

July Charter

National Consensus Commission

Reforms at a Glance: What Was, What Is Happening

The July Charter has been finalized based on extensive discussions and opinions from political parties regarding the recommendations of the National Consensus Commission. The Charter includes a total of 84 reform proposals. This event presents the final proposals along with a comparative picture of the previous situation. Among these, the BNP has submitted notes of dissent on 9 reforms, including the formation of an upper house through the PR system discussed in the second round of dialogue. Jamaat has given a note of dissent on one reform. Discussions are now underway on the implementation of the Charter. Until then, this event also highlights the latest positions of the political parties.

Exists Now	Final Proposal
Reforms through Constitutional amendments (1 to 47)	
1. No recognition of any language other than Bangla	The state language of the Republic will be Bangla. All other mother tongues of the citizens will also be recognized.
2. The nation is Bengali, and citizenship is Bangladeshi	Citizens of Bangladesh will be known as Bangladeshis.
3. Constitutional amendments require a two-thirds majority, no referendum needed	To amend the Constitution, the support of two-thirds of the members in the lower house and a majority in the upper house will be required. A referendum will be needed to change the Preamble, Articles 8, 48, 56, and 142, and the caretaker government system.
4. Abolishing the Constitution under Articles 7A and 7B carries the highest punishment	Articles 7A and 7B of the Constitution will be repealed.
5. Article 150(2) relates to transitional and temporary provisions	Article 150(2) concerning transitional and temporary provisions will be repealed, and the Fifth, Sixth, and Seventh Schedules will be removed.
6. A state of emergency is declared with the countersignature of the Prime Minister, and fundamental rights remain suspended	To declare a state of emergency, the approval of the Cabinet will be required, and the Leader or Deputy Leader of the Opposition will be present in that meeting. Fundamental rights will not be suspended during a state of emergency.
7. Existing fundamental principles are Bengali nationalism, democracy, socialism, and secularism	Equality, human dignity, social justice, and religious freedom and harmony will be added to the fundamental principles.
8. Secularism and freedom of religion	Coexistence and dignity of all communities will be included.

9. There are 22 fundamental rights	The number of fundamental rights will increase, for example, uninterrupted internet access and protection of personal data.
10. Members of Parliament must vote openly in the presidential election	The President will be elected by secret ballot by members of both the lower and upper houses.
11. The President can appoint only the Prime Minister and the Chief Justice by his own authority.	The President will be able to appoint the Chairmen and Members of the National Human Rights Commission, Information Commission, Press Council, Law Commission, and Energy Regulatory Commission, as well as the Governor of Bangladesh Bank, without the advice of the Prime Minister. (Eight parties, including the BNP, expressed dissent regarding giving the President the authority to appoint the Governor and members of the Energy Regulatory Commission.)
12. The President can be impeached with the support of two-thirds of the members of Parliament.	The President may be impeached with the support of two-thirds of the members of both Houses of Parliament.
13. The President can grant pardon to anyone with the approval of the government.	The President may grant pardon to an offender if the affected person or family agrees.
14. There is no limit on how many years one can remain in the position of Prime Minister.	No individual may serve as Prime Minister for more than ten years in total during their lifetime.
15. There is no restriction on the Prime Minister holding multiple positions.	The Prime Minister cannot hold multiple positions at the same time. (Five parties, including the BNP, expressed dissent on this point.)
16. The caretaker government system is not included in the Constitution.	A committee, headed by the Speaker and composed of the Prime Minister, the Leader of the Opposition, the Deputy Speaker from the Opposition, and a representative from the second largest opposition party, will appoint the Chief Adviser of the caretaker government for a 90-day term. All parties will propose names. If consensus cannot be reached, the ruling party will propose five names, the main opposition party five names, and the second largest opposition party two names, and all names will be made

