



# CANADA DAY, JULY 1, 1996



The Daily Star Special Supplement

Design: Angelina S. Cholet

## Number One Development Partner

### Interview with the Canadian High Commissioner to Bangladesh

by M Anwarul Haq

**"B**ANGLADESH is an efficient user of international development assistance, and most donors, specially Canada has been remarkably impressed by the proper utilisation of aid."

In an exclusive interview with *The Daily Star*, Canadian High Commissioner to Bangladesh Jon J Scott while appreciating the utilisation of development assistance said that most Bangladeshis perhaps do not know that Canadians consider them as their number one development partner.

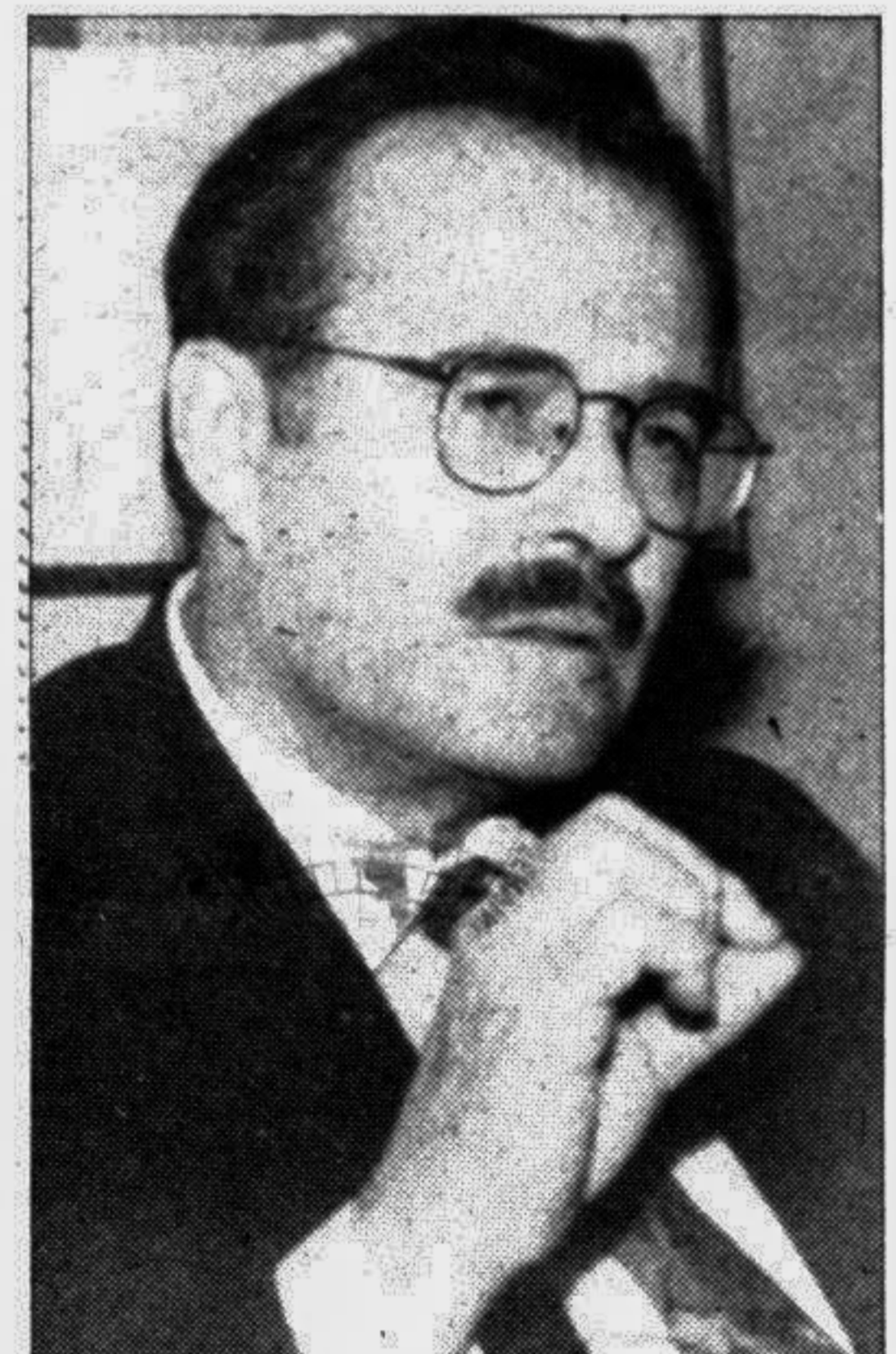
"There are no white elephants here as in some countries. We are happy that funds made available here through the government and the NGOs are properly used."

