PDAB570

CONTRACT/AGREEMENT DATA SHEET

1. M/SER/AAM/A/SUP Action Monitor: USAID/Dhaka

2. Date PIO/T Received in M/SER/AAM/A/SUP: / /

COMPLETE EACH BLOCK FOR BOTH NEW ASSISTANCE/ACQUISITION AND MODIFICATION ACTIONS

3. Contract/Agreement/Number: 388-0079-A-00-9093-00

4. Contractor/Recipient Name: THE ASIA FOUNDATION (TAF)

5. Contractor Acronym: TAF

6. Project Title: Institutional Strengthening of Civic Participation in Bangladesh

7. Project Number: 388-0079

8. Project Officer's Name: D. W. Muncy

9. Bureau or USAID Symbol: USAID/Bangladesh

10. PIO/T Number: 388-0079-3-90072

11. TYPE OF ACTION [A]
- A. New Acquisition/Assistance
- B. Amendment/Modification
  - 1. New/Revised Scope
  - 2. Funded Extension
  - 3. No Cost Extension
  - 4. Transfer of action from AID/W to Mission/Mission to AID/W
  - 5. Incremental Funding
  - 6. Overhead Rate Adjustment
  - 7. Contract Closeout
  - 8. Other

CFPR or FAR: ~~FAR~~ (HB 13)

12. Amount of this PIO/T: U.S. $ 650,000

13. Amount [☑] Obligated [☐] Suboblgated [☐] Deobligated by this Contract or Amendment: U.S. $ 650,000

14. Cumulative Obligation (Life of Contract): U.S. $ 650,000

15. This Action Funded Through: 5/14/93

16. Date Contractual Documents Signed by AID Official: 6/13/89

17. Incrementally Funded Contracts: [☑] YES [☑] NO

18. Host Country/Counterpart Institution (University Contracts): N/A

19. Campus Coordinator (University Contracts): N/A

20. ADVANCE [B]
- A. No Advance
- B. Advance Non-FRLC
- C. Advance FRLC

21. Budget Plan Code: DDNA-89-27388-KG13

22. Country or Region of Performance: Bangladesh

23. A. This Action Increases or Decreases TEC by $ 652,000

B. Total Estimated Cost of Contractual Document $ 4,200,000

24. Amount of Non-Federal Funds Pledged to the Project: 0

25. Effective Date of this Action: 6/13/89

26. Estimated Completion/Expiration Date: 5/14/93

27. Contractor DUNS Number: 94-119-7246

28. Consultant Type Award: [☐] YES [☑] NO

29. Number of Person Months (PASA/RSSA only): N/A

30. Number of Persons (PASA/RSSA only): N/A

31. CONTRACT TYPE [D]
- A. Fixed Price (specify: [☐] FFP [☐] FPRD [☐] FPEPA [☐] FPI)
- B. Cost Reimbursement (specify: [☐] CR [☐] CPFF [☐] CS [☐] CPAF [☐] CPIF)
- C. IQC and Requirements Contracts
- D. Grant/CA/PASA/RSSA
- E. Contracts with Individuals

ENTERED 9/15/89 RCOMS section

32. Negotiator's Typed Name:

33. Negotiator's Signature:

34. Date Signed: / /

35. Contract/Grant Officer's Organization Symbol: MICHAEL F. WALSH

36. Contract/Grant Officer's Signature: Michael F. Walsh

37. Date Signed: 7 Nov 1989

38. SUBJECT TO STATUTORY REQUIREMENT

E

A. Walsh-Healey Act, Manufacturer*
B. Walsh-Healey Act, Regular Dealer*
C. Service Contract Act
(U.S. ONLY - Guards, Maintenance, Laborers)
D. Davis-Bacon Act *(Construction)*
E. Not subject to Walsh-Bacon Act
(Most AID Contracts)

**Equipment, Supplies, Materials, and Commodities*

39. Country of Manufacture

WA

40. CURRENCY INDICATOR

A

A. U.S. Dollar
B. Local Currency
C. Combination
D. Unfunded

41. SUBCONTRACTS

Is there a provision for a subcontract? *(Contracts only)*

☐ YES ☑ NO

42. TYPE OF SERVICE

B

A. Training of Participants
B. Technical Assistance to Host Country
(Program, Project related except A&E Services)
C. A&E Services
D. Construction
E. Research
F. Technical Services to AID
(other than training; usually operating expense)
G. Training Service for AID
H. Equipment, Materials, Supplies, Commodities
I. Translation Service

43. CONTRACT/AGREEMENT SOURCE

B

A. U.S. Contractor/Grantee
B. Non-U.S. Contractor/Grantee
C. Combination of A & B

44. TYPE OF AMERICAN OWNERSHIP
(U.S. Persons or Firms Only)

G

Minority
A. Asian/Pacific Islander
B. Black American
C. American Aleuts or Eskimos
D. American Indian
E. Hispanic

G. Non-Minority

45. METHOD OF SOLICITATION

E

A. Sealed Bid
B. Competitive Proposal
C. Combination/Competition
D. Other Competition
E. Noncompetitive

46. LABOR SURPLUS AREA PREFERENCE

D

Labor Surplus Area
A. No Preference
B. Tie Bid Preference
C. Total Set Aside

D. Not a Labor Surplus Area Preference Award

47. TYPE OF BUSINESS

H

A. Source: Non-U.S. and Used Outside U.S. & Possessions
B. Source: Non-U.S. and Possessions
(Foreign Purchases Used Inside U.S.)
(If U.S. Source, complete C through Q)
C. Firm – Profit Making & PSC's

Non-Profit Organizations
D. Private Educational Organizations
E. Hospitals
F. Research Institutions, Foundations, and Laboratories
G. Other

Private Voluntary Organizations
H. U.S. Registered
I. U.S. Non-Registered
J. Foreign

State/Local Government
K. Educational Institutions
L. Hospitals
M. Research Organizations
N. Other

O. International Agricultural Research Organizations
P. Public International Organizations
Q. U.S. Cooperatives

48. Women Owned Business?

☐ YES ☑ NO

49. TYPE OF AWARD

H

Small Business
A. Not Set Aside
B. Partial Set Aside
C. Total Set Aside
Other Than Small Business
D. Personal Service Contract
E. Individual Non-Personal Service Contract
F. U.S. Government
G. University
H. Non-Profit Organizations and PVOs
I. Large Businesses

50. Paying Office.
. Payment will be made by CONTROLLER
USAID/Bangladesh

M/SER/AAM/SUP (COORS)

51. SYNOPSIS PRIOR TO AWARD

C

A. Synopsized prior to awards
B. Not synopsized due to emergency
C. Not synopsized for other reasons

52. COMPETITIVE SOLICITATION PROCEDURES

P

A. Normal full and open competition *
B. Architect - Engineer
C. Basic Research Proposal
D. Multiple Award Schedule
E. Alternate Source - Reduced Cost
F. Alternate Source - Mobilization
G. Alternate Source - Engineering/R&D Capability
H. Small Business Set-Aside
J. Labor Surplus Area Set-Aside
K. LSA/Small Business Set-Aside
L. Other than full and open competition
M. Small Purchases
N. 8(a) Program
P. Otherwise authorized by statute

*If, 'A', block 57 must be completed

53. NUMBER OF OFFERORS

1

1. Only one offeror
2. More than one offeror

54. APPLICABILITY OF COMPETITION IN CONTRACT ACT (CICA)

N/A 2

1. Pre-CICA
2. Post-CICA

55. AUTHORITY FOR OTHER THAN FULL & OPEN COMPETITION

M

A. Unique Source
B. Follow-on Contract
C. Unsolicited Research Proposal
D. Patent/Data Rights
E. Utilities
F. Standardization
G. Only One Source - Other
H. Urgency
J. Mobilization
K. Essential R&D Capability
L. International Agreement
M. Authorized by Statute *
N. Authorized Resale
P. National Security
Q. Public Interest

*If 'M', block 56 must be completed

56. SPECIAL AUTHORITY FOR NON-COMPETITIVE ACTIONS
(Impairment of Foreign AID Programs) Authorized Under AIDAR Sec. 706,302.70(b)(3)

4

1. PSC's Awarded Under Sec. 636(a)(3)
2. An Award of $100,000 or Less by an Overseas Contracting Activity
3. Written Determination by Assistant Administrator or Administrator
4. None of the above.

57. SPECIAL SELECTION PROCEDURES

3

1. University Selection Procedures
2. Collaborative Assistance Procedures
3. None of the above

M/SER/AAM/SUP (COORS)

AID/W

CLEARANCE SHEET

COOPERATIVE AGREEMENT # 388-0079-A-00-9093-00

BETWEEN

THE ASIA FOUNDATION (TAF)

AND

USAID/DHAKA

CLEARANCES:
DMUNCY/PROG TOM
DBROOME/PROG DB
PRAMSEY/RLA PR
GJENKINS/CONT

FUNDS AVAILABLE
Date... 26-01-89
Project No. 388-0079
Obligation No. R/C No. P 079001
Appro. 72-1191021
Bpc. OPNA-89-27388-KG13
Amount... 650,000.00
By (Initials)...

