
Irregularities and Corruption Big Impediments to achieve SDG Related to Curbing Corruption and Establishing Good Governance



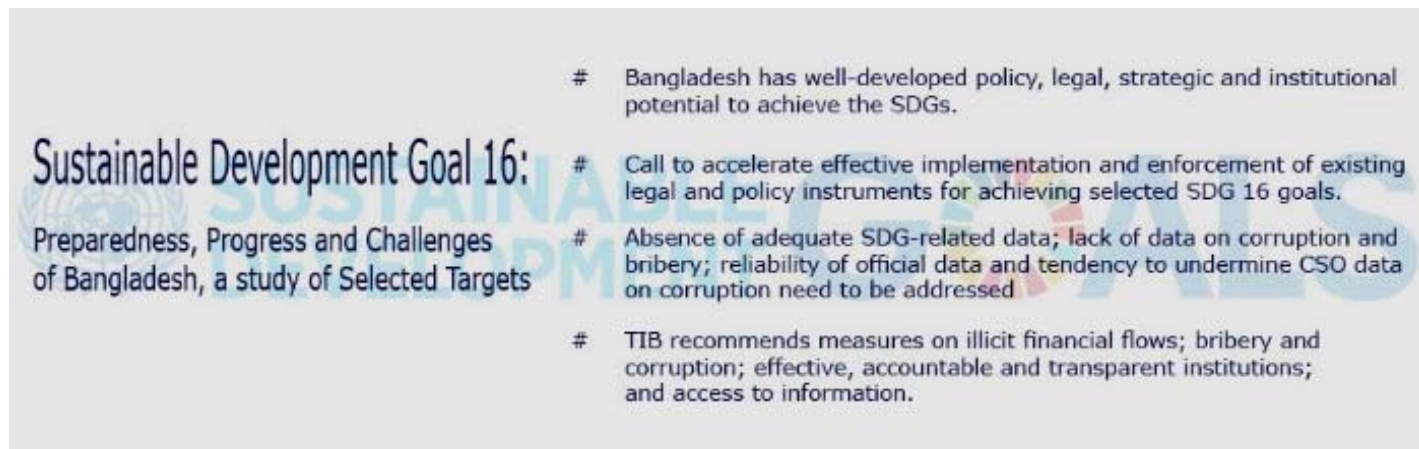
The legal, policy and institutional structures for achieving the cherished goal of sustainable development related to curbing corruption and establishing good governance (SDG-16) in Bangladesh is robust however, weaknesses and deficits in laws and their applications, mishandling of law and application of law based on political considerations are creating hindrances to realization of these goals. These observations were made in a TIB research report titled ‘Sustainable Development Goal 16: Preparedness, Realities and Challenges for Bangladesh in Curbing Corruption and Establishing Good Governance’.



Unveiled on 17 September 2017 in a press conference organized by Transparency International Bangladesh (TIB) at its Head office in Dhanmondi Dhaka, TIB Chairperson Advocate Sultana Kamal, TIB Executive Director Dr. Iftekharuzzaman, Adviser for Executive Management Professor Dr. Sumaiya Khair and the Director for research and policy Mohammad Rafiqul Hassan were present during the presentation of the report. TIB’s Senior Programme Manager for research and policy Shahzada M. Akram presented the study findings and recommendations. Others present on the occasion included the Senior Programme Managers of research and policy department of TIB Md. Waheedul Alam and A S M Juel Mia.

Conducted during April-August 2017, the objective of the study was to review the preparedness, realities and challenges for Bangladesh in achieving the four targets of Sustainable Development Goal-16 (SDG-16) related to curbing corruption and establishing good governance. The indicators are: 16.4 reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime, 16.5 substantially reduce corruption and bribery in all their forms, 16.6 develop effective, accountable and transparent institutions at all levels, and 16.10 ensure public access to information and protect fundamental freedoms.

The report shows that despite various initiatives, corruption and bribery, money laundering, violations of fundamental freedoms and human rights have continued unabated in Bangladesh. In the study, the institutions included under the National Integrity Strategy (NIS) are not found effective at a desired level where influences of party politics, centralized power and dominance of the executive branch as well as administration contribute significantly to the situation. Most of the institutions lack the framework for remaining accountable to the people and the internal accountability mechanisms of these institutions are also very weak. Voluntary disclosure of information by different institutions is also quite inadequate.



