



# **Parliament Watch**

## **10<sup>th</sup> Parliament (7<sup>th</sup> – 13<sup>th</sup> Session)**

Executive Summary

**9 April 2017**

## **Parliament Watch**

### **10<sup>th</sup> Parliament: 7<sup>th</sup> to 13<sup>th</sup> Session**

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## Preface

Transparency International Bangladesh (TIB) has been implementing a range of research and knowledge-based campaign and advocacy initiatives to make people aware and raise their voice aiming at strengthening nationwide demand against corruption and facilitate a conducive environment to establish good governance. The main objective of TIB's advocacy campaign is to strengthen key institutions of democracy through promoting their effectiveness, transparency and accountability.

The parliament is one of the key pillars of the National Integrity System, *Jatiyo Sangsad* (National Parliament) to establish democratic governance. Parliament's roles are very important to fulfill people's aspirations, enactment of people friendly laws, ensure parliament's accountability towards people and prevention of corruption. TIB has been conducting the Parliament Watch research since the 8<sup>th</sup> Parliament considering parliament's' paramount importance in ensuring transparency and accountability of the government and controlling corruption. This is the 13<sup>th</sup> report in the series and 3<sup>rd</sup> of the 10<sup>th</sup> Parliament.

The report highlights few positive changes of the current parliament that include average increase of working time of the session on each working day, increase of the percentage of the total time spent in legislative businesses, increase in the presence of the members, a little decrease of average quorum crisis, avoidance of the boycott culture by the opposition, increased participation of the opposition in ensuring the accountability of the government and constructive criticism of the government. Though the increase of total time spent for legislative businesses is significant, average time spent for passing a bill was not found noteworthy. On the other hand, some challenges are still prevailing. They include use of un-parliamentary languages in the speeches of treasury bench and the opposition towards the alliance or parties that have no representation in the house. Violations of the Rules of Procedure in the behaviors of some members during sessions were also observed. There was a lack of effectiveness from the Speaker to prevent un-parliamentary language and behaviors committed by some members in the house. International treaties and agreements that took place during the reporting period were not placed by the President for discussion. Members' participation in legislative businesses were not found remarkable. The opinions and proposals put forward by the oppositions members were not given due cognizance. As the methods and processes to seek people's feedback on legislative processes have been quite deficient, people's participation in this regard has been limited. The recent incidences like heinous killings by terrorists, financial misappropriation and corruption taken place in different institutions were discussed in the motion of President's speech, budget discussion and Point of Order. However, discussions on these issues were not placed in the motion of public importance. Limited participation of female members in was observed in the motions on legislative businesses and question-answer. Besides, conflict of interest of some standing committee members, irregular meeting of the standing committees, absence of any specific timeline for implementing recommendations proposed by the standing committees, lack of disclosure and access to the information in parliamentary businesses (proceedings of the sessions) and committee information (reports) were some notable challenges prevail in the parliament.

TIB hopes that the concerned stakeholders would consider the findings and recommendations of this research with due importance to make the Parliament further effective through taking necessary initiatives to eliminate above deficits.

The research was conducted by Juliet Rossette, Fatema Afroz, Morsheda Aktar and Amit Sarkar of Research and Policy Division. Other colleagues also contributed to enrich the report through giving valuable comments and suggestions. Professor Dr. Sumaiya Khair, Deputy Executive Director of TIB provided invaluable strategic guidance. Mohammad Rafiqul Hassan, Director, Research & Policy gave regular guidance to the team at different stages of the research. We are grateful to the concerned authority of the Parliament for giving us permission to use its library and to observe few sessions in connection with this research.

Any comment or suggestion for further enrichment of the research is highly encouraged.

