



Commitment for *Golden Bengal*

National Integrity Strategy of Bangladesh

Cabinet Division
Government of the People's Republic of Bangladesh
October 2012

Message from the Prime Minister

Bangladesh achieved independence in 1971 under the leadership of the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman through a historic struggle and a nine-month-long war of liberation. The driving force behind the struggle was the dream for a happy, prosperous and peaceful society. But, during the last forty-one years, time and again, this dream was thwarted and our aspirations were not fully realised. The assassination of the Father of the Nation, repeated military interventions and assumption of power by the dictatorial, anti-people and anti-liberation forces have delayed the fulfillment of that dream. Evil consequences of these rules are manifested in underdevelopment, poverty of a large section of the population, undermining of democratic institutions and processes, disregard of the rule of law, corruption, and deficiency of integrity in the state and social life. Four years ago, in 2009, when we assumed power on winning an overwhelming majority at the general election, we waged a war against misrule, mismanagement and corruption.

We have taken this as a challenge. During his period, Bangabandhu Sheikh Mujibur Rahman also faced such challenges. While addressing the nation on 25 December 1974, he said,

“... to build a happy and prosperous country, citizens will have to increase production through hard work. But we must not forget – hardly can we bring good fortune for the people if our characters do not change! By rising above nepotism, corruption and self-deception, all of us have to be engaged in self-criticism, self-restraint, and self-purification.”

We attach the same importance to self-purification and integrity in all activities of the state and of politics. We are pledge-bound to promote good governance in Bangladesh. To fulfil this pledge, we have enacted laws, framed rules, made policies and devised strategies which we are enforcing strictly. We are also taking rigorous measures against corruption. Mere enactment of laws and rules and their enforcement alone will not suffice to establish good governance. All-out and unceasing efforts will have to be made for that. This strategy, ***Commitment for Golden Bengal: National Integrity Strategy of Bangladesh*** has been formulated as an instrument to realise our objectives.

Active participation of the institutions and organisations of the state, civil society and private sector is of paramount importance for implementation of this Strategy. Steps have to be taken to promote the culture of ethics and morality

among the people; and from a very early stage moral qualities have to be inculcated in our children, in the families and in educational institutions. Integrity has to be promoted in politics and public as well. We have put high importance to good governance in the Sixth Five Year Plan (FY 2011-2015); the issue has received a similar importance in the 'Bangladesh Perspective Plan 2010-2021' formulated for realising 'Vision 2021'. The Plan commits us to an all-out movement for prevention of corruption with which everybody needs to be associated. I call upon all citizens to actively participate in this movement.

Joy Bangla, Joy Bangabandhu
Long live Bangladesh

Sheikh Hasina, MP

Foreword

It is a prime goal and responsibility of the state to establish rule of law, secure fundamental human rights, and ensure equality of opportunity and dispensation of economic and social justice. Towards this end, the state takes appropriate measures to promote good governance. A national strategy for emancipation of the state and the society is essential for realising the vision.

The People's Republic of Bangladesh achieved independence after a long struggle for freedom and a heroic war of liberation. In the Constitution of Bangladesh, 'respect for the dignity and worth of the human person' has been enshrined as a fundamental principle of state policy, and a commitment has been expressed to bar enjoyment of 'unearned incomes'. For proper implementation of this policy, corruption has to be prevented and integrity has to be promoted in all affairs of the state and society. The Government, being fully aware of this imperative, has made a well-coordinated attempt to formulate this strategy titled ***Commitment for Golden Bengal: National Integrity Strategy of Bangladesh***.

The Father of the Nation, Bangabandhu Sheikh Mujibur Rahman said,

The nation must be united against corruption. If public opinion is not mobilised, corruption cannot be stopped by enforcement of law alone.

Numerous laws, rules and regulations have been framed for establishment of good governance and prevention of corruption. The present government has enacted some new laws, set up new institutions, and made improvements in organisational structures and processes. But corruption cannot be totally eradicated by enforcement of law only; all-out efforts need to be taken by the state to this end, and a social movement needs to be launched. In this paper, an outline has been presented for that purpose by charting the functions, performances and capacity development needs of some important state and non-state institutions and organisations. The need for a concerted movement for prevention of corruption has been underlined in this Strategy.

In the preparation of this Strategy, all available documents have been consulted; suggestions of Government officials, different professional bodies, civil society organisations and citizen groups have been collected through consultation meetings; and valued opinions of Honourable Members of Parliament and different stakeholders have been duly considered. In order to obtain the opinions of the general public, the draft of this Strategy was made available on the website of the Cabinet Division. In addition, written comments and observations were provided by

different Ministries and Divisions. A Committee set up by the Cabinet and headed by the Hon'ble Finance Minister for reviewing the draft of this Strategy held a number of meetings. The document has been revised in terms of contents and structure on the basis of the recommendations made by the Committee. Finally, this Strategy was approved by the Cabinet in its meeting of 18 October 2012.

We thank all those who were involved in and associated with the preparation of this document, and the Hon'ble Chairman and Members of the Review Committee set up by the Cabinet for their valuable suggestions. We are grateful to the Hon'ble Prime Minister for her valuable advice and guidance. We extend our sincere thanks to the Cabinet for kind consideration and approval of the Strategy.

We fervently believe that all state and non-state institutions and organisations, constitutional authorities and statutory bodies concerned with the matter, and the personnel engaged with them will mount a movement for prevention of corruption and promotion of integrity in the country.

M Musharraf Hossain Bhuiyan
Cabinet Secretary

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Executive Summary

1. Bangladesh is an emerging, developing, progressive and democratic country. The cherished goal of the nation – ‘Vision 2021’ – envisages that within the next decade the country will be free from hunger, illiteracy, unemployment, deprivation and poverty; consequently, peace, prosperity and harmony will prevail in the society. A fundamental aim of the State, as enunciated in the Preamble to the Constitution of the Republic, is to realise social justice through a democratic process. The society will be ‘free from exploitation . . . in which the rule of law, fundamental human rights and freedom, equality and justice ... will be secured for all citizens’. The Government believes that it is the prime obligation of the State to promote good governance, prevent corruption and ensure the highest integrity in all affairs of the state and society. Different institutions, laws, rules, regulations, policies, and a number of organisations established by the present Government, and different measures taken by it, are in operation to achieve these objectives. But enforcement of law and punishment may not suffice to eradicate corruption. A movement has to be launched so that the citizens become ethical in public and private lives and integrity prevails in all organisations of the State, business and civil society. To prevent corruption and promote integrity, this ‘**Commitment for Golden Bengal: National Integrity Strategy of Bangladesh**’ has been formulated by the Government.
2. In the election manifesto of Bangladesh Awami League, the party which received an overwhelming majority in the national election of 2008, and also in the manifestos of other participating political parties, commitments were expressed for taking all possible steps to stop corruption. From the very beginning, the Government has been working to fulfill that commitment. Numerous actions and programmes have been undertaken for promotion of good governance. During the last four years, the Government has enacted 180 laws and formulated 33 strategies and policies. Some of the important laws for effective prevention of corruption include: ‘Anti-terrorism Act, 2009’, ‘Right to Information Act, 2009’, ‘Protection of Consumer Rights Act, 2009’, ‘Public Finance and Budget Management Act, 2009’, ‘National Human Rights Commission Act, 2009’, ‘Chartered Secretaries Act, 2010’, ‘Whistle Blowers’ (Protection) Act, 2011’, ‘Human Trafficking (Prevention and Control) Act, 2012’, ‘Prevention of Money Laundering Act, 2012’, ‘Competition Act, 2012’ etc.
3. ‘The United Nations Convention Against Corruption (UNCAC)’ has been ratified by Bangladesh. The Convention envisages both taking preventive measures against corruption and creating an enabling environment for ensuring integrity in conducting public affairs and managing public property in the member-countries. The Convention delineates, *inter alia*, its purposes as: “to promote and strengthen measures to prevent and combat corruption more efficiently and effectively” and “to promote integrity, accountability and proper management of public affairs and public property.” Similar programmes have been envisaged in the Sixth Five Year Plan (2011-2016), ‘Perspective Plan 2010-21’ and ‘Vision 2021’ of Bangladesh. This document delineates a coordinated strategy on prevention of corruption and promotion of integrity based on the above-mentioned convention, plans and vision.
4. Integrity generally means behavioral excellence influenced by ethics, morality and honesty. It also implies adherence to the time-tested societal norms, values, customs and principles. At the individual level, it means being duty-bound, ethical and honest. In this document, primarily this meaning has been kept in view.

5. State institutions play an important role in promotion of integrity and prevention of corruption; the role of non-state institutions and organisations like family, educational institutions, media, civil society and NGOs, and businesses is equally important. According to the Constitution of Bangladesh, the State institutions – the Executive, the Legislature and the Judiciary – are organised as separate organs and they are mandated to perform functions independently in their respective areas. Other constitutional bodies, such as, the Election Commission (EC), the Comptroller and Auditor-General (C&AG), the Public Service Commission (PSC), and the Ombudsman, are mandated to perform their respective functions independently within rules and regulations ordained by the Government. Organisations such as the Anti-Corruption Commission (ACC), the Information Commission (IC), and the Human Rights Commission (HRC) are 'statutory bodies' established through separate laws. These bodies function in their jurisdictions to prevent corruption, establish people's right to information and secure human rights respectively. Local government bodies such as, *Union Parishads* (UP), *Upazila Parishads*, *Zila Parishads*, Municipalities and City Corporations have also been created under the provisions of 'local government' under the Constitution. The local institutions also play important roles in preventing corruption and promoting integrity.
6. In this document action plans have been identified for proper implementation of the laws and regulations in the aforementioned institutions and organisations, reform of their systems and processes, development of their capacities and enhancement of integrity of the individuals associated with them. The state-institutions identified for this purpose are: (1) Executive organ and Public Administration, (2) Parliament, (3) Judiciary, (4) Election Commission, (5) Attorney-General, (6) Public Service Commission, (7) Comptroller and Auditor-General, (8) Ombudsman, (9) Anti-Corruption Commission, and (10) local government institutions. In addition, the non-state organisations covered in this strategy are (1) political parties, (2) industrial and commercial organisations in the private sector, (3) NGOs and civil society, (4) family, (5) educational institutions, and (6) media. The vision of this Strategy is to promote good governance that is critically important to achieving Bangladesh's vision of 'happy and prosperous *Golden Bengal*'. The Government considers the 'National Integrity Strategy' as an important instrument for enhancement of good governance in the country.
7. The institutions noted above are working to prevent corruption and to enhance integrity in their respective jurisdictions. Reforms in their systems and processes are also being undertaken. Necessity has been felt for coordination among these actions and reform initiatives to give a synergic effect; efforts have been made in this paper to record them. Functions, performances, evolution, the present status and challenges for each of the identified institutions and organisations have been presented briefly in this paper and action plans have been proposed. In the action plans, implementation periods have been proposed as short-term (within one year), medium-term (within three years), and long-term (within five years) measures. This strategy will be a living document and provide scopes for adopting new action plans and implementing them as time passes and necessity arises. Interventions for the institutions and organisations have been proposed in the following format:

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---------------|-----------------------|------------|-------------------|--------------|
| | | | | | |

8. The strategy will be mainly implemented by the executive organ of the State. Actions for two other organs of the State – the judiciary and the legislature – as well as the constitutional and statutory bodies have also been proposed. It is expected that considering the importance and necessity of enhancement of integrity, these organs and bodies will implement the action plans by following the course charted in the NIS document. The executive organ will provide necessary assistance and resources to implement the identified plans of these institutions. The government will also support implementation of the action plans in the civil society as well as industrial and commercial organisations by enacting regulatory and enabling laws and also monitor them.
9. A 'National Integrity Advisory Council' will be established for implementation of this Strategy. The Council will be headed by the Prime Minister and composed of select Cabinet members, legislators, Cabinet Secretary and some Secretaries, representatives of constitutional and statutory bodies and representatives of civil society, media and the private sector. The composition of Council will be detailed out by the Cabinet Division with approval of the Prime Minister. This Advisory Council will meet at least twice in a year to review and monitor the status of prevention of corruption and enhancement of integrity, provide guidance and issue directives for their implementation and improvement. The interventions necessary under this Strategy will be implemented in a decentralised manner. The organisations/institutions identified as implementing agencies will initiate and implement the actions and the associated organisations will support them. In each Ministry/Division, an 'Ethics Committee' will be formed and an 'Integrity Focal Point' will be nominated for this purpose. The Cabinet Division will act as the Secretariat for this institutional arrangement and coordinate the activities under this Strategy. 'Integrity Awards' will be introduced for honouring and rewarding persons in the Government, civil society and in the private sector for their outstanding contribution to prevention of corruptions and promotion of integrity.
- 10 This Strategy envisions a happy and prosperous *Golden Bengal* that is free from the scourge of corruption – the cherished goal that inspired our war of liberation. It is a commitment of the State to establish good governance in all its institutions and in the society. The Strategy is an instrument to realise this aspiration.