Sustainable Development Goal 16:
Preparedness, Progress and Challenges of Bangladesh, a study of Selected Targets

- # Bangladesh has well-developed policy, legal, strategic and institutional potential to achieve the SDGs.
- # Call to accelerate effective implementation and enforcement of existing legal and policy instruments for achieving selected SDG 16 goals.
- # Absence of adequate SDG-related data; lack of data on corruption and bribery; reliability of official data and tendency to undermine CSO data on corruption need to be addressed
- # TIB recommends measures on illicit financial flows; bribery and corruption; effective, accountable and transparent institutions; and access to information.

Besides, although the government had partial information on some subjects including money laundering and asset recoveries related to curbing corruption and good governance, it had limited information about corruption and bribery, level of people's satisfaction regarding public services cum public institutions as well as extrajudicial killings. Overall, among the 241 indicators of sustainable development goals (SDGs) applicable for Bangladesh, the government had complete information on only 70 and partial information on 108 indicators. The government had no information about 63 indicators.

A principal target among the four targets directly related to curbing corruption and establishing good governance under Sustainable Development Goal-16 (SDG-16) is to “reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime.” According to the study, the amount of illegally laundered money from Bangladesh to other countries and from other countries to Bangladesh is gradually increasing. The obstacles to money laundering identified by the research include a deficit in assessing risks at national and sector levels, for example, there is non-recognition of politicisation of regulatory bodies, politico-administrative entente in corruption, three-pronged involvement with politics of the board members in securities and financial institutions and their family-members; non-identification of political appointments in the executive committees or boards of state-owned commercial banks; various limitations in investigation and resolution of cases related to money-laundering, which included procrastination in politically sensitive cases, failure to effectively verify information about

money laundering crimes, deficit in the search for sources of illegal money and its management; dearth of capacity in regulatory and supervisory institutions like the ACC and NBR, and non-existence of their own prosecution units, etc.

Another target of the SDG-16 is: 16.5 'substantially reduce corruption and bribery in all their forms'. It has been seen from the research that corruption is pervasive in Bangladesh despite existence of sufficient legal and institutional frameworks, strategies and commitments for curbing corruption. The service-recipients fall prey to large-scale corruption at the household level while seeking services from the public and private sectors and institutions. Besides, Bangladesh has been identified as a highly corruption-prone country by other research studies conducted by many international organizations. The measures for controlling corruption in Bangladesh have not been at the desired level.

However, this research provided information in support of recent positive initiatives in anti-corruption measures in Bangladesh. Out of 12,568 complaints received by ACC in 2016, a total of 1,543 were accepted for investigation and 543 complaints were sent to different divisions and ministries for taking administrative actions. Earlier, 1,020 complaints were accepted on an average for investigation each year. According to the study, the notable challenges to curbing corruption and bribery included, among others: unequal application of the provision for declaring assets by government officers and employees; keeping the employees of some departments outside the purview of enquiry under existing laws; absence of professional obligation to disclose information related to safeguarding public interest; conflict of interests; lack of transparent, effective and timely methods for settling complaints etc.

Another target directly related to corruption prevention and good governance under SDG-16 is: 16.6 'Develop effective, accountable and transparent institutions at all levels'. The research observed that the government have many challenges in achieving this target despite existence of various legal and institutional structures as well as initiatives, as these institutions have not been made effective, transparent and accountable at a desired level. Consequently, the influences of the executive branch are observed in almost all constitutional and regulatory bodies. The head of the government and the cabinet members do not disclose their asset statement. The effectiveness of the judiciary is not at the desired level due to backlog of cases.

The study further observes that corruption takes place in the recruitment of government employees at different echelons. The effectiveness of law enforcement agencies has also not been found up to the mark. The rate of incidence of crime in the country has remained almost unchanged during the past ten years. Although there are allegations of extra-judicial killings, detentions without trial and forced abductions against these agencies, no statistics are provided on extrajudicial killings. The research revealed that institutional effectiveness, transparency and accountability were being hampered due to prevailing deficiencies in relevant laws. Besides, many institutions were found to be lacking in accountability at a desired level due to control and influence-peddling by different entities including party politics as well as dependence on the government for budgets and administrative personnel.