	public. The ruling and opposition parties must each select one name from the other's proposed list, and both will select one name each from the second largest party's list. The person nominated by a 4–1 vote of the committee will become the Chief Adviser. If this is not possible, two representatives from the judiciary will join the committee. The seven-member committee will then nominate one Chief Adviser through ranked-choice voting. (Seven parties, including the BNP, agreed on the earlier steps but expressed dissent regarding the ranked-choice voting system.)
17. The current Parliament is unicameral.	The upper house of the proposed bicameral parliament will have 100 seats.
18. At present, there is no upper house in Parliament.	Seats in the upper house will be allocated among political parties based on the proportion of votes they receive in the national election (PR system). During the parliamentary election, parties must submit a list of 100 candidates, including at least 10 percent women. (BNP and four other parties hold a different view. They want the upper house seats to be distributed following the current system for reserved women's seats.)
19. Laws are made in the single chamber of Parliament.	The upper house will not have the power to enact laws. If a bill passed in the lower house remains pending in the upper house for more than two months, it will be considered approved.
20. Any Bangladeshi citizen aged 25 or above, who has not been convicted, can become a Member of Parliament.	Members of the upper house will have the same qualifications as members of the lower house.
21. There is no target to increase the number of women representatives through direct elections.	Women's representation in parliament will gradually be increased to 100 seats.
22. There is no obligation to nominate women candidates.	The existing 50 reserved seats for women will remain, and political parties must nominate women in at least 5 percent of directly elected seats. Until the 33 percent target is achieved, this percentage will increase by 5 percent in each election.

	(Islami Andolon Bangladesh and Khelafat Nizame Islam expressed differing opinions.)
23. The Deputy Speaker is elected from the ruling party.	The Deputy Speaker must be elected from the opposition party.
24. The ruling party may appoint a standing committee chairperson from the opposition if it wishes.	The chairs of key parliamentary committees, including Public Accounts, Privileges, Assumed Accounts, Government Institutions, and standing committees related to major ministries, will be selected from the opposition party.
25. If MPs vote against the party decision, their membership is cancelled.	Except for budget and confidence votes, Members of Parliament will be allowed to vote freely on other matters.
26. Agreements with foreign countries do not require parliamentary approval.	Any agreement related to national security must be approved by both houses of parliament. (BNP and three other parties submitted notes of dissent.)
27. The Election Commission alone determines the boundaries of parliamentary constituencies.	After each population census, the boundaries of parliamentary constituencies will be redrawn, with a special expert committee working alongside the Election Commission.
28. The President can appoint anyone as the Chief Justice.	Article 95 of the Constitution will be amended, and the Chief Justice will be appointed from the Appellate Division.
29. The President can appoint anyone as the Chief Justice.	If there is no allegation or investigation of misconduct or incapacity, the President will appoint the senior-most judge of the Appellate Division as the Chief Justice.
30. The number of judges in the Appellate Division is determined by the government.	The number of judges in the High Court will be determined based on the Chief Justice's request.
31. The appointment of High Court judges was under the control of the Prime Minister.	Judges of the High Court will be appointed through a commission led by the Chief Justice.
32. There is no provision in the Constitution for a Judicial Service Commission.	A provision for the Judicial Appointment Commission must be included in the Constitution (two parties, including the BNP, disagree; they say that an ordinary law is sufficient).
33. The judiciary does not have full independence.	The judiciary must be given full constitutional guarantee of independence (eleven parties, including Jamaat,

	disagree; they say this already exists in the Constitution).
34. The Appellate Division and the High Court are located only in Dhaka.	One or more benches of the High Court will be set up in each division.
35. There is authority only to investigate misconduct.	The Supreme Judicial Council will be strengthened and its jurisdiction expanded (two parties, including Jamaat, disagree on expanding the jurisdiction).
36. The transfer and promotion of lower court judges are decided by the Ministry.	The control over the service of lower court judges will be fully vested in the Supreme Court instead of the Ministry of Law.
37. Appointments to the Attorney Service in the higher courts are made by the government.	A permanent attorney service will be formed consisting of units of the Supreme Court and the districts.
38. Although there is a law, appointments to the Election Commission are made through the Prime Minister.	The Election Commission will be formed by a five-member committee chaired by the Speaker, comprising the Deputy Speaker elected from the opposition, the Prime Minister, the Leader of the Opposition, and a judge from the Appellate Division.
39. Although mentioned in the Constitution, the Ombudsman has not been appointed.	The Ombudsman will be appointed by a seven-member committee chaired by the Speaker, comprising the Deputy Speaker elected from the opposition, the Prime Minister, the Leader of the Opposition, a representative from the second-largest opposition party, a representative of the President, and a judge from the Appellate Division.
40. The Prime Minister appoints members of the Public Service Commission.	The Public Service Commission will be formed by a seven-member committee chaired by the Speaker, comprising the Deputy Speaker elected from the opposition, the Chief Whip, the Opposition Chief Whip, a representative from the second-largest opposition party, the chairperson of the parliamentary standing committee on the Ministry of Education, and the chairperson of the parliamentary standing committee on the Ministry of Public Administration (seven parties, including the BNP, disagree).