Chapter I

Background

1.1 Introduction

- (a) Bangladesh is an emerging, developing, progressive and democratic country. The cherished goal of the nation – ‘Vision 2021’, envisages that within fifty years of independence, the country will be free from hunger, illiteracy, unemployment, deprivation and poverty. Peace, happiness, and prosperity will prevail in the society. A fundamental aim of the State, as enunciated in the Preamble of the Constitution of the country is to realise through democratic process a just society that is ‘free from exploitation ... in which the rule of law, fundamental human rights and freedom, equality and justice ... will be secured for all citizens’.
- (b) Bangladesh is dedicated to ensuring people's welfare and upholding high ideals in all affairs of national life. The Proclamation of Independence ensures ‘equality, human dignity and social justice’, and resolves that the country would ‘give effect to all duties and obligations that devolve upon us as member of the family of nations and abide by the Charter of the United Nations.’ It is only by establishing a just, corruption-free state and society that human dignity and respect for that value can be ensured. Since assuming power in 2009, the Government has been active in promoting these universal ideals and meeting its Constitutional obligation to establish a just, corruption-free and honest State and society. Bangladesh Awami League – the party which won an overwhelming majority in the election of December 2008 – declared in its election manifesto that:

“Multi-pronged measures to fight corruption will be put in place. People of high positions will have to submit their wealth statements annually. Strict measures will be taken to eliminate bribe, extortion, rent-seeking and corruption. Stern actions will be taken against those enjoying unearned incomes and making black money, against loan defaulters, tender manipulators, and users of muscle power in every sphere of State and society. In addition, monopoly of State-owned and private organisations will be prevented.”

Similar commitments are reflected in the manifestos of other political parties. The Government is committed to fulfilling these commitments.

1.2. The Concept of Integrity

Integrity generally means behavioral excellence influenced by ethics, morality and honesty. It also implies adherence to time-tested norms, values, customs and principles of a society. At the individual level, it means being duty-bound and honest. In this document, primarily this meaning has been kept in view. Organisations are created by people for achievement of a common goal. For promotion of integrity, strictness in observing the proprieties at individual level is of critical importance; it is equally true about organisations, as they are the manifestation of the overall goal of the individuals. Laws, regulations, organisational processes, systems and the philosophy of a state should be formulated and followed in such a manner that they promote righteousness in life. The Bangladeshi society is promoting integrity in its different sectors – state, business, civil society and NGOs – by following multifarious laws, regulations, tradition and culture and reforming and developing them in the contexts of changed circumstances.

1.3. Laws, Regulations and Steps undertaken for Promotion of Integrity

(a) The spirit of the Constitution is that Bangladesh would be a just and fair society; its citizens, families, state and private sector organisations and civil society shall be strict in observing the proprieties and free from corruption. Laws and regulations of the State have been enacted and framed with the aim of ensuring protection and safety to citizens' lives and property and protection of fundamental rights. The 'Fundamental Principles of State Policy' in this perspective have been incorporated in the Constitution adopted by the Constituent Assembly on 4th November, 1972. These commitments are to:

1. ensure the attainment of a just and egalitarian society, free from exploitation of man by man (Article 10);
2. guarantee fundamental human rights and freedom (Article 11);
3. respect human dignity and worth of the human person (Article 11);
4. create equal opportunity for all citizens (Article 19);
5. remove social and economic inequality between man and man and ensure equitable distribution of wealth and opportunities among citizens (Article 19);
6. ensure participation of women in all spheres of national life (Article 19);
7. pay everyone for his work on the basis of the principle "from each according to his abilities to each according to his work" (Article 20); and
8. allow none to be able to enjoy unearned incomes (Article 20).

A cardinal commitment of the Government is to establish justice, fairplay and honesty in the society by promoting integrity and preventing corruption effectively.

(b) Corruption may creep in any kind of use of power and opportunity. That is why laws were prevalent from historical times for prevention of corruption. The latest anti-corruption law was enacted to "establish an independent Anti-Corruption Commission to prevent corruption and other corrupt practices in the country and to conduct inquiry and investigation for other specific offences and to enact other relevant matters." The offences scheduled to this law are: Offences under the Prevention of Corruption Act, 1947 (Act 11 of 1947); Offences under Sections 161-169, 217, 218, 408, 409 and 477A of the Penal Code of 1860 (Act XLV of 1860); Offences under Section 109 (abetment), Section 120B (criminal conspiracy) and Section 511 (attempt) of the Penal Code. In plain terms, they are: 'public servant taking gratification other than legal remuneration in respect of an official act'; 'taking gratification, in order, by corrupt or illegal means to influence public servant'; 'taking gratification, for exercise of personal influence with public servant'; 'public servant obtaining valuable thing without consideration from person concerned in proceeding or business transacted by such public servant'; 'public servant disobeying law, with intent to cause injury to any person'; 'public servant framing an incorrect document with intent to cause injury'; 'public servant unlawfully engaging in trade'; 'public servant unlawfully buying or bidding for property'; 'public servant disobeying direction of law with intent to save person from punishment or property from forfeiture', 'public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture'; 'criminal breach of trust by clerk or servant'; criminal breach of trust by public servant or by banker, merchant or agent'; and 'falsification of accounts'. Offences committed under 'Prevention of Money Laundering Act, 2012', enacted recently, are also considered as corruption. Anti-corruption laws are not only applicable to public administration, they are also administered to prevent

corruption in the business organisations, civil society and NGOs. To ensure transparency and prevent corruption in government purchases, 'Public Procurement Act, 2006' and 'Public Procurement Rules, 2008' are followed. For supervision and monitoring of the activities of NGOs, laws, rules and regulations framed by the Government are followed. Commercial laws are applicable for industries and commercial establishments. These laws, rules, regulations and practices are designed to ensure integrity of the institutions, organisations and the individuals engaged in them.

- (c) The Government is active in bringing reforms, introducing new systems and processes and taking effective measures against corruption in the state and the society. It has developed the capacity of Bangladesh Bank for proper and effective enforcement of 'Prevention of Money Laundering Act, 2012'. It has strengthened the preventive measures of corruption by ensuring protection of informants of incidence of corruption under 'Whistle Blowers' (Protection) Act, 2011'. The right of the people and the media for access to *bona fide* information has been established through enactment of a very important law, 'Right to Information Act, 2009'; the Government has also established an Information Commission to facilitate enforcement of this law. It has set up a television channel *Sangsad Bangladesh* (Bangladesh Parliament television channel) with the aim of bringing enhanced transparency in the proceedings of the Parliament and broadcasting them to the general public. For the prevention of unethical business practices of the cartels and syndicates, 'Competition Act, 2012' has been passed. The Government has taken steps to promote integrity in the judicial system by making Fifteenth Amendment of the Constitution (2011), under which separation of the judiciary from the executive has been put in place. The Government has strengthened and quickened the prosecution process of corruption cases; the prosecution has been separated from investigation with this purpose. The Government has also introduced the process of submission of income tax returns and asset statements by the officials to their respective authorities. To uphold the independence of the Election Commission, steps have been taken for EC to appoint its own officials; EC also enjoys financial independence through 'charged expenditure' system. That means that EC's budget is placed in the Parliament, but it is not subject to voting.
- (d) The Government has implemented numerous reforms in public administration to facilitate good governance in its regulatory and development functions and enacted laws, formulated policies and undertaken projects for this purpose. In the Ninth Parliament, through the 1st to 13th sessions (up to June, 2012), 180 laws have been enacted. They include important laws for prevention of corruption and promotion of integrity such as, 'Anti-terrorism Act, 2009', 'Right to Information Act, 2009', 'Protection of Consumer Rights Act, 2009', 'Public Finance and Budget Management Act, 2009', 'National Human Rights Commission Act, 2009', 'Chartered Secretaries Act, 2010', Whistle Blower's (Protection) Act, 2011, 'Human Trafficking (Prevention and Control) Act, 2012', 'Prevention of Money Laundering Act, 2012', 'Competition Act, 2012', 'Law and Order Disruption Offence (Speedy Trial) (Amendment) Act, 2012', 'Domestic Violence (Prevention and Protection) Act, 2010', 'Pornography Control Act, 2012', 'National Child Labor Elimination Policy, 2010', and so forth.

1.4 Rationale for the Strategy

- (a) It may be argued that the afore-mentioned laws, regulations, systems, processes and their reform elements can play an effective role in the prevention of corruption and may appear adequate. But experiences suggest that they are not enough to provide desired and full results due to lack of proper implementation. Lack of coordination among different laws and interventions is another stumbling block. Meanwhile many laws have been enacted, organisations set up, and systems and processes developed for prevention of corruption; presently they need to be coordinated, and a concerted effort needs to be made. Previously economic, developmental and social interventions of the country were not so voluminous; in recent times development interventions of the Government as well as the NGOs have grown in huge proportions and numbers. These have added complexities in the planning and implementation of the activities, and huge quantities of resources are involved in them. The existing systems and processes have become inadequate and often ineffective. The scope of corruption on the part of the persons associated with these interventions has also increased. The Government has to strengthen its efforts and deepen its fight against corruption. In this context the 'National Integrity Strategy' is a concerted effort to bring synergy in the impact of the interventions undertaken to prevent corruption.
- (b) In the 1st and 2nd 'Poverty Reduction Strategy Papers', corruption was identified as a major problem and implementation of different action programmes for its prevention was emphasised. Good governance and prevention of corruption have been further focused in the present Sixth Five-Year Plan (FY 2011-15). The Plan delineates that, "The Government recognises the importance of tackling corruption and is aggressively seeking to reduce the opportunities for corruption through increased use of e-governance tools, mandating the development of Citizen's Charters that spell out what citizens can expect, as well as developing mechanism to exercise their right to information." The 'Perspective Plan 2010-2021' formulated to implement 'Vision 2021' has declared its commitment to launch prevention of corruption initiatives as a movement and put importance to 'establishment of transparency and accountability', 'setting up transparent procurement process', 'promotion of ethics and values', 'establishment of effective Ombudsman' and 'improvement of law and order system'. The above-mentioned plans will play an important role in the movement against corruption. It is felt that a coordinated and well-planned integrity strategy will be able to play a very important role in this movement.
- (c) Use of information and communication technology (ICT) can effectively bring transparency and establish accountability in government offices and commercial establishments. By using ICT, corruption can be drastically reduced in the areas of 'maintenance of land records', 'recording of General Diary (GD) at police stations', 'maintenance of value added tax (VAT) accounting in the industries', 'admission in the educational institutes', and so forth. The Government believes that use of ICT in its offices and business organisations can play a crucial role in preventing corruption and in many cases has made that happen. The Government has undertaken programmes for an extensive and faster use of ICT.
- (d) Since its very birth, Bangladesh has been extending unceasing support to all duties and obligations that devolve upon us as member of the family of nations and abiding by the Charter of the United Nations. It has been mentioned in Article 25 of the Constitution of the Republic that "The State shall base its international relations on the principles of respect for national sovereignty and equality. . . respect for international law and the principles enunciated in the United Nations

Charter . . .”. The United Nations Convention Against Corruption (UNCAC) is an important Convention of the UN, and Bangladesh has ratified that. The Convention envisages both preventive measures against corruption and promotion of integrity in the public affairs and public property. The Convention delineates, *inter alia*, its purposes as: “to promote and strengthen measures to prevent and combat corruption more efficiently and effectively;” ... and to promote integrity, accountability and proper management of public affairs and public property.” In its implementation programme, the Convention delineates that, “Each Party shall take necessary measure, including legislation and administrative measures, in accordance with fundamental principles of domestic law, to ensure the implementation of its obligation under this Convention.” In this context, it has become urgent to formulate an integrity strategy and implement the same. In its Report to the UN regarding the implementation status of the Convention, the Government mentioned that “corruption increases due to systemic weaknesses”. To overcome these systemic weaknesses and to mount prevention of corruption initiatives as a movement, this strategy paper would play a vital role; it is also a representative document for continual actions of prevention of corruption and promotion of integrity.