UNITED STATES OF AMERICA
AGENCY FOR INTERNATIONAL DEVELOPMENT
Dhaka, Bangladesh

June 13, 1989

Dr. Jon L. Summers
Representative
The Asia Foundation
House 40/C, Road 11
Dhanmondi, R.A. Dhaka-9
Bangladesh

Subject: Cooperative Agreement No. 388-0079-A-00-9093-00

Dear Dr. Summers,

Pursuant to the authority contained in the Foreign Assistance Act of 1961, as amended, the Agency for International Development (hereinafter referred to as "A.I.D." or "Grantor") hereby grants to The Asia Foundation (hereinafter referred to as "TAF" or "Recipient"), the sum of US$3,150,000 (Three million, one hundred fifty thousand U.S. Dollars) to provide support for a program in Institutional Strengthening of Civic Participation in Bangladesh, as described in the Schedule and the Program Description of this agreement. Only $650,000 is obligated and made available at this time. If further funds are made available it will be by amendment to this agreement. No expenditures will be reimbursed above this $650,000 available unless and until an amendment is executed.

This cooperative agreement is effective and obligation is made as of date of last signature on this agreement and shall apply to commitments made by the Grantee in furtherance of program objectives during the period beginning with the effective date and ending May 14, 1993.

This cooperative agreement is made to The Asia Foundation, on condition that the funds will be administered in accordance with the terms and conditions as set forth in Attachment 1, entitled "Schedule", Attachment 2, entitled "Program Description," Attachment 3 entitled "Standard Provisions," which have been agreed to by your organization, and Attachment 4, entitled "Recipient Proposal," originally submitted by your organization.

Please sign the original and three (3) copies of this letter to acknowledge your receipt of the cooperative agreement, and return the original and one (1) copy to this office.

Sincerely,

Neil Edin

Neil Edin
Acting Agreement Officer
USAID/Dhaka

5

Acknowledged: _____ Date: June 13, 1989

Name:

Title:

The Asia Foundation

Fiscal Data

PIO/T No.	388-0079-3-90072
Appropriation:	72-1191021
Budget Plan Code:	QDNA-89-27388-KG13
Funding Source:	Technical Resources II Project
This Obligation:	$650,000
Total AID Costs:	$3,150,000
Total TAF Costs:	$1,050,000
Total Estimated Costs:	$4,200,000
Technical Office:	Program Office, USAID/Dhaka
Payment Office:	Controller, USAID/Dhaka
Funding Source:	USAID/Dhaka

FUNDS AVAILABLE

Date 6/1/89

Attachments:
1. Schedule
2. Program Description
3. Standard Provisions
4. Recipient Proposal

Employers ID# 94-119-1246

Signed:

Mission Director
USAID/Dhaka

Signed:

Representative
Asia Foundation

6

ATTACHMENT 1

SCHEDULE

A. Purpose of Cooperative Agreement

The purpose of this Cooperative Agreement is to provide support for a program in Institutional Strengthening of Civic Participation in Bangladesh, as more specifically described in Attachment 2 to this Cooperative Agreement.

B. Period of Cooperative Agreement

1. The effective date of this Cooperative Agreement is the date of last signature. The expiration date of this Cooperative Agreement is May 14, 1993.

2. Funds obligated hereunder are available for program expenditures for the estimated period from the date of last signature to December 31, 1989 as shown in D below.

C. Method of Payment and Amount of Cooperative Agreement

1. Payment shall be made to the Recipient in accordance with procedures set forth in Attachment 3, Standard Provision No. 2, entitled "Payment - Periodic Advance."

2. The total estimated amount of this Cooperative Agreement for the period shown in B.1 above is US$3,150,000.

3. AID hereby obligates the amount of US$650,000 for program expenditures during the period set forth in B.2. above and as shown in D below.

4. Additional funds up to the total amount of the cooperative agreement shown in C.1. above may be obligated by AID subject to the availability of funds, and to the requirements of the Standard Provision of the Cooperative Agreement, entitled "Revision of Grant Budget".

5. The Recipient will provide US$1,050,000 in cost sharing from other sources, as described in Item D and Attachment 3. The total estimated cost of the Cooperative Agreement, including cost sharing is $4,200,000.

D. Financial Plan

1. The following is the Financial Plan for this Cooperative Agreement. Revisions to this plan shall be made in accordance with the Standard Provision of this Cooperative Agreement entitled, "Revision of Grant Budget." The Recipient may re-allocate funds among line items, except for indirect costs, up to a maximum of 15% of each line item without amendment of this agreement.

Grant Budget

Activity		Year 1	Year 2	Year 3	Year 4	Total
Parliament	AID	$ 37,900	$107,000	$108,400	$ 83,700	$337,000
	TAF	56,000	30,000	35,000	25,000	146,000
Elections	AID	109,500	12,400	29,500	-0-	151,400
	TAF	40,000	50,000	45,000	50,000	185,000
The Press	AID	49,900	161,800	104,700	105,400	421,800
	TAF	80,000	45,000	40,000	35,000	200,000
The Judiciary	AID	90,000	201,000	111,400	55,600	458,000
	TAF	50,000	65,000	50,000	55,000	220,000
Local Govt.	AID	49,000	6,000	77,000	56,400	188,400
	TAF	50,000	45,000	40,000	54,000	189,000
Constitution	AID	30,400	22,300	25,200	22,900	100,800
	TAF	10,000	25,000	40,000	35,000	110,000
Prog. Mgmt. Unit		125,600	125,400	128,300	149,100	528,400
Office Operations		51,954	13,635	14,590	16,000	96,179
TAF Prog. Svc&Eval		47,600	49,300	94,000	57,100	248,000
Indirect Costs		145,004	171,215	169,807	133,995	620,021
Total Est Costs		$1,022,858	$1,130,050	$1,112,897	$ 934,195	$4,199,824
Total AID		$ 736,858	$ 870,050	$ 862,897	$ 680,195	$3,150,000
Total TAF		286,000	260,000	250,000	254,000	1,050,000

2. All salaries must be cleared in writing by USAID/Agreement Officer. Submit AID Biodata form with salary history at least 30 days before employment needed.

3. No honorariums or fees will be paid to Bangladeshi officials as it is contrary to AID regulations. Honorarium for American participants of MP orientation (P-5), MP Education (P-7), Distinguished Fellows is moved to P-11 other indicatives.

4. Honorarium for four American Observers, under E-4, was deleted and re-established as E-5 "Other Initiatives" for $6,980.

5. Lecture fees under J-1, "Pilot Judicial Training Project" and honorarium for Review Committee under J-4 "Bangladesh Series" were deleted. Another "Other Initiatives" line item was established with these funds, amounting to $18,800.

6. These "Other Initiatives" will be defined at yearly workplan approval sessions.

7. Note that the other fees and honorarium in the budget will be given to university professors, private contractors, and legislators from other countries. They were considered allowable and were not re-aligned or deleted, although actual salaries paid must have prior agreement officer approval. These conditions were agreed to in earlier discussions and are found in detailed breakouts of budget to M. Walsh, dated April 16, 1989.

8. The Recipient shall maintain advances of funds from USAID in interest bearing accounts and shall remit to A.I.D. at least quarterly, the interest earned on such advances. Interest amounts up to US$100 per year may be retained by the recipient for administrative expense.

E. Reporting and Evaluation

1. Reports

a. The recipient agrees to submit to the Project Development and Engineering Office of USAID/Dhaka a brief program performance report in narrative detail each quarter, supplemented by short quarterly briefings. These reports will include a brief description of TAF and sub-grantee progress against the established implementation plan and program objectives, significant program developments, pertinent information relating to problems, delays, etc., and tabular information on total accrued and actual expenditures against obligations by project input, in such form and content as USAID may require.

b. The Recipient agrees to submit to the Office of Project Development and Engineering, USAID/Dhaka, copies of all reports prepared through the Research Program, National Seminars and Consultancies.

2. Evaluations

At the end of year three, one expatriate consultant will be retained to conduct an evaluation of the project. This evaluation will look at the social and institutional impact of sub-project activities. A total of $35,000 has been budgeted for the external evaluation. Annual workplan reviews will constitute joint TAF/USAID evaluations.

