

Policy Brief

National Integrity
System Assessment
Bangladesh

PARLIAMENT



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Social movement against corruption

Parliament

The Bangladesh Parliament is unicameral and comprises 300 directly elected members. It has 45 reserved seats for women members proportionate to members of representation of the parties representing the Parliament. The Speaker is the executive head of the Parliament. The Parliament Secretariat consists of the Speaker, Prime Minister, the Leader of the Opposition, the Minister in charge of the Ministry of Parliamentary Affairs and the Minister of Finance. The Parliament has a number of Committees for oversight functions. There are two Chief Whips representing the treasury bench and the opposition. There are also a number of Whips of the Parliament.

Constitutional provisions provide for a strong parliamentary form of Government. However, confrontational politics, a poor parliamentary culture and dominant attitude of the party in power as well as Opposition tend to mar the spirit and modality of the operational business of the Parliament. While legally the Parliament is secure from any subordination to external actors, in reality it suffers from strong Executive control. Over the years the Parliament has not been able to emerge as an important site of policy-making and as scrutinizer of Government policies. The Parliament has unfortunately not delivered the key tasks of representation, legislation, oversight of the Executive and conflict resolution and thus has contributed insignificantly in promoting good governance. The weakness of the parliament in Bangladesh is manifested not so much in the absence of its initiatives in formulating laws and budgets, but in the absence of real discussion, debate and scrutiny of the proposals.

Checks and balances on the Parliament that are already in place include executive oversight, legal Acts, Parliamentary Committees and professional codes. Of these, only Parliamentary Committees seem to be performing relatively well. Notwithstanding, the low skill quotient of technical staff, lack of enforcement authority and indifference of both the Parliament and the Government undermine the effectiveness of Parliamentary Committees. Despite numerous legal provisions in place to ensure Parliamentary transparency, people in general are not aware of Parliamentary processes and have very limited access to Parliament. Parliamentary data/ information are restricted and not well maintained and can only be obtained through informal channels and personal communications. The Parliament's website is not kept up-to-date and this information is not provided through other channels.

Strengths

- Parliamentary Standing Committees are active. Members from the Opposition included and participating in PSCs.
- Electronic system in place for automatic time management and receiving notice. Live telecast/broadcast of parliamentary proceedings.
- Enactment of critical laws (e.g. Right to Information Act 2009, Whistleblowers' Protection Act 2011, Money Laundering Prevention Act 2009, National Human Rights Commission Act 2009, Public Finance and Budget Management Act 2009, Competition Act 2012).

Weaknesses

- Inadequate financial resources, lack of quality staff.
- Nominal contribution to promotion of good governance-weak oversight of the Executive.
- Extensive executive control, predominance of the ruling party. Sustained parliamentary boycott by the Opposition.
- Debates/discussions motivated by party considerations . Critical national issues are of secondary importance.
- Apathy of MPs towards constructive criticism and oversight of government policies.
- Policy capture--growing nexus between MPs, vested interest groups and business. Conflict of interest amongst committee members.

Recommendations

- Effective measures must be taken to make the parliament effective, especially to ensure healthy debate for accountable governance. The practice of parliamentary boycott must be stopped by law.
- A timeframe should be prescribed under the Rules of Procedure (RoP) for implementation of the recommendations of the Parliamentary Committees. Key committees such as, the Public Accounts Committee (PAC), should be chaired by opposition members. In forming Committees, special care should be taken to avoid conflict of interest.
- The professional capacity of the Parliament secretariat must be improved.
- The selection of the Speaker should be made through all-party consultation and consensus in order to protect his/her neutral image. Speaker should resign from party position if any. Deputy Speaker should be appointed from the opposition party
- The draft Code of Conduct Bill for MPs must be enacted as a law.
- Information regarding MP's income-expenditure, properties, loan, income tax, and information on legal cases and the usage of development funds must to be disclosed and updated on a regular basis.

About Policy Brief Series

One of the key strategic areas of TIB's research has always been the institutions of democracy and specialized pillars of governance and accountability, which constitute the National Integrity System (NIS), a collective of institutions and practices that are crucial to maintaining integrity and accountability in government, non-government and private sector. The NIS in Bangladesh broadly consists of the following institutions: Parliament, Executive, Judiciary, Public Administration (bureaucracy), Local Government, Police (law enforcement agency), Comptroller and Auditor General (supreme audit institution), Election Commission, Anti-Corruption Commission, National Human Rights Commission, Information Commission, Political Parties, Civil Society, Media, and Business.

TIB has conducted a series of research, surveys and diagnostic studies on many such institutions, by which it has not only created demand, but also catalysed a number of significant legal, institutional and policy changes. Against this background, this policy brief series attempts to diagnose and analyse the strengths and weaknesses of the NIS in Bangladesh and recommend implementable measures to strengthen these institutions.

This policy brief draws on *National Integrity System Assessment Bangladesh 2014* available at: <http://ti-bangladesh.org/nicsa/2014/en/>

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