1.5 National Integrity System

- (a) Elimination of corruption from the society and state and promotion of integrity are two sides of the same coin. The state formulates, enacts and implements laws to this end, and the society abides by those laws. The values and ethics of the society are reflected in the laws of the state as well as the tradition, customs and conventions of the society. In this complex inter-relationships of state, society and individuals, it is important to promote integrity and probity of individuals; it is equally important to ensure the integrity of the organisations which reflect the combined goals of the individuals. The ultimate goal of the programmes delineated in this strategy is the promotion of integrity among the individuals and development of honest citizens. Some important organisations have been identified as instruments to reach that goal. Institutions and organisations in the state, private sector and civil society, that contribute most to the promotion of integrity have been identified for their development; proposals have been made for reforming their systems and processes, developing the skills of the manpower engaged therein, and improving their coordination to give synergy to their impacts.
- (b) Moral education starts at home and it is a very important institution for promotion of integrity. Educational institutions are the next ones; their role in the development of moral life is immense. In these contexts, emphasis needs to be given on these institutions in the integrity strategy. The public administration functioning under the executive organ of the state is the main seat of governmental activities. The principal aim of this strategy is to establish transparency and accountability in these organisations, prevent corruption of the people engaged in them and promote their integrity. According to the Constitution, the main state institutions – the Executive, the Legislature and the Judiciary – are organised as separate organs and they perform their executive, legislative and judicial functions in their respective areas independently. There are other ‘constitutional bodies’, such as, the Election Commission (EC), the Office of the Comptroller and Auditor-General (C&AG), the Public Service Commission (PSC), and the Office of Ombudsman, that perform their respective functions independently within the budget and financial rules and regulations framed by the Government. There are some other organisations, such as, the Anti-Corruption Commission (ACC), the Information Commission (IC), and the

Human Rights Commission (HRC) known as 'statutory bodies' established through separate laws which work for preventing corruption, making provision for access to information and securing human rights respectively. Local government bodies such as, *Union Parishads* (UP), *Upazila Parishads*, *Zila Parishads*, Municipalities, and City Corporations have also been established as per Constitutional provisions. It is critically important to consider the role of these institutions and organisations for prevention of corruption and promotion of integrity. Like the state-organisations, political parties, media, civil society and private-sector organisations, in other words, non-state organisations also play an equally important role in this regard. The following institutions and organisations have been identified in this integrity strategy for implementation of its action plans:

(A) State Institutions

1. Executive Organ and Public Administration
2. The Parliament
3. The Judiciary
4. The Election Commission,
5. The Attorney-General
6. The Public Service Commission
7. The Comptroller and Auditor-General
8. The Ombudsman
9. The Anti-Corruption Commission
10. Local Government Institutions

(B) Non-State Institutions and Organisations

1. Political Parties
2. Industrial and Commercial Organisations in the Private Sector
3. NGOs and Civil Society
4. Family
5. Educational Institutions
6. Media

- (c) All available documents have been consulted in the formulation of this Strategy; suggestions have been collected from the civil society and citizen groups by organising a good number of consultation meetings; opinions of honorable Members of Parliament and stakeholders have also been duly considered. The draft of this Strategy was made available on the website of the Cabinet Division, and comments/observations made by the stakeholders and citizens were received. Ministries/Divisions also reviewed the document and provided their written opinions, observations and suggestions. The Cabinet set up a Committee headed by the Hon'ble Finance Minister and composed of three Hon'ble Advisers and five Secretaries to the Government to review the draft strategy paper. The draft was revised by incorporating the opinions and suggestions of the Committee. The strategy paper will be a living document on prevention of corruption and promotion of integrity; it will be reviewed, revised and updated from time to time. The Strategy has been formulated from this perspective.

1.6. Vision and Mission

Following are the vision and mission of this strategy paper:

Vision: A happy, prosperous and socially just Bangladesh - the *Golden Bengal*.

Mission: Establishment of good and effective governance in state institutions and society.

Chapter II

National Integrity Strategy: State Institutions and Organisations

This strategy paper highlights the contexts of different state and non-state institutions and organisations and delineates the challenges faced by them in terms of their functions and their goals, recommendations for facing those challenges and suggested interventions for promotion of integrity. With regard to implementation periods of the different interventions, short-term (within 1 year), medium-term (within 3 years), and long-term (within 5 years) measures have been indicated.

2.1 Executive Organ and Public Administration

2.1.1 Context

- (a) The executive organ of the State is composed of the President, the Prime Minister and the Cabinet, local government, defence services, Attorney General, Ministries and Divisions, their attached departments, autonomous and statutory bodies, subordinate offices, and a huge number of public servants working for these institutions and organisations. Public administration is the machinery of the executive organ. Most of the governmental activities are performed through public administration and, therefore, this can play a critical role in promoting integrity. The executive organ upholds the independence of the Legislature, the Judiciary and other constitutional bodies and provides necessary support to them. Public servants belonging to this organ of the State are expected to perform their functions with integrity; they abide by established rules and regulations, and are held accountable to the Parliament and Parliamentary Standing Committees and to the Judiciary.
- (b) It is critically important for members of the civil services and other employees belonging to public administration to be able to provide their services in a neutral and transparent manner, and by not being influenced by any partisan interest. Many reform initiatives have been implemented in public administration to this end since independence. Immediately after independence, adjustments were made among central and provincial services; subsequently the civil service structure was organised in twenty nine cadres; a new system was introduced for performance appraisal of the officers and employees; pay and emoluments have been increased from time to time and reforms have been made in its systems and processes. For ensuring integrity of the employees, 'Government Servants (Conduct) Rules' are applied. It is mandatory for Government employees to submit tax returns and asset statements in line with income tax laws. The jurisdiction of Anti-corruption Commission covers total public administration and it enquires into incidences of corruption of government employees, and lodges and investigates cases freely without being constrained by any interference. For building awareness against corruption, pertinent topics have been incorporated in the curricula of the training programmes conducted by different training institutes.
- (c) To bring efficiency in the public administration, to prevent corruption and to promote integrity, a large number of programmes have been implemented by the present Government. During the last three and a half years, the Government has promoted good governance by undertaking a lot of reform measures, and enacting and amending a number of laws and regulations. Among those laws, regulations, systems and processes, the following ones are most important:

enactment of 'Public Finance and Budget Management Act, 2009', introduction of 'Mid-term Budgetary Framework (MTFB)' in all Ministries and Divisions, introduction of 'Performance Audit'; enactment of 'Prevention of Money Laundering Act, 2012', amendment of 'Securities and Exchange Commission (Public Issue) Rules, 2006', enactment of 'Anti-terrorism Act, 2009', formulation and operationalisation of 'Education Policy' and 'Health Policy', approval of 'Industrial Policy' for promoting industrialisation, enactment of 'Protection of Consumer Rights Act, 2009', enactment of 'Bangladesh Environment Protection (Amendment) Act, 2011', enactment and formulation of 'National ICT Act, 2009' and 'ICT Policy, 2009', introduction of e-procurement and e-Monitoring in government purchases, promulgation of 'National Child Labour Elimination Policy, 2010', enactment of 'Right to Information Act, 2009', 'Domestic Violence (Prevention and Protection) Act, 2010', 'Pornography Control Act, 2012', 'Whistle Blowers' (Protection) Act, 2011', 'Human Trafficking (Prevention and Control) Act, 2012', 'Competition Act, 2012', 'Law and Order Disruption Offence (Speedy Trial) (Amendment) Act, 2010', and above all, 'Fifteenth Amendment of the Constitution (2011)', and so forth. These laws, policies and amendments are contributing immensely towards promotion of good governance.

- (d) Public administration plays an important role in policy analysis and decision-making; as such, capacity development of public servants and improvement of their knowledge and skill in these areas are very important. To make the performance of public administration more transparent, accountable and free from corruption, the statements of assets of the public servants need to be monitored intensely. Their performance needs to be reviewed and monitored for the purpose of promotion and career development in order to ensure fairness in these processes; awarding of incentives to them need to be linked and synchronised with the performance appraisal system. It has become an imperative to modernise public administration by changing, updating and reforming the laws, rules and regulations relating to personnel administration. Of late, some new challenges have emerged and turned grave in land administration such as corruption in land administration, unplanned and illegal use of land. Marketing of adulterated food and goods are causing immense harm and disruptions to public life. For establishment of good governance, strict enforcement of laws and rules and enactment and formulation of new laws and rules have become critically important.

2.1.2 Challenges

The main challenges in this regard are as follows:

- Promulgation of Civil Service Act;
- Increased functional freedom of public service with stronger accountability;
- Enhanced efficiency and effectiveness in administrative activities;
- Establishing links between promotion of officers and employees, their transfer, pay and emoluments with appraised performance;
- Introduction of a competitive pay and incentive structure in relation to other sectors;
- Overall reform in the public service by ensuring equitable opportunities for different cadre services;
- Building citizen-friendly enforcement agencies by clearly delineating and dividing organisational functions (such as, prosecution and investigation);

- Fair, neutral and visible decision-making in public administration (specially in promotion, transfer and foreign employment).

2.1.3 Goal and Specific Recommendations

Goal: Establishment of a transparent executive organ responsive to the demands and needs of people.

Short-term recommendations:

1. Making systemic arrangements for submission of asset statements of the officers and employees to appropriate authorities on an annual basis and their monitoring;
2. Proper enforcement of 'Whistle Blowers' (Protection) Act' by protecting the informants of illegal activities, corrupt practices and misconduct;
3. Dealing with grievances by operationalising the 'grievance redress system';
4. Introduction of modern performance appraisal, incentive and emolument systems;
5. Ensuring appointment of government officers and employees on a regular basis.

Medium and long-term Recommendations:

1. Enactment of Civil Service Act for improving the efficiency of public service and its modernisation;
2. Establishment of an efficient, accountable, qualified and responsive executive organ by ensuring 'career development' of the officers and employees.
3. Providing in-service training for developing capacities of officers and employees as well as enhancing capacities of training organisations;
4. Introduction of a competitive promotion system based on a combination of seniority, merit, efficiency and performance;
5. Expansion of e-governance system for enhancing effectiveness in governmental services and making them easily available to the people.
6. Framing a just pay-structure for the public servants with provisions for adjustments with cost of living.