F. Special Provisions

1. Standard Provisions are attached as Attachment 3. They are divided into mandatory and optional categories. The following Optional Standard Provisions are <u>not</u> applicable to this Cooperative Agreement:

a. Payment - Letter of Credit
b. Payment - Cost Reimbursement
c. Patent Rights
d. Negotiated Indirect Cost Rates - Predetermined
e. Voluntary Population Planning
f. Protection of the Individual as a Research Subject

g. Care of Laboratory Animals
h. Title to and Care of Property (U.S. Government Title)
i. Title to and Care of Property (Cooperating Country Title)

G. Overhead Rate

Pursuant to the provision of the clause of the Standard Provisions of this Cooperative Agreement entitled, "Negotiated Indirect Cost Rate - Provisional," a rate shall be established for each of the Recipient's accounting periods during the term of the Cooperative Agreement. The rate used by TAF is negotiated and agreed to with the U.S. Department of State, the cognizant Government Audit Activity. Pending establishment of final overhead rates, provisional payments on account of allowable negotiated provisional rates will be applied to the base indicated below:

Type	Rate	Base	Period
Provisional	24.5%	Total Direct Costs	10/1/87 until amended

Changes in the indirect rate shall be incorporated into the Cooperative Agreement through formal amendment.

H. Title to Property

Title to property provided to the Recipient under this Agreement will vest in the Recipient, in accordance with Optional Standard Provision No. 20, entitled "Title to and Use of Property (Grantee Title)."

I. Authorized Geographic Code

The authorized AID Geographic Code for procurement of goods and services, with the exception of vehicles and motorcycles, under this cooperative agreement is 941 and Bangladesh. Procurement of certain right-hand drive vehicles and light weight motorcycles from countries within AID Geographic Code

935 is authorized in accordance with USAID Manual Order No. 800-1, as amended. Motor vehicles that are not covered under the Manual Order must be of U. S. origin.

J. Cost Sharing/Matching

The Asia Foundation's contribution to this program is $1,050,000, as indicated in Item D, the budget.

K. Cost Principles

The cost principles applicable to this cooperative agreement are contained in OMB Circular A-122, entitled "Cost Principles for Non-Profit Organizations."

L. Substantial Involvement

Per AID Handbook 13, Chapter 6 6B2b, USAID plans to have substantial involvement in the annual workplan review as well as in annual evaluations of sub-projects under implementation. This involvement in project implementation will begin during the preparation of the first annual workplan and USAID's approval of the document prior to commencement of work on sub-activities identified in TAF's proposal.

Program Description

OBJECTIVE

The objective of this activity is to enter into a Cooperative Agreement with The Asia Foundation (TAF) to conduct, on behalf of the Agency for International Development Mission to Bangladesh (USAID), a project to strengthen certain Bangladesh government (BDG) institutions and other organizations in the general area of expanding democratic principles in Bangladesh. This project was presented to USAID by TAF as an unsolicited proposal for funding consideration.

BACKGROUND

TAF is a multipurpose organization with ten Asian field offices, and programs in more than twenty countries in Asia and the Pacific. Each field office has a resident American Representative, and a full complement of expatriate and local staff memebers to develop, implement and administer its country programs. TAF has had an office in Dhaka since 1954, and has established an enviable track record over the years working with a variety of people, organizations, and institutions in a number of fields.

TAF has made significant progress improving democratic principles in numerous areas working with public and private institutions in the area of law, journalism, elections, human rights, and others. Yet, much more must be done. Stable political, economic, and social development is dependent upon well-established, reliable institutions in both the public and private sectors. Thus, TAF proposes a four-year program to strengthen organizations and institutions that encourage civic participation in the developmental process in Bangladesh.

PROJECT DESCRIPTION

This proposal to support institutions and organizations involved in the development of democracy in Bangladesh includes a variety of project activities in six program areas. Some of the activities will be supported with the Foundation's General Grant (GG) funds, and descriptions of them are included in the proposal to give a broader view of the Foundation's programming plans in particular areas. The six areas, which will be discussed in greater detail in the Program Summary section below, includes parliament, elections, press, judiciary, local government and constitutionalism. In each of this core six areas, a number of discrete activities will be undertaken to expand and improve the capacity of the organization to foster democratic ideals and strengthen their ability to implement their organizational mandate as consistent with the goals and objectives of this project.

At the national level, the Parliament must become a viable institution that represents the people of Bangladesh in a broad-based way. It must become a forum for substantive debate followed by decisive action, with major political parties active participants in the process. Through this project, TAF will work with the Parliament and its secretariat to strengthen the institutional capacity of the Parliament to anticipate and respond to the needs of its Members, thereby enabling them to better represent their constituents.

BEST AVAILABLE DOCUMENT

In order for the people of Bangladesh to believe in the integrity of the governmental system, free and fair elections must become a basic feature of the governmental process. During the course of this project, TAF will work with a number of non-governmental organizations to promote free and fair elections. Activities will include increasing voter literacy, enhancing elections safeguards, and curbing election abuses.

The press has a vital role to play in building a democratic society. Leaders, decision makers, and common citizens in all spheres have an inherent right to be informed. The leadership--whether in the public or private sector--must be held accountable, and this cannot happen if access to information is constrained. TAF plans to work through local and regional organizations to ensure that editors and decision makers understand the role of the press in a free society. Better in-service training will be provided to mid-level journalists. TAF will provide comprehensive support to the Department of Mass Communication and Journalism at Dhaka University to strengthen its ability to train journalists.

One of the tests for a democratic system of government is whether its judicial system is effective and fair. Do citizens feel that the courts render judgments within a reasonable period of time? Can they afford to use the court system? TAF will work with the judiciary to strengthen the administration of justice in Bangladesh. It will identify and address court-management issues for reducing the backlog of cases in the courts. It will support studies aimed at the functioning of the judiciary and its independence, and will support the development of a comprehensive in-service training program for judicial officers from the upazila courts to the Supreme Court.

At the local level, sustained commitment on the part of the Ministry of Local Government and other institutions in required for decentralization to work. Ultimately, the people will judge the effectiveness of decentralization by its results, not by the philosophy behind it. TAF will support institutions involved in programs to train local officials--both elected and appointed. Pilot projects will be launched and replicated when successful. Studies will be carried out to determine the most effective ways and means of improving the quality of administration in local government throughout the country. Materials will be developed and distributed to support this effort.

There is a critical need for Bangladesh to develop and maintain constitutional government. This has both theoretical and practical considerations. TAF will support projects to stimulate research on constitutionalism. In order to develop a cadre of constitutional specialists in the country, TAF will provide support for academics and intellectuals to immerse themselves in constitutional issues. TAF will work with relevant scholars and librarians to assess the current constitutional materials in the country, and determine what is required to strengthen collections. TAF activities will promote the creation of a de facto center for the study of constitutionalism at one of the universities.

BEST AVAILABLE DOCUMENT

14

IMPLEMENTATION PLAN

This four-year project is designed in a way that will enable USAID and TAF to assess its strategy for the development of democratic institutions on a yearly basis, and make adjustments as necessary for addressing changing conditions within Bangladesh. The project will be implemented according to annual work plans, which will be developed by TAF in consultation with the Program Office of USAID. The initial work plan will be completed within one-month after the grant agreement between USAID and TAF is signed, and will address a 12-month period. Subsequent plans will be submitted to USAID in final form one month prior to the beginning of each fiscal year.

Preparation of the annual work plan will be a two-stage process. The first stage will take place three months before the end of each fiscal year, and involve a consultative meeting between USAID and TAF. In this meeting, TAF will review activities of the current year, discuss political or institutional trends in the country, and present a draft plan for activities during the coming year. In the second stage, based upon its initial consultation, TAF will prepare an annual work plan that will be presented to USAID one month prior to the beginning of each fiscal year. The plan will provide a formal review of TAF's accomplishments during the past year, evaluating the project based on its broad goals, as well as sub-grant objectives. It will summarize the project for the coming year, including capsule descriptions of each planned subgrant, and a proposed budget. This budget will include a provision for unplanned program initiatives, which will not exceed 15 percent of the total funds designated for each program area during the year. Should TAF require major alterations in the work plan during the course of the fiscal year, changes will be effected through an exchange of letters with USAID.

TAF will follow its own established procedures for obtaining BDG clearances for subgrants to institutions. In accordance with BDG procedures, all subgrants provided under this project will only be made after a grantee institution has received clearance to accept external funding. This is standard TAF procedure, and assures government concurrence with all TAF activities.

TAF will utilize its established monitoring and evaluation procedures. As discussed above, the annual work plan review conducted jointly between TAF and USAID will facilitate this process. TAF will follow normally acceptable accounting procedures and will ensure that subgrantees submit financial reports routinely and on a timely basis.

BEST AVAILABLE DOCUMENT

ATTACHMENT 3

OMB Control No. 0412-0510
Expiration Date: 12/31/89

MANDATORY STANDARD PROVISIONS FOR U.S. NONGOVERNMENTAL GRANTEES*

INDEX OF MANDATORY STANDARD PROVISIONS

1. Allowable Costs
2. Accounting, Audit, and Records
3. Refunds
4. Revision of Grant Budget
5. Termination and Suspension
6. Disputes
7. Ineligible Countries
8. Debarment, Suspension, and other Responsibility Matters
9. Nondiscrimination
10. US Officials not to Benefit
11. Nonliability
12. Amendment
13. Notices

00.0 TERMS

The following terms apply: "Grantee" means "Recipient," "Grant" means "Cooperative Agreement," and "AID Grant Officer" means "AID Agreement Officer."

