



## **Transparency International - Pakistan**

**AN ANTI-CORRUPTION ACTION PLAN (ACAP)  
INVOLVING POLITICAL PARTIES  
TO ENSURE TRANSPARENCY AND GOOD GOVERNANCE.  
FOLLOWING THE OCTOBER 2002 ELECTIONS**

### **QUESTIONNAIRE**

#### **PRAYER**

God give us men! The time demands  
Strong minds, great hearts, true faith and willing hands;  
Men whom the lust of office does not kill;  
Men whom the spoils of office cannot buy;  
Men who possess opinions and a will;  
Men who have honor; men who will not lie;  
Men who can stand before a demagogue  
And scorn his treacherous flatteries without winking;  
Tall men, sun crowned, who live above the fog,  
In public duty and in private thinking.  
For while the rabble with their thumb-worn creeds,  
Their large professions and their little deeds  
Mingle in selfish strife; lo, Freedom weeps;  
Wrong rules the land, and waiting justice sleeps.

Sir / Madam

Transparency International – Pakistan made an appeal on July 25<sup>th</sup>. to all the major political parties who had won even a single seat in the 1997 General Elections, to come forward with your Anti-corruption Action Plan in which we had requested all the political parties to come together on one platform and declare your intentions to combat corruption in all its forms.

Transparency International – Pakistan had made a few suggestions which could help the party incorporate within its Manifesto its Action Plan for combating Corruption and providing Transparency and Good Governance post October 2002 elections. The suggestions for Transparency & Good governance included:

### **Pre-election.**

- The Criteria for selection of Candidates. Personal Integrity, Honesty etc.
- Transparency in selection of candidates -The Method of Selection – Election or Nomination.
- The Procedures that you intend to take to verify the Declared Assets of the Candidate.
- The Code of Conduct of the selected representatives / members and of your party.
- Financial Disclosures – Ways, Means and Sources of funding and of Expenses.
- Transparency in Election Issues and Party Policies.

### **Post Election**

What steps will your party take:

- To provide Transparency and Accountability in the workings of the Government.
- To provide the necessary Checks and Balances for Good Governance. Encompassing the National Integrity Systems.
- To prevent and Monitor the practice of corruption by your party representatives within government.
- To establish the Accountability of the corrupt.

Transparency International – Pakistan had also suggested that your ACAP should incorporate the following:

- A clear commitment by your party leaders to combat corruption wherever and whenever it occurs and to submit themselves to scrutiny. Giving up the need for immunities and privileges which may shield them from the legal process.
- A plan for the prevention of future corruption and on changing systems rather than indulging in witch hunting.
- The adoption of comprehensive Anti-corruption legislation, implemented by agencies of manifest integrity., including its investigators, prosecutors and adjudicators.
- Identification of those activities of government prone to corruption and the steps that your party will take to combat and reform the process through providing transparency in the administrative, financial and procurement procedures.
- Outline a program for raising and ensuring that the salaries of .civil servants and political leaders adequately reflect the responsibilities of their positions and are as comparable as those in the private sector.
- Ways and means of establishing a partnership between Civil Society and the Government in an effort to combat corruption.
- Outline a program on making Corruption a “high risk” and “low profit” undertaking. i.e. increasing both the risk of being detected and the likelihood of appropriate punishment thereafter.

In view of the lack of response from the various Political Parties, due to the hectic activities of the Election itself, we have decided to interview the leaders of each of the major political parties and bring along with a questionnaire which will allow us and the citizens of Pakistan to assess the seriousness of each political party in its fight against corruption.

The Democratization of a country is an opportunity to control systemic corruption by opening up the activities of Public Officials to public scrutiny and accountability. In this questionnaire we will determine the extent to which your party will support the Institutional checks and balances and other accountability mechanisms such as eliminating secrecy, monopoly and discretion.

It is understood that in successful democracies, the power of the legislators should be limited to legislation and taxation. That is, voting on behalf of the people to grant money to the executive and then ensuring that it is properly spent. The "Watchdog should not become the burglar"

The Questionnaire is divided into sections, each section comprising one pillar of the National Integrity System. The questions shall be short, precise and self-explanatory thus requiring a positive response and at the same time a commitment by each political party to Civil Society and its own constituencies. To determine whether your party intends to serve the demands of the public the interests of your country and to see that both are not short changed?

# QUESTIONNAIRE

## Party Funding

**Question # 1.** If funds are raised through the private sector. How does your party intend to keep in check the relevant demands of the private sector which normally requires returns on its contributions.

**Question # 2** Will the party question the origin of the funds contributed by the private sector. Would contributors be requested to prove their identity.

**Question # 3** Does the party intend to accept-funds from foreign & Multinational companies if so why?

**Question # 4** Does the party intend to accept funds from the business community, including builder's community. If so why?

**Question # 5** How does the party intend to legitimize the payments made to them. Would it require that all payments made to it to be received through cheques.

## THE LEGISLATIVE

**Question # 1** What steps does the party intend to take in case of unethical behavior or misuse of power by its elected members.

**Question # 2** What steps will the party take to prevent conflict of interest with regards the assets, incomes, liabilities, and other business interests of its elected members..