2.1.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|--|--|-------------|-----------------------------------|--|
| 1. | Enactment of Civil Service Act | Civil Service law enacted | Medium term | Ministry of Public Administration | Legislative and Parliamentary Affairs Division |
| 2 | Formulation of Career Plan | Career Plan formulated; transparency established and fairness ensured in promotion | Medium term | Ministry of Public Administration | Cabinet Division |
| 3. | Introduction of participatory appraisal system | Newly formulated system followed | Short term | Ministry of Public Administration | All other Ministries/ Divisions |
| 4. | Regular submission of income and asset statements to specified authorities | Statements submitted on a regular basis | Short term | Ministry of Public Administration | All other Ministries/ Divisions |

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|-----|--|---|-----------------------------|--|---|
| 5. | Better pay and facilities for officers and employees | Establishment of permanent Pay and Service Commission | Long term | Finance Division | Cabinet Division |
| 6. | Establishment of information and communication technology (ICT) for introduction of e-governance | a) ICT introduced and used in all Ministries/ Divisions; (b) volume and quality of public service increased and improved by ICT use | Short term | Ministry of Information and Communication Technology | Cabinet Division |
| 7. | Introduction of Complaint Management | Each public office has a grievance handling 'focal point' and is publicly known | Short term | Cabinet Division | All other Ministries/ Divisions |
| 8. | Clustering of Ministries/ Divisions | Ministries/ Divisions divided in clusters, gazette notification issued | Long term | Ministry of Public Administration | Cabinet Division; All other Ministries/ Divisions |
| 9. | Enactment of Whistle Blowers' (Protection) Act | Whistle Blowers' (Protection) Act, 2011 passed and published in the Gazette; enforced | Implemented | Legislative and Parliamentary Affairs Division | Cabinet Division |
| 10. | Establishment of separate agency for investigation of criminal cases | Law published in the official Gazette | Short term | Ministry of Home Affairs | Legislative and Parliamentary Affairs Division |
| 11. | Modernisation of land management and implementation of Land Use Plan | Digitised land management system established | Medium term | Ministry of Land | Ministry of Public Administration |
| 12. | Strict handling of marketing of adulterated food, medicine and goods | Adulteration Act enforced | Short term and continuously | Bangladesh Standards and Testing Institution, Ministry of Industries | Ministry of Home Affairs |

2.2 The Parliament

2.2.1 Context

- (a) Since independence, Bangladesh has experienced both parliamentary and presidential forms of government. In 1991, the parliamentary form of government was restored, and since 2009 the Ninth Parliament has been discharging its responsibilities as an effective and accountable institution. In the very first session of the Parliament, various parliamentary committees have been constituted and proportional representation of the members of the treasury bench and opposition parties has been ensured. Meetings of Committees are regularly held and members of the public are informed about the outcome.
- (b) In accordance with of the Constitution of the People's Republic of Bangladesh and the Rules of Procedure of the Parliament, the legislature enacts laws as a continuous process, oversees and supervises the functions of the executive organ of the state, and performs representative functions. The Members of Parliament are actively participating in the regular sessions, and monitoring the performances of different government offices through review of public accounts, appropriation accounts, Comptroller and Auditor-General's reports and other papers. By reviewing the performance of the executive organ, enhancing the activities of the Parliamentary Standing Committees, having regular question-

answer sessions, and performing other functions under its jurisdiction, the Parliament has ensured the accountability of the Prime Minister and the Cabinet. Parliamentary Committees are very active and they regularly meet with the members of the public at the field level to access information. The Parliament Secretariat has acquired adequate capacity to extend support to the Members of Parliament and the Standing Committees. To promote transparency of the parliamentary proceedings, *Sangsad Bangladesh* (Parliament television channel) conducts live broadcasts. Steps have been taken to introduce digitisation of all activities of the Parliament and the Parliament Secretariat, and eventually establish a 'Digital Parliament'.

- (c) The Parliament can fully function as an accountable institution only through an active participation of both the treasury bench and the opposition members in all its functions. Presently (2012), the opposition members are participating in the Committee meetings, but are abstaining from the regular sessions. For playing an effective role in parliamentary democracy, it is critically important for all Members of the Parliament to participate in the regular sessions.

2.2.2 Challenges

The followings are the key challenges in this regard:

- Establishment of a more effective system to ensure accountability of the executive organ of the state to the Parliament;
- Strengthening the watchdog functions of the Parliamentary Standing Committees;
- Formation of effective financial oversight committees (Public Accounts Committee, Appropriation Committee, etc.) and enhancing their monitoring and supervision functions;
- Ensuring regular participation of the opposition Members in the Parliament sessions;
- Capacity development of the Members of Parliament and the Parliament Secretariat;
- Provision of adequate logistical and expert support to the Parliamentary Standing Committees.

2.2.3 Goal and Recommendations

Goal: Consolidation of the parliamentary democratic system by reflecting the aspirations of the people through enactment of laws and oversight functions.

Short-term Recommendations:

1. In question-answer sessions, ensuring reasonable time allocation for the Prime Minister, Ministers, Members of Parliament from both the treasury bench and the opposition in accordance with the Rules of Procedure of Parliament;
2. Capacity development of Parliament Members and the Parliament Secretariat in legislative, oversight and budget-related functions;

3. Strengthening the role of Public Accounts Committee in reviewing the public accounts, financial accounts, appropriation accounts, and Reports of the Comptroller and Auditor-General and other reports.

Medium and long-term Recommendations:

1. Ensuring participation of the opposition Members in the regular sessions of the Parliament;
2. Continuation of the practice of formation of Parliamentary Standing Committees on the basis of proportional representation in the very first session of the new Parliament;
3. Review of bills effectively, and ensuring submission of relevant information by the Ministries/Divisions to the Standing Committees; strengthening the capacity of the Committees by making provisions for inclusion of experts under the purview of the Rules of Procedure of Parliament;
4. Making provisions for adequate logistical and expert support to the Parliament to enhance its efficiency and effectiveness.

2.2.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|-------------------|--|--|-------------------------------------|------------------------------|---|
| 1. | In pursuance of the Constitutional provisions and the Rules of Procedure of Parliament, formation of Parliamentary Committees in consultation with the opposition parties | After next elections, formation of all Parliamentary Committees completed during the 1 st session | First Session of the new Parliament | Speaker; Leader of the House | Parliamentary leaders of the political parties; representatives of the opposition parties |
| 2. | Taking steps to ensure regular participation of the MPs of the opposition in the parliamentary sessions | Legal reforms undertaken to ensure regular participation of MPs in the parliament sessions; culture of regular participation developed | continuous | Speaker; Leader of the House | Parliamentary party Leader of the Opposition |
| 3. | During the Question-answer sessions, allocation of reasonable time for all MPs including the MPs of the opposition in accordance with the Rules of Procedure of the Parliament | In the question-answers sessions, participation of MPs from the treasury bench and the opposition increased | continuous | Speaker | Ministers |
| 4. | Provision for public access to information on assets owned by MPs | Asset statements of MPs made open to public during the 1 st session of the Parliament | Long term | Speaker | MPs, Leaders of the political parties represented in the Parliament |
| 5. | In accordance with Constitutional provisions and the Rules of Procedure of Parliament, holding of | Meetings held as per provision | Continuous; all sessions | Public Accounts Committee | |

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|-----|---|---|------------|---------------------------------|--|
| | regular meetings of the 'Public Accounts Committee' | | | | |
| 6. | Holding of regular meetings of 'Parliamentary Standing Committees' | Monthly meetings held; reports on recommendations and follow-up actions | Continuous | Chair of the Standing Committee | |
| 7. | Capacity enhancement of MPs and Parliament Secretariat in legislative, oversight and budget-related functions | Budget Analysis Unit Operational in Parliament Secretariat; training courses organised | Continuous | Parliament Secretariat | Finance Division, Comptroller and Auditor-General |
| 8. | Providing support to Standing Committees in terms of office space, logistics and trained personnel | trained personnel, logistics and office space made available | Continuous | Parliament Secretariat | Finance Division, M/o Public Administration |
| 9. | Use of ICT in Parliament and Parliamentary processes | E-governance system introduced; All laws, rules and circulars available on website and preserved electronically | Continuous | Parliament Secretariat | M/o Information and Communication Technology; Finance Division |
| 10 | Formulation of Conduct Rules for the MPs to ensure their accountability to the citizens | Conduct Rules for the MPs prepared and followed | Long term | Parliament Secretariat | Political parties represented in the Parliament |
| 11. | Enhancing effectiveness of the Petition Committee of the Parliament | Meeting of the Committee held regularly | Continuous | Parliament Secretariat | Political parties represented in the Parliament |

2.3 The Judiciary

2.3.1 Context

- (a) The judiciary comprises the Supreme Court, the subordinate courts of district and other levels, and numerous tribunals. The Supreme Court of Bangladesh consists of the Appellate Division and the High Court Division. The Chief Justice of Bangladesh is appointed by the President and other Judges are appointed by President in consultation with the Chief Justice. Appointment of officials in the judicial service and magistrates exercising judicial functions is also made by the President in accordance with the rules made in that behalf. Subject to the provisions of the Constitution, the Chief Justice and the other judges are independent in the exercise of their judicial functions. All other persons employed in the judicial service and all magistrates are also independent in the exercise of their judicial functions (Article 116A). It is the duty of the Judiciary to dispense justice to the citizens, uphold their fundamental rights and establish rule of law.
- (b) To ensure independence of the judiciary, multifarious reform measures have been implemented – changes have been made to the structure of the institution and its jurisdiction. Judicial magistracy has been fully separated from the executive organ. According to the provision of Article 116 of the Constitution, made through the Fifteenth Amendment of the Constitution, it has been provided that, "The control (including the power of posting, promotions and grant of leave) and

discipline of persons employed in the judicial service and magistrates exercising judicial functions shall vest in the President and shall be exercised by him in consultation with the Supreme Court.” Provisions have been made in the Constitution (Article 96.3-4) for formation of Supreme Judicial Council to submit report to the President in respect of the physical or mental incapacity or misconduct of any Judge for his or her removal.

- (c) A Chief Justice has set up an example by submitting his asset statement; following of this example by others would certainly help promotion of integrity. Establishment of elaborate criteria for appointment of Judges of the Supreme Court, increased financial autonomy of judicial institutions, introduction of an effective performance appraisal system for the judicial officers, and strengthening of the Registrar's Office of the Supreme Court will be helpful for enhancing efficiency in the judicial system. It is also critically important for proper dispensation of justice to reduce the backlog of the cases.

2.3.2 Challenges

The followings are the key challenges in this regard:

- Introduction of an elaborate criteria and process for selection of Supreme Court judges;
- Increased financial autonomy of judicial institutions;
- Making accountability of the judicial officers more visible to the members of the public;
- Development of an improved information system with regard to laws on new issues (for example, 'money laundering');
- Enhancing the image of the judiciary to the citizens;
- Improvement of judge-case ratio;
- Disposal of cases within justified and stipulated period.

2.3.3 Goal and Specific Recommendations

Goal: Establishment of the Judiciary as a neutral, independent, and effective organ of the State.

Short-term Recommendations:

1. Proper implementation of Code of Conduct of the judicial officers;
2. Strengthening the Registrar's Office of the Supreme Court.

Medium and long-term Recommendations:

1. Formulation of law/rules/guidelines for appointment of Judges in the Supreme Court;
2. Formulation of Rules, in accordance with the provisions of the Constitution, for appointment of judicial officers and application of the criteria of competence;

3. Making provisions for necessary manpower and logistics for the judicial offices;
4. Arrangement for adequate training facilities for the judicial officers;
5. Reduction of backlog of cases;
6. Expansion and strengthening of alternative dispute resolution (ADR) system.

2.3.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|--|---|---------------------------|--|--|
| 1. | Formulation of Act/ Rules/Guidelines for appointment of Judges in the Supreme Court | Act/ Rule/Guidelines formulated | Medium term | Law and Justice Division | Supreme Court |
| 2. | Submission of asset statements by the judicial officers and employees to the specified authorities annually, in accordance with relevant rules | Rules followed; submitted statements reviewed | Medium term | Law and Justice Division | Supreme Court |
| 3. | Formulation of Rules/Guidelines for making the Supreme Judicial Council operational | Rules/Guidelines for the Supreme Judicial Council formulated | Short term | Law and Justice Division | Supreme Court |
| 4. | Organisation of training programmes for capacity development of the judicial officers and strengthening 'Judicial Administration Training Institute' | Report on performance of training programmes and their impact on capacity development | Short term and continuous | Judicial Administration Training Institute; Law and Justice Division | Supreme Court; M/o Public Administration; Finance Division |
| 5. | Appointment of judicial officers on the basis of actual need | Improvement in judge-case ratio | Long term | Law and Justice Division; Judicial Service Commission | M/o Public Administration; Finance Division |
| 6. | Strengthening Registrar's Office | Improvement in the speed and quality of services in Registrar's Office | Short term | Law and Justice Division | M/o Public Administration; Finance Division |
| 7. | Fixation of time limit for disposal of civil suits | Average time of disposal of civil suits reduced; study report on the subject | Long term | Law and Justice Division | |
| 8. | Formulation of clear definition of 'contempt of court' | New law enacted in place of Contempt of Courts Act, 1926. | Medium term | Law and Justice Division | |
| 9. | Strengthening and expansion of Alternative Dispute Resolution (ADR) system | Number of resolutions increased | Continuous | Law and Justice Division | |

2.4 The Election Commission (EC)

2.4.1 Context

- (a) The Election Commission has been constituted in accordance with Article 118 of the Constitution of the Republic. Under the provisions of the Constitution, it is functioning for 'superintendence, direction and control of the preparation of the electoral rolls for election to the office of President and to Parliament and the conduct of such elections'. The present Commission (2012) is constituted of the Chief Election Commissioner and four other Commissioners, who have been appointed by the President from a panel prepared by a 'Search Committee', formed for this purpose. In accordance with the provisions of the Constitution, the 'Election Commission Secretariat Act, 2009' was passed for the purpose of ensuring the independence of the Commission 'in the exercise of its functions'. Under this Act, the Commission is entrusted with conducting elections of the Parliament and the local government institutions. The Commission Secretariat has been placed under control of the Commission and provisions have been made for separate budgetary allocations (charged expenditure). Some other rules and regulations have also been framed for enabling the Election Commission to conduct free, fair and neutral elections.
- (b) By making fresh Recruitment Rules, the Election Commission has integrated the officials and employees of the EC Secretariat and those working at its field offices. It has emerged as a strong institution through structural changes, appointment of increased number of manpower, and introduction of an efficient organisational management system.
- (c) Pursuant to the provisions of Articles 118 and 119 of the Constitution, steps have been taken to establish a greater transparency with regard to the appointment of the Election Commission.