The research found that there was a tendency to curtail fundamental freedoms in Bangladesh despite existence of appropriate legal framework. For achieving the target, the challenges for the government include a tendency to deny any incident of violation of fundamental freedoms of the people; dearth of goodwill and transparency of the government in investigating these incidents and disclosing the findings; misuse of section 57 of the Information and Communication Technology Act, 2006; and the alarming trend of imposing government controls and enhanced restrictions on freedom of expression through draft laws and policies related to the mass media.

During the press conference, **Dr. Iftekharuzzaman** said, "Although it appears from the research that satisfactory preparedness and capacity exists in the public and private sectors for meeting the targets of Sustainable Development Goal-16, initiatives should be taken on a priority basis for resolving the worrying issues in implementation

infrastructure and application by taking into consideration the prevailing deficits. In this instance, especial emphasis should be placed on the principle of SDG ‘leaving no one behind.’” Putting emphasis on the findings and recommendations of the research, Dr. Zaman said, “Bangladesh is on the right track in terms of satisfactory legal and institutional structures alongside capacity and preparedness, however there is risk of being off-track from the path of realizing goals if effective initiatives are not taken for rectifying the deficits and worries revealed identified in the study.”

TIB put forward a set of recommendations for implementation at the legal, institutional and applied levels. Notable among the law-related recommendations were: clear definition and implementation of the credentials and procedures of the appointment of Chairs and Members of the constitutional and statutory bodies to ensure fair and transparent appointment; allow the MPs to vote against their own parties / decisions except some specific instances through amendment of Article 70 of the Constitution.

The institutional recommendations included, among others, increased institutional capacity where the organograms of the concerned agencies should be reviewed and the staff strength, posting of own staff instead of deputation, and the level of skill and capacity, infrastructural facilities should be increased; increased financial capacity through increasing the budgets for concerned anti-corruption institutions (ACC, OCA, judiciary, law enforcing agencies) according to need; and increased capacity of preventing money-laundering through ensuring dedicated money laundering investigation and prosecution units for LEAs like ACC, NBR, and DNC.

Call for concerted efforts to ensure transparency and accountability in climate funds in South Asia



National and international experts here stressed on urgent concerted efforts of South Asian governments to ensure transparency, accountability and integrity in utilising the fund for the climate victims. ‘As the South Asian countries have prioritised adaptation over mitigation, the governments in this region must mainstream adaptation into their regular developmental portfolio by ensuring transparency and accountability of climate-financed projects to meet diverse needs of the divergent local community in the region’, they observed during a two-day international dialogue that concluded in the capital on 19 September 2017.

Organized by Transparency International Bangladesh (TIB), experts from India, Nepal, Australia, the Maldives, the Netherlands, the UK, Thailand and Bangladesh convened in ‘Dhaka Integrity Dialogue 2: Climate Finance and Governance in South Asia’, held from 18-19 September 2017 at the Bangabandhu International Conference Center

(BICC), Dhaka. The objective of the dialogue was to identify the prospect and challenges in climate finance governance and explore the potential scope, ways and means of regional efforts to meet SDG13 and the Paris Agreement in the context of good governance in climate finance.



The speakers agreed that transparency at both demand and supply sides of climate finance are equally important, therefore, integrity practices by both financiers and recipients are imperative for effective implementation of CF projects. The speakers also urged the climate community to explore innovative ways to engage the private sector. There was unanimous consensus among the speakers that adopting principles of equity, participation, responsiveness and ownership are pivotal to enhancing transparency in adaptation finance for the benefit vulnerable communities. During different sessions of the dialogue, the speakers also highlighted on various mechanisms that can be leveraged for finance to ensure long term sustainability and scalability of adaptation programs, and urged all to consider adaptation efforts as global public good and stressed on various options, not only grant, for sustainable scaling of climate finance. Speakers observed that incentive based policies to promote energy efficient production and consumption should be prioritized to reduce greenhouse gas emissions in these countries.



Presided over by TIB Executive Director Dr Iftekharuzzaman, Chief Guest of the concluding session on Tuesday Mr. Mohammed Iqbal Hossain, Deputy Comptroller and Auditor General (AG) of Bangladesh (Senior), Office of the Comptroller and Auditor General underscored the need of transparency and accountability in climate funded projects. He said, as part of the process to ensure transparency in the funding process, the office of the CAG is now auditing

climate resilience fund and Climate Change Trust Fund, and the audit report will be published shortly. Six audit reports on climate financing have already been discussed in the Jatiya Sangsad, he added.