Iftekharuzzaman  
Executive Director

# Executive Summary

## 1.1 Introduction and Objectives

The main objectives of a parliamentary system of democracy are to hold discussions and thereby take decisions on important national issues, enactment of necessary laws for the interests of the country, reach consensus on issues concerning national interests and lead the country keeping people's aspirations and world context under consideration. In line with these objectives public representation, enactment of laws, and making the government accountable are three major businesses of a parliament. Parliament members elected by citizens, thus, make a government accountable through different motions and discussions - question-answer sessions, notices on matters of public importance, discussions on President's Speech and debate on the budget, making of laws and functioning of parliamentary standing committees.

In Bangladesh, the parliament has been recognized as a major decision making and policy guidance forum in the country. Therefore, political parties in their manifestos in general elections have emphasized on making the parliament effective. Bangladesh has also joined global bodies of national parliaments like - Inter Parliamentary Union (IPU) and Commonwealth Parliamentary Association (CPA) to ensure effective participation of parliamentarians for the peace and development of the society and to articulate needs and aspirations of its people. These platforms bring parliamentarians and parliamentary staff together to exchange ideas and identify benchmarks of good practices and new policy options that they can adopt in the governance of their societies.

Monitoring of a parliament is not a new idea. Nearly 200 parliamentary monitoring organizations or Parliamentary Monitoring Organization (PMOs) have been monitoring more than 80 national parliaments worldwide. PMOs have been gathering information and data on parliamentary motions and developing a variety of innovative and effective tools for the monitoring of parliamentary functioning and performance and supporting reform initiatives aimed at strengthening the democratic development of parliamentary institutions.

Thus, in view of parliament's paramount importance in promoting culture of democratic accountability for preventing corruption and establishing good governance in the country, TIB has been conducting "Parliament Watch" study since 2001 from the beginning of the 8<sup>th</sup> Parliament. The present report is the third report on the 10<sup>th</sup> Parliament and the 13<sup>th</sup> report of the Parliament Watch series.

## 1.2 Objectives

The overall objective of this research is to analyze the roles and proceedings of 10<sup>th</sup> Parliament in ensuring democracy and good governance and offer recommendations for making the parliament effective.

The specific objectives are to:

- Analyze the proceedings of 7<sup>th</sup> to 13<sup>th</sup> sessions of the 10<sup>th</sup> Parliament;
- Analyze roles of parliament members in ensuring representation and accountability of the government;
- Analyze roles of Standing Committees;
- Assess roles of the members in enacting laws;
- Assess roles of women members;

- Assess roles of the Speaker and parliamentarians in parliament motions;
- Assess the Parliamentary Openness and
- Offer recommendations to make the Parliament more effective.

### **1.3 Methodology and Sources of Information**

The study used both quantitative and qualitative data on the parliament. Information for this study was collected from both primary and secondary sources. The primary sources of data include live broadcast of proceedings of 7<sup>th</sup> to 13<sup>th</sup> sessions of the 10<sup>th</sup> Parliament by the state-owned national television channel ‘Sangsad TV’ (Parliament TV Channel) and observations of parliament sessions being present in some necessary sessions. The research team observed the live session sitting in the parliament with a prior approval of the Parliament Secretariat. The secondary sources include proceedings of the sessions and committee reports published by the Parliament Secretariat, government gazettes, parliament website, newspapers, books and articles. Some data were validated with the help of newspapers and information from the Parliament Secretariat.

Data on parliamentary sessions were generated by using a checklist through listening to recorded television broadcast. The checklist includes information regarding time and discussions in different motions of the parliamentary sessions relating to President’s Speech, roles of the Speaker, question-answer sessions of the Prime Minister and Ministers, enactment of laws, budget discussions, general discussions, discussions on Point of Order, notices on issues of public importance, parliamentary resolutions, boycott and walk-out by the opposition etc.

The study also explored parliamentary openness on the basis of some international and national practices and standard that include SDG targets regarding public access to information and IPU and PMO pleas on information dissemination by parliaments and other good practices.

### **1.4 Reference period**

Data for this study was collected on the 7<sup>th</sup> to 13<sup>th</sup> sessions of the 10<sup>th</sup> Parliament (during September 2015 – December 2016).