2.4.2. Challenges

Key Challenges in this regard are as follows:

- Constitution of universally acceptable Election Commission;
- Upholding the independence of the Election Commission;
- Proper enforcement of election laws and rules;
- Building effective partnerships with other state institutions;
- Strengthening cooperation among all institutions and organisations involved in the conduct of elections;
- Quick disposal of election disputes.

2.4.3. Goal and Recommendations

Goal: Uphold the Election Commission as an effective and credible institution for conducting free, fair, neutral and credible elections.

Short-term Recommendations:

1. Continuation of the National ID Card programme;

2. Capacity development of the officers and employees associated with elections;
3. Capacity enhancement of Election Commission officials on the basis of assessed need and strengthening of the Election Commission Training Institute;
4. Development of technical capacity of the Commission by using cutting-edge technology.

Medium and long-term Recommendations:

1. Reforming the laws/rules/guidelines on appointment of Commissioners and with regard to their entitlements;
2. Finalisation of the proposed organisational structure of the EC by the Government;
3. Development of awareness of the electorate and the candidates for promotion of an improved election culture;
4. Reforms in laws and institutional arrangements for disposal of election disputes.

2.4.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|-------------------|--|---|-------------------|--|---------------------|
| 1. | Promulgation of Act/rules/guidelines on the appointment of Commissioners and their entitlements | Proposal submitted to the Parliament/ Approving authority | Medium term | EC, Legislative and Parliamentary Affairs Division | Cabinet Division |
| 2. | Strengthening the organisational structure of EC | An organisational structure proposed for Government's consideration | Medium term | EC, M/o Public Administration | Cabinet Division |
| 3. | Setting up of effective server stations and database recovery centres in all districts and <i>Upazilas</i> and at regional levels, and opening of an election resource centre in Dhaka | Effective server stations and database recovery centres operational in all districts and <i>Upazilas</i> and at regional levels, and election resource centre opened in Dhaka | Short term | EC | Cabinet Division |
| 4. | Capacity development of election officials | Employees of Election Commission Secretariat and field level trained in election management | Continuous | EC | Cabinet Division |
| 5. | Strengthening the Election Commission Training Institute | Trained trainers and adequate training materials made available | Medium term | EC | Cabinet Division |
| 6. | Amendment of the law regarding disposal of election disputes; | Election disputes disposed of in short period | Medium term | EC | EE, Legislative and |

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|----|---|--|------------|----|--------------------------------|
| | strengthening of Election Tribunals | | | | Parliamentary Affairs Division |
| 7. | Implementation of programmes for raising awareness of the voters and candidates | Target population made aware of their rights | Short term | EC | Cabinet Division |

2.5 The Attorney-General (AG)

2.5.1 Context

- (a) The Attorney-General is a constitutional position; he is the principal law officer of the state. The Attorney-General and his office provide support to the judiciary to uphold the interest of the State and establish rule of law. The Attorney-General represents the Government in different cases and gives advice to the Government on legal issues in which his opinions are sought. At present the President appoints the Attorney-General under the provisions of the 'Bangladesh Law Officers Order, 1972'. The Attorney-General holds office during the pleasure of the President.
- (b) The Attorney-General and other law officers play a very important role in the dispensation of justice to the citizens and upholding of the interest of the Government; as such, they need to perform their functions neutrally, efficiently and without interference. For filling up the vacancies on *ad hoc* basis, it is important to appoint professionally competent lawyers as Additional, Deputy and Assistant Attorneys-General at the Supreme Court, and as Public Prosecutors and Government Pleaders at the district level. To this end, necessary laws/rules need to be framed.

2.5.2. Challenges

The main challenges in this regard are as follows:

- Upholding the independence of the Attorney-General's Office and tenure-based appointment of neutral, professionally skilled law officers;
- Improvement of trust and confidence in the Office of the Attorney-General;
- Enhancement of knowledge and skill among the law officers for effectively representing the Government in the corruption and 'Money Laundering' cases;
- Provision of enhanced legal aid to the poor people.

2.5.3 Goal and Recommendations

Goal: Development of the office of the Attorney-General as an independent and efficient institution for upholding the Constitution, the judicial system and public interest.

Short and medium-term Recommendations:

1. Taking steps for capacity development of the law officers;

2. Ensuring accountability of the law officers.

Long-term Recommendations:

1. Appointment of the Attorney-General and his associates for a fixed term with clear terms of reference for protecting the interest of the State. ;
2. Enactment of laws/rules regarding appointment, facilities and entitlements of the law officers;
3. Reorganisation of the Attorney-General's Office by creating specialised units like civil, criminal and writ units.
4. Expansion of legal support to the poor litigants.

2.5.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|--|------------------------------|--|--|
| 1 | Reorganisation of the Attorney-General's Office by creating specialised units like civil, criminal and writ units | AG's Office has separate units for writ, civil and criminal cases. | Medium term | AG's Office | Law and Justice Division |
| 2. | Promulgation of Attorney Services Act | Attorney Services Act passed | Medium term | Legislative and Parliamentary Affairs Division | Office of the AG; Law and Justice Division |
| 3. | Making non-permanent appointments of the Attorney-General, Additional, Deputy and Assistant Attorneys-General on tenure basis (say, five years) | Appointments made on the basis of the proposed provisions | Medium term | Law and Justice Division | |
| 4. | Capacity development of law officers | Capacity of the law officers increased | Medium term | AG's Office; Law and Justice Division | M/o Public Administration, designated training Academy |
| 5 | Enhancing legal aid to the poor people | Increased number of citizens receive legal aid | Short, medium and long terms | AG's Office; Law and Justice Division | Finance Division |

2.6 Public Service Commission (PSC)

2.6.1 Context

- (a) As a constitutional body, the Public Service Commission (PSC) conducts 'tests and examinations for the selection of suitable persons for appointment to the service of the Republic' and 'advise the President on any matter on which the Commission is consulted... or, on any matter connected with its functions which is referred to the Commission by the President'. The President appoints the Chairman and other Members of the Commissions and they discharge their duties independently.

- (b) The present Government and the Commission have undertaken different reform measures in the examination system to promote integrity; these include amendment to 'Civil Service (Age, Qualification and Examination for Direct Recruitment) Rules, 1982' and formation of specialised boards comprising editors of newspapers, bureaucrats, teachers of private and public universities and heads of corporate bodies. The Commission has put in place 'Recruitment Rules, 2008' for development of its internal management. A number of systemic reforms have been made for selection of suitable persons.
- (c) A proposal is under consideration for avoiding complexities in the recruitment system and having reasonable quotas in different categories. It has been prepared on the basis of an extensive study. It is also the function of the Commission to advise the President on the principles to be followed in appointments, promotions and transfers from one branch of the service to another and the suitability of candidates for such appointments, promotions and transfers. The role of the Commissions in this regard needs to be strengthened.

2.6.2. Challenges

The main challenges in this regard are as follows:

- Increasing the autonomy of PSC with regard to financial and administrative matters;
- Enhancing public trust and confidence in PSC;
- Establishment of a more transparent, and flawless recruitment system;
- Development of a clearer criteria for promotion of officers/employees of the Republic;
- Establishment of modern systems and processes for conducting examinations by the Commissions;
- Capacity development of the Commission Secretariat;
- Improvement of the internal accountability system of the Commission;
- Selection of candidates for appointment to different civil service cadres on a regular basis.

2.6.3. Goal and Recommendations

Goal: Development of PSC as an effective, modern and professional organisation capable of selecting suitable persons for appointment to the services of the Republic and advising the President on any matter connected with its functions.

Short-term recommendation:

1. Development of capacity of the officers and employees of PSC in modern recruitment system.

Medium and long-term recommendations:

1. Increasing emphasis on merit, and rationalisation of the existing quota system;
2. Development of a clearer criteria for promotion of officers and employees and making recommendations on the basis of those criteria;

3. Review of the criteria and the process for appointment of PSC Chairman and Members and improving the selection process;
4. Introduction of ICT-based recruitment process (application processing, conduct of preliminary and written tests, etc.);
5. Preparation of a Manual for ensuring objectivity in conducting *viva-voce* examinations;
6. Strengthening the PSC Secretariat in pursuance of Constitutional provisions for administrative and financial autonomy;
7. Establishment of more than one Public Service Commissions as per provisions of the Constitution, for increasing effectiveness and quicken the selection process.

2.6.4 Action-Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|---|----------------------------|--|---------------------------|
| 1. | Formulation of Policy for appointment of PSC Chairman and Members and making appointments on the basis of that policy | Policy regarding appointment of PSC Chairman and the Members approved | Medium term | Ministry of Public Administration | PSC |
| 2. | Introduction of ICT-based examination system | Completion of competitive examinations within 9-12 months | Medium term | PSC | M/o Public Administration |
| 3. | Preparation of a Manual for conducting <i>viva-voce</i> examinations and following the Manual | Achievement of objectivity in the <i>viva-voce</i> examinations | Medium term | PSC | M/o Public Administration |
| 4. | Development of a clearer criteria for promotion of officers and employees | Criteria introduced and implemented | Medium term | M/o Public Administration | PSC |
| 5. | Greater emphasis on merit and rationalising the quota system | Proportion of appointments based on merit increased | Medium term (Step by step) | M/o Public Administration | PSC |
| 6. | Increasing autonomy of PSC with regard to financial and administrative matters | Delegation of more administrative and financial powers to PSC | Short term | Cabinet Division and M/o Public Administration | PSC |
| 7. | Provision of need-based training on modern recruitment system for PSC personnel | Need assessment completed; Training Plan formulated; Plan implemented | Short term | PSC | M/o Public Administration |
| 8. | Establishment of second PSC | Second PSC established | Long term | M/o Public Administration | Cabinet Division; PSC |

2.7 The Comptroller and Auditor-General (C&AG)

2.7.1 Context

- (a) The Comptroller and Auditor-General of Bangladesh (C&AG) audits the accounts of all authorities and offices of the Government (including public enterprises with at least 50% share or interest held by the Government), other specified establishments of the state, official accounts of the employees, and submits reports to the President. By ensuring financial accountability of the offices and the

employees of the Government and other organs of the state, the Office of the C&AG works as a 'watchdog' of the state's financial management.

- (b) The reports prepared by the C&AG involve pursuance of financial rules and regulations, financial auditing, and protection of public interest in the activities of the organisations and their deviations and non-compliances. The Public Accounts Committee (PAC) of the Parliament reviews these reports and issues necessary directives and recommendations to the executive organ of the state. A Performance Audit Directorate has been established for giving special attention to auditing from a 'value for money' perspective. This Directorate has prepared 19 reports up to 2009, of which four have been reviewed by the Public Accounts Committee.
- (c) For review of Audit Reports by PAC (i.e., recording of Committee recommendations, sending of recommendations to the organisations/Ministries under audit and presentation of the responses for discussion in the next meetings), secretariat services need to be strengthened. The audit standards need to be improved and audit systems also have to be modernised.

2.7.2 Challenges

The main challenges in this regard are as follows:

1. Making the reports of the C&AG available within an acceptable period so that it can be acted upon and financial accountability of the authorities and offices of the Government can be ensured;
2. Issuance of instructions by the C&AG's office for compliance of audit observations and monitoring of their progress;
3. Capacity development of the employees of C&AG's office in modern auditing systems and processes (including capacity in the use of advanced technology);
4. Separation of Audit functions from those of Accounts.

2.7.3 Goal and Recommendations

Goal: Establishment of the Office of the C&AG as an effective institution ensuring financial accountability of all Government organisations.