Ms. Aislin Baker, Senior Governance Adviser and Governance Team Leader, DFID Bangladesh who attended as the Guest of Honour in the concluding session said, the UK has committed to increasing climate finance by at least 50% to at least £5.8 billion between 2016 and 2021. It has also committed £720m to the Green Climate Fund, a key new vehicle for implementing the Paris Agreement and helping developing countries adapt to climate change and follow low-carbon development paths which makes it one of the top five largest contributors in the world, she added. Highlighting on some significant UK funded contributions in climate affected areas of Bangladesh i.e. construction of 31 cyclone shelters, installation of 249 solar irrigation pumps, community level disaster risk reduction programmes, ensure access to early warning systems for floods and cyclones etc., she said UK has a strong commitment and track record of aid transparency, in line with IATI principles.

Dr. Iftekharuzzaman emphasized on the need for working together for promoting transparency, accountability, integrity at national, regional and international levels in the use of climate funds. Presenting a brief summary of the dialogue in the concluding session, Professor Dr. Sumaiya Khair, Adviser, Executive Management, TIB stressed on synergies between the needs of developing countries and support of international cooperation on adaptation efforts in the region.

Topics such as Bangladesh and the Maldives case studies on adaptation finance governance, building capacities to access to green climate finance by South Asian countries and developed and developing country perspectives on transparency framework under the Paris agreement, and SDG and Climate Change from Finance and Governance Perspective were also discussed during the four plenary sessions of the concluding day. The speakers stressed on concerted efforts to link climate finance issues with the broader country-specific democratic governance situation, without which the climate adaptation projects would fail to produce the desired outcomes. The speakers also stressed on simplifying the rather cumbersome approval processes of Green Climate Fund. The speakers further observed that the quality of governance, institutional integrity and regulatory frameworks would be critical to achieving the relevant SDG goals. They also underpinned the necessity to ensure minimum governance standards for monitoring of climate adaptation finance by the public sector.

It may be mentioned here that the first integrity dialogue in adaptation climate finance organised by TIB was held in Dhaka in March 2016. Since 2011, TIB has been playing pivotal role in climate finance governance research and

advocacy in Bangladesh for ensuring integrity, transparency, accountability and participation in all types of climate funds in Bangladesh.

International Right to Know Day observed across the country

Transparency International Bangladesh (TIB) celebrated International Right to Know Day 2017 with great enthusiasm. Besides holding human chain and debate competition, TIB joined hands with the Information Commission in holding different awareness campaign including rally, discussion, information fair in the capital to aware the people of their rights to get information at ease.



In 45 locations of the country, the members of the Committees of Concerned Citizens (CCCs), YES, YES Friends and Swajan members joined hands with the local administration to celebrate the day at local level. Rally, information fair, discussion, anti-corruption cultural programme, Right to Information Act campaign were organized to encourage proactive disclosure of information and aware people. Ministers, bureaucrats, local government representatives, common citizens and students also attended the programmes.



Addressing a human chain on September 27 in Dhaka, TI Bangladesh Executive Director Dr. Iftekharuzzaman said, the Right to Information (RTI) Act 2009 was enacted with a view to strengthening and making effective the people's right to seek information and expression which are guaranteed in the Constitution of Bangladesh. But the relevant government institutions are creating bottlenecks on the way of people's right to information, speech and expression. The effective implementation of the RTI Act will not be possible if the government plays both sides, observed Dr.

Zaman. Mentioning that people of different non-government institutions including mass media are facing serious legal risk in practicing the right to freedom of expression for the misuse of section 57 of the ICT Act, Dr. Iftekharuzzaman called upon the people to be vocal against section 57 of the act. Reminding the government of the Target-10 of SDG-16 which has emphasized on ensuring people's right to information, Dr. Zaman urged the government to ensure people's right of access to information. He also urged the authorities to update their websites by furnishing proactively disclosed information.



As part of celebration, TI Bangladesh participated in a rally and set up a stall in an information fair on September 28 in Dhaka organized by Information Commission. TI Bangladesh also organized a series of public awareness campaigns across the country for the enforcement of people's right to information.



