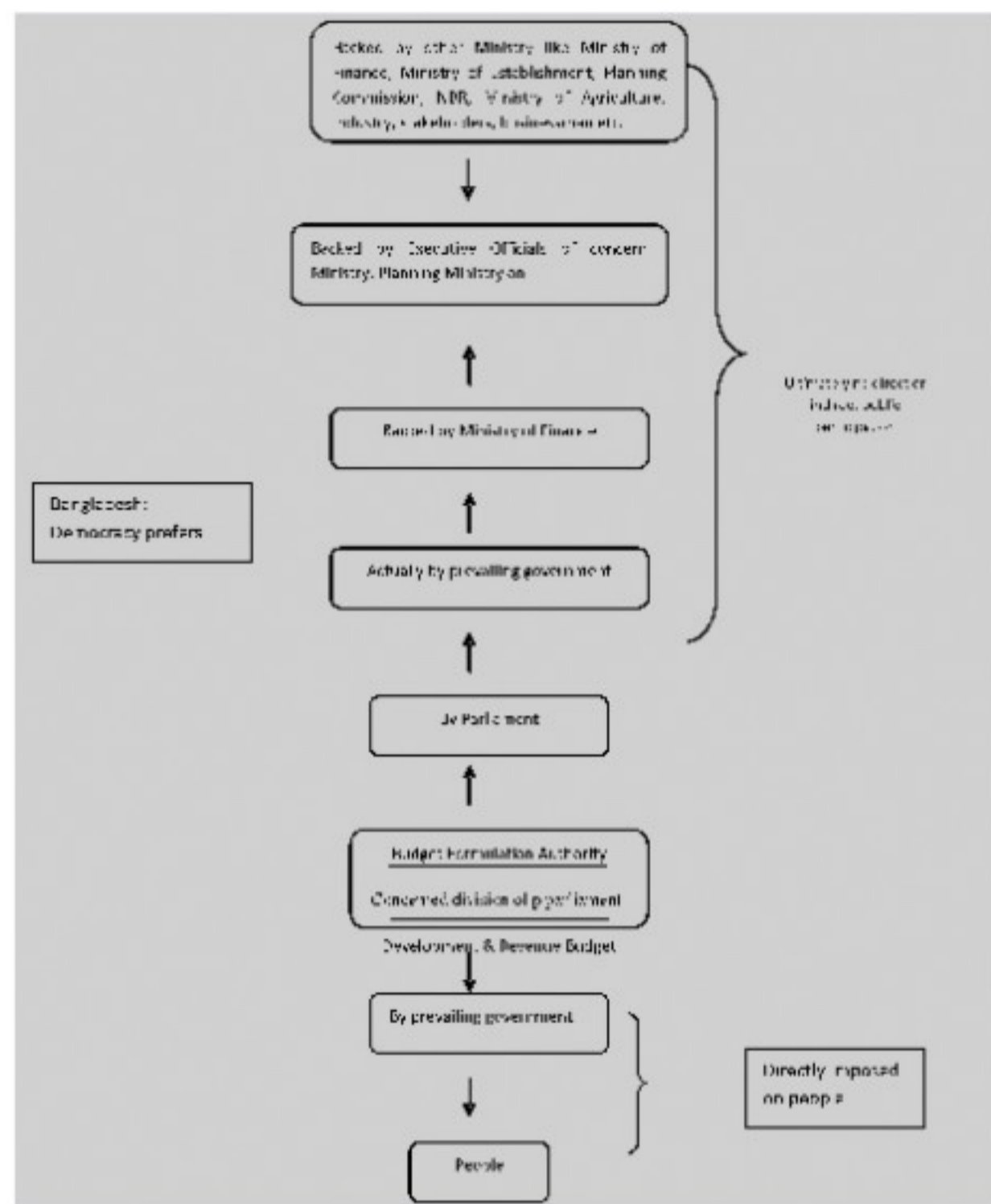
GOVERNANCE UPDATE



# Peoples' participation in our national budget

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OUR Constitution does not use the term "Budget". But the implication and operation of Chapter II of our Constitution carries the prima facie evidence of formulating budget. Whereas; budget is an Annual Financial Statement (AFS) of any country, therefore there is no way of avoiding except formulating budget in way of making AFS. National parliament is the sole authority to prepare an AFR/AFS i.e. budget for every year. In the end of every Financial Year (FY) a national budget is to be prepared by the parliament for the upcoming FY giving into effect from the 1st day of July which placed before parliament for open discussion and further assented by the President. Aftermath, the relevant enactments and statutes in connection with finance operation like Finance Act, Income Tax Ordinance, 1984, Value Added Tax Act, 1991, Customs Act, 1969 etc need to be amended accordingly. A twist in budget enactment process is that upcoming budget shall be placed before parliament but shall not be laid for voting. Article 89 (1) of the Constitution of The People's