## **2. Findings of the Research**

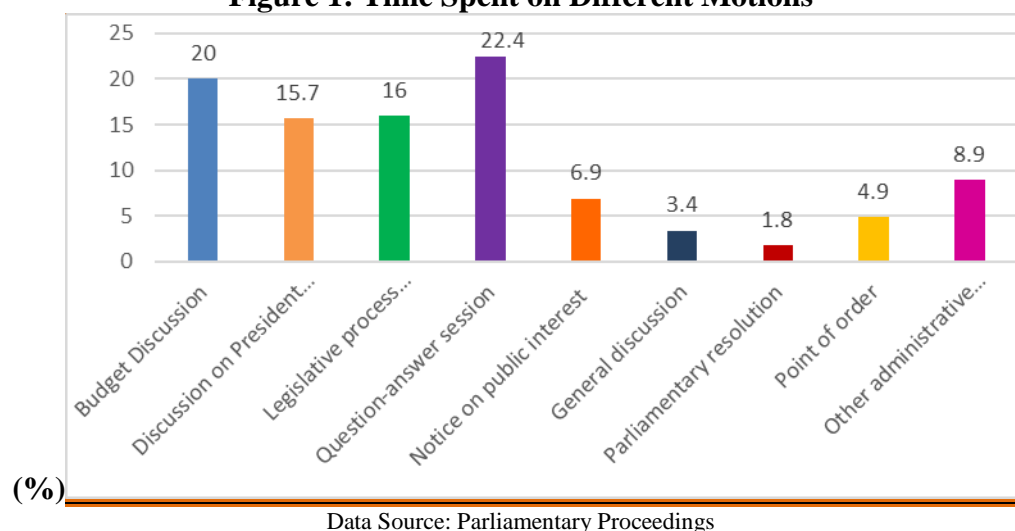
### **2.1 Session Days**

In seven sessions (7<sup>th</sup> to 13<sup>th</sup> sessions), total number of session days are 103. Eleventh session was the budget session for 32 days. Ninth session was on President’s Speech for 26 days.

### **2.2 Time spent in different activities**

In total, 345 hours and 55 minutes were spent on different motions in these seven sessions. The average working hours per day was around 3 hours and 22 minutes. The highest amount of time was spent on budget discussions, which is 20% of the total time. Other areas in which notable amount of time was spent include discussions on question and answer sessions (22.4%), President’s Speech (15.7%) and law making (16%) (Figure 1).

**Figure 1: Time Spent on Different Motions**



### 3.2 Attendance in sessions

The average attendance of the Members of Parliament (MP) in these sessions was 233 days (67% of all MPs); 39% members were present in more than 75% work-days and 5% of members in less than 25% work-days. Thirty-nine percent of the members of the treasury bench attended more than 75% work-days. Compared with that of the 9<sup>th</sup> Parliament<sup>1</sup>, it have declined. On the other hand, 40% members from main opposition, 42% from other opposition and 21% ministers were present in more than 75% work-days. The Leader of the Parliament was present in 86 work-days (84%) and the Leader of the Opposition in 85 days (83%).

### 3.4 Walk-out

The members of the main opposition party walked-out from the parliament four times in the seven sessions. The issues for which they walked out include:

- In protest of the increase of gas and electricity price;
- In protest of passing a bill<sup>2</sup> containing errors;
- In protest of placing a bill<sup>3</sup> on table;
- For not getting floor in general discussion as placed by opposition members

### 3.5 Quorum crisis

Quorum crisis happens due to delay of taking seats by certain number of members. In the seven sessions included in the study, the total time lost due to quorum crisis is estimated to be 48 hours and 26 minutes.<sup>4</sup> This time is 12% of the total time spent (394 hours and 21 minutes) in seven sessions. The average quorum crisis on a working day is 28 minutes. According to the estimate, the cost involved for running the parliament sessions per minute is around Tk 0.16 million. Thus,

<sup>1</sup> Source: Bangladesh Parliament Secretariat.