**Question # 3** How does the party intend to protect the interest of the public when it hears of or fears a collusion between its elected members and the Public Servant to serve their own interests.

**Question # 4** Would the party consider the declaration of the assets of its elected members on its Web site.

**Question # 5** What role does the party see for the Public Accounts Committee with regards to prevention of corruption.

**Question # 6** Would the party consider the involvement of Civil Society in legislation through Public Hearings etc. as a part of its fight against of corruption..

## THE EXECUTIVE

**Question # 1** Would the party commit itself to the separation of the Executive from the Judiciary and give it the necessary independence as the Executive has been elected under the Rule of Law.

**Question # 2** Would the party consider giving Watchdog Agencies the necessary resources and the mandate to do its duties and functions without fear or favour.

**Question # 3** Would the Party support the establishment of a Code of Conduct for Ministers.

**Question # 4** Would the party support the establishment of “Rules of Conduct” defining the immunities and privileges of the Ministers as minutely as possible so that the Corrupt Ministers cannot shelter behind it.

**Question # 5.** That Budgets prepared by the Executive must be open to the Public vide Public hearings and Parliamentary Public Committees.

**Question # 6.** That Property belonging to the government should not be bestowed on the Executive on any other than for social, educational or humanitarian purposes.

**Question # 7.** Would your party support the Auditor General through sufficient resources and independence to audit the Government Accounts in a Transparency Manner.

**Question # 8.** Would your party consider given the Public Accounts Committee Oversight duties and have the authority to receive and act upon the reports of its Auditor.

**Question # 9** That the Privatization Process and Sale of Government Property must be completely Transparent and with the participation of the Private Sector in the process.

## **THE JUDICIARY**

**Question # 1.** Would the party support the establishment of an Impartial, independent and informed Judiciary for the realization of a Just, Honest, Open and Accountable government to perform its main duty of protecting the Citizen.

**Question # 2,** Would the Party support the Judiciary in its constitutional role of reviewing the actions taken by the government and public officials to comply with standards laid down in the constitution and the laws laid down by the Legislation.

**Question # 3.** Would the party take steps to establish the Accountability of Judges so as to increase the integrity of the Judicial Process.

**Question # 4.** Would the Party support the setting up of a Judicial Council:

- to check Judges accused of impropriety,
- to establish a transparent appointing process,
- to establish rules of appointing of cases by Judges themselves.
- To establish rules for postings and transfers of Judges.
- To establish modern tracking method for cases
- To appoint judges who have the integrity, ability, appropriate training & qualification in the field of law.
- To establish Transparent procedures for appointment, promotion and retirement of Judges.
- To establish a code of conduct for Judge.
- To train Judges in ethics, management, transparency and public relations.
- To establish procedures for annual Declaration of assets of Judges.

- To establish Transparent systems for allocation of cases, incentives in clearing of backlog & setting up of court filing systems through computerized systems..

## **THE OMBUDSMAN**

What does an ordinary citizen do when things go wrong? When grievances and complaints against the government and the bureaucracy fall on deaf ears? Go to the Ombudsman of course.

**Question # 1.** Does the party support the need for giving the Ombudsman the powers of investigation and of inspection of systems of the administration and the powers of examining mal-administration in the public sector so that it can restrict corruption to a minimum.

**Question # 2.** Will the party support the power of the ombudsman to review and monitor the declaration of income and assets made by senior Public Officials and to investigate when Public Officials refuse to provide the Public with information that they are entitled to have.

**Question # 3.** Would the party protect the independence of the ombudsman with regards to its budget allocations. Giving him a fixed term, and defining the procedures for his retirement

**Question # 4.** Would the party consider giving the ombudsman the powers of execution in addition to its investigative and monitoring powers.

## **INDEPENDENT & FREE MEDIA**

**Question # 1.** Would the party give the Media / Press the right to report and publish freely within Pakistan and abroad and to be accorded the fullest possible facilities for access to public information.

**Question # 2.** Would the party consider giving every person the right to freedom of expression which is defined in article 19 of the International Covenant on Civil and Political Rights where, "Everyone shall have the right to freedom of opinion and expression; this right shall include freedom to seek, receive and import information and ideas of all kinds regardless of frontiers, either orally, in writing or in print in the form of art, or through any other media of his choice but should be within the proprieties allowed by Islam.

**Question # 3.** Would the party support the initiative of the press for "Self Censorship" to be allowed to make Judgments of its own and set up policies that govern itself and the news that it should allow itself to publish.

## **INDEPENDENT ANTI-CORRUPTION AGENCIES**

**Question # 1.** Would the party consider establishing an independent Anti-Corruption Agency or Commissions" with the functions Prevention and Prosecution.

**Question # 2.** Would the party consider that the "Commission" be responsible solely to the legislative and the courts and that the "commission" itself shall be Monitored by Citizens Advisory Committees.

**Question # 3.** That the Commission be given political and operational independence to investigate even the highest levels of government and that it should not be controlled by political direction.

**Question # 4.** Would the party allow for the head of the “commission” to be selected through a Parliamentary Select Committee and that his removal should not be at the discretion of anyone.