Republic of Bangladesh reads out "[Whereas;] "(1) so much of the [AFS] as relates to expenditure charged upon the Consolidated Fund may be discussed in, but shall not be submitted to the vote of, Parliament." (Underlines emphasized). This provision mostly frustrates the effective indirect participation of the people in budget formulation stage through their representatives of parliament. There is no local, national or any other forum where the people of Bangladesh can partake for evaluating their national budget. Mere evaluation is quite simple; any people from anywhere can evaluate budget. But this requires a recognized, nationally well constituted forum. Mere recognized forum is not enough to bring the darkness of budget into light. An evaluation remains valueless and ineffective unless or until the outcomes of such evaluation reflects in the budget or accelerates the process the national budget making process. Respecting this issue our top-to-bottom national budget making process almost fails to ensure the effective participation of our people at large. Development of this top-to-bottom budget formulation construes by the following stages,-



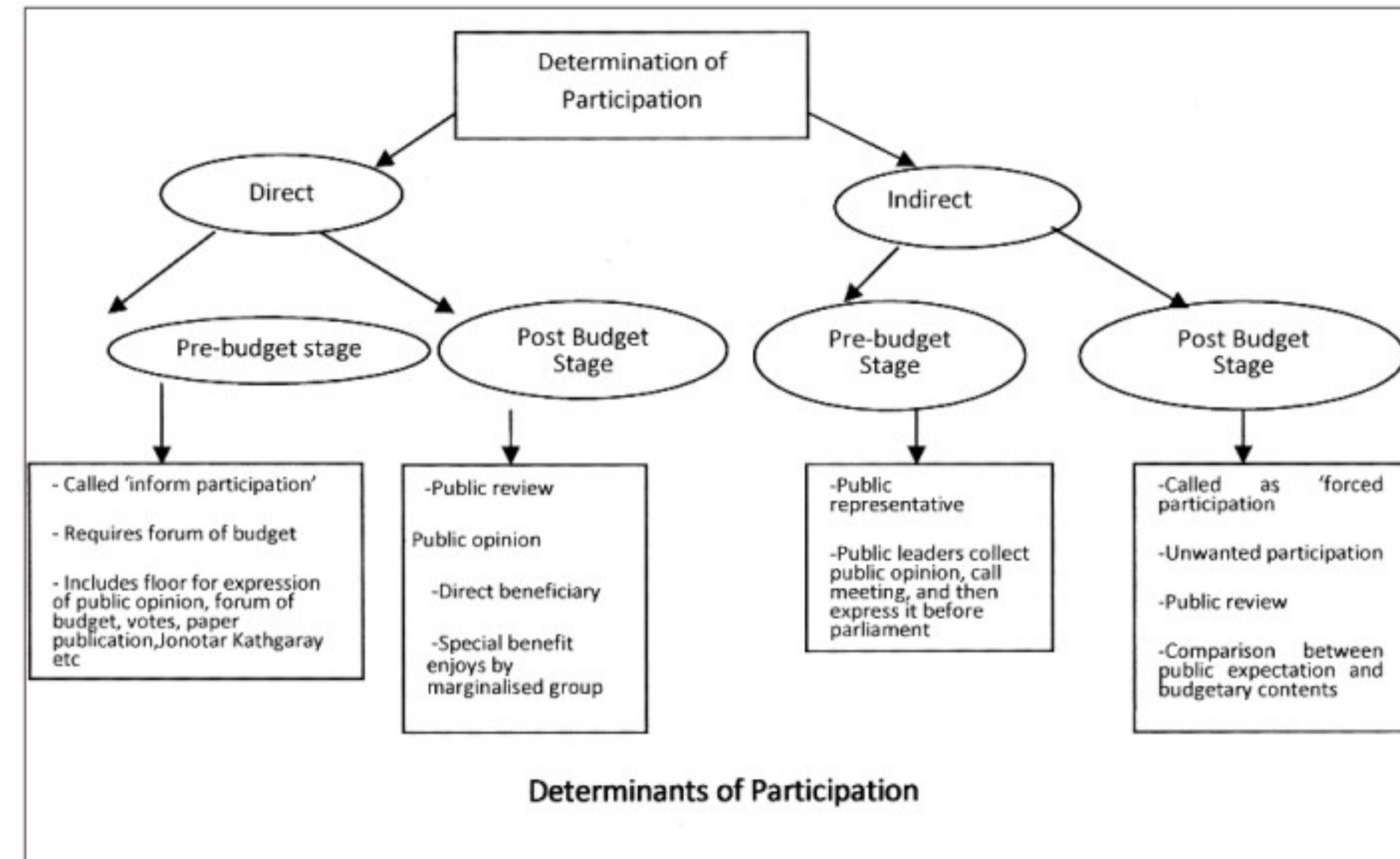
Box No 1.