1. ALLOWABLE COSTS (NOVEMBER 1985)

The grantee shall be reimbursed for costs incurred in carrying out the purposes of this grant which are determined by the grant officer to be reasonable, allocable, and allowable in accordance with the terms of this grant, any negotiated advance understanding on particular cost items, and the applicable* cost principles in effect on the date of this grant.

* NOTE: For Educational Institutions use OMB Circular A-21; for all other non-profits use OMB Circular A-122; and for profit making firms use FAR 31.2. and AIDAR 731.2.

2. ACCOUNTING, AUDIT, AND RECORDS (JANUARY 1988)

(a) The grantee shall maintain books, records, documents, and other evidence in accordance with the grantee's usual accounting procedures to sufficiently substantiate charges to the grant. The grantee's financial management system shall provide for the following:

(1) Accurate, current, and complete disclosure for each AID-sponsored project or program in accordance with the reporting requirements of this grant. While AID requires reporting on an accrual basis, the grantee shall not be required to establish an accrual accounting system but shall develop such accrual data for its reports on the basis of an analysis of the documentation on hand.

(2) Records that identify adequately the source and application of funds for AID-sponsored activities. These records shall containinformation pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, and income.

(3) Effective control over and accountability for all funds, property, and other assets. Grantee shall adequately safeguard all such assets and shall ensure that they are used solely for authorized purposes.

(4) Comparison of actual outlays with budget amounts for each grant. Financial information should be related to performance and unit-cost data whenever appropriate.

(5) Procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and the disbursement by the recipient, whenever funds are advanced by the Federal Government.

(6) Procedures for determining the reasonableness, allowability, and allocability of costs in accordance with the provisions of the applicable Federal cost principles and the terms of the grant.

(7) Accounting records that are supported by documentation that at a minimum will identify, segregate, accumulate, and record all costs incurred under a grant and which fully disclose (i) the amount and disposition by the grantee of the proceeds of such assistance, (ii) the total cost of the project or undertaking in connection with which such assistance is given or used, (iii) the amount of that portion of the cost of the project or undertaking supplied by other sources, and (iv) such other records as will facilitate an effective audit.

(8) Examinations in the form of audits or internal audits shall be made by qualified individuals that are sufficiently independent of those that authorize the expenditure of A.I.D. funds to produce unbiased opinions, conclusions, or judgments.

They shall meet independence criteria along the lines of Chapter IV, Part B of the U.S. General Accounting Office Publication Standards for Audit of Governmental Organizations, Programs, Activities, and Functions (1981 Revision). These ex minations are intended to ascertain the effectiveness of the financial management systems and internal procedures that have been established to meet the terms and conditions of the grant. It is not intended that each grant awarded to the grantee be examined. Generally, examinations should be conducted on an organization-wide basis to determine whether the institution has implemented and utilizes appropriate financial and administrative systems and controls in compliance with the the uniform administrative requirements of OMB Circular A-110 and OMB Circular A-122 and to test the fiscal integrity of financial transactions, including accuracy and reliability of financial reports submitted to A.I.D. and other Federal agencies under agreements to which the terms of Attachment G of OMB Circular A-110 apply, as well as compliance with the terms and conditions of the A.I.D. grant. Such tests would include an appropriate sampling of A.I.D. and other Federal grants and agreements. Examinations will be conducted with reasonable frequency, on a continuing basis or at scheduled intervals, usually annually, but not less frequently than every two years. A copy of the audit report shall be furnished to the A.I.D. grant officer who shall make appropriate distribution within the Agency. The frequency of these examinations shall depend upon the nature, size, and the complexity of the activity. These grantee self-examinations do not relieve A.I.D. of its audit responsibilities, but may affect the frequency and scope of such audits.

(9) A systematic method to ensure timely and appropriate resolution of audit findings and recommendations.

(b) The grantee shall preserve and make available such records for examination and audit by AID and the Comptroller General of the United States, or their authorized representatives:

(1) until the expiration of three years from the date of termination of the grant;

(2) for such longer period, if any, as is required to complete an audit to resolve all questions concerning expenditures unless written approval has been obtained from the grant officer to dispose of the records. AID follows generally accepted accounting practices in determining that there has been proper accounting and use of grant funds. The grantee

agrees to make available any further information requested by AID with respect to any questions arising as a result of the audit; and

(3) If any litigation, claim, or audit is started before the expiration of the three year period, the records shall be retained until all litigations, claims or audit findings involving the records have been resolved.

(c) The grantee shall require subrecipients to adopt the standards in paragraphs (a) and (b) above except that portion of subparagraph (a) 1 that would require specific financial reporting forms and frequencies in accordance with the payment provisions of the grant.

3. REFUNDS (JANUARY 1988)

(a) The grantee shall remit to A.I.D. all interest earned on funds provided by A.I.D. at least quarterly, except that interest amounts up to $100 per year may be retained by the grantee for administrative expense.

(b) Funds obligated by AID but not disbursed to the grantee at the time the grant expires or is terminated shall revert to AID, except for such funds encumbered by the grantee by a legally binding transaction applicable to this grant. Any funds advanced to but not expended by the grantee and not encumbered by a legally binding transaction applicable to this grant at the time of expiration or termination of the grant shall be refunded to AID.

(c) If, at any time during the life of the grant, or as a result of final audit, it is determined by AID that funds it provided under this grant have been expended for purposes not in accordance with the terms of this grant, the grantee shall refund such amount to AID.

4. REVISION OF GRANT BUDGET (NOVEMBER 1985)

(a) The approved grant budget is the financial expression of the grantee's program as approved during the grant award process.

(b) The grantee shall immediately request approval from the grant officer when there is reason to believe that within the next 30 calendar days a revision of the approved grant budget will be necessary for the following reasons:

(1) Changes in the scope or the objectives of the program and/or revisions in the funding allocated among program objectives.

(2) The need for additional funding.

(3) The grantee expects the amount of AID authorized funds to exceed its needs by more than $5,000 or five percent of the AID award, whichever is greater.

(4) The grantee plans to transfer funds budgeted for indirect costs to absorb increases in direct costs or vice versa.

(5) The grantee intends to contract or subgrant any of the substantive programmatic work under this grant, and such contracts or subgrants were not included in the approved grant budget.

(6) The grantee plans to incur an expenditure which would require advance approval in accordance with the applicable Federal cost principles and was not included in the approved grant budget.

(7) The grantee plans to transfer funds allotted for training allowances to other categories of expense.

(c) When requesting approval for budget revisions, the grantee shall use the budget formats that were used in the application unless a letter request will suffice.

(d) Within 30 calendar days from the date of the receipt of the request for budget revisions, the grant officer shall review the request and notify the grantee whether the budget revisions have been approved. If the revisions are still under consideration at the end of 30 calendar days, the grant officer shall inform the grantee in writing of the date when the grantee may expect the decision. The grant officer shall obtain the project officer's clearance on all such requests prior to communication with the grantee.

(e) If the requested budget revision requires the obligation of additional funding, and, if after notification pursuant to this standard provision, AID determines not to provide additional funds, the AID grant officer will, upon written request of the grantee, terminate this grant pursuant to the standard provision entitled "Termination and Suspension."

(f) Except as required by other provisions of this grant specifically stated to be an exception from this provision, the Government shall not be obligated to reimburse the grantee for costs incurred in excess of the total amount obligated under the grant. The grantee shall not be obligated to continue performance under the grant (including actions under the "Termination and Suspension" provision) or otherwise to incur costs in excess of the amount obligated under the grant, unless and until the grant officer has notified the grantee in writing that such obligated amount has been increased and has specified in such notice the new obligated grant total amount.

5. TERMINATION AND SUSPENSION (MAY 1986)

(a) For Cause. This grant may be terminated for cause at any time, in whole or in part, by the grant officer upon written notice to the grantee, whenever it is determined that the grantee has failed to comply with the conditions of the grant.

(b) For Convenience. This grant may be terminated for convenience at any time by either party, in whole or in part, if both parties agree that the continuation of the grant would not produce beneficial results commensurate with the further expenditure of funds. Both parties shall agree upon termination conditions, including the effective date and, in the case of partial terminations, the portion to be terminated. The agreement to terminate shall be set forth in a letter from the grant officer to the grantee.

(c) Suspension: Termination for Changed Circumstances. If at any time AID determines that continuation of funding for a program should be suspended or terminated because such assistance is not in the national interest of the United States or that it would be in violation of an applicable law, then AID may, following notice to the grantee, suspend this grant and prohibit the grantee from incurring additional obligations chargeable to this grant other than necessary and proper costs in accordance with the terms of this grant during the period of suspension. If the situation causing the suspension continues for 60 days or more, then AID may terminate this grant on written notice to the grantee and cancel that portion of this grant which has not been disbursed or irrevocably committed to third parties.