41. The Auditor General and Comptroller are appointed by the Prime Minister.	Appointment to the positions of Comptroller and Auditor General and Controller through a seven-member committee chaired by the Deputy Speaker elected from the opposition party, and comprising the Deputy Leader of the Government, the Deputy Leader of the Opposition, the Chair of the Parliamentary Standing Committee on the Ministry of Finance, the Chair of the Parliamentary Committee on Government Accounts, and the Chair of the Parliamentary Standing Committee on the Ministry of Public Administration. (seven parties, including the BNP, disagree)
42. Although the law provides for the appointment of the ACC (Anti-Corruption Commission) Chairman and Commissioners through a search committee, the ultimate control lies in the hands of the Prime Minister.	The Anti-Corruption Commission will be granted the status of a constitutional body. The Chairman and four commissioners of the ACC will be appointed through the Chief Justice's nominated citizen representative, the senior-most judge of the High Court, the senior judge of the Appellate Division as chair, the CAG, the PSC Chairman, a representative of the parliamentary leader, and a representative of the opposition leader. (seven parties, including the BNP, disagree)
43. There are no measures to prevent the abuse of constitutional powers.	To prevent the abuse of constitutional and legal powers, Article 20(2) of the Constitution must be amended.
44. The Election Commission conducts local elections at the request of the government.	The responsibility for conducting local government elections will be constitutionally vested in the Election Commission (EC).
45. Local governments have no financial independence.	Financial autonomy of local government must be ensured. (Jamaat expressed a differing opinion.)
46. All employees in government institutions are under the authority of the government.	Government officials directly engaged in the activities of local government institutions shall be under the authority of the elected representatives. Government departments involved in implementing local government projects shall work under the guidance of elected

	representatives. (Jamaat expressed a differing opinion.)
47. Local government institutions cannot request budgets from the government without notifying the ministry.	Local government institutions shall have the authority to raise their own funds locally and may request additional financial support from the Upper House Parliamentary Committee related to local government.
Reforms through amendments to laws (Sections 48 to 84)	
48. There is no law defining the rights of parliamentary committees and members.	A law must be enacted to define the rights and powers of parliamentary committees and members.
49. The Election Commission determines parliamentary constituencies.	As an immediate step, a specialist committee shall be formed to delimit constituency boundaries.
50. There is a code of conduct for judges.	A code of conduct shall be formulated for sitting judges.
51. Judges may continue to use the title "Justice" even after retirement.	A code of conduct shall also be established for retired judges, who shall no longer be allowed to use the title "Justice" after retirement.
52. The government controls the promotion and transfer of subordinate court judges.	A Supreme Court Secretariat shall be established, and the authority for the promotion, transfer, and disciplinary measures of subordinate court judges shall be vested in it.
53.	
54. Police conduct case investigations.	A Criminal Investigation Service shall be established.
55. There are only a few special tribunals.	Specialized courts shall be established, and judicial manpower increased.
56. There are no provisions requiring the disclosure of assets by judges, magistrates, and judicial officers.	Every three years, the assets of judges, magistrates, and judicial officers must be publicly disclosed through a website.
57. Cases are run based on documents.	Digitize the courts to reduce case backlogs.
58. There is a separate law for legal aid and arbitration.	Enact laws on legal aid and mediation, and introduce a code of conduct for lawyers.
59. Rallies and gatherings take place in the court premises.	Prohibit political activities within court premises.
60. Lawyers' associations are directly involved in party politics.	Do not recognize lawyers' associations as affiliated or associated bodies of political parties (BNP and seven other parties disagreed).

