

Building an Effective Parliamentary Ethics and Conduct Regime

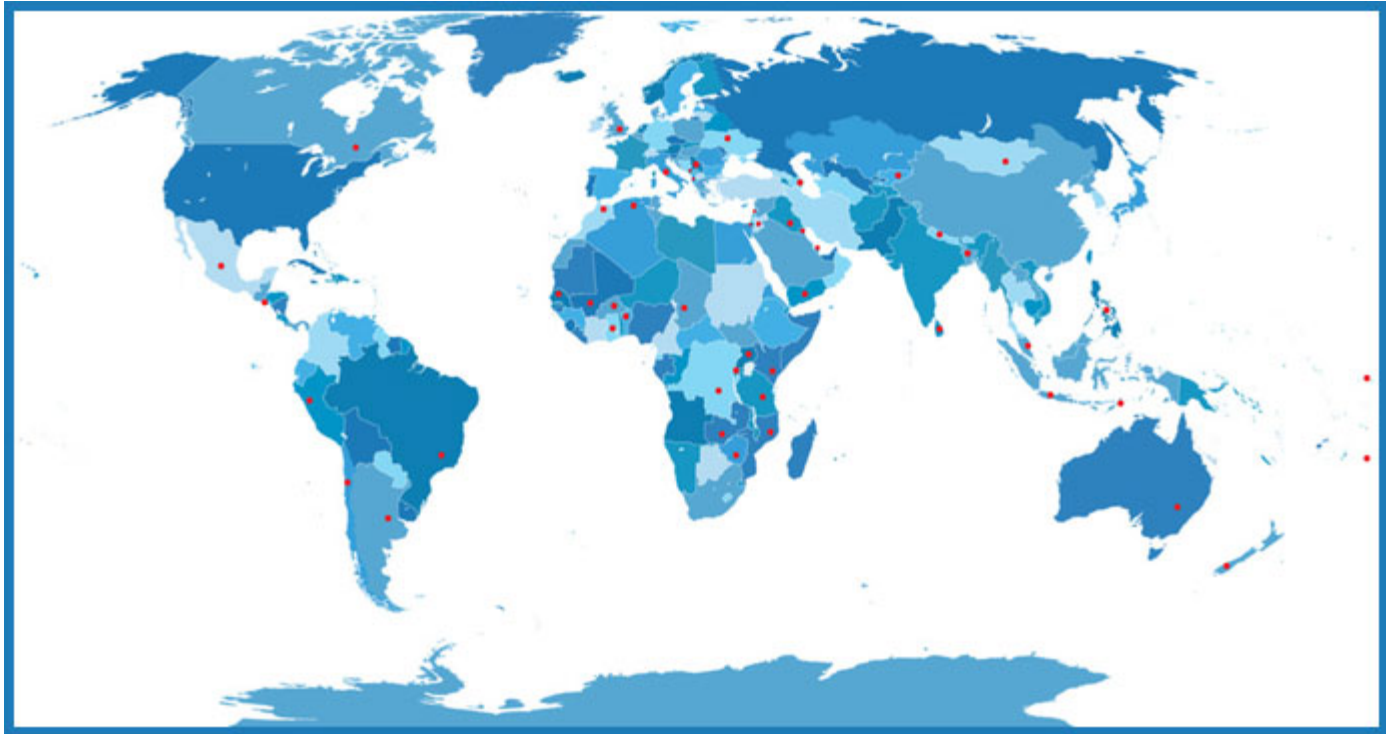
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- A worldwide alliance of parliamentarians, working together to combat corruption, strengthen good governance, and uphold the rule of law
- Original research, global anti-corruption capacity building, and international peer support



50 National Chapters, 5 Regions



The Role of Parliamentarians

- Introduction, adopting and enforcing anti-corruption legislation
- Establishing an 'Ethics and Conduct' protocol
- Building political will for a corruption free society



The Role of Parliamentarians

Parliamentarians need to actively and visibly carry out their democratic roles

- Representation, legislation and oversight
- Parliamentary standards should reflect international standards, domestic customs and ethical values



Why Establish a PEC Regime?