<sup>2</sup> Bangladesh Petroleum Corporation Bill 2016

<sup>3</sup> Supreme Court Judges (Remuneration and Privileges) (Amendment) Bill, 2016

<sup>4</sup> For calculating quorum crisis time lost due to delays in starting sessions on a work-day and proceedings after prayer breaks are considered.

considering this estimates the monetary value for the total time spend for quorum crisis is estimated to be Tk. 472 million<sup>5</sup>.

#### **4.1 Enactment of laws**

In total, 66 bills were passed in 103 work days of the seven sessions under consideration. About 55 hours 15 minutes were spent for legislative businesses which is 16% of the time spent in seven sessions. The parliamentarians spent 46% of the time for law enactment for raising amendments on the placement of bills, requesting for verification of public opinions and speeches for item-wise amendments<sup>6</sup>.

Thirty eight parliamentarians placed amendments on the bills and attended discussions for amendments of the bills and requesting verification of public opinions. Among the parliamentarians who took part in the legislative discussions, the main opposition members participated in around 72% of the time spent for this discussion. On average, 31 minutes were used including the process of placing the bill, discussion of the MPs and Minister's speech on the bill.

The requests for seeking public opinion on proposed bills were rejected by voice vote as practiced traditionally. Thus, people's participation in enactment of laws could not be ensured adequately. Opinion and proposals floated by opposition members in law making processes were rejected as well.

#### **4.2 Budget Discussion**

Almost 69 hours 8 minutes was spent for budget discussions which is almost 20% of the total session time in seven sessions. In budget sessions, 233 MPs participated for 75% of the time spent for budget discussions. MPs used unparliamentary language in 11% of the time for budget discussions where they criticised the opponent of the house (31 times) and opponents outside the house (174 times) in offensive and derogatory manner. The members of main opposition in their discussions raised financial irregularities and corruption issues to draw government's attention. Honorable Finance Minister giving nod to such discussions once said in the parliament that "we couldn't take necessary action against those corrupt officials of Sonali Bank and Basic Bank as some of our party people backed them. It was expected that people who were worked in the banking system should be honest. If there were breaches of honesty among these people, it was hard to ensure flawless system. In case of Sonali and Basic Bank scams, there was an utter lack of honesty and accountability from our side." MPs in their discussions requested to increase allocation in different sectors and urged the government to implement development projects on time. However, they could have discussed in specific manner to combat corruption and increase allocation for development projects.

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<sup>5</sup> The research team made an estimation of the money value per minute for running the Parliament based on the revised budget for the Parliament for the Fiscal Year 2015-16. The main items of expenditure taken into consideration were salaries and allowances of employees of the Parliament Secretariat, repair and maintenance costs, electricity bills, supplies and services, and remuneration and allowances of Parliamentarians. Expenses for parliamentary committees and International Institutions were deducted. The real sitting time of the house in 2015-16 is considered to estimate per minute expense. This estimation is giving an overview of average expense per minute for sitting session.

<sup>6</sup> During 2015-16, about 17% of the sessions' time of the *Lok Sabha* (Lower House of the Parliament) was spent in legislative process. Source: [www.prsindia.org](http://www.prsindia.org), accessed on 1 September 2016. Around 52% of total session time of House of Lords was spent in legislative motion during 2015-16. Source: 'Statistics on Business and Membership'; [www.parliament.uk](http://www.parliament.uk), viewed on 20 December 2016

## **5. Representation and Oversight Function of the Parliament**

To ensure accountability of the government, MPs participated in general discussions and question-answer sessions relating to different ministries and floated notices on public importance and participated in discussions relating to them as well.

### **5.1 Question-Answer Sessions**

In 17 work-days long Prime Minister's question-answer sessions, in total 49 members asked questions. Among them 34 were from the treasury bench, 10 from the main opposition and 5 from other opposition parties. Highest percentage of the questions (33%) made for the Prime Minister were to learn the progress of different development projects. A notable observation regarding this motion is that members mostly focused on the achievements and activities of the Prime Minister instead of asking questions.