Short-term recommendations:

1. Ensuring timely completion of audit of relevant organisations and compliance of recommendations by taking punitive measures, if needed; and
2. Timely publication of audit reports and releasing them for the information of the general public

Medium and long-term recommendations

1. Strengthening the Office of the C&AG as a Constitutional entity by enhancing its financial and administrative autonomy and developing its technical capacity; and
2. Recruitment of staff at the Office of the C&AG at par with best international standards of auditing, and enhancing their capacity through training

2.7.4. Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|--|-------------|--|------------------------|
| 1. | Undertake legislative measures to make the Office of the C&AG financially, administratively and technically more autonomous | Audit Act passed by the Parliament | Medium term | Office of the C&AG | Finance Division |
| 2. | Undertake a crash programme to cover backlog of audits | Reports submitted within stipulated time | Short term | Office of the C&AG & Public Accounts Committee | All Government offices |
| 3. | Introduction of 'technical auditing' and 'performance auditing' by the Office of the C&AG in line with international best practices | 'Technical auditing' and 'performance auditing' put in place | Medium term | Office of the C&AG | All Government offices |
| 4. | Measures seeking compliance of the audit observations in time by the audited organisations through implementing sanctions | Responses of the audited organisations; application of sanctions for non-compliance. | Short term | Office of the C&AG; Finance Division | All Government offices |
| 5. | Formulation of Work Plan for 'Social Performance Audit' to ensure 'value for money' | Work Plan formulated | Short term | Office of the C&AG; Finance Division | All Government offices |
| 6. | Gradual separation of Audit and Accounts functions | Accounts and Audits organised as separate functions | Medium term | Office of the C&AG | Finance Division |

2.8 The Ombudsman

2.8.1 Context

- (a) Ombudsman law has been promulgated in accordance with the provision of Article 77 of the Constitution. Appointment of the Ombudsman and setting up of his office are yet to be accomplished. The Constitution provides that the Ombudsman shall perform such functions as Parliament may, by law, determine, including the power to investigate any action taken by a Ministry, a public officer or a statutory public authority, and it has been delineated by the enacted law that the functions of the Ombudsman would include receiving complaints from the aggrieved citizens, conducting investigations and taking corrective measures.
- (b) Financial autonomy has to be granted to this institution so that it can perform its functions independently. The jurisdictions and powers of the Ombudsman need to be delineated clearly.

2.8.2 Challenges

The main challenges in this regard are as follows:

- Appointment of an Ombudsman and setting up of his office;
- Avoidance of overlapping of functions with other constitutional and statutory bodies (such as, Anti-Corruption Commission, Human Rights Commission, etc.).

2.8.3 Goal and Recommendations

Goal: Establishment of an effective office of Ombudsman

Short-term Recommendations:

1. Appointment of Ombudsman, setting up of his office and making necessary financial allocation;
2. Formulation of policy, rules and procedures for functioning of the Ombudsman's office.

Long-term Recommendations

1. Review of the existing Ombudsman Act with respect to the work and autonomy of the office of Ombudsman, and taking measures for avoidance of duplications in functions and responsibilities with other Constitutional and statutory bodies.

2.8.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|--|-------------|------------------------|--|
| 1. | Appointment of Ombudsman and recruitment of necessary employees | Ombudsman appointed and employees recruited; office set up | Short term | Parliament Secretariat | M/o Public Administration, Finance Division |
| 2. | Setting up of the Office of Ombudsman and allocation of necessary resources and logistics | Ombudsman's Office established | Medium term | Parliament Secretariat | M/o Public Administration, Finance Division |
| 3. | Framing of Rules, and procedures for the Office of Ombudsman | Rules and procedures framed | Medium term | Parliament Secretariat | Legislative and Parliamentary Affairs Division |
| 4. | Review of the Ombudsman Act | Report prepared | Medium term | Ombudsman | Parliament Secretariat, Legislative and Parliamentary Affairs Division |

2.9 Anti-Corruption Commission (ACC)

2.9.1 Context

- (a) Anti-Corruption Commission (ACC) is the most important organisation for a relentless fight against corruption and promotion of integrity. The Government has established ACC by reforming the structure and functions of the former Bureau of Anti-Corruption (BAC). The new Commission started functioning with the employees of the defunct Bureau and has, by now, a new organisational structure and scope of work. ACC conducts enquiries and investigates allegations of corruption committed in any organisation of the state, civil society or business,

or by their employees; lodges and pursues corruption cases under relevant laws; and takes necessary and effective measures to prevent them.

- (b) The Government has appointed the Chairman and Commissioners for the ACC; additional manpower as per organogram has also been provided. Extensive training programmes on ICT, enquiry and investigation, white collar crimes, money laundering, rights of the accused etc. have been conducted for the officers and employees of the Commission. Bangladesh has ratified the United Nations Convention on Anti-Corruption (UNCAC) and the Commission has emerged as a credible organisation at home and abroad. Prevention of Money-Laundering Act, 2012 has been passed to prevent domestic and inter-county laundering of money in big amounts; the Anti-Corruption Commission plays the most important role in the implementation of this Act.
- (c) Since ACC has to inquire, investigate, lodge and pursue administrative and financial corruption cases at home and abroad, its capacity needs to be developed extensively; also its independence has to be ensured. At the same time, its accountability and objectivity need to be ensured; laws should be promulgated with these ends in view.

2.9.2 Challenges

- Providing ACC with adequate legal and financial powers for functioning independently;
- Upholding neutrality of the ACC and ensuring its accountability;
- Capacity development of the organisation and its manpower for providing high quality service by the ACC;
- Securing allocation of necessary resources by ACC;
- Development of necessary skills of the officers with respect to enquiry, investigation and prosecution;
- Strict adherence to integrity by the officers engaged in the prevention of corruption; ensuring their transparency and accountability;
- Creation of opportunities for citizens to extend their support in anti-corruption measures.

2.9.3 Goal and Recommendations

Goal: Emergence of ACC as an effective organisation for prevention of corruption.

Short-term Recommendations:

1. Capacity and skill development of the Commission;
2. Protection of the whistle blowers;
3. Formulation of action plan for mobilising citizens' support for prevention of corruption;
4. Submission of wealth statements by the Commissioners and employees of the ACC on a regular basis and their posting to the website;
5. Ensuring independence of ACC in the conduct of enquiry;
6. Ensuring neutrality and accountability of ACC.

Medium and long-term Recommendations:

1. Undertaking interventions by following the 'best practices';
2. Continuation of the joint programmes with citizens' groups and media for building awareness about and resistance against corruption.

2.9.4 Action Plan

| Serial no. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|--|--|---------------------------|-----------------------|--|
| 1. | Capacity development of the ACC by reforming the legal structure and providing full independence with respect to investigation and prosecution | Existing law amended | Short term | ACC, Cabinet Division | Parliament Secretariat |
| 2. | Ensuring neutrality and enhancing accountability of the Commission | Existing law amended | Medium term | ACC | Cabinet Division |
| 3. | Implementation of training programmes and other activities for capacity development of Commission and its personnel | Training programmes formulated and implemented | Continuous | ACC | Cabinet Division |
| 4. | Improvement of communication between the ACC and other organisations | On demand, ACC speedily gets information from other organisations. | Short term and continuous | ACC | Cabinet Division; other relevant organisations |
| 5. | Following of best practices, putting them into practice for bringing organisational reforms | Efficiency of ACC increased. Study conducted. | Medium term | ACC | Cabinet Division |
| 6. | Undertaking initiatives for raising awareness among government organisations, businesses, civil society and media on corruption | Effective anti-corruption movement put in place | Short term and continuous | ACC | Cabinet Division |
| 7. | Formation of National Integrity Unit and 'Ethics Committees' | Units for implementation of National Integrity Strategy formed | Short term | Cabinet Division | ACC |
| 8. | Establishment of Monitoring Cell for monitoring corruption of people engaged in prevention of corruption | Monitoring Cell established | Short term | Cabinet Division | ACC |
| 9. | Motivate political leaders including the people's representatives to participate in the anti-corruption programmes | Political leaders and representatives actively participate in anti-corruption programmes | Short term | ACC | Cabinet Division |
| 10. | Taking effective measures against money laundering | Incidence of money laundering decreased | Short term | ACC | Bangladesh Bank |

2.10 Local Government (LG)

2.10.1 Context

- (a) Local governments (LG) are established in pursuance of the provisions of Articles 59 and 60 of the Constitution. It has been provided in the Constitution that 'Local government in every administrative unit of the Republic shall be entrusted to bodies, composed of persons elected in accordance with law', and their functions will be, within the administrative unit, '(a) administration and the work of public officers; (b) the maintenance of public order; (c) the preparation and implementation of plans relating to public services and economic development'. Rural and urban local government bodies have been created on the basis of these provisions; presently there are *Union Parishads* at Union level, *Upazila Parishads* at *Upazila* (sub-district) level, *Zila Parishads* at District level and City Corporations and Municipalities at city and town level.
- (b) Presently, elected representatives are functioning in *Union* and *Upazila Parishads*, Municipalities and some City Corporations. The Government has increased budget allocations for the local governments and locally implementable projects and programmes.
- (c) Local government bodies are mostly dependent on Government allocation for implementation of their development plans and programmes. This allocation, as well as areas for mobilisation of local resources by them, needs to be increased. Capacity of the employees of the local governments should also be developed. Alongside, it is important to ensure transparency and accountability of these employees. Effective coordination among the development interventions of the Government and the NGOs and local initiatives can make an immense contribution to the economic and social development of the country. It has become essential to specify the roles and responsibilities of the elected representatives of LG bodies, legislators, and officials of the executive organ of the State.
- (d) Article 60 of the Constitution provides that 'Parliament shall, by law, confer powers on the local government bodies . . . including power to impose taxes for local purposes, to prepare their budgets and to maintain funds' which means devolution of powers and functions to local government bodies in specified areas. This kind of devolution is yet to be introduced in the LGs, specially, in the rural LGs. Moreover, the tiers of LGs are more than one in rural areas. It is very difficult to identify and separate 'retained' subjects of the Government from the subjects 'transferred' to the LGs.

2.10.2 Challenges

The main challenges in this regard are as follows:

- Upgradation of the standard of services provided at the local level;
- Improvement of the accountability system of the public representatives and employees of the LGs;
- Capacity development of the employees of the LGs;
- Increasing allocation of resources in consideration of socio-economic and geographical realities;
- Identification of the focal point of rural LGs;

- Decentralisation of roles and responsibilities;
- Strengthening of LGs by increasing allocation of funds and expanding their tax-base.

2.10.3 Goal and Recommendations

Goal: Establishment of transparent, accountable, self-reliant and responsive LGs.

Short-term Recommendations:

1. Devolution of powers to LGs at different levels;
2. Clarification of the role of *Upazila Parishad* Chairmen and the Members of Parliament;
3. Identification of functional areas of the *Zila Parishad* and clarification of its relationships with other district level offices.

Long-term Recommendations:

1. Establishment of peoples' right to public resources at local level;
2. Upgradation of the management system of LGs; systemic reforms and improvement for promoting transparency and accountability;
3. Undertaking multifaceted and innovative initiatives for capacity development of LG representatives;
4. Introduction of 'Local Government Service'.

2.10.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|---|---------------------------|---------------------------|------------------------------------|
| 1. | Increasing allocation of resources in consideration of socio-economic and geographical realities (population, area, level of development) | Increase in annual and other allocations | Short term and continuous | Local Government Division | LG bodies |
| 2. | Expansion of the tax base of LGs | LGs get scope to collect taxes in new areas; legally entitled to collect 'Sales tax', 'VAT' etc. in specified areas | Medium term | Local Government Division | LG bodies |
| 3 | Citizens' activism demanding transparency and accountability of the LGs, their representatives and officials | Organised citizens Groups submit report cards and have access to information from LGs | Medium term | LG bodies | Civil society; Professional bodies |
| 4. | Clarification of role and jurisdictions of the MPs and Government officials in the LGs (specially <i>Upazila Parishad</i>) | Guidelines prepared | Short term | Local Government Division | LG bodies |
| 5. | Specification of scope of | Scope of work | Medium | Local | |

| | | | | | |
|----|--|---|------------|---------------------------|---|
| | work of <i>Zila Parishad</i> (ZP) and identification of ZP as the 'focal point' of LGs | specified and role identified clearly | term | Government Division | |
| 6. | Introduction of 'Local Government Service' | Local Government Service Rules Promulgated; recruitments made | Long term | Local Government Division | Cabinet Division; M/o Public Administration |
| 7. | Capacity Development of the elected representatives, officers and employees of LGs | Reports on capacity development, programme outputs | Continuous | Local Government Division | Training institutions |

Chapter III

National Integrity Strategy: Non-state Institutions and Organisations

3.1 Political Parties

3.1.1 Context

- (a) The existence and activism of multiple political parties is indispensable for an effective democratic system. The politicians run the executive and legislative organs of the state after being nominated by the political parties and being elected by the people. They frame laws as members of the legislature and conduct executive functions by forming government. Presently, the number of registered political parties in Bangladesh is 36.
- (b) Political parties have played the most important role in the struggle for independence, war of liberation and establishment of democracy in Bangladesh. Although the country had experienced military rule at different times, democratic government prevailed in the country during most of its history. The political parties had been the main force behind establishment and restoration of democracy. For promotion of integrity in the country, it is crucially important to promote integrity in the activities of the political parties. This involves financial transparency in maintenance of party accounts, conduct of audit regarding fund management and promotion of democratic practices in organisational activities.

