

Special News:

•Implementation of UNCAC: Progress undermined by setbacks

National

Implementation of UNCAC: Progress undermined by setbacks

Bangladesh's legal regime is generally compatible with standards and principles of the UN Convention against Corruption (UNCAC). The Government has also taken a few important steps towards strengthening the legal and institutional capacity to control corruption. However, application and enforcement remain far behind affecting compliance of the commitments made under the UNCAC. This has been revealed by a report on the status of implementation of the Convention conducted by Transparency International Bangladesh (TIB). The report was prepared to the support of the Implementation Review Process of the UNCAC, as a part of the Conference of the States Parties (CoSP) being held in Marrakesh, Morocco.

Dr. Iftekharuzzaman, Executive Director of TIB said, "While we commend the Government for a few positive initiatives,

we are also concerned that in some other instances steps have been taken that could weaken the capacity to control corruption". He referred to the bill to amend the Anti-corruption Act as an example which, if enacted, will adversely affect the independence and effectiveness of the Anti-Corruption Commission.

The report noted that soon after being elected the present Government adopted the Bangladesh Action Plan for Compliance of UNCAC in 2009. The Right to Information (RTI) Act 2009 was adopted, following which the Information Commission has been set up. The Human Rights Commission had been reconstituted. The Money Laundering Prevention Act 2009 was adopted. A whistleblower protection (WB) act titled "Public Interest Related Information Disclosure (Protection) Act 2011" was enacted. In connection with the RTI and WB Protection Act, the Government worked closely with civil society, which was noted as a good practice.

However, "political and electoral commitments to fight corruption are not followed up by enforcement without fear or favour, nor are laws often enforced duly. The judicial process has been bypassed under partisan political consideration in case of many criminal and corruption cases, undermining the rule of law, sustaining corruption and promoting a culture of impunity", he said.

The proposed amendments to the anti-corruption act the report also raises concern over lack of credibility of some of the Anti-Corruption Commission staff and absence of enforceable Code of Conduct in the Commission.

Among other negative trends mentioned in the report are failure to implement the

constitutional provision to establish the Office of the Ombudsman and the recent abolition of the Tax Ombudsman's office; delay in providing the necessary human resources to the Information Commission and Human Rights Commission; disempowering the Bangladesh Telecommunication Regulatory Commission; granting of immunity to any decision taken in connection with the production, sale or distribution of electricity; and amendment of the Public Procurement Act undermining expertise and experience as criteria for public sector contracts.

The report recommends that the Anti-Corruption Commission should be strengthened and its independence ensured. The proposed amendments to the Anti-corruption Act that will curtail the Commission's independence and effectiveness should not be enacted. The rule of law must be ensured without any influence on the judicial process, including partisan political bias.

The technical and human resource capacity of the focal point for implementing the UNCAC in the Ministry of Law, Justice and Parliamentary Affairs must be strengthened. There must be regular monitoring and evaluation of implementation of UNCAC provisions. Mechanisms for inter-and intra-ministerial coordination should be established and strengthened.

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Effective Upazila Parishad: 12 recommendations by TIB



The Transparency International Bangladesh (TIB) put forward 12 recommendations for truly effective Upazila Parishad tracking the triangular power conflict among Members of Parliament (MPs), Upazila chairman and Upazila executives which hampers the effectiveness of Upazila Parishad.

Experts on local government bodies in a roundtable discussion titled 'Effective Upazila Parishad: Challenges and Way Forward' held on November 28 at CIRDAP auditorium of the capital unfolded the need of public representative's empowerment for effective Upazila Parishad.

Speakers in the discussion made a plea to the government not to bring any changes in the Upazila Parishad ACT-1998 which will contradict with the Constitution and create conflicts among MPs and UP Chairmans.

Deputy Speaker of the Parliament Col (rtd) Shawkat Ali MP was the chief guest of the discussion and local government bodies should be empowered to disseminate power among people."

TIB Executive Director Dr Iftekharuzzaman said, "Duties of upazila parishad chairman and Upazila Nirbahi Officer are conflicting and to some extent they are unmatched with the idea of local government but practically they controls Upazila Parishad, he added.

Local government expert Badiul Alam Majumber said the Upazila Parishad should run according to the constitution. Parliament Members are influencing the executive works of Upazila Parishad by passing the constitution and passing new laws, he added.

To overcome the stagnant situation of Upazila Patrishad TIB's recommendations are as follows:

- **Cancellation of clause 25 of UP Act-1998 and implementation of clause 42(3);**
- **Duties and responsibilities of MP and UP Chairman should not be contradictory;**
- **Discussion with public and stake holders on the draft of UPAct-2010;**
- **Formation of a neutral and independent local government commission;**
- **14 permanent committee formation and making it functional;**
- **Presenting all documents along with project approval and execution papers to the UP Chairman with the recommendation of Vice Chairman;**
- **Publishing development plan, budget, income and expenditure reports of UP ;**
- **Making the development plan and budget open with all of stakeholders' participation;**
- **Conduct election in Female reserved seat immediately.**

Unconditional investment of undisclosed money in the share market

Transparency International Bangladesh (TIB) voiced concern over the decision of the government for unconditional investment of undisclosed money in the share market.