Around 18.8% of total time was spent on Ministers' question-answer motion in 60 working-days where 202 members asked questions relating to concerned ministries. Highest number of questions (33) were asked to the Minister of Road Transport and Bridge.

### **5.2 Parliamentary Resolutions**

Out of 34 resolutions, 17 resolutions were withdrawn with the consent of MPs who floated those resolutions, 15 postponed, one rejected by the minister concerned and only one resolution was accepted unanimously in the 12th session. The resolution was relating to confiscation of properties of the killers of Bangabandhu Sheikh Mujibar Rahman. In this motion, members placed different demands from their constituencies and sought policy supports. Highest number of resolutions (67%) were relating to introduction of new services and building infrastructures. Other notable proposals include formulation of certain policies, asking allocation for different activities, renovation works and improvement of existing services.

### **5.3 Notices on Issues of Public Importance**

Ninety out of 1,570 notices were adopted for discussion under Section 71 of Rules of Procedures. Among the adopted notices, 32 were placed for discussions and concerned ministers gave replies on the same. Highest number of notices (4 of each) were pertaining to the Ministry of Railway and Local Government. Among the rejected notices, 478 were placed by 122 members for the notice of concerned ministries. Among them, 85 notices were relating to the Ministry of Local Government, Rural Development and Co-operatives. Later, decisions against notices were notified to members by the ministry concerned in written form.

### **5.4 Discussions under Point of Order**

Altogether 70 MPs took part in discussions under Point of Order for which 4.9% of session time was spent. Highest percentage (27%) of issues were relating to contemporary matters and measures taken by the government. The remaining notable issues were relating to implementation of different projects and programmes, law and order situation, public safety and security, praising of the government and the treasury bench and protests against some published news.

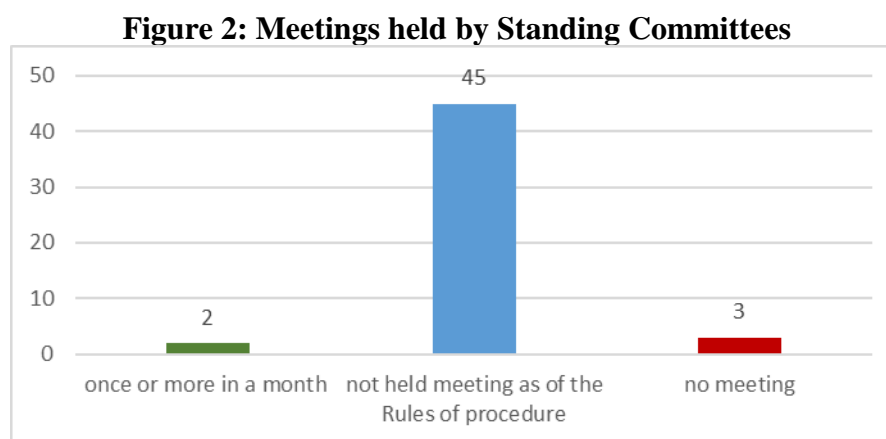
## 5.5 General Discussions

Around 3.4% of total time was spent in this motion. Among four issues three were relating to expressing gratitude for different achievements of the Head of the Government. In general discussions, some parliament members used unparliamentarily languages for 24% time out of total time spent for this motion.

In total, 312 MPs participated in any of the segments allocated for this motion in the reporting period, while 37 MPs (12%) did not participate in any of the segments. It is to be noted that 32% MPs did not participate in any segments of this discussion, although they were present 50% of the working days. Furthermore, following earlier tradition no discussion took place on international agreements, although it is stipulated in the Constitution that international agreements should be placed by the President for discussions in the parliament. However, none of 59 agreements signed with different countries in 2015-16 was discussed in the parliament<sup>7</sup>.

## 5.6 Roles of Parliamentary Standing Committees

Out of 50 committees, 47 committees held 337 meetings. The Public Accounts Committee held highest 22 meetings in this reporting period. Only two committees held meeting at least once or more in a month according to the Rules of Procedure. On the other hand, three committees could not hold any meeting. They include the Committee on Petitions, the Standing Committee on Privileges and the Standing Committee on Rules of Procedure.