The envoy was immensely delighted that Bangladesh for several years was and still continued to be the largest recipient of Canada's aid funding more than any other country in the world. All assistance is in the form of grants and there are no loans.

The envoy said his country has been involved in major sectors like health care, agriculture, education, transportation, women's uplift, rural development and energy.

Scott who during his more than two years stay as High Commissioner has taken a personal liking for the country and its people. He said: "Many of our programmes are low-profile, and hardly make noise, nor there is any publicity of the schemes undertaken by our assistance programmes."

Citing an example, he said: "We have a programme of repairing and maintaining nearly 200 railway bridges which are not high-profile projects but help to strengthen the communication infrastructure."



Jon J Scott

High Commissioner of Canada to Bangladesh

Continuing the envoy said: "It is typical of Canadian assistance. It is effective, low key but responsive to the needs of the country. And over the years, more of our aid is going into poverty alleviation."

Since Bangladesh's independence, Canada, he said, has contributed over two billion Canadian dollars to the country.

However, the Canadian envoy was happy to inform that trade was replacing aid. Bilateral trade between the two countries has increased enormously in volume and size in recent times, and now trade was nearly twice the size of aid.

With trade figures surging rapidly, Bangladesh was now enjoying a favourable balance.

Garments composed the bulk of imports to Canada and there has been a growing market for heavy winter clothes recently.

Shrimp was another sector where Bangladeshi exporters were performing well while there was considerable business being done in the sphere of jute and jute products. Handicrafts were receiving a new boost in sales following opening of an Aarong out-let run by BRAC in Vancouver, the High Commissioner informed.

Canadians were recently picking the habit of drinking tea and they now drink more tea than the Americans do and an increasing volume of tea from Bangladesh is now making its way into the Canadian markets through international blenders.

Canadian exports to Bangladesh on the other hand comprised of mustard and canola seed, tobacco, wood pulp, pharmaceutical products, machinery, iron and steel, electrical machinery, wooden poles and fine paper.

"Bangladesh is the largest market for Canada's mustard seed," said Scott.

The High Commissioner who had keenly followed the recent political developments along with some western envoys was happy to note that democracy had gained firm footing following the recent elections and hoped that in the days to come it will be strengthened further. Three groups of Canadian observers who had been here to oversee the elections including a team from the high commission had all reported positively about the fairness in conducting of the polls.

The overall observation made was that there might have been some irregularities but it did not materially affect the results of the elections, said Scott.

The interest of the Canadians to invest in Bangladesh is very intense, and already some prospective investors from Canada had been on visit.

The envoy said Canadian businessmen were interested in several areas, particularly oil and gas fields. At least seven offers to build power plants have been made and there have also been offers for gas exploration.

He said Bangladesh has not only a big gas reserve but one of the highest success rate in gas drilling.

"We would really welcome forthcoming approaches from the government for collaboration in gas and energy sectors."

Bangladesh, the envoy said, perhaps required to address the energy sector urgently and the Canadians with their expertise could set up power plants within a period of 18 to 24 months.

Jon J Scott appreciated the sincere working morale of the Bangladeshis. Said he: "Bangladeshis are hardworking which is underappreciated by foreigners at large."



Jean Chretien, Prime Minister of Canada

### High Commissioner's Message

Canadians celebrate their national day just at the beginning of the short but glorious Canadian summer. Canadians celebrate with enthusiasm and commitment, qualities which also characterize the relationship between Canada and Bangladesh.

Canadians are committed to doing their part to assist Bangladesh in its progress towards prosperity by means of alleviating and where possible eliminating poverty. An essential means to this end is the proper functioning of a democratic system of government, of which the most important element is a representative parliament. Both nations share the tradition of parliamentary democracy and Canada has participated enthusiastically in measures to strengthen the institutions of democracy in this country over the past year, including the sending of delegation of Canadian observers to the Bangladesh elections, led by Colleen Beaumier, MP.