61. Judges have no scope to engage in politics.	If judges show political allegiance, treat it as misconduct and take disciplinary action.
62. There is no opportunity to access internal information of political parties.	Amend the Right to Information Act so that registered political parties fall under its scope and must provide information when requested by citizens.
63. Information in government offices is confidential.	Amend the Official Secrets Act (five parties including Jamaat disagreed).
64. After elections, there is no opportunity to try government officials involved in vote rigging.	Form a commission to investigate complaints against government officials involved in the July killings, persecution, and election rigging.
65. There is no Public Administration Reform Commission.	Establish an independent and permanent Public Administration Reform Commission.
66. All recruitment is done through a single Public Service Commission (PSC).	Form three separate Public Service Commissions for recruitment: one for doctors, one for teachers, and another for other officials (seven parties including Jamaat disagreed).
67. Accounts and audit fall under a single department.	Separate the Audit Department from the Accounts Department.
68. There are now eight divisions.	Make Faridpur and Cumilla into separate administrative divisions.
69. There is no independent Police Commission.	Establish an Independent Police Commission headed by a former Appellate Division judge, with representatives from the Leader of the House, the Speaker, the Leader of the Opposition, and the Deputy Speaker.
70. There is an opportunity to legalize black money.	Enact a law to permanently end the legalization of black money.
71. There is no law for resolving conflicts of interest.	Introduce a law to prevent misuse of power by addressing conflicts of interest.
72. The person through whom corruption and money laundering occur is punished, but the main culprit remains outside punishment.	Ensure punishment of actual beneficiaries in cases of corruption and money laundering through proper legislation.
73. Although there are rules for verifying a candidate's affidavit, the Election Commission does not do so.	The income and expenditure of contesting political parties and candidates, as well as the candidates' affidavits, should be verified through the National Board of Revenue (NBR) and the Anti-Corruption Commission (ACC).

74. Public representatives submit their statements of assets only during elections.	Elected representatives must submit their statements of assets to the Election Commission annually, and the Commission will publish them on its website.
75. A convicted person is not barred from seeking nomination five years after serving their sentence.	Political parties will not grant party positions or nominations to individuals involved in corruption or irregularities.
76. The qualifications for becoming an ACC (Anti-Corruption Commission) Commissioner are not specified; the government appoints them through a search committee.	The ACC Act will be amended so that only individuals with at least 15 years of experience in education, law, law enforcement, accounting, auditing, or financial institutions may be appointed as Commissioners.
77. There is no provision for reviewing the activities of the ACC.	The activities of the ACC will be reviewed through a selection and review committee.
78. Government approval is required to file a case against a public servant.	The ACC will not need government approval to file cases against public servants
79. Income tax information is confidential.	The Income Tax Act will be amended so that the ACC can access a person's tax information if required (proposed by seven parties including BNP; with court approval ACC can obtain information.)
80. Corruption in private institutions does not fall under the jurisdiction of the ACC.	Financial crimes and corruption in private institutions will be recognized as independent criminal offenses.
81. Bangladesh is not a party to the Common Reporting Standard.	To ensure financial transparency domestically and internationally, Bangladesh's laws will be reformed to join the Common Reporting Standard.
82. Although the office of the Ombudsman is mentioned in the Constitution, it is not functional.	An anti-corruption strategy paper will be formulated and implemented through the office of the Ombudsman.
83. Police stations, registry offices, passport offices, and district and Upazila-level offices of education, health, and local government are not yet automated.	Police stations, registry offices, passport offices, and district and Upazila-level offices in education, health, and local government will be brought under automation.
84. Bangladesh is not included in the Open Government Partnership.	Bangladesh will be formally included in the Open Government Partnership.

Differences of Opinion on the Implementation Method of the July Charter			
Recommendations of the Expert Panel	Position of BNP and Allied Parties	Position of Jamaat and Allied Parties	Position of NCP
Issue an order to implement the July Charter and make it effective. A referendum will be held under that order. The first session of the next parliament will act as a "Constitution Reform Council." In that session, the reforms will be approved. After that, it will function as a regular parliament.	Issue a notification under existing law to hold the parliamentary election and referendum on the same day. If any party that submitted a note of dissent on the reform gains a majority, the next parliament will amend the constitution accordingly. Afterwards, there will be another referendum.	Implement the charter through a constitutional order. Hold a referendum before the election. Conduct the parliamentary election in February under the charter. The next parliament will approve the charter.	Implement the charter through an order equivalent to a constitutional act and hold a referendum before the election. The first session of the next parliament will have the powers of a Constituent Assembly.