The Executive Director of TIB Dr. Iftekharuzzaman said "Investment of undisclosed money in the share market is unethical and risky for the healthy and balanced competition." "The share market will go under the control of black money holders and illegal income will be encouraged," he added. He also said that the decision will hinder overall development and good governance of the country.

Referring to Article 20(2) of the constitution which discourages undisclosed money, TIB stated that the scope for black money investment goes against the election manifesto of Awami League government which is suicidal. On November 17, 2011 Through a press statement TIB lauded the Government to reconsider the decision to make the capital market stable.

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40th Anniversary of Bangladesh's Independence: celebration by International NGO (INGO) Forum

International NGO Forum (INGO Forum) organized a daylong programme on 24 November 2011 at the Bangabandhu International Convention Centre to celebrate the '40th Anniversary of Bangladesh's Independence'.

Dr. Gowher Rizvi, Adviser to the Prime Minister, graced the inaugural session as the Chief Guest and Md. Nurun Nabi Talukder, DG, NGO Affairs Bureau as the Chairperson. Dr. Binayak Sen presented his research paper on the role of INGOs in the last 40 years of development in Bangladesh.

The daylong programme encompassed five parallel sessions on different development issues conducted and participated by relevant experts, government officials and academics. An open discussion session on the study on people's perception on the role of NGOs in development was held. Mr. Mahmudur Rahman Manna, Mr. Anisul Islam Mahmud, Mr. Amir Khasru Mahmud Chowdhury, Mr. Muzahidul Islam Selim and Dr. Debapriya Bhattacharya participated. Dr Qazi Kholiquzzaman Ahmad, Chairperson, PKSf moderated the session.

Honourable Minister of Food and Disaster Management, Dr Abdur Razzak was the Chief Guest at the closing session, chaired by Professor Abdullah Abu Sayeed. Dr. Wahiduddin Mahmud, President of Bangladesh Economic Association was also present.

CITIZENS ENGAGEMENT

Citizen's charter launched

CCC and Hospital authority jointly launched a citizen's charter in Shatkhira Sadar Hospital with the technical support from TIB and financial support from UNDP. Chief guest District magistrate Sheikh Hamim Hasan said that citizen's charter is a platform through which both the service providers and receivers can improve the service condition by discussion. "It should be followed and its everyone's duty to be more responsible," he added. The programme was presided over the civil surgeon Dr S Z Atique where TIB Outreach and Communication Director Rezwana-Ul-Alam was present along with Govt. officials, CCC members, politicians and representatives of civil society.

International Day for the elimination of violence against women observed

'Let's stop violence against women, build women friendly society, say no to violence against women, raise your conscience'- were some of the slogans raised during the international Day for the elimination of violence against women. Many CCCs and YES with the support of TIB observed the day through various activities; human chain, rally, discussion, debate competition and leaflet distribution. People of all class and profession participated to this day observance.

Face to Face with public

Rajbari Sadar Hospital authority organized Face the public event on November 20 at the hospital premises. CCC Rajbari organized the event where hospital authority disclosed several aspects and limitations and participants asked service related questions. The programme was presided over the CCC convener Prof Shanker Chandra Sinha where GoB. officials, CCC members, politicians and civil society personals were also present.

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CCC Conveners meeting

A meeting of CCC convener was held on November 18 at Brac Center Inn. Trustee Board Advisor and convener of TIB Jainal Abedin Khan chaired the meeting and representatives of 45 CCCs participated in the meeting. TIB Trustee Board Chairperson Advocate Sultana Kamal, Treasurer Mahfuj Anam, Executive Director Dr Iftekharuzzaman were also present along with other TIB officials. CCCs activities, successes, challenges were discussed. An open question and answer session followed where recommendation and future direction for TIB was shared by the participants.

YES NEWS

Candle lighting by the YES group

Marking the International Day for the Elimination on Violence against Women on November 25 YES members of IBAIS University arranged a candle light procession in front of their Dhanmodi Campus on 26th of November, 2011. Teachers, students of IBAIS general public attended.



AI desk by Dhaka YES

YES Dhaka organized an advice and Information desk for the candidates of admission test for Dhaka University of 2011-2012 session. The YES member of the Social Work Institute, Kuwait Maitree Hall, Rokeya Hall, Fazilatunnessa Mujib Hall jointly conducted the desk on 18 November and 21 October. They setup their desk at Kola Bhaban, Karjon Hall, Law building, Business Faculty, Education and social work Institute. They helped the student through a location map to find seats and places easily.

YES Theatre Show

Dhaka YES theater team performed two shows of a drama titled “ Shong er bidhan” on 21st November 2011. One show was organized in the South Asia Social Forum fair at Mohsin hall play ground and the second one was in Hakim Chatter Dhaka University. About 1000 audience enjoyed the performance.