Ms. Beaumier, as other Canadian visitors to Bangladesh found the ties between Canada to be deep and long-lasting. Most Bangladeshis are surprised to learn that Canada gives more aid to Bangladesh than to any other country. Canada's programme is increasingly focussed on the needs of the poorest, especially amongst women and children.

But Bangladeshis are also surprised to know that thousands of Bangladeshis have settled in Canada, and that many have returned to Bangladesh after successfully completing their studies in Canada. The growing community of returned Bangladeshis has contributed greatly to the expansion and modernization of Bangladesh.

Even though the bilateral aid programme is Canada's largest, we find that bilateral trade is twice as great. Trade opportunities are being rapidly exploited by business people in both countries to the mutual advantage of both Canada and Bangladesh. I look forward to continued growth of these exchanges, particularly in the exports of garments, as well as in the imports of expertise and equipment in the gas, electrical power and telecommunications industries, in addition to Canada's strong niche markets here for coins and oil seeds.

Canada and Bangladesh share a community of values in the realm of international affairs, particularly in support for UN peacekeeping in troubled lands, and in multilateral bodies concerned with universal issues, such as nuclear proliferation.

I wish to thank all those Bangladeshis who have extended their congratulations to me and other members of the Canadian community on this occasion.

Jon J Scott

## Canada and Bangladesh: Partners in Development

by John Deyell

Head of Aid, Canadian High Commission

**C**ANADA Day 1996 is being held at an auspicious time for Canada's development cooperation programme with Bangladesh. A cautiously optimistic mood seems to be emerging amongst our development partners, reflecting the rebirth of their hope for Bangladesh's graduation into the ranks of more prosperous nations. The past year has been a time of great challenge, in which many projects suffered delays and losses. Goals were not met and targets slipped; opportunities passed, some permanently. The situation was manageable because of the amazing resilience of Bangladeshis in adapting to adversity. This lends strength to development cooperation efforts, which are always sensitive to the political and social environment. In that sense, the most significant achievement of the past twelve months has been the resolution of the political stalemate and the transfer of government power under free and fair elections. Preconditions for a resumption of Bangladesh's development seem to be in place: the task for the year ahead will be to regain lost momentum.

It is worth noting that Canada joined many other donor nations in offering support to the electoral process. A number of financial grants were given to institutions and organizations in Bangladesh's civil society to assist their efforts to monitor the elections, increase voter awareness, inform citizens of their rights and obligations, and encourage female voters to exercise their

franchise. Judging by the high turnout of women voters at the polling places, the local groups were gratifyingly successful in their advocacy efforts. In concert with other donors, Canada also gave financial support to the caretaker government to assure that the Chief Electoral Commissioner had adequate resources for his administration of the elections. Once again, the positive results were a spectacular return on very modest investments: a tribute to the determination of Bangladeshis to carry their democratic development strongly forward.