30.06.2010 before the House of the Nation). The scenario of participation of the people of Bangladesh is illustrated in para no. 6 of this year national budgetary speech of the contemporary Finance Minister Dr. Muhith in the following words "[w]hile preparing the budget, I met with the renowned economists, members of parliament, journalists, development experts and secretaries of different ministries in eight different pre-budget discussion sessions. Besides, I have exchanged ideas with the peasants at the Baradhul Bazar of Kamarkhand upazila in Sirajganj district and listened to their views about the forthcoming budget. All of them gave their opinions on budget preparation from their own perspectives. I wish to put on record my sincere thanks to various socio-economic institutions, business associations and NGOs, think tanks and research groups, professionals and members of intelligentsia

and above all, the Hon'ble Chairpersons of a number of parliamentary standing committees and other members of parliament for their valuable suggestions." If human rights are to have real meaning, they must be linked to public participation. A common debate about both 'rights' and 'citizenship' is whether these are genuinely universal and participation must be preceded by empowerment of the people. The sense of empowerment along with a sense of legal entitlements and constitutional guarantees gives rise to a political consciousness based on rights. A process of political empowerment and a sense of rights empower citizens to participate in the public sphere. People-centered advocacy can be an effective way to link rights and participation. However, the challenge is how to transform this linkage into an emancipator politics that would help the poor emerge from the structural inequalities that perpetuate poverty. One further cardinal reason, therefore, why as citizens we must gather, share information to enable us effectively monitor and influence government budget making, so that 'FRUGALITY' in Rivers State, for example, must not continue to amount to empty words. The human capacity building and education is the best way for encouraging and ensuring participation in national/local budgetary work. This highlights the multiple lines of accountability between state and citizen, donor and recipient.

The people of Bangladesh are very responsive and participatory. They are used to response almost in all occasions of Govt. For that reason doing any develop-

ment work with the participation of the people is very easy in Bangladesh. Enhanced participation of grassroots citizens can ensure formulation of a more pro-people and effective national budget. To ensure balanced and uniform developments and bringing the backward areas to the mainstream national advancements, there is no alternative to involving the grass root level people in formulating the national budgets. Sustainable, uniform and smooth developments of all areas and regions would be hampered and welfare of every citizen be affected without knowing problems and exploring potentials and needs of every area. The area-based local economic potentials could not be properly explored in the prospective agriculture, animal husbandry, poultry, dairy, weaving, handlooms,



Box No 2.

