



# ...Expectations and realities

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missions for itself corruption prevention campaign and capacity building of ACC itself. In terms of the latter the ACC has undertaken a programme to develop its human resources, especially investigation officers. Efforts are on to develop and modernize its information management system including the introduction of information technology.

It should be remembered that the main reason for the sky-high expectation regarding the ACC is that three highly respected and credible persons have been appointed at the helm of the Commission. But the Commission has to function through collective efforts of all members of its staff. The Commission cannot be expected to succeed without addressing the question of integrity, transparency and capacity of the officials. This remains a key concern of the Commission, especially for the legacy it has inherited as the staff of the former Bureau of Anti-Corruption were sweepingly absorbed earlier into the Commission. A reform process is on through lateral entries, but the sooner screening process has been completed the better for the future of the ACC and its effectiveness.

The ACC has quite justifiably identified citizens outreach and engagement as the key to long

term prevention and sustainability of any gains achieved in terms of prosecution or criminalization. The ACC Chairman has been traveling to various parts of the country outside the capital for generating mass awareness against corruption. He is urging upon all to take a vow not to indulge in corruption, to hate it and to encourage others to do the same. He is also calling for building up a social movement against corruption.

A well-conceived initiative has been taken to form local level corruption prevention committees. But how far such committees formed under the aegis of the local administration would be effective and how far they would be able to earn the confidence of the people remain open questions. There is no way that everyone in administration can be viewed to be lacking a sense of seriousness about fighting corruption. Nevertheless, if the ACC's committees are expected to resist corruption at local levels with the participation of the people and act as a forum for social accountability, these must be people's initiatives rather than imposed by government agencies.

Some laws which acted as hindrances against the effectiveness of ACC have been amended by the Anti-Corruption (Amendment)

Ordinance of April 18 2007. Complexities surrounding the rules and organogram of the ACC have been reportedly addressed. The remaining weaknesses in the Anti-Corruption Act 2004 need to be corrected especially for ensuring full financial and administrative independence of the Commission.

The ACC needs to formulate a long-term strategic plan and make it public. Appropriate measures need to be taken for ensuring transparency, accountability and integrity of the Commission's officers and employees if it is to be engaged as an institution on which people can repose their full trust.

Independence does not mean lack of accountability. The Anti-corruption Law provides no accountability or self-regulatory mechanism except that within March every year the Commission shall submit to the President a report on activities completed in the previous calendar year, which the President will forward to the Parliament. The law stops short of indicating any follow-up, nor does it indicate any other accountability mechanism.

A watchdog body created in public interest by public money must be accountable to the people, rigorous self-regulatory as well as external accountability mechanisms must be in place. Among the best-known

models of ACCs is one where it is accountable to the people through the Legislature and to the Courts. It could be a Parliamentary Standing Committee on Anti-Corruption Commission in which, to minimize the scope of partisan influence, all major parties would be represented.

To complement parliamentary and judicial oversight in line with international experiences Citizens Advisory Committees can be set up with several subcommittees such as Policy Advisory Subcommittee, Prevention Advisory Subcommittee, and Citizen's Engagement Advisory Subcommittee.

Finally, ACC's most formidable challenge lies in how effectively it can manage an enigmatic expectation, if not a myth that it is the sole responsibility of the Commission to fight corruption in Bangladesh. Taking ACC as the panacea for all the systemic and pervasive corruption prevailing in the country is counterproductive to the cause of anticorruption. Fighting corruption to be effective and sustainable must be based on a multi-dimensional and comprehensive strategy and should have a much longer timeline than most of us seem to be looking at.

Success of anti-corruption efforts is a function of the degree of the collective strength and

effectiveness of the pillars of the national integrity system (NIS) as in the following Greek-Temple-like structure, where every pillar contributes to the balance on which the national integrity rests, and therefore each one has a role to play. Notably, the ACC is only one among those pillars, and the effectiveness of the ACC will depend on how other pillars of the system contribute to the total strength.

It should also be added that there are many countries in the world where there is no separate institution called ACC, but they have done very well in controlling corruption thanks to the collective strength of the NIS. On the other hand there are many countries where ACC exists but not much has been achieved because neither has it been allowed to function effectively and independently, nor have the other pillars played their due role.

The Parliament, for example, has the key responsibility to ensure accountability of the government to the people, a role that our parliament has miserably failed to deliver over the years. Politicians can be viewed to have in general lost the incentive to indulge in corruption for the time being. But it would be too early to assess whether or not this would translate into a genuine soul-searching by them resulting in an anti-

corruption political will and commitment.

Equally important are the roles of the institutions like judiciary, Election Commission, Public Service Commission. The role of public service is crucial. Nothing substantial has happened yet to curtail incentives that lead to corruption in the public service. On the contrary, at the service delivery end in various levels, people continue to be victims of corrupt practices often through new techniques and innovations as well as added premiums. Reforms in other sectors cannot bear fruits without effectively establishing integrity in public service, especially in appointments, promotions, postings and transfers. No less important is the issue of salaries and benefits, inconsistency of which with cost of living is one of the main factors behind corruption in public service.

In the embedded structure of corruption, a key actor in addition to politicians and public officials is the private sector, the supply side of the win-win game in corruption, both in grand and petty corruption. The anti-corruption drive seems to have led to a sense of insecurity and intimidation in the business community. But again, to what extent this will lead to motivations for integrity and anti-corruption practices in the private and the whole range of

non-government sector is anybody's guess.

No anti-corruption campaign can succeed and sustain without freedom of information. All archaic laws preventing peoples right to information including the Official Secrets Act 1923 must be abolished and the Right to Information Law with provisions for whistleblower protection must be enacted to ensure transparency and free flow of information. Appointment of sector-wise Ombudsmen as per Article 77 of the Constitution can make a difference in ensuring accountability, especially in the key sectors of public service.

The ultimate source of strength in anti-corruption movement, as the above chart shows, is the people their awareness, voice raising and participation in the form of a social movement with active support of all stakeholders, including the media. The main challenge is to create an environment in which corruption would be hated and rejected by everyone and pressures will come from all levels to generate the will and commitment of leaderships and strengthen the collective effectiveness of the key institutions.

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