(d) Termination Procedures. Upon receipt of and in accordance with a termination notice as specified in either paragraph (a) or (b) above, the grantee shall take immediate action to minimize all expenditures and obligations financed by this grant and shall cancel such unliquidated obligations whenever possible. Except as provided below, no further reimbursement shall be made after the effective date of termination. The grantee shall within 30 calendar days after the effective date of such termination repay to the Government all unexpended AID funds which are not otherwise obligated by a legally binding transaction applicable to this grant. Should the funds paid by the Government to the grantee prior to the effective date of the termination of this grant be insufficient to cover the grantee's obligations in the legally binding transaction, the grantee may submit to the Government within 90 calendar days after the effective date of such termination a written claim covering such obligations. The grant officer shall determine the amount(s) to be paid by the Government to the grantee under such claim in accordance with the applicable cost principles.

6. DISPUTES (March 1987)

(a) Any dispute under this grant shall be decided by the AID grant officer. The grant officer shall furnish the grantee a written copy of the decision.

(b) Decisions of the AID grant officer shall be final unless, within 30 days of receipt of the decision of the grant officer, the grantee appeals the decision to AID's Associate Assistant to the Administrator for Management. Any appeal made under this provision shall be in writing and addressed to the Associate Assistant to the Administrator for Management, Agency for International Development, Washington, D.C. 20523. A copy of the appeal shall be concurrently furnished to the grant officer.

(c) In order to facilitate review on the record by the Associate Assistant to the Administrator for Management, the grantee shall be given an opportunity to submit written evidence in support of its appeal. No hearing will be provided.

(d) A decision under this provision by the Associate Assistant to the Administrator for Management shall be final.

7. INELIGIBLE COUNTRIES (MAY 1986)

Unless otherwise approved by the AID grant officer, funds will only be expended for assistance to countries eligible for

assistance under the Foreign Assistance Act of 1961, as amended, or under acts appropriating funds for foreign assistance.

8. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (MARCH 1989)

(1) The grantee certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraus or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transation; violation of Federal or State antitrust status or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) The grantee agrees that, unless authorized by the Grant Officer, it will not knowingly enter into any subagreements or contracts under this grant with a person or entity that is included on the "Lists of Parties Excluded from Federal Procurement or Nonprocurement Programs". The grantee further agrees to include the followign provision in any subagreements or contracts entered into under this grant:

DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION (MARCH 1989)

The recipient/contractor certifies that neither it nor its principals is presently debarred, suspended, proposed for demarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(3) The policies and procedures applicable to debarment, suspension and ineligibility under AID-financed transactions are set forth in 22 CFR Part 208.

9. NONDISCRIMINATION (MAY 1986)

(This provision is applicable when work under the grant is performed in the U.S. or when employees are recruited in the U.S.) No U.S. citizen or legal resident shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity funded by this grant on the basis of race, color, national origin, age, handicap, or sex.

10. U.S OFFICIALS NOT TO BENEFIT (NOVEMBER 1985)

No member of or delegate to the U.S. Congress or resident U.S. Commissioner shall be admitted to any share or part of this grant or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this grant if made with a corporation for its general benefit.

11. NONLIABILITY (NOVEMBER 1985)

AID does not assume liability for any third party claims for damages arising out of this grant.

12. AMENDMENT (NOVEMBER 1985)

The grant may be amended by formal modifications to the basic grant document or by means of an exchange of letters between the grant officer and an appropriate official of the grantee.

13. NOTICES (NOVEMBER 1985)

Any notice given by AID or the grantee shall be sufficient only if in writing and delivered in person, mailed, or cabled as follows: To the AID grant officer, at the address specified in the grant. To grantee, at grantee's address shown in the grant or to such other address designated within the grant. Notices shall be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

(END OF MANDATORY STANDARD PROVISIONS)

00.0 OPTIONAL STANDARD PROVISIONS FOR U.S., NONGOVERNMENTAL GRANTEES

1.0	Payment - Letter of Credit	
2.0	Payment - Periodic Advance	X
3.0	Payment - Cost Reimbursement	
4.0	Air Travel and Transportation	X
5.0	Ocean Shipment of Goods	X
6.0	Procurement of Goods and Services	X
7.0	AID Eligibility Rules for Goods and Services	X
8.0	Subagreements	X
9.0	Local Cost Financing	X
10.0	Patent Rights	
11.0	Publications	X
12.0	Negotiated Indirect Cost Rates-Predetermined	
13.0	Negotiated Indirect Cost Rates - Provisional	X
14.0	Regulations Governing Employees	X
15.0	Participant Training	X
16.0	Voluntary Population Planning	
17.0	Protection of the Individual as a Research Subject	
18.0	Care of Laboratory Animals	
19.0	Government Furnished Excess Personal Property	X
20.0	Title to and Use of Property (Grantee Title)	X
21.0	Title to and Care of Property (U.S. Government Title)	
22.0	Title to and Care of Property (Cooperating Country Title)	
23.0	Cost Sharing (Matching)	X
24.0	Use of Pouch Facilities	X
25.0	Conversion of United States Dollars to Local Currency	X

A Proposal for the

INSTITUTIONAL STRENGTHENING OF CIVIC PARTICIPATION IN BANGLADESH

Submitted by The Asia Foundation to USAID

April 1989

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INTRODUCTION

Background

The Asia Foundation (TAF) is a multipurpose organization with ten Asian field offices, and programs in more than twenty countries in Asia and the Pacific. Each field office has a resident American Representative, and a full complement of expatriate and local staff members to develop, implement and administer its country programs. The particular program emphasis in a given country is determined by the needs and interests of that country--as the Foundation seeks to respond to Asian initiatives in a variety of different fields and program areas. In carrying out its philosophy and objectives, TAF cooperates with a variety of Asian and American organizations and institutions. The Foundation is a public/private venture, and takes satisfaction in being able to bring together public and private-sector organizations in ways that promote solutions to important problems.

The Asia Foundation has had an office in Dhaka since 1954, and has established an enviable track record over the years working with a variety of people, organizations, and institutions in a number of fields. While the Foundation's program has shifted emphasis and focus at times over the 35 years, the guiding principle has been to provide support for program activities that contribute to the development of a more open, just, and democratic society in what is now Bangladesh. In some cases, this has meant supporting leadership-development programs; in others, it has meant providing seed grants to organizations so they could move forward with their programs and objectives. It has meant that the Foundation never

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lost sight of the need to strengthen the institution of Parliament--even though there were times when the situation in the country precluded meaningful work with that institution. When the political climate was right, the Foundation worked with dedicated people in Bangladesh to develop and support projects that would advance the knowledge about and interest in the process of elections. Realizing the importance of developing young journalists, the Foundation has made opportunities available for selected journalists to broaden their perspectives through in-country training, regional study tours, and U.S. programs. TAF has put a premium on its programming in law, and has worked with government officials, judges, lawyers, human-rights activists, and concerned citizens to develop and support programs that promote the administration of justice. TAF has been concerned about the quality of public administration, at both the national and local level, and has done what it could with limited resources to target institutions and decision makers for support.

Progress has been made, but much more must be done. Stable political, economic, and social development is dependent upon well-established, reliable institutions in both the public and private sectors. Thus, The Asia Foundation proposes a four-year program to strengthen organizations and institutions that encourage civic participation in the developmental process in Bangladesh.

This proposal to support institutions and organizations involved in the development of democracy in Bangladesh includes a variety of project activities in six program areas. Some of the activities will be supported with the Foundation's General Grant (GG) funds, and descriptions of them are included in the proposal to give a broader view of the Foundation's

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programming plans in particular areas. In addition, The Asia Foundation will support a host of other projects with its GG funds over the next four years that will contribute to the development of democratic institutions in the country. More than 50 percent of TAF's GG budget each year will be directed to programming that strengthens the democratic process.

Those activities for which the Foundation will not have GG funding are numbered in each section of the proposal (such as "P-1" in the Parliament section), and TAF is requesting USAID support for them through an operations program grant (OPG). The project activities that are ready for funding now, or will be in the first six months after an agreement is reached between TAF and USAID, are identified in the attached budget with asterisks (*).

Goals, Objectives, and Outputs

The goal of this project is to strengthen organizations and institutions that encourage civic participation in the developmental process in Bangladesh. This will be done in a systematic and sustained manner with both governmental and non-governmental organizations to achieve the objectives and outputs listed below. The project objectives will be important for TAF's annual work plans, and will serve as bench marks against which the overall success of the project can be measured in the formal evaluation. The objectives and expected outputs are as follows:

1. To improve the capability of the Parliament Secretariat to develop and institutionalize ongoing in-service training programs for Members of Parliament, and strengthen the Secretariat's support services.