Data Source: Parliament Secretariat

Opposition members were given the membership in the standing committees proportion to their representation in the parliament. At the time of their selection, their skills, eligibility, experience, performance and their conflict of interest were not taken into cognizance. Dominance of treasury bench and Party Chair is highly visible in the selection of the chair of committees and their members. According to the information given in the affidavits of members, members of nine committees have conflicts of interest which is a clear violation of the Rules of Procedure<sup>8</sup>. In this reporting period, 10 committees released 10 reports, when seven committees published their first report. According to the published reports, percentage of members who were present at those

<sup>7</sup> <http://bdnews24.com/bangladesh> ; <http://www.reuters.com> ; <http://www.mof.gov.bh> ; <http://bangladesh.mid.ru> ; <https://www.jica.go.jp> ; <https://www.government.nl> ; <http://www.government.se> ; [www.thedailystar.net](http://www.thedailystar.net) (last viewed on January 2017)

<sup>8</sup> *Parliamentary Rules of Procedure*, Rule 188 (2).

committee meetings was 65%. By reviewing the reports of 10 committees, it is observed that 39% committee recommendations were implemented during the reporting period. Analyzing the contents of implemented recommendations, it is also found that 34% recommendations were relating to planning and scrutinizing the decisions. Furthermore, reviewing the implemented committee recommendations, the following issues were observed pertaining to corruption and irregularities:

- Directive to form a committee to investigate and submit a report on irregularities and corruption taken place at the Directorate of Zoo and Livestock<sup>9</sup>
- Directive to form a committee to prepare and submit an investigation report on corruption, nepotism and irregularities prevailing in eight government dairy farms to make them profitable<sup>10</sup>
- Directives to take strong punitive measures against producers, regulators and distributors who are involved with the production and selling of fake drugs<sup>11</sup>
- Directives to ask some companies to stop production of certain drugs<sup>12</sup>
- Recommendation not to allow anybody to visit foreign countries with the use of project fund of Agricultural Ministry who are connected with the project
- Recommendation to collect hundreds of crore as penalty from the individuals and institutions involved in the import of rotten wheat and blacklist those individuals and importers<sup>13</sup>
- Recommendation to take punitive measures against the Check Station Officer of Kaliakoir in Gazipur who was responsible for the plundering forest resources<sup>14</sup>
- Recommendation not to sanction loan to those who would be found risky enough of being defaulter<sup>15</sup>
- Prepare a list of the protagonists and take necessary steps against them who were involved in fraudulence and misappropriation of Hallmark case and others with the help of the personnel of Sonali Bank<sup>16</sup>

The Committee on Local Government, Rural Development and Cooperatives rejected the report on the irregularities and corruption of WASA and City Corporation submitted by concerned ministry and requested it to submit the report again through a proper investigation. The reason for the

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<sup>9</sup> 1<sup>st</sup> report of the committee relating to the ministry of fisheries and livestock (5<sup>th</sup> meeting)

<sup>10</sup> 1<sup>st</sup> report of the committee relating to the ministry of fisheries and livestock (9<sup>th</sup> meeting)

<sup>11</sup> Recommendation of the committee relating to the ministry of health and family planning, The Daily Jugantor, 21 April 2016

<sup>12</sup> Recommendation of the committee relating to the ministry of health and family planning, The Daily Jugantor, 13 May 2016

<sup>13</sup> Recommendation of the committee relating to the ministry Food, The Daily Jugantor, 14 February 2016

<sup>14</sup> Recommendation of the committee relating to the ministry of Forest, The Daily Jugantor, 8 January 2016

<sup>15</sup> 18<sup>th</sup> report of the committee of Government Assurance (2<sup>nd</sup> meeting)

<sup>16</sup> 18<sup>th</sup> report of the committee of Government Assurance (2<sup>nd</sup> meeting)

rejection was that there was incongruity between corruption allegations and the facts in the report. It is to be noted that because of media's limited access to committee meetings and delay in publishing committee reports, fuller information on committee meetings could not be gleaned.