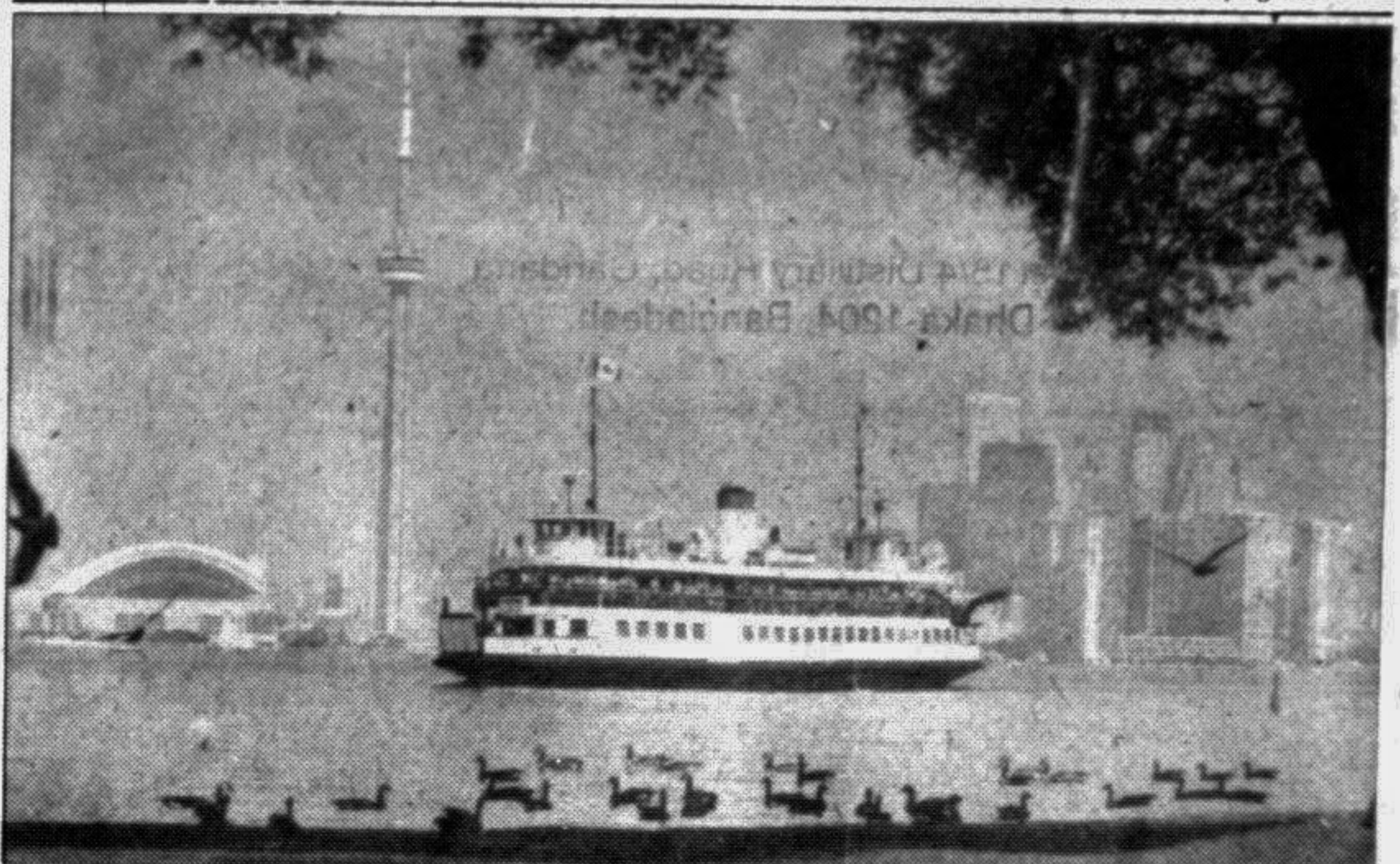
As the situation normalizes, Bangladesh's attention will return to the planned accelerated development of its economy and advancement of its society. National reconciliation, prosperity and effective government have been identified as high priorities. Recent political and academic dialogue has thrown up a fairly clear road map of where Bangladesh will likely focus its attention. We are told there is an immediate need for policy implementation which expedites infrastructure investments by the private sector in the areas of telecommunications, gas, transmission and power generation. No less important is the need for continued emphasis on better nutrition. Access to quality education, especially for girls and women, must be accelerated. The process and structure of government itself has been identified for major attention: decentralization of democracy, deregulation and privatization, and administrative reform, have all

been highlighted for early action. The challenge is great; the task of the friends of Bangladesh will be to allocate useful resources in a timely fashion to areas of high priority for both government and civil society.

In the past year Canada has undergone similar adjustments, and has brought some of its "lessons learned" to the table in the form of new foreign policy objectives for the development cooperation relationship. The purpose of Canada's official development cooperation programme worldwide, is to reduce poverty through sustainable development, thereby contributing to a more secure, equitable and prosperous world. Canada concentrates its cooperation on six priorities: basic human needs (i.e. health care, education, nutrition, water and sanitation and shelter), women's development, infrastructure services, private sector development, the environment, and human rights, democracy and good government. As can be seen, there are many areas of common thrust between Bangladesh and Canadian priorities; it is reasonable to assume these will form the nucleus of future joint planning.

Development assistance funding continues to be under budgetary pressure in most donor nations, and this is equally true in Canada. "Official Development Assistance" is gradually being supplanted by flows of "Private Direct Investment" in many countries. Bangladesh continues to be the

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Toronto, Canada's largest city as viewed from a nearby island

**C**ANADA is a young country, but it has a legal system rich in tradition. The principles of common law used in most Canadian provinces were first developed in medieval England. The principles of Quebec's civil code date back even further, through France to the ancient Roman Empire.

These traditions form the base of Canada's legal heritage, but they have also been adapted to meet Canadian needs. The courts ensure that the law is interpreted and enforced in a way that reflects current conditions.