In partnership with Group of Liberal Debaters (GOLD Bangladesh), a renowned debating club of Rajshahi University, TI Bangladesh organized a three-day national debate competition in Rajshahi University during 12-14 September in which 96 debaters from 32 public and private universities participated. The Committees of Concerned Citizens (CCCs) and the Youth Engagement & Support (YES) groups working with TI Bangladesh organized information fairs in several locations of the country with all out support from local administration. YES members also trained the enthusiastic visitors, mostly youth, on how to file request for information using the official format.

RTI Fair, which has been proved to be a powerful medium of strengthening both the demand and supply side in implementing RTI Act, is now being replicated by some NGOs. The RTK Day campaign run by TI Bangladesh's 45 locations also includes rallies, human chains, street theatres, advice and information desks, cultural programmes, seminars, discussions, and cartoon exhibitions. For wider dissemination of the demand for people's right to

information, a television commercial (<https://www.youtube.com/watch?v=0ysOTA-VUuE>) of TI Bangladesh on land issue was broadcast during prime time on September 28 in five popular television channels- Channel I, ATN Bangla, NTV, Channel 24, and Ekattor TV. In addition, a large number of RTK-related cartoon stickers and flyers were disseminated across the country to popularize the people's demand for information.



Alhaz Amir Hossain Amu, Honorable Minister, Ministry of Industries, inaugurated the two-day long Information Fair in Jhalakati held on 9 September 2017 organized by CCC, Jhalakati in association with Jhalakati district administration. All CCCs, its Youth Engagement and Support (YES) Groups, YES Friends and SWAJON members joined hands the local administration to celebrate the day. Six CCCs organized two-day long Information Fairs where different government agencies, departments and NGOs installed stalls and provided their service related information to visitors. In the CCCs organized fairs, different YES groups drove Satellite Advice and Information Desk campaigns, oriented visitors to lodge application for information, projected Anti-Corruption Video Drama, organized cartoon, quiz and debate competitions etc. at fair premises.

Moharazpur UP will ensure proper delivery of its services

Moharazpur Union Parishad (UP) will take initiatives to ensure proper delivery of its services to citizens. To comply the commitment, UP will publish leaflets on its services and will update the Citizen Charter. It was announced by the UP chairman Md. Khurshid Alam in an opinion sharing meeting organized by CCC, Jhenaidah on 14 September 2017 at the Up complex.

Locally elected representatives from different wards of the unions under the UP attended in the program along with its Secretary and other officials. President of CCC, Jhenaidah Md. Abu Taher, member M. Saiful Mabud along with YES members represented CCC to the meeting. CCC representatives made importance to ensure deployment of Designated Officer (DO) according to the Right to Information Act-2009, display the name board of DO, Appeal Authority and the list of UP Standing Committee members, emphasis to the role of female UP members and visible the conditions of



having social safety net benefits. UP authority agreed to organize Face the Public programmes to develop the standards of its services.

Speakers ask youths to make a corruption free country



CCC, Jessore organized a Parliamentary Debate Competition and Anti-Corruption Cartoon Exhibition on 14 September 2017 at Jessore Cantonment College. Eight teams formed by Higher Secondary level and Honors level students of the college participated in the competition. Principal of the college Lieutenant Colonel Md. Rabbi Ahsan PSC was present at the inaugural and concluding sessions of the debate competition. He asked students to make our country corruption free. Youths can take the responsibility to resist corruption for building a developed nation, as they will be placed in important positions in future. So,

it is important for them to be honest and to inspire people for being honest to their professional and personal life, he added.

Debate club won the competition at HSC level and BBA Department won the competition at honors level. Sadhon Kumar Das, teacher of the college, played role as Speaker while CCC Vice President Suraiya Sharif, member Prof Dr. Mustafijur Rahman, Sobnom Ferdous, Reshma Pervin, Ismat Ara and S.M. Tajuddin, teacher of the college, judged different sessions of the competition. Following a projection of TIB theme song, member of the CCC Prof. Dr. Mustafijur Rahman moderated the oath-taking program of the students of college.

Editor: S M Rezwan-ul-Alam

Sub-Editor: Mohammad Zahidul Islam, Shakil Md. Faisal

Write us: Transparency International Bangladesh | email: advocacy@ti-bangladesh.org

Join us: www.ti-bangladesh.org
www.facebook.com/TIBangladesh