## **6. Discussions on President's Speech**

Apart from expressing gratitude to the honorable President, this session was rife with the use of un-parliamentary languages (offensive, abusive and vulgar words) towards the alliances or parties that have no representation in the current parliament and relating to the failures of earlier regimes. The members used such un-parliamentary words or comments for 1579 times towards the political alliance that has no representation in the current house and 265 times towards the opponent that has the representation in current house. MPs in their speeches attacked alliance leaders out of the house and the opponent in the house citing their personal and family matters. Moreover, in their discussions on President's Speech they raised demands to take development projects in their constituency and sought government's attention and measures on deteriorating law and order situation. However, sometimes the opposition in the house was found to have criticized themselves on their dual roles and participation in the cabinet.

## **7. Role of the Speaker**

Sometimes, MPs from treasury bench and opposition violated the Rules of Procedure (rule 270, subsection 6) through demonstrating un-parliamentary behaviors and uses of abusive languages in the house. Thus, members used 15% of the total time using un-parliamentary manner in different motions. Although leaders and members from the treasury bench and opposition attacked opposition out of the house in a contemptuous manner, the Speaker remained silent and did not issue ruling to expunge those obscene and unpalatable words and remarks. In different motions, members used un-parliamentary words 2101 times towards political alliance out of the current house and 433 times towards the opponent that has representation in the current house. According to the Rules of Procedure, the Speaker can play role in maintaining order in the gallery; however, disorders were observed on many occasions. The incidences of disorder include members engage in discussions with other members leaving their own seat, occasional discussion in small groups during session, some members indulgence in discussions with members of their nearby seats, roaming in the corridors outside the main hall etc.

## **8. Gender perspective: Participation by Female MPs**

Around 61% of the female MPs attended more than 75% of total session times in the reporting period. In the Prime Minister's question-answer motion seven female MPs (3 from reserved seat) took part, in ministers' question-answer motion 42 (32 from reserved seat) female members took part. Only four female members (3 from main opposition) participated in law making through raising objections, proposal for public opinion and amendments to bills. Moreover, there were three female ministers who floated bills and seeking permission to pass the bills on behalf of the concerned ministries. Only eight female members participated and discussed on 9 notices under Section 71 of the Rules of Procedure. A total of 33 female members discussed on 117 notices under Section 71(A) of the Rules of Procedure. A total of 56 female MPs (39 of reserved seats) took part in discussions on the budget. A total of 50 female MPs took part in the discussion on President's Speech. Though the participation of the female member increased in number, their role is still at marginal level in enacting law and ensuring accountability of the government. The

participation of female MPs is low in the motion on law enactment and ensuring accountability of the government.

### **9. Role of the Main Opposition**

Ambiguity still persist about the role of the “Main Opposition Party”, as they are participating in the cabinet and their dubious stance on different matters in last 3 years of the parliament. They include use of irrelevant and un-parliamentary languages toward the alliance or parties that have no representation in the house in unison of the treasury bench and their dual roles in the government. Though main opposition placed the proposals on taking public opinion in enacting laws and placed some amendments, they were not considered seriously in the house. It was also observed that they draw attention of the government to contemporary law and order situation and financial misappropriation. Even they showed grievances when they were given enough time and scope to voice their concerns on law and order situation.