3.1.2 Challenges

The challenges in this regard are as follows:

- Increased practice of democracy within the activities of the political parties;
- Enhanced transparency in fund management;
- Greater responsiveness to citizens' needs;
- Avoidance of confrontational politics.

3.1.3 Goal and Recommendations

Goal: Establishment of political parties as democratic organisations by pursuing public interest and reflecting public aspirations.

Short-term Recommendations:

1. Revision of party constitution in line with Representation of People Order (RPO), if required.

Long-term Recommendations:

1. Adoption of clearly delineated election manifestos and their proper implementation after election;
2. Ensuring transparency in management of party funds.

3. Adoption of an agreed 'Code of Conduct' and its adherence by the political parties.

3.1.4 Action Plan

| Serial no. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|---|---------------------------|-------------------|---|
| 1. | Revision of Party Constitutions in line with the 'Representation of People Order' (RPO) wherever required | Party constitution revised, wherever required. All parties hold their council meetings (at central and local levels) | Short term and continuous | Political parties | EC |
| 2. | Formulation of 'Code of Conduct' of the political parties and its adherence | An agreed Code of Conduct prepared and adopted by the political parties | Medium term | Political parties | EC |
| 3. | Ensuring transparency in nomination of candidates and fund management | Meetings held in respect of nominations; Council meetings held for selection of party leadership; audit reports of party-funds made available | Continuous | Political parties | EC |
| 4. | Enhancement of consultations of political parties with trade unions, professional bodies, etc. | Joint meetings and shared decisions | Continuous | Political parties | Trade Unions, Civil society organisations |

3.2 Industrial and Commercial Organisations in the Private Sector

3.2.1 Context

- (a) The private sector is playing an increasingly important role in the socio-economic development of Bangladesh; this role has gradually expanded since independence. A large number of small and medium enterprises, big industries and commercial organisations are presently doing business and commercial activities, contributing to wealth creation and value addition, and supplying goods and services to meet the demand of the population. The contribution of the private sector in the GDP is increasing significantly. Integrity of this sector is of paramount importance; it is all the more important for the welfare of and service delivery to the people. Introduction of corporate culture and its sustenance are also critically important. The culture of loan-default needs to be eliminated. 'Protection of Consumer Rights Act' has to be implemented properly. To prevent collusive and conspiratorial behaviour of business houses and control the activities of the cartels and syndicates, enforcement of 'Competition Law' can play a very important role; organisational arrangements need to be established for effective implementation of the newly-promulgated 'Competition Act'. More transparency and accountability need to be established in the banking, non-financial and financial sectors. Since the main depositories of the money earned through corruption are the organisations of banking sector, they need to be intensely supervised and monitored. Of late, 'multi-level marketing' business has expanded in huge proportion and has unexpectedly given birth to extensive corruption. Inadequacy of law in this respect has been visible; as such, strict law needs to be promulgated to prevent corruption in this area.

3.2.2 Challenges:

The main challenges in this regard are:

- Addressing of the loan-default problem;
- Promotion of corporate governance;
- Awarding of performance-based fair salary and wages to the employees;
- Proper enforcement of the laws on consumer rights and bankruptcy;
- Prevention of collusive practices in business by enforcing the Competition Act;
- Promotion of a culture of self-control by Chambers and Associations.

3.2.3 Goal and Recommendations

Goal: Establishment of the private industrial and commercial enterprises as a transparent sector committed to people's socio-economic development.

Short-term Recommendation:

1. Effective enforcement of the Bankruptcy Act and Consumer Protection Act.

Medium and long-term Recommendations:

1. Strengthening the activities of key government organisations mandated to promote business, like Export Promotion Bureau and National Productivity Centre;
2. Introduction of standardised practices by Chambers and Associations for promotion of self-regulation with respect to non-monopolistic pricing, environmental protection, labour law and minimum wages;
3. Introduction of rewards for 'champions of integrity' (organisations and persons) in the business sector;
4. Proper enforcement of tax laws by encouraging the business organisations to pay taxes.
5. Setting up of 'National Commercial Competitive Council';
6. Strengthening the legal and administrative structure to prevent winning of business contracts through unethical means;
7. Setting up of an appropriate legal system with respect to Multi-level Marketing (MLM) business;
8. Rehabilitation of industries turning sick owing to factors beyond their control.

3.2.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|--|------------|--|--------------------|
| 1. | Strengthening of self-control in business | Chambers and Associations ensure compliance of rules and regulations, and take remedial measures against violators | Continuous | Chambers and Associations; Business entities | Business Companies |

| | | | | | |
|-----|---|--|------------|---|---|
| 2. | Strict enforcement of bankruptcy law against loan defaulters | Cases lodged and their disposal sped up | Continuous | Bangladesh Bank; Financial institutions | Chambers and Associations; Bank and Financial Institutions Division |
| 3. | Proper enforcement of Competition Act | 'National Competition Commission' established and operational | Short term | M/o Commerce | Business Associations |
| 4. | Enforcement of sanctions against violators of corporate governance | Corporate houses not complying with transparent principles prosecuted | Continuous | Securities and Exchange Commission | Finance Division |
| 5. | Reaching at agreement by the business houses, Government and trade unions on payment of fair and performance-based wages and benefits | Incidence of violence and conflict in the business and industrial sector decreased | Continuous | M/o Commerce | M/o Industries; Chambers and Associations |
| 6. | Motivate business establishments for payment of due taxes regularly | Payment of taxes by business establishments increased | Continuous | National Board of Revenue | M/o Commerce; business establishments |
| 7. | Strict enforcement of Consumer Rights Act | Satisfaction of the consumers | Continuous | M/o Commerce | M/o Commerce; business establishments |
| 8. | Setting-up of legal structure for regulation of multi-level marketing business | New law promulgated and enforced | Short term | M/o Commerce | M/o Home Affairs |
| 9. | Strengthening the activities of 'Micro-credit Regulatory Authority' | Enhanced transparency achieved in micro-credit operations | Continuous | Bangladesh Bank | NGO Affairs Bureau |
| 10. | Strengthening the activities of 'Insurance Development and Regulatory Authority (IDRA) | Extent and transparency of Insurance activities increased | Continuous | M/o Commerce | Finance Division |

3.3. NGOs and Civil Society

3.3.1 Context

- (a) “Civil society is the arena outside of the family, the state and the market where people associate to advance common interests.” Civil society in Bangladesh is a vibrant sector and its most vibrant organisational form is the NGOs. NGOs have been working with a declared goal of the socio-economic development of the country. By now, a strong NGO sector has emerged in Bangladesh. Other than the NGOs, many teachers, researchers, professionals, development workers and volunteers are engaged in multifarious development interventions with a view to promoting accountability of different service providers and financial institutions, mobilising public opinion on different social, cultural and policy issues, and building awareness of the people. On the whole, they are known as civil society.
- (b) NGOs and civil society organisations provide voluntary services. Although civil society organisations and NGOs are accountable to their organisational structures and processes, ultimately they are accountable to the laws and rules of the State as well as the established norms of the society. The State provides support to their activities and intervenes in some identified areas and they also complement and supplement the Government's initiatives. However, their main objective is to undertake development initiatives outside the State and business arenas, help make State and business organisations increasingly accountable to the citizens, and thereby increase citizens' space of freedom and development. They are also expected to play an important role in strengthening democracy.
- (c) Maintenance of neutrality, abstinence from political activities and practice of transparent fund management are considered to be the hallmarks of integrity in case of NGOs. Improvements in these areas are extremely important for their proper functioning. For ensuring transparency and accountability of the NGOs, establishment of adequate legal structures, a transparent recruitment system for them and enhancement of Government's oversight capacity and avoidance of bureaucratic intricacies are critically important.

3.3.2 Challenges

The main challenges in this regard are as follows:

- Management of NGO activities within the relevant legal frames;
- Ensuring a non-partisan role of the civil society;
- Enhancing accountability of the Government, beneficiaries and the NGOs;
- Establishment of an effective system for monitoring the activities of NGOs, including their income-expenditure, programmes, action plans etc., and ensuring their public disclosure.
- Curtailment of bureaucratic intricacies with regard to NGO programmes and facilitating their activities.

3.3.3 Goal and Recommendations

Goal: Establishment of an active and accountable civil society committed to the development of people.

Medium and long-term Recommendations:

1. Creation of increased scope for interaction among the legislators, policy-makers and media;
2. Establishment of a single agency for the registration of NGOs;
3. Effective enforcement of laws and rules pertaining to the NGOs;
4. Ensuring of transparency in appointments made by the NGOs;
5. Undertaking measures for ensuring accountability of the NGOs and creation of scope for expression of public opinion in that respect;
6. Expansion of outreach programmes to address the needs of the extreme poor in remote areas;
7. Undertaking reforms in the NGO governance system and facilitation of increased transparency in their activities.

3.3.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|--|---|-------------|--------------------|--|
| 1 | Creation of increased scope for interactions among Government and the civil society in Government's policies and other important actions | Seminars and workshops organised and participated by members of the civil society and NGOs; their research and intellectual outputs | Continuous | NGO Affairs Bureau | Supervised by Prime Minister's Office (PMO) |
| 2. | Promotion of enhanced transparency in NGO functioning | 'Report Cards' of the stakeholders submitted to the NGOs and LG organisations; updated information provided regularly on websites of NGOs | Short term | NGO Affairs Bureau | Local Government Division |
| 3. | Development of internal control system in the NGOs | Stakeholders and beneficiaries of the NGOs receive appropriate and adequate information on their systems, processes and activities | Long term | NGO Affairs Bureau | Supervised by PMO |
| 4. | Introduction of a standard accounting and monitoring system of the NGOs | Standard accounting and monitoring system introduced | Medium term | NGO Affairs Bureau | Supervised by PMO |
| 5. | Promulgation of necessary law/rules/policy for transparent appointments in the NGOs | Transparent appointment system followed | Medium term | NGO Affairs Bureau | Legislative and Parliamentary Affairs Division |
| 6. | Avoidance of duplication and overlap in the interventions of the Government and NGOs | Interventions of the Government and NGOs established as complementary activities | Long term | NGO Affairs Bureau | Supervised by PMO |

3.4 Family

3.4.1 Context

- (a) The foundation of man's morality is the values earned in his or her family; the moral values people cherish and follow stem from it. Bangladesh is the seat of an age-old civilisation, and family traditions here have stood the test of time; it has influenced the lives of the people of this land for long. But presently urbanisation, globalisation, rapid development of economic life, spread of technology, specially information and communication technology (ICT), expansion of media activities, explosion of television and entertainment, globalisation of business and its fast expansion, change in the political environment, commercialisation of education etc. are influencing the culture and values of the families.

3.4.2 Challenges

The main challenges in this regard are as follows:

- Strengthening of family bonds;
- Expansion and strengthening of role of families in moral development;
- Encouragement of the activities of the 'role models'.

3.4.3 Goal and Recommendations

Goal: Re-establishment of families as the main source of moral values.

Long-term Recommendations:

1. Provision for encouraging the parents for putting importance to family for dissemination of moral education;
2. Encouragement to citizens' self-help initiatives;
3. Publicity and propagation of the achievements of 'role-models';
4. Encouragement of the children, youths, parents and local institutions like schools, religion-oriented organisations, as well as arts and cultural groups for interaction and participation.