1.1. Secretariat staff trained;

1.2. Orientation program and materials for new MPs developed;

1.3. In-service training program and materials for MPs developed;

1.4. Improved library, information, and research services.

2. To enhance the Parliament's legislative-drafting capabilities.

2.1. Legislative-drafting staff trained;

2.2. Improved legislative-drafting services established.

3. To increase the capacity of NGOs to encourage citizen participation in the electoral process, enhance election safeguards, monitor procedures, publicize and address abuses.

3.1. Film on voter literacy produced and showing in cinema halls;

3.2. International conference on elections held;

3.3. Citizens' action group created and in action;

3.4. Voter-literacy materials produced and utilized;

3.5. International election observer team assembled and brought to Bangladesh for a national election.

4. To improve the capacity of institutions involved in training journalists to design and implement effective training programs, and support substantive discussion of issues related to effective reporting and press freedom.

4.1. Dhaka University Department of Mass Communication and Journalism staff trained;

4.2. DU's mass communication/journalism curriculum improved;

4.3. DU media center established and in operation;

4.4. Press Institute of Bangladesh library strengthened;

4.5. PIB training program enhanced and expanded.

4.6. Seminar program involving international participants launched and two seminars completed.

5. To assist the Ministry of Law and Justice in developing, expanding, and institutionalizing training programs at all levels of the judiciary, and strengthen the judiciary's court-management capabilities.

5.1. Studies of judiciary completed and recommendations submitted;

5.2. Improved and expanded judicial training program in place;

5.3. Court libraries expanded and strengthened;

5.4. Benchbooks produced and in use.

5.5. Judges trained in court-management techniques;

5.6. Systematic changes in place to reduce backlog of cases.

6. To enhance the research capacity of the National Institute of Local Government, and increase the ability of NILG and other relevant institutions to identify and address local government training needs.

6.1. Core research staff trained;

6.2. Study on decentralization completed and recommendations submitted to the government.

6.3. Management materials developed and distributed;

6.4. Libraries expanded and strengthened;

6.5. Improved training program for local-government officials in place.

7. To enhance the research capacity of selected Bangladesh universities on constitutional issues and support substantive discussion of these issues.

7.1. A core group of researchers on constitutional issues created;

7.2. Research projects on constitutional issues completed;

7.3. Workshops and conferences on constitutional issues completed;

7.4. De facto Center for Constitutionalism functioning at a university;

7.5. Library collections on constitutionalism expanded and strengthened.

Program Summary

At the national level, the Parliament must become a viable institution that represents the people of Bangladesh in a broad-based way. It must become a forum for substantive debate followed by decisive action, with major political parties active participants in the process. Through this project, TAF will work with the Parliament and its secretariat to strengthen the institutional capacity of the Parliament to anticipate and respond to the needs of its Members, thereby enabling them to better represent their constituents.

In order for the people of Bangladesh to believe in the integrity of the governmental system, free and fair elections must become a basic feature of the governmental process. During the course of this project, TAF will work with a number of non-governmental organizations to promote free and fair elections. Activities will include increasing voter literacy, enhancing election safeguards, and curbing election abuses.

The press has a vital role to play in building a democratic society. Leaders, decision makers, and common citizens in all spheres have an inherent right to be informed. The leadership--whether in the public or

private sector--must be held accountable, and this cannot happen if access to information is constrained. TAF plans to work through local and regional organizations to ensure that editors and decision makers understand the role of the press in a free society. Better in-service training will be provided to mid-level journalists. TAF will provide comprehensive support to the Department of Mass Communication and Journalism at Dhaka University to strengthen its ability to train journalists.

One of the tests for a democratic system of government is whether its judicial system is effective and fair. Do citizens feel that the courts render judgments within a reasonable period of time? Can they afford to use the court system? Does the government influence or control the courts? Are the people who staff the judicial system well-trained, dedicated, and responsive? TAF will work with the judiciary to strengthen the administration of justice in Bangladesh. It will identify and address court-management issues for reducing the backlog of cases in the courts. It will support studies aimed at the functioning of the judiciary and its independence, and will support the development of a comprehensive in-service training program for judicial officers from the upazila courts to the Supreme Court.

At the local level, sustained commitment on the part of the Ministry of Local Government and other institutions is required for decentralization to work. Ultimately, the people will judge the effectiveness of decentralization by its results, not by the philosophy behind it. TAF will support institutions involved in programs to train local officials--both elected and appointed. Pilot projects will be launched and replicated when

successful. Studies will be carried out to determine the most effective ways and means of improving the quality of administration in local government throughout the country. Materials will be developed and distributed to support this effort.

There is a critical need for Bangladesh to develop and maintain constitutional government. This has both theoretical and practical considerations. TAF will support projects to stimulate research on constitutionalism. In order to develop a cadre of constitutional specialists in the country, TAF will provide support for academics and intellectuals to immerse themselves in constitutional issues. TAF will work with relevant scholars and librarians to assess the current constitutional materials in the country, and determine what is required to strengthen collections. It will then work through its Asian field offices and home office to procure the necessary materials. TAF activities will promote the creation of a de facto center for the study of constitutionalism at one of the universities.

A rhetorical commitment has been made in Bangladesh to do what is necessary to develop democratic institutions, but the pace of progress has been slow. Under the best of circumstances, it is difficult to sustain commitments to strengthen institutions. Considering the myriad challenges the country presently faces, it is imperative that friends of Bangladesh join in the process to assist in the development of a more stable, equitable, democratic society. This project is an important step in that direction.

PROJECT DESCRIPTION

PARLIAMENT

If Parliament is to have credibility and be effective, three things will have to happen. First, Members of Parliament must be elected through a process that is free and fair. Second, the MPs must function in a manner that demonstrates competence and professionalism. Third, the Parliament Secretariat must provide support services that will enable MPs to carry out their responsibilities to the people. Recent elections have not been free and fair, and it is unclear when such elections will be held. It is clear, however, that pressure is building to hold fair elections. In the meantime, it is important to support programs and activities that will strengthen the institution of Parliament.

Previous TAF Activities

The Asia Foundation has been involved with the development of the Parliament library since 1973. Through its USAID-supported project to modernize the library (1979--82), TAF was able to provide books, equipment, and staff training, which increased the library's capacity to meet some of the needs of MPs. In 1988, TAF provided the Bangladesh Parliament Secretariat with assistance enabling it to automate and improve the process of documenting the Parliamentary debates. Through this project, the Foundation provided word processors and printers to the Parliament Secretariat's reporting and editing section, and arranged a training program for the staff assigned to use the new equipment.

Exchanges

* P-1. Exchange Programs with the U.S.: With the exception of the Joint Secretary and Deputy Joint Secretary of Parliament, no one on the professional staff of the Parliament Secretariat has had the opportunity to visit the United States and observe how his/her American counterparts carry out their legislative functions. TAF has an excellent working relationship with several U.S. state legislatures, and will arrange for members of the Secretariat staff to visit and exchange ideas. One person will be sent each year of this project to look at the documentation process, staff management, automation, and support services. The first observation program will be arranged for the Secretary of Parliament. On his way to the U.S., TAF will arrange for him to visit the Thai Parliament to look at its Parliamentary Internship Program, which is modeled on the U.S. Congressional Fellowship Program. The Asia Foundation played a key role in helping the Thai Parliament launch this program in 1983, and it has expanded considerably since then. A similar program could help the Bangladesh Parliament overcome some of its critical staffing needs.

A second component of this project will bring one American each year to Dhaka from an American state legislature, or the U.S. Congress. This activity will be targeted at professional staffers who can help advise the Parliament on pertinent operational issues, and will strengthen professional and institutional ties between Bangladesh and the United States.

P-2. Asian Interparliamentary Cooperation and Exchange: The current Parliament does not have a broad base of support, and lacks the credibility necessary to be fully effective. As long as this situation exists, TAF will not send MPs abroad on observation programs. When a more

representative Parliament is elected, however, TAF will support a systematic approach to professional development--particularly for younger, inexperienced MPs. Thus, funds have been budgeted to send one parliamentary delegation of six people each year to other Asian countries on an observation program. These delegations will be small and bipartisan, including MPs and one or two professional staffers. The aim is to provide opportunities for young leaders to discuss practical issues of mutual interest concerning the parliamentary/legislative process.

Support Services

Library Facilities Development: In 1989, TAF will use its General Grant funds to upgrade the library's equipment and services. These funds will enable the library to service and repair equipment, purchase supplies, install four word processors, and provide in-country training for library staff. TAF will also provide a consultant to assess the ongoing, annual costs for the next two to three years in meeting the basic needs of running the library's equipment. Once the figures are in hand, TAF has been assured by Secretariat officials that funds to meet these basic costs will be provided through the library's annual budget.