1) respond to ethical misdemeanours

2) address public concern



3) enforce existing bylaws in parliament

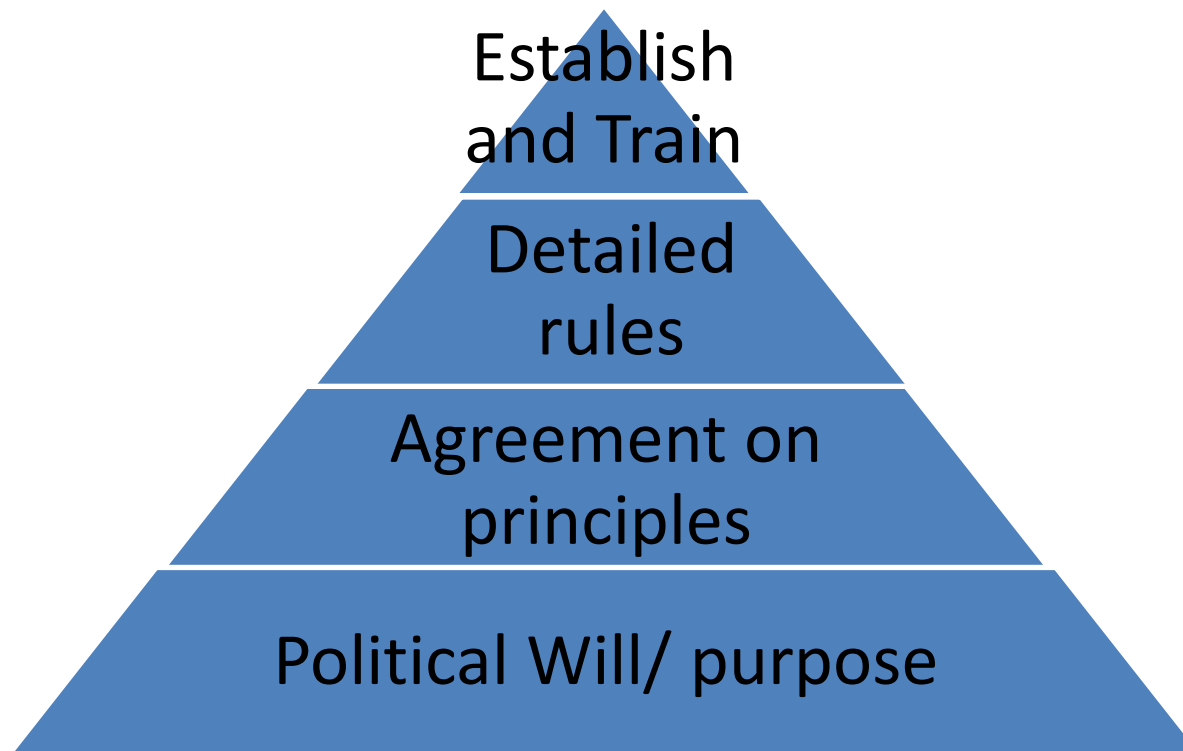


Steps to Establish a PEC Regime

1. Create political will / determine purpose.
2. Reach agreement on ethical principles.
3. Develop detailed rules.
4. Establish the regulatory system and train members.



Steps to Establish a PEC Regime



Principles are usually general:

- honesty
- Integrity
- Responsibility

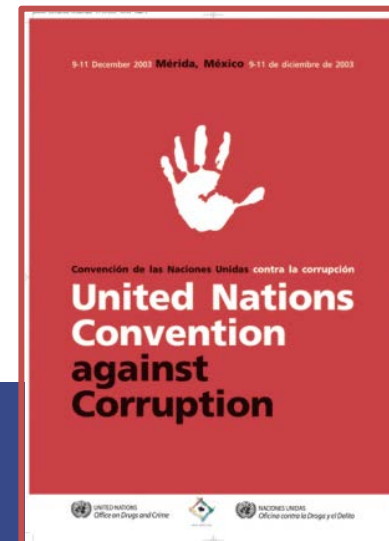


Few MPs will disagree with general principles.



How to Identify Principles

1. Internal Sources (examples:
constitutions, principles for public office).
2. Other parliaments.
3. International standards (UNCAC)



Developing Detailed Rules

3 general categories of rules:

1. Conflicts of interest
2. Ethical rules related to transparency and disclosure of interests
3. Restrictions on outside interest
4. Immunity



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- They are inevitable.
- Even the perception of a conflict can damage reputations.
- Gifts (often culturally expected) can be considered bribery if they give one party advantage over another.



3 elements of disclosure:

1. Forms and timing [ad hoc or routine]
2. Who should register
3. What should be registered? [assets, income, liabilities, gifts and travel]

Purpose: highlight the potential for conflict



Restriction on Outside Interests

- Disclosure allows others to judge if there is an outside interest.
- Some PEC regimes have incompatibility rulings
 - cannot work in certain areas: armed forces, security services, civil servants or judicial roles).
 - Cannot work in certain areas after holding office.



MPs are given immunity to ensure they have enough freedom to hold government to account, scrutinise legislation, represent the public without being prosecuted.

2 models: non-accountability or inviolability.



1. Non-accountability : protects freedom of speech.



2. Inviolability: elected officials cannot be prosecuted for any criminal activity, unless caught in the act.



1. How will monitoring, restricting or prohibiting certain activities be determined?
2. Which forms of employment will be deemed incompatible with holding public office?
3. How long will post –employment restrictions last?



1. How will the ethics and conduct regime interact with provisions for parliamentary immunity?
2. How will the parliament ensure that parliamentary immunity is not used to avoid provisions within the ethics and conduct regime?



Bangladesh's PEC Regime

- Bill Tabled. Being considered for passage in the Parliament.
- RPO in Election Law - A Candidate has to declare Assets and Liabilities of Self and Family Members.
- Declare not Charge-sheeted/not convicted
- Not Bank loan Defaulter
- Not Holding Profitable post





For More Information

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