and mineral resources including coals, silk and other sectors without taking local opinions. There are several forms of participation like direct and indirect participation in pre/post budget stage which indicates voluntary participation, forced participation. 'Forced Participation' means that public has no alternative other than simply obey by the mandate of budget against their will. This is also known as 'unwanted participation'. Details have been illustrated in the following diagram:

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FOR YOUR INFORMATION



## Convention on the rights of persons with disabilities

Attitudes are the Real Disability

The Convention is intended as a human rights instrument with an explicit, social development dimension. It adopts a broad categorisation of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms. It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights and areas where their rights have been violated, and where protection of rights must be reinforced.

The Convention establishes internationally recognised benchmarks for disabled people's rights in all areas of life, such as:

- the right to not be discriminated against
- the right to education
- the right to employment
- the right to health
- the right to equal justice
- the right to participate in culture.

Some feature of the Convention Persons with disabilities are not to be subjected to arbitrary or illegal interference with their privacy, family, home, correspondence or communication. The privacy of their personal, health and rehabilitation information is to be protected like that of others (Article 22).

On the fundamental issue of accessibility (Article 9), the Convention requires countries to identify and eliminate obstacles and barriers and ensure that persons with disabilities can access their environment, transportation, public facilities and services, and information and communications technologies.

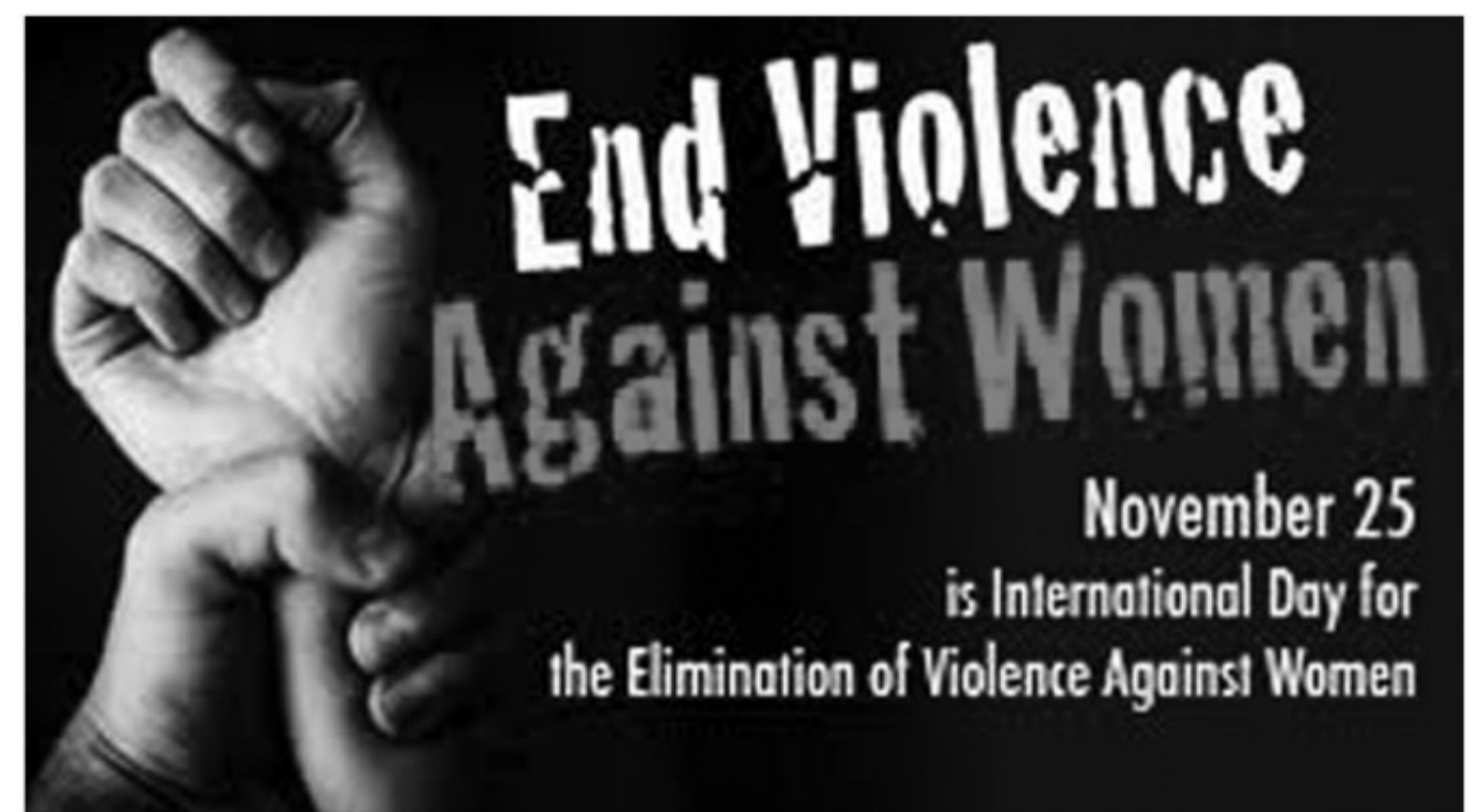
Persons with disabilities must be able to live independently, to be included in the community, to choose where and with whom to live and to have access to in-home, residential and community support services (Article 19). Personal mobility and independence are to be fostered by facilitating affordable personal mobility, training in mobility skills and access to mobility aids, devices, assistive technologies and live assistance (Article 20).