* P-3. Library Development: In addition, TAF requires funds to train other library personnel at suitable Asian institutions. Short-term training programs will be arranged for one staff member each year through other TAF field offices. TAF has used its network of contacts in Malaysia, Singapore, and the Philippines over the years for library training. The training programs will be tailored to the specific needs of the persons identified for training. TAF expects the library to request training

related to the management of its collection--including the use of microfils and word processors to service MP requests.

P-4. Legislative Drafting Service: The Parliament currently has little in-house expertise in legislative drafting. Virtually all of the legislative drafting responsibilities fall on the individual MPs and the Ministry of Law and Justice. In theory, MPs can introduce private bills in Parliament, but this is hampered by the paucity of legislative drafting skills within Parliament. TAF has had preliminary inquiries from Secretariat staff on whether the Foundation could arrange such training. In the first year of this activity, a permanent member of the Secretariat staff will be selected for a legislative-drafting program in the U.S.; this person will come back to head the legislative drafting section within the Secretariat. In the second year, TAF will bring an Asian or American expert on legislative drafting to Bangladesh, and he/she will work with both the Parliament and Ministry of Law and Justice to enhance their drafting skills. TAF has considerable experience in arranging legislative drafting programs in the U.S., and has worked with several American institutions in this area to provide training for Asian professionals--particularly from Pakistan and Indonesia.

Professional Development

New Member Orientation/Education: With its GG funds, TAF expects to make a grant in FY 1989 to enable the Parliament Secretariat to launch a Legislative Research Service. This activity will provide a consultant, research fellows, research assistants, and word processors. A primary aim of this activity is to provide the kind of information MPs need in a timely manner to prepare for floor debates and committee deliberations. A

secondary aim is to generate materials that will be useful in MP professional development programs.

* P-5. MP Orientation: TAF requires funds to support the Secretariat in developing a well-conceptualized, ongoing orientation program for new MPs. The Foundation will provide information on what the U.S. Congress and state legislatures are doing to orient and educate their members. Legislative professionals from Asia and the U.S. will be brought to Dhaka for consultations with Secretariat officials and MPs. Leaders of the opposition have expressed a desire for the Secretariat to offer a seminar on constitutional and procedural issues. TAF has been approached informally to guage its interest in providing support for such a program, and has responded favorably to it. This could be an excellent way to start the MP orientation program, but much more must be done to develop a comprehensive orientation program for new MPs.

P-6. MP Observation of the American Legislative Process: TAF will arrange for a six-member delegation from the Bangladesh Parliament to visit the U.S. for a three-week period each year. This project is designed primarily for emerging young leaders in Parliament, but the delegation will be led by a distinguished senior MP. The program will begin in the Foundation's home office with an in-depth briefing on the workings of government in the U.S.--with particular emphasis on the role of state legislatures. The delegation will then visit a state legislature, meet with American counterparts, visit constituencies, and exchange views on the legislative process. This will be followed by a visit to Washington, D.C. and the U.S. Congress. The Washington program will begin with a briefing on the workings of Congress organized by TAF's Washington Office. Members of Congressional staffs will participate in this briefing, which will

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prepare the Bangladeshi MPs for their meetings on Capital Hill. TAF has organized such briefings for several years with parliamentary/legislative delegations from other Asian countries.

P-7. MP Education: The Asia Foundation will bring one staff person each year from the U.S. Congress, or a state legislature, to help design and run short courses for Members of Parliament. The course content will be worked out with the Parliament Secretariat. The focus of the initial program is expected to be practical issues related to constituent needs and requests. This is a particularly acute problem for MPs who have inadequate experience or support staff. The American specialist will join Bangladeshi counterparts (Secretariat staff and senior MPs) in discussing methods and approaches to handling constituent requests. They will take a comparative approach--drawing upon their collective Asian and American experience. In addition to the immediate benefits of these courses for a broad cross-section of MPs, TAF will work with Secretariat officials to integrate relevant aspects of the courses into the curriculum of the orientation program for new MPs.

P-8. Distinguished Fellows Programs: The Speaker of Parliament sees member education as one of the priority areas for parliamentary development. Funds will be provided to enable the Parliament to launch a Distinguished Fellows Program. The target group will be all MPs--not just the newer or younger Members. The program will take a thematic approach, and will be set up as a series, with distinguished individuals from Asia and the U.S. participating. In addition to the lectures given by the Distinguished Fellows, they will have meetings with appropriate people within the Parliament and government ministries. This will be a

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prestigious program under the patronage of the Speaker of Parliament, and it will have a cost-sharing element built into it. TAF will provide funds each year to bring the Distinguished Fellows to Bangladesh, but their in-country costs will be met by the Bangladesh Government. TAF plans to bring in one American and one Asian each year for this project activity.

Assessment & Evaluation

* P-9. Needs Assessment: It is imperative that a needs assessment of the Parliament Secretariat be carried out as soon as possible. The Secretariat is responsible for dealing with a vast array of issues pertaining to the 330 Members of Parliament, but has only twenty-five professional staff to carry out its responsibilities. The key people in Parliament are well aware of the staffing problem, but they have been unable to obtain approval for an increased number of positions in the Secretariat. Until additional professional staff are approved and new people are hired and trained, the Secretariat will be severely hampered in servicing the needs of MPs. The Foundation has discussed this issue with the Prime Minister, Secretary, and Joint Secretary of Parliament. It would be helpful to them to have an outside expert do an assessment of the human and material resources currently available to the Secretariat. This assessment would clarify, specify, and quantify the minimal resources required to carry out the Secretariat's responsibilities. TAF will identify a consultant for this needs assessment, and he/she will take a close look at the institutional capacity of the Secretariat across the board.

P-10. Specialist on Parliamentary Affairs: The Prime Minister of Bangladesh has put increased emphasis on the workings of the committee

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system in Parliament. There are currently 47 committees in Parliament, and the majority of them are functioning. It would be useful to Parliament for a specialist on committee systems to come and work with Bangladeshi colleagues to analyze the functioning of the system, procedures, and staffing. TAF will consult with the Secretariat in drawing up the terms of reference for such a specialist, and will look for someone who has experience with a parliament or legislature roughly comparable in size to the Bangladesh Parliament.

ELECTIONS

Bangladesh has the capacity to hold free and fair elections, but it lacks the will to do so. The government maintains that the problem in recent elections is that the major opposition parties have not been willing to participate. The opposition maintains that the government cannot be trusted to administer elections, and insists that a neutral body be set up to conduct fair elections. Moving beyond the charges and counter-charges, several things must occur if progress is to be achieved. Research must be carried out to produce an objective analysis of past elections. Election laws, procedures, and practices must be studied, and recommendations made on how the electoral process can be improved. Citizens must become more aware of their voting rights, and their avenues of redress when those rights are abused. Individuals and groups of citizens must become more involved in the electoral process from beginning to end.

<u>Previous TAF Activities</u>

In 1985, TAF sent the Deputy Secretary of the Election Commission to a conference in Bangkok for former Congressional Fellows. (The Deputy

Secretary was a Congressional Fellow during 1979-80, working in Senator Daniel Inouye's office.) Conference participants came from several Asian countries, and American resource persons directed the discussions on substantive legislative and electoral topics. The Deputy Secretary presented a paper on Bangladesh, and was an active participant in the discussions. He has since become the Joint Secretary of the Bangladesh Election Commission.

Following the 1985 upazila elections, TAF arranged for a five-member, multisector team from Bangladesh to spend one month in Thailand studying local-government organization and elections. Team members were from the Election Commission (2), National Institute of Local Government, Dhaka University, and the Press Institute of Bangladesh. The program in Thailand was arranged by the Social Science Association, the Department of Local Administration of the Government of Thailand, and TAF's Representative in Thailand. During their program, the team got an in-depth look at the local-government and election-management systems and approaches in Thailand.

Voter Literacy

TAF is developing a series of activities to promote voter literacy in Bangladesh. With support from USAID through 116(e) funds, TAF will make a grant to the Madaripur Legal Aid Association (MLAA) for a pilot voter-literacy project that will reach the majority of the eligible voters in Madaripur District. MLAA will conduct basic research on voting laws, election abuses, the level of voter awareness, and the gap between election laws and actual practice. Out of this process, MLAA will develop materials to teach citizens about their voting rights. Some materials will be

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designed for literate people and some for the non-literate. Workshops and group meetings will be organized to train village and community leaders to educate voters throughout the District.

* E-1. Film for Voter Literacy: TAF has developed a project with the Bangladesh Society for the Enforcement of Human Rights (BSEHR) to produce and distribute a twenty-minute film on what it means to have the right to vote. The film will be shot on location in the form of a short story, utilizing music and dance as in the popular cinema. The Ministry of Information has consented in principle to tag the film with other information films for showing in cinema halls around the country. The Film Exhibitors' Association of Bangladesh estimates 2,000 viewers per day in an average cinema hall. If the film shows for two weeks in each of the country's 604 cinema halls, 16 million people will see it as a prelude to the feature presentation. The film may also be shown on Bangladesh Television, and screened through mobile cinema units in rural areas of the country. The film will be produced and directed by Ehteshamur Rahman, a member of BSEHR's Board of Directors and a pioneer of the Bangladesh film industry.