### **10. Major observations of the study**

Some positive changes are observed when looking at some trends of 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> parliaments. They include on average increase of working time of the session on each working day, increase of the percentage of the total time spent in legislative businesses, increase in the presence of the members, a little decrease of the average quorum crisis, avoidance of the boycott culture by the opposition, increased participation of the opposition in ensuring the accountability of the government and constructive criticism of the government. Though the increase of total time spent for legislative businesses is significant, average time spent for passing a bill was not found noteworthy. On the other hand, some challenges still persist. They include use of un-parliamentary language in the speeches of the treasury bench and the opposition towards the alliance or parties that have no representation in the house, violations of the Rules of Procedure in the behaviors of members during session, lack of effective role of the Speaker to prevent un-parliamentary language and unpalatable behaviors of the members of the house, the recent killings by extremist and terrorists, financial misappropriation and corruption were discussed in the plenary motion of the budget, President’s Speech and point of order. However, some issues of public importance were not placed for discussion (as of the data observed the motion of notices on public importance) and no discussion on international treaties and agreements took place. Limited participation especially of the treasury bench was observed in the motion of legislative business. Proposals and recommendations given by opposition were not taken into account with enough importance. Limited participation of female members in the motions on legislative businesses and question-answer, conflict of interest of some of the committee members, irregular meeting of the standing committees, absence of any specific timeline, lack enforceability of recommendations proposed by the standing committees, lack of disclosure and access to the information in parliamentary businesses (proceedings of the sessions) and committee information (reports) were notable challenges of the parliament.

Despite the fact that the number of walkouts by the “opposition” has decreased considerably compared to that of the 8<sup>th</sup> and 9<sup>th</sup> Parliaments, it can be hardly said that they are playing an effective role. The identity of the “opposition” has been in question in the prevailing political

context and their role on different issues in the parliament. It was found that some members merely attended the sessions only to retaining their membership of the house. In the first year of the 10<sup>th</sup> Parliament one member of the treasury bench came to the house on 65<sup>th</sup> day of his absence. Then, he attended the parliament for only one day till 2015, but he didn't take part in any of the motion. Any discussion relating to this member was not even observed in the house <sup>17</sup>. In the parliamentary democracy Article 70 has been an obstacle for the members of the house to speak their spontaneously. In the judicial verdict of the High Court regarding the rejection of the 16<sup>th</sup> amendment of the constitution, it was stated that, 'Article 70 of the constitution confined the scope of sharing views of the members of the Parliament. They don't have any freedom to express their position against the party decision. Even though the decision is wrong, they cannot. They are not able to cast their vote against the party decision. In reality, members of the parliament are captured by the policy makers'.

## **11. Recommendations**

The following recommendations are placed by TIB and it believes, if implemented, they would strengthen the parliament and make it more effective in promoting accountable and transparent the governance and institutionalize democracy in Bangladesh.

### **Participation of the Members**

1. Steps should be taken to re-table and enact the 'MPs' Code of conduct Bill' with the necessary changes in the bill.
2. The Speaker should play a strong role to prevent uses of unpalatable languages and demonstration of un-parliamentary behaviors
3. If the main opposition is interested to play roles of a real opposition, they have to relinquish their dual identity for ensuring the accountability of the government
4. Article 70 should be amended for the sake of allowing members to express their views and criticism except no confidence vote against the party and its decision on the budget
5. Necessary steps should be taken to place international treaties for discussions in the parliament following the constitution. The details of the international treaties except the issues relating to national security should be disclosed in the parliament website.

### **Public participation in parliamentary affairs**

6. People's participation through requesting their opinions on various phases of framing and reforming of draft laws or bills should be increased. The official website of the parliament can be used for that purpose. Moreover, the Petition Committee should be made effective.
7. The legitimate and reasonable proposals given by the opposition should be taken into an account by the treasury bench.

### **Making the Parliamentary Committees Effective**

8. The committee meetings should be held regularly as per the rules.
9. The standing committees should be free from the conflict of interest of their members according to the rules.
10. The reports of the committees should be published regularly (proposal – at least one report in 6 months).

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<sup>17</sup> The Daily Prothom Alo, 8 July 2015; The Daily Jugantor, 7 July 2015

**Proactive Disclosure of Information**

11. Public access to information related to parliamentary matters including the attendance of the MPs, committee reports and parliamentary proceedings should be published in its website regularly. All the information of the website should be updated and yearly calendar of the parliament should be introduced.

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