3.4.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|---|------------|--|---|
| 1. | Arrangement for exchange of views between parents and educational institutions | Meetings organised and their proceedings recorded | Continuous | LG Division; M/o Education; M/o Primary and Mass Education | Parents and educational institutions |
| 2. | Encouraging and supporting the children and youths participating in voluntary, patriotic and welfare activities | Increased participation of children and youth in voluntary work | Continuous | LG Division; M/o Education; M/o Primary and Mass Education | Parents, civil society, local organisations |
| 3. | Publicity and propaganda of the achievements of 'role-models' | Reports on the activities | Long term | LG Division; M/o Education; M/o Cultural Affairs | Media; Civil Society |

| | | | | | |
|----|---|---|------------|-------------------------------|---------------------|
| 4. | Supporting community-based child and youth care centres on educational and professional development | Presence of the parents in the meetings and their participation | Continuous | Local Government institutions | Local organisations |
|----|---|---|------------|-------------------------------|---------------------|

3.5 Educational Institutions

3.5.1 Context

(a) The institution that plays the most important role in the development of moral values and creates a long-term influence on the lives of people is educational institutions. The children and youths receive information, services and skills on different secular, religious and ethical issues, and multifarious training in these institutions. There are different streams of education in Bangladesh, of which the most important ones are: mainstream vernacular education, English medium education, and religious education in the general and *Kowmi Madrasas*. In all these systems, moral education is imparted; although difference in the curricula and approach on the concept of ethics and the modalities of supervision create differences in promotion of ethics among children.

3.5.2 Challenges

The main challenges in this regard are as follows:

- Effective social supervision of the institutions;
- Playing a more pro-active role by the educational and religious faith-based institutions;
- Provision of adequate materials and resources with supportive educational pedagogy.

3.5.3 Goal and Recommendations

Goal: Establishment of educational and religion-based institutions as a sustainable way for promotion of morality.

Medium and long-term Recommendations:

1. Support to the primary, high and intermediate-level educational institutions for their capacity development in the promotion of moral values;
2. Incorporation of moral teachings as an integral part of general education;
3. Strengthening of supervision of educational and religion-based organisations by the local and civil society representatives;
4. Expansion of the stipend programme for the girl students.

3.5.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|--|-------------|---|-----------------------|
| 1. | Strengthening the programme of religious education in the primary and intermediate level educational institutions | Programme of teaching of ethics conducted regularly after the event of national anthem in the schools and <i>Madrasas</i> ; Boy Scouts and Girl Guides programmes introduced in all institutions | Medium term | M/o Education; M/o Primary and Mass Education | M/o Religious Affairs |
| 2. | Incorporation of curricula on ethics and morality in general education | Curricula on ethics and religion introduced in the syllabus of primary and high school levels | Medium term | M/o Education; M/o Primary and Mass Education | M/o Religious Affairs |
| 3. | Supervision by the LG representatives in the activities of educational and religion-based institutions | Supervision conducted by LG representative; Managing Committees formed with the neutral persons interested in education | | M/o Education; M/o Primary and Mass Education | LG Division |
| 4. | Expansion of the stipend programme for girl students | Stipends given to increased number of girl students | Medium term | M/o Education; M/o Primary and Mass Education | LG Division |

3.6 The Media

3.6.1 Context

- (a) A revolution has taken place in the print and electronic media of Bangladesh. According to the media list of the Government (October 2012), 471 dailies, weeklies, fortnightlies, monthlies, three-monthlies and six-monthlies (of them 320 are dailies) are published; in addition, 11 F.M. radio channels, 14 community radio channels, a number of centres of '*Bangladesh Betar*', and 3 Government and 27 private television channels are operating and regularly broadcasting their programmes. By collecting and disseminating objective information, and checking broadcast of baseless and distorted news, the media can play an important role in the promotion of transparency and accountability in the organisations of the state, business and civil society.
- (b) Media in Bangladesh enjoy immense freedom – no restriction is imposed on them in respect of collection, selection, publication and broadcasting of news. The media owned by the Government, its television and radio channels, run their programmes by putting importance to public interest and Governments' development priorities. Through the 'Right to Information Act, 2009', the journalists now have an easy access to public information.
- (c) It is an arduous task to ensure full security of the journalists; it also needs a long period of time to achieve such an objective. Due to the very nature of the job, journalists have to work in risky and hostile situations and environments; sometimes they become victims of violence. These problems need to be addressed properly. Side by side, their accountability and professional ethics need to be promoted. It has been observed that sometimes confusing and biased news-items are disseminated, published and broadcast due to lack of neutrality and professional skills; strict objectivity has to be maintained in this regard. It is

expected that, by establishing its internal control, the media would rise above personal bias and narrow business interest; it would play an important role in the establishment of a democratic society and ensure a free flow of information.

3.6.2 Challenges

The main challenges in this regard are:

- Accessing information using the 'Right to Information Act, 2009';
- Making Press Council pro-active to redress the misuse of press freedom;
- Promotion of the media free from personal bias and narrow business and partisan interest;
- Formulation of a Code of Conduct for the journalists and its compliance;
- Ensuring safety and security of the journalists.

3.6.3 Goal and Recommendations

Goal: Establishment of a free, accountable and neutral media as a voice of the citizens

Short-term Recommendations:

1. Development of professional skills of the journalists in collection of information and news, their processing, dissemination and broadcasting;
2. Proper enforcement of 'Right to Information Act, 2009' in consultation with the media;
3. Review of the 'Advertisement policy' of the Government and promotion of fairness and transparency in this regard.

Medium and long-term Recommendations:

1. Development of the professional skills of the journalists;
2. Introduction of a standard editorial policy for the media and a Code of Conduct for the journalists for self-regulation;
3. Provision of reasonable remuneration and facilities for the journalists at both national and local levels;
4. Ensuring editorial independence by separating editorial functions from the management of the media.

3.6.4 Action Plan

| Serial No. | Interventions | Performance Indicator | Time-frame | Responsibility of | Supported by |
|------------|---|---|------------|-------------------|---------------------|
| 1 | Enforcement of 'Right to Information Act' | Citizens and media receive relevant information from the Government offices | Continuous | M/o Information | Media-organisations |
| 2. | Review of Public | Public advertisements | Continuous | M/o Information | Media- |

| | | | | | |
|----|--|--|---------------------------|---------------------|---|
| | advertisement Policy and introduction of transparent and fair criteria for public advertising | distributed on the basis of open competition | | | organisations; Government organisations |
| 3. | Promotion of integrity in the media | Code of conduct for the media workers formulated; code followed. | Short term | Media organisations | M/o Information; Press Council |
| 4. | Implementation of the recommendations of the 'Wage Board' | Media-workers receive pay and emoluments on the basis of Wage Board's recommendations | Medium term | Media organisations | M/o Information |
| 5. | Development of professional skills of the journalists in gathering, processing, disseminating and broadcasting of news and information | Journalists receive training; dissemination and broadcasting of biased and partisan news reduced | Continuous; Long term | Media organisations | M/o Information |
| 6. | Strengthening of Press Council as the 'watchdog' of the media | Decisions of the Press Council regarding media implemented | Short term and continuous | Press Council | Media organisations |
| 7. | Ensuring a safe working environment for the journalists | Cases of violence against journalists reduced and eventually stopped | Short term and continuous | M/o Home Affairs | Media organisations |
| 8. | Strengthening of Information Commission | Adequate manpower and logistics provided to the Information Commission | Medium term | M/o Information | Finance Division; M/o Public Administration |

Chapter IV:

Implementation and Conclusion

4.1 Implementation Arrangements

- (a) Promotion of integrity in the state and the society is a Constitutional responsibility of the Government; as such, it has to pursue different interventions by keeping this end in view. In this document, an overview has been presented on the existing laws, rules, policies and the organisational systems and processes regarding promotion of integrity and prevention of corruption. The Strategy will be primarily implemented by and through the public administration. Proposals have been made also for the improvement and reform of the systems and processes. In this strategy, action plans have been formulated not only for the executive organ, but also for other two organs of the State – the Judiciary and the Legislature and Constitutional and statutory bodies. It is expected that, considering the high importance of the issue, institutions other than those belonging to the Executive would volunteer to implement the plan by following the charted path. The executive organ will provide technical and financial support for implementation of these plans. The Executive will also extend support to the plans formulated by the civil society and the private business and monitor their implementation. The interventions proposed in the Strategy are time-bound, but it is understood that efforts for promotion of integrity cannot stop at a juncture; so this Strategy will be revised and updated continuously; changes and refinements will also be brought in the action plans accordingly.
- (b) A 'National Integrity Advisory Council' will be constituted for implementation of this Strategy. This Council, under the leadership of the Prime Minister, will include a number of Cabinet Members, legislators, representatives of Constitutional and statutory bodies, Cabinet Secretary, a number of Secretaries, representatives of the NGOs, civil society, media and private-sector industries and commercial organisations. Representatives of the civil society, NGOs and industrial and commercial organisations in the Council will be nominated by the Government. The Advisory Council will meet at least twice a year and review the performances and progresses with respect to integrity, monitor them and give directives for their promotion. The Council may have an Executive Committee for conveniences of work.
- (c) A 'National Integrity Focal Point' will be set up in the Cabinet Division; the focal point will work under the supervision of the Cabinet Secretary and be headed by the Additional Secretary of Administrative Reforms and Implementation Wing of the Division. 'Ethics Committees' comprised of senior officials will be set up in all Ministries/Divisions and constitutional and statutory bodies subject to the approval of the Prime Minister. By nominating an officer as 'focal point', 'Integrity Implementation Units' will be set up in all these bodies. The activities of the NGOs and business organisations in respect of integrity will be supervised by NGO Affairs Bureau and the Ministry of Commerce respectively. The existing 'Grievance Handling Focal Point' may also be earmarked as the 'Integrity Focal Point'. The 'National Integrity Focal Point' will provide guidance through these Ethics Committees to formulate detailed activities on the basis of the action plans charted in the National Integrity Strategy, and implement them.
- (d) Since it would be necessary, from time to time, to review the National Integrity Strategy, this Strategy may be revised on recommendations of the National Integrity Advisory Council with approval of the Honourable Prime Minister.

4.2. Monitoring and Review

- (a) 'The National Integrity Implementation Unit' will function as the 'focal point' for implementation of action plans and their coordination, evaluation and revision of policy and strategy, under the leadership of the Prime Minister and active supervision of the Cabinet Secretary. Ministries/Divisions, organisations and institutions will submit their progress reports to the 'National Implementation Unit' regularly and the 'National Unit' will monitor and collate them. The NGO Affairs Bureau and the 'Ethics Committee' of the Ministry of Commerce respectively will review and monitor the activities with respect to integrity of the NGOs, and industrial establishments of the private sector through different Associations and Chambers. The NGO Affairs Bureau and the Ministry of Commerce will issue necessary guidelines for setting up of 'Integrity Focal Points' in the NGOs and business establishments and extend support for their implementation. By extending necessary support, the Cabinet Division would encourage the constitutional and statutory bodies to establish Ethics Committees and nominate focal points in them.
- (b) The National Integrity Implementation Unit will review and collate all reports on integrity and present them before the National Integrity Advisory Committee for their review and consideration. The implementation Unit will communicate all their decisions, directives and advices to the Ministries and other Units and monitor their progress. The Implementation Unit may engage any competent organisation for carrying out the task of monitoring and review of corruption and integrity issues. The National Implementation Unit will take steps to collect necessary information, develop systems and processes and help capacity development of manpower in this regard.
- (c) It is viewed that inculcation of integrity will be enhanced if people are honoured for making significant contributions towards prevention of corruption and promotion of integrity while working within Government, business and civil society sectors. As such, the Government will introduce 'Integrity Award' for outstanding performers in these sectors.

4.3 Conclusion

This Strategy has been formulated with a view to preventing corruption and establishing integrity in the State and society in Bangladesh. Proposals have been made for capacity development of important institutions and organisations of the State, civil society and the private sector. Action plans have been charted for implementation of the Strategy through existing laws, rules, systems and their reforms and in some cases promulgation of new laws and rules.

This Strategy is a living document. The 'Perspective Plan, 2021', through putting a high importance to prevention of corruption, has promised to launch a movement in this regard. The Government has formulated this 'National Integrity Strategy' to fulfil that commitment effectively. It is hoped that this Strategy will play its desired role in building *Golden Bengal* – the dream of the Father of the Nation and the people of Bangladesh.