

ACC ordinance needs full reform

Approved version falls short of real transparency

The recent approval in principle of the draft Anti-Corruption Commission (ACC) Ordinance, 2025 is a welcome and necessary step towards the long-overdue reform of the institution, which is essential for combating the pervasive menace of corruption in the country. The decision to abolish the existing discriminatory provision that long granted special privileges to government officials—contrary to the constitutional guarantee of equality among citizens—is a much-needed corrective measure.

In 2013, this extraordinary exemption for civil servants was inserted into the Anti-Corruption Commission Act, 2004 by the then Hasina government, overruling parliamentary standing committee's objection. Although the High Court declared the provision unconstitutional and ordered its repeal in 2014, the government ignored the ruling for the next decade. It has been alleged that such undue privileges were used by the Hasina government to secure the political loyalty of civil servants, enabling the manipulation of elections and the suppression of opposition under an increasingly authoritarian rule.

Among the recommendations of the ACC Reform Commission—established by the interim government led by Professor Muhammad Yunus following the 2024 mass uprising against Sheikh Hasina's autocratic regime—was the abolition of Section 32A of the ACC Act. This section requires the ACC to obtain prior government approval before initiating cases against judges, magistrates, or government employees, mirroring Section 197 of the Code of Criminal Procedure. However, as ACC Reform Commission chief Dr Iftekharuzzaman has noted, the draft ordinance falls short of fully implementing the widely supported reform proposals. A key omission is the failure to ensure transparency in the appointment process of ACC commissioners.

Experience has shown that the politicisation of such institutions often begins at their formation stage, as secrecy and lobbying influence such key appointments. The draft ordinance drops the crucial provision mandating public disclosure of shortlisted candidates for the commission. The interim government, therefore, should reconsider these strategically significant reform issues. It should also adopt the proposed provision for half-yearly performance reviews of the ACC, as recommended by the reform commission, to strengthen accountability.

While the ordinance in its current form is expected to enhance the ACC's operational capacity and effectiveness, the absence of sufficient safeguards against politicisation—stemming from a lack of transparency in appointments—risks undermining the broader reform objectives. Half-hearted or flawed reforms rarely yield lasting benefits. The government must, therefore, heed the concerns raised by the reform commission and ensure the full implementation of its recommendations to truly empower the ACC and restore public confidence in the fight against corruption.

Preserve Goidartek retention area

BADC must stop construction in this crucial zone

It is unacceptable that the Bangladesh Agricultural Development Corporation (BADC), a government agency tasked with advancing the country's agricultural interests, is itself violating key environmental and urban planning laws to build a tissue culture laboratory. Reportedly, it began constructing a four-storey structure in 2023 on 11 acres of the 117-acre Goidartek pond, which plays a vital role in preventing flooding in large parts of Dhaka and is clearly marked as a retention zone in Rajuk's Detailed Area Plan (DAP) 2010. Shockingly, BADC went ahead with the project despite objections from environmentalists and without obtaining clearances from Rajdhani Unnayan Kartripakka (Rajuk) or the Department of Environment (DoE). Building any structure on this land constitutes a violation of the Environment Conservation (Amendment) Act, 2010 and the Building Construction Act, 1952. Yet the building's main structure is nearly complete, with several additional structures and boundary walls under construction. Such disregard for the law by a state institution sets a dangerous precedent.

According to reports, the Dhaka North City Corporation (DNCC) has repeatedly urged BADC to stop the construction, even offering alternative land for the laboratory at a different location. Despite this, the construction continued. Moreover, after the Bangladesh Environmental Lawyers Association (BELA) filed a petition to halt the project, the High Court declared the construction illegal in January last year and ordered BADC to restore the pond within three months. But instead of complying, the BADC secured a stay order from the Supreme Court and carried on with its activities.

Reportedly, Goidartek was first marked as a retention pond in the Structure Plan 1997 of the Dhaka Metropolitan Development Plan (DMDP), which was later included in DAP 2010. It is also listed as a water-regulating pond in DNCC's zoning plan. However, the BADC chairman has claimed that the land in question, covering 68 acres, was acquired for the Department of Agriculture in 1958 and is classified as cultivable land. This conflicting claim must be resolved urgently.

Experts warn that filling or obstructing the pond will disrupt Dhaka's drainage system, as the Kallyanpur canal and its branches channel stormwater to it before the water flows into the Buriganga River. Any encroachment here will disrupt Dhaka's drainage, worsening waterlogging in Mirpur, Kallyanpur, Agargaon, Mohammadpur, and surrounding areas. We, therefore, urge the government to immediately stop BADC's construction, restore the water retention area to its previous state, and hold to account those responsible for its degradation. Dhaka has already lost most of its natural waterbodies, ponds, and canals due to unplanned urbanisation and encroachment. Those that remain must be protected at all costs if the city is to survive.