**The Canadian Constitution**  
Canada's Constitution establishes the basic framework for the country's system of law and justice. It defines the nature of the federal and provincial governments, how these governments are elected, and the powers of each. Equally important, the Constitution sets out the basic rights and liberties of each citizen that must be respected by all governments.

The Constitution defines a federal system of government for Canada. This means the authority to make laws is divided between the Parliament of Canada and the provincial legislatures.

The provincial governments have the authority to make laws concerning such matters as education, property rights, the administration of justice, hospitals, municipalities and other matters of a local or private nature. In addition, the provinces may create local or municipal governments that can deal with matters such as parking regulations or local building standards.

The federal government

deals with matters that affect all of Canada, such as trade and commerce, national defence, immigration and criminal law. As well, the federal government has jurisdiction over Aboriginals and lands reserved for Aboriginals.

**The Charter of Rights and Freedoms**  
In 1982, the Canadian Charter of Rights and Freedoms became a fundamental part of the Canadian Constitution. The Charter sets out the basic rights of person who are in Canada. Anyone in Canada may appeal to the courts if he or she believes that these rights have been violated. The courts may declare any federal or provincial law invalid if it is not consistent with the Charter.

The Charter protects basic rights in the following areas:  
fundamental freedoms - including freedom of expression, religion, association and peaceful assembly;  
democratic rights - the right of every Canadian to vote in elections and run for public office;  
mobility rights - the right to travel, live and work anywhere in Canada;  
language rights - the right to receive services from the federal government in either English or French, Canada's two official languages;  
equality rights - guaranteeing protection against discrimination based on race, national or ethnic origin, religion, colour, sex, age, or mental or physical disability; and  
legal rights - including the right to life, liberty and security of the person, to consult a lawyer if arrested, to stand trial within a reasonable period of time; to be presumed innocent until proven guilty; and to be protected against unreasonable searches, arbitrary imprisonment and cruel or unusual punishment.

Since 1982, the Canadian Constitution includes the specific recognition and affirmation of the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada.

**Legislation and Regulation**  
Within the limits set out by the Constitution, laws can be made or changed by means of written statutes enacted by Parliament or a provincial or territorial legislature. Statute laws automatically take the place of any conflicting unwritten, or common law, precedents dealing with the same subjects.

Any member of Parliament or provincial legislature may propose a new law, but most new laws are first put forward by the government in power. A proposed law must be presented for consideration by all members, who study and debate it. The proposal becomes a statute law only if it is approved by the majority.

**Common Law and Droit Civil**  
Statute laws do not make up all the laws in Canada. There are many unwritten laws that are based on common law traditions. This is specially true

## Legal System

in the area of civil law, which deals with private matters between individuals, such as property ownership, family responsibilities and business transactions.

Civil law in 9 out of Canada's 10 provinces is based on common law. Common law is a system based on legal precedent. Whenever a judge makes a decision, this decision becomes a precedent - a rule that will guide other judges when they are considering similar cases in the future. Many of Canada's laws are made up of these precedents and customary practices that have developed over the years.

Civil law in Quebec, however, is based on a written code (the Code civil), which contains general principles and rules for different types of cases. Unlike common law, when a case is considered under droit civil, the judge first looks to this written code for guidance and then to the precedents set by earlier decisions.

Although the procedures used in common law are different from those in droit civil, the results often are not. Decision made in similar cases using the two systems are usually much the same.

**The Courts**  
Canada's laws are interpreted and applied by the courts, which are presided over by judges whose independence is guaranteed. Each province is responsible for establishing its own courts, which deal with matters arising under both federal and provincial law. In addition, the federal Parliament has established a general court of appeal for Canada and a number of courts of specialized jurisdiction.

The court system of each province is generally divided into two levels. At the first level is the Provincial Court, which deals with most criminal offences. This level may also include Small Claims courts, which deal with private disputes involving limited sums of money, and Youth and Family courts. Judges at this level are appointed by the provinces.

At the second level is the provincial Superior Court, the judges of which are appointed by the federal government. This court deals with the trial of the most serious criminal and civil cases. Above this level

Our Warmest felicitations on the occasion of "The Canada Day"

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Heartiest Congratulations to Canada and the Canadian Community in Bangladesh on the Occasion of CANADA DAY 1996

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