Persons with disabilities have the right to the highest attainable standard of health without discrimination on the basis of disability. They are to receive the same range, quality and standard of free or affordable health services as provided other persons, receive those health services needed because of their disabilities, and not to be discriminated against in the provision of health insurance (Article 25).



To ensure implementation and monitoring of the Convention, countries are to designate a focal point in the government and create a national mechanism to promote and monitor implementation (Article 33).

Source: UN.ORG.



## 16 days of activism to eliminate violence against women

IN August 2011, men and boys aged 18 to 25 were invited by the UNiTE campaign to use their creativity and imagination to create designs that Say NO to violence against women and girls and embody equality and respect.

The T-shirt design competition reached out to young men throughout the world to help end violence against women and girls. Thirty-four regional and global judges have selected the five top designs, one each from Africa, Asia and the Pacific, Europe, Latin America and the Caribbean, and North Africa.

The UNiTE to End Violence against Women campaign brings together a host of UN agencies and offices to galvanize action to prevent violence against women and girls and aims to raise public awareness and increase political will and resources for preventing and ending violence against women and girls in all parts of the world.

Violence against women happens everywhere and it affects one out of every three women worldwide. Based on country data available, up to 70 per cent of women experience physical or sexual violence in their lifetime.

The 16 days of activism campaign, which runs every year from 25 November International Day for the Elimination of Violence Against Women to 10 December Human Rights Day - calls for the elimination of violence against women and invites everyone to take action against it.

"The 16-day campaign challenges us to focus on ways, measures and means to eliminate all forms of violence against women," said Rashida Manjoo, UN Special

Rapporteur on Violence against Women. In a recent report, Manjoo highlighted that violence against women occur within the family up to the transnational arena.

Highlighting the importance of prevention, prosecution and punishment of violence against women, as well as the victims' right to reparations, Manjoo said that States should ensure that the root causes and consequences of violence against women are tackled at all levels of society. "Violence against women is not the root problem," she stressed, but "it occurs because other forms of discrimination are allowed to flourish."

A report released this year by the UN Human Rights office provides an overview of good practices aimed at preventing violence against women. Examples include legislative, political and operational measures.

Preventing violence against women the report states requires a spectrum of strategies accompanied by political and financial commitments, at all levels of the States and involving a large range of actors and stakeholders.

"Preventing violence from happening in the first place must be central to any strategy to eliminate violence against women," said UN Human Rights Chief, Navanethem Pillay.

She explained that "eliminating violence against women necessarily encompasses measures to empower women to stand for their own rights, make decisions on their lives and participate fully in the life of their communities."

Source: United Nations Press release.