THIS DAY IN HISTORY

US stock market collapse

On this day in 1929, five days after nearly 13 million shares of US stock were sold in one day in 1929, an additional 16 million shares were sold this day, called "Black Tuesday."

BNP's notes of dissent show that old habits die hard



WINKERS AWEIGH!

Tanim Ahmed
is digital editor at The Daily Star.

TANIM AHMED

A cursory examination of the July National Charter reveals that BNP's notes of dissent—and those of its axis of like-minded parties—follow a certain pattern. Many of the 84 proposals in the charter can be carried out with simple executive orders. However, there are some that require constitutional amendments, while others demand new laws. Taken together, BNP's position throughout the discussions at the National Consensus Commission shows a consistent opposition to proposals that would significantly weaken the authority of the prime minister or the ruling party in running the government.

It is important to point out that almost 30 proposals have accompanying notes of dissent. Of them, BNP filed over a dozen notes, while Jamaat-e-Islami had only one and the NCP had none. The charter records several instances of both BNP and Jamaat disagreeing with certain proposals but not strongly enough to formalise them as notes of dissent. It should also be noted that both Jamaat and NCP approached the discussions on reforms as potential opposition parties in a future parliament, and hence their interest in strengthening accountability mechanisms of the government, which coincided with the public interest as well.

Let us begin with the proposal for a 10-year term limit for a prime minister and the bar on individuals simultaneously serving as party leader and PM.

Initially, the proposal was to bar individuals from serving as prime minister for more than two terms. BNP opposed this and finally agreed to a 10-year limit—on the condition that another key proposal, the National Constitutional Council (NCC), be dropped entirely. The initial draft also proposed that MPs would be allowed to hold only one of three positions—prime minister, party chief, or leader of the parliamentary party. The final draft dropped the third role, simply mentioning that MPs would be barred from serving as both PM and party chief at the same time. BNP dissented to that proposal as well.

Let us take a moment to analyse what this really means. First, the National Constitutional Council. It was proposed as an independent body—comprising representatives from the ruling party, the opposition, other political parties, the president, and the chief justice—for making appointments to key constitutional

and regulatory bodies such as the Anti-Corruption Commission (ACC), Election Commission, Bangladesh Bank, Comptroller and Auditor General (CAG), the chiefs of the armed forces, and most importantly, the head of the caretaker government.

The provision was designed so that successful appointments would require bipartisan support, making candidates more broadly acceptable. But BNP opposed this and successfully bargained to have it removed, trading it off against the 10-year PM term limit.

Notably, the term limit is 10 years,

Commission, the CAG, or the ACC. If these institutions were made truly independent and free from political influence, they would strengthen transparency and accountability. The charter proposed an independent body for these appointments, but BNP and its allies submitted notes of dissent against it.

Another widely supported proposal was the introduction of an upper house of parliament based on proportional representation of votes acquired in the general election. Read that in connection with the proposal that constitutional amendments would require a two-thirds majority in both houses of parliament. This would mean that even if a party secured two-thirds of seats in the lower house (meaning 200 out of 300 seats, or 67 percent) and wanted to amend the constitution, it would require opposition support in the upper house whose composition could be different because of the proportional representation of votes. In other words,

This stance has to be considered alongside BNP's proposal for exceptions of Article 70 of the constitution, which barred MPs from voting against their party line. There was general agreement that it should be done away with, except in finance bills and votes of no confidence. BNP's note of dissent, however, proposed that the exception should not apply to constitutional amendments, meaning that MPs would still be barred from voting independently on constitutional amendments.

The pattern that emerges from these positions is clear: BNP has dissented to proposals that strengthen government accountability, ensure the independence of constitutional bodies, and prevent excessive concentration of power in the hands of the prime minister. Further, it has opposed provisions aimed at making constitutional amendments bipartisan. Its stance on Article 70 also indicates a desire to retain tight party control over



VISUAL: ANWAR SOHEL

not two terms—a distinction that warrants some scrutiny. While the difference here may seem minor, one could argue that a future ruling party might delay constitutionalising the provision until late in its tenure, thus allowing a sitting PM to serve nearly a full term before the clock starts ticking. Technically, then, the PM would clock a few months, maybe a year, at the helm, thus affording them a clear run for, say, nine more years (or almost two further terms). That is presumably the advantage of a 10-year limit over a two-term one.

Then there are the appointments to constitutional bodies—the ombudsman, the Public Service

any amendments pushed by the ruling party would have to be so necessary and justified that even the opposition, or at least some of its members, would find merit in them.

But BNP has done its best to dilute this proposition, beginning with its suggestion that the upper house be constituted according to the proportion of seats won by parties in the lower house, and not by their share of votes—making it a mirror image of the lower house where the ruling party would again dominate. BNP has also added a proviso, through another note of dissent, that the upper house should have no say in constitutional amendments.

parliamentary votes, paving the way for the kind of majoritarian governance that has repeatedly undermined democratic practice in Bangladesh.

BNP's approach at the consensus commission discussions seems to have been guided by the assumption that it will win the next election and form government with a considerable majority. What was meant to be a collective effort to build a stronger, more accountable system of governance for citizens has thus turned into an exercise in expedience. BNP, from these developments, seems intent less on ensuring checks and balances than on preserving the latitude to govern without them.

Why we need a new climate finance approach



Dr Haseeb Md. Irfanullah
is an independent environment and climate change
consultant and visiting research fellow at the
University of Liberal Arts Bangladesh (ULAB). He
can be reached at hmirfanullah@outlook.com.

HASEEB MD. IRFANULLAH

Most of the recent discussions on climate change in Bangladesh have been focused solely on funding. The world annually requires \$4.6 trillion to reach net zero in greenhouse gas emissions by 2050, yet only 43.5 percent of this was spent in 2024. For adaptation, developing countries need \$387 billion per year, but only 7.2 percent of that was made available in 2022. Therefore, climate funding is, indeed, crucial. My concerns, however, lie elsewhere.

Let's look at a few examples of why Bangladesh's motivation and interest behind all its funding dialogues do not make much sense. Over the last five years or so, the government, civil society organisations, and development partners have shown outstanding enthusiasm in promoting and mainstreaming youth involvement in climate action. The July uprising was supposed to prioritise young people's capabilities at the core of our development agenda. Despite these efforts, our latest climate budget for

FY2025-2026 once again failed to allocate funds to the youth ministry. How much energy have our youth climate activists spent ensuring that Bangladesh moves away from its obsolete, decade-old climate budgeting style compared to the efforts they have invested in attending the Conferences of the Parties (COPs) across the world over the years? Do our youth genuinely believe they can influence global climate finance when they cannot move the needle in their own country?

Although we do not yet have a national policy on climate change, we have several recent action plans directly dedicated to climate action. Each of these time-bound documents has also estimated the budget required for full implementation: the Delta Plan 2100 (\$37 billion during 2018-2030); the Climate Prosperity Plan (\$89.72 billion, 2022-2030); the National Adaptation Plan (\$230 billion, 2023-2050); and the Nationally Determined Contribution (NDC 3.0) (\$116.18 billion, 2026-2035).

Avoiding double-counting of activities in these plans, it is often declared in public forums that Bangladesh annually needs around \$26 billion for climate action, with an 89.2 percent funding gap. Yet, we do not see any desperate or drastic measures from the government to reduce this enormous gap by improving transparency and accountability in public sector fundraising and project management to build funders' confidence, or by effectively tracking and reporting fund flows and expenditure.

In response to the newly established Fund for Responding to Loss and Damage (FRLD), currently managed by the World Bank, Bangladesh may soon begin estimating how much money it will need by 2050—further widening the overall climate funding gap. It seems that we are moving rapidly away from our proud notion of being a resilient and prosperous nation under climate change, instead seeking compensation as a climate victim.

Furthermore, all our recent conversations have focused on how to tap into the FRLD. Between December 1, 2025, and May 31, 2026, the FRLD will seek its first round of proposals to disburse an initial \$250 million pot for loss and damage actions, and Bangladesh may not be prepared for this.

On October 29, 2016, ICCCAD, ActionAid, NACOM, and CARE provided a clear outline, titled National

Mechanism on Loss and Damage in Bangladesh, to initiate actions through appropriate institutions and governance. Nine years on, it has not been materialised despite several attempts. The establishment of the FRLD now appears to have sparked some motivation, as the government is planning to prepare a national framework on loss and damage, while several civil society organisations have revived discussions on the national mechanism. However, how the national mechanism will be linked to the national framework, and vice versa, remains unclear. Nevertheless, for loss and damage, Bangladesh's action has been to engage mostly in talks. Apart from that, a list of 43 loss and damage actions were included in the NDC 3.0.

Bangladesh must rethink its approach to seeking funds from UN-facilitated sources. It should also stop working solely around the COPs—climate change is a year-round reality for Bangladesh, not just an 11-day event in November. We must also ask ourselves: despite an annual climate funding gap of \$23.2 billion and losing 1-2 percent of GDP to climate change impacts every year, how are climate-vulnerable Bangladeshi adapting to and tackling losses and damages by investing their own resources? The answer to that question could help us recalculate our climate finance needs and motivate us to expand our funding options more seriously.