TAF submitted this project to USAID for 116(e) consideration in FY 1988, but it was not selected due to the limitation on funds available. The Foundation believes this is a unique, high-impact project, and requests support for it through this special democracy OPG. Mr. Ehteshamur Rahman is ready to start this project, and BSEHR will seek government approval for it as soon as funding is assured.

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Voter Rights

Election Laws and Voting Abuses: BSEHR has created an enviable track record since its establishment in 1977, and is the pre-eminent human rights organization in the country. Under the able leadership of its Chairman, former Chief Justice of Bangladesh Kemaluddin Hossain, and its Secretary-General Barrister Nazmul Huda, BSEHR has established, consolidated, and expanded human-rights activities throughout the country. TAF has issued a letter of intent to fund a BSEHR project that will complement the Foundation's voter-literacy project with the Madaripur Legal Aid Association. BSEHR is now seeking government approval for the project. When approval is given, BSEHR will make an in-depth survey of the election laws, voting processes, election abuses, and level of voter awareness. Where there is a need for election law reform, the Society will make its recommendations--both publically and privately. Where there is a need for additional materials and workshops to increase voter awareness, BSEHR will develop the materials and conduct the workshops through their Dhaka central office and branch offices. As part of this process, BSEHR will look into the viability of organizing poll watchers in one or two areas of the country on a pilot basis. If this is successful, it will be replicated on a wider basis.

Election Study

The Asia Foundation recently funded the first year of a two-year project with the Centre for Development Research, Bangladesh (CDRB) to study national elections in Bangladesh. The first phase of the project will look at the issue of election legitimacy, and establish a research model that can be applied to future elections. The study will include a comprehensive review of the electoral process in operation since

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independence. It will examine election laws and administration, analyze election statistics, review the role and workings of the Election Commission and election tribunals, and analyze voting patterns and behaviour. Weighing these factors, the study will attempt to determine if elections in Bangladesh have contributed to political maturity and development, or if they have had a destabilizing effect. The researchers will study the extent to which national elections have provided opportunities and avenues for political participation in ways that have truly determined the "will of the people." The second phase of the project is designed to apply this research model to an upcoming national election.

Conference

E-2. Conference on Elections: When both phases of the CDRB election study are complete, a national conference on elections will be held. This conference will highlight the conclusions that have been drawn in the study of national elections, and will focus attention in a high-visibility way on what can and should be done to improve the process. It will be imperative that international participants are included--particularly from the United States, Korea, and the Philippines. The CDRB study over the next two years, the election reporting that will be done during this time on local or national elections, and this conference will help the government and people of Bangladesh identify those areas where more must be done to improve the election process. TAF needs support for this conference, which will come in the third year of the project and complement other important election-related activities.

Citizens for Free Elections

* E-3. Citizens' Action Group: The problems inherent in elections in Bangladesh are legion, and it is imperative that any organization or group interested in assisting the country in this regard take a long-term view. No matter what the government does--this government or any government--the citizens of Bangladesh must mobilize and take an active role in the electoral process. TAF has talked with a number of people and organizations about the need for a citizens' group that is seized by the issue of "free and fair elections." This has been tried in the past, but foundered for lack of institutional support and broad-based commitment. The logical organization to support this activity is the Bangladesh Society for the Enforcement of Human Rights. The Chairman of BSEHR has a keen interest in the subject, and has done some work in this regard during a previous election. The model that comes to mind--in spite of the differences in the two countries and their situations--is the National Citizens Movement for Free Elections (NAMFREL) in the Philippines. Preliminary discussions with Justice Hossain have been held, but more must be done to see if he and BSEHR are in a position to develop a citizens' action group under the overall auspices of the Society. The first step, if Justice Hossain confirms that BSEHR can handle this activity, is to send him and two colleagues (at the staff level) on an Asian study tour to see what citizens' groups are doing in other countries (Korea and the Philippines would be included in this tour). The second step would be to bring a specialist from the Philippines to Bangladesh to help BSEHR design the election-related activities that will be conducted through its headquarters and branch offices. TAF will require USAID support for this program activity, and has included estimated figures in the budget section.

E-4. International Election Observer Team: When the next national election in Bangladesh is called, the groundwork will be laid by the Election Commission, and the resources of the government will be mobilized to carry out its constitutional mandate. Non-governmental resources also must be mobilized to assist the government in carrying out constitutional responsibilities. An international election observer team of highly-respected individuals from Asia and the United States should be brought to Bangladesh to observe the national election and issue a public report on its findings. This multinational team should be heavily weighted on the Asian side. The Foundation will identify the Asian observers through its field offices; the Americans on the team will be identified through TAF's San Francisco and Washington offices. TAF will work closely with BSEHR's citizens' group headed by Justice Kemaluddin Hossain. This should ensure that the actual procedures, approaches, and results of the next national election in Bangladesh become a matter of the public record, rather than an exercise shrouded in mystery.

THE PRESS

The press in Bangladesh will never be able to exercise its proper role in the development of a democratic society if the government restricts access to information, intimidates journalists by using preventive detention, and harasses newspaper editors in a variety of ways. A leading editor in the country asserts that the government feels unrestrained in applying what he calls a "black law" (the Special Powers Act) against the press. Using this law, he says, the government recently ordered one of the weekly newspapers closed down without giving adequate reasons for its decision. He and other editors cite specific examples of what they term

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government harassment of the press. More must be done to make people inside and outside the country aware of the realities facing journalists in Bangladesh. Simultaneously, increased emphasis should be placed on enhancing the quality of the press. If progress can be made in both of these areas, then the citizens of Bangladesh will be better informed about issues that concern them and their country.

Previous TAF Activities

In 1984, The Asia Foundation supported a project with the Association of Newspaper Owners in Bangladesh to send seven young journalists to seven neighboring countries to report on the socio-economic and political status of those countries. The countries visited were Singapore, Malaysia, Hong Kong, Thailand, India, Pakistan, and Sri Lanka. In the same year, the Foundation sent a special correspondent from the Eastern News Agency to the United States to participate in a conference on South Asia, deliver a paper, and spend one month studying media coverage of South Asia in the U.S. In 1986, TAF supported the participation of a senior staff reporter from the Bangladesh National News Agency in a workshop on economic reporting conducted by the Center for Foreign Journalists in Reston, Virginia.

Journalism at Dhaka University

PR-1. Training Young Faculty: Dhaka University needs an infusion of support if it is to play a role in strengthening the performance of the press in Bangladesh. The Department of Mass Communication and Journalism has eighteen full-time staff positions. The Department also uses practicing journalists and other professionals on a part-time basis to

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strengthen its course offerings. The Chairman of the Department indicates that short-term, non-degree training programs are needed to upgrade the skills of his faculty, and he is designing a training plan. TAF will work with the Department to select a staff member for short-term training each year--with appropriate programs being identified or arranged by the Foundation's offices in Asia and the United States. The overall training program will be designed to give the journalism faculty broad exposure to journalism in Asia and the United States in ways that meet departmental and professional needs. Some of the programs will be tailor-made observation programs and study tours. Others will be scheduled courses at established institutions. TAF started this training process by sending one staff member to the United States this summer, but requires additional funds to develop and support a systematic training program to be carried out over the next three years.

In addition to short-term training, the Journalism Department needs support for longer-term degree training in the U.S. The Chairman would like to send a person on a master's program beginning in Augunt 1989. TAF will arrange the placement of this young faculty member at an appropriate university in the U.S.

The U.S. Information Agency awarded a linkage grant to the University of Southern Illinois (SIU) in Carbondale to promote ongoing cooperation between SIU's Department of Radio-Television and the Dhaka University Department of Mass Communication and Journalism . This is a two-year grant, and the two universities are now in the process of working out the details of their cooperative efforts. TAF met with the Chairman of the Department of Radio-Television at SIU during his recent visit to Dhaka, and it was clear that everyone's interests would be served by staying closely

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in touch with one another. TAF will take the lead in consulting with DU, USIS, and SIU in developing programs that will be complementary to what is being done with other resources.

PR-2. Curriculum Development: The new Chairman of the Journalism Department believes that a thorough review and revision of the Department's curriculum is needed. He has started this process on an internal departmental basis, and it was continued during a brief visit to the SIU campus in October 1988. SIU will provide some limited consultancy services on curriculum development through the linkage grant, but SIU and DU will be unable to commit the funds necessary to complete the curriculum revamping process. Funds are needed for Asian consultancy services and the development of materials. This will include new materials developed and produced locally, and translations of English-language materials that are particularly relevant.

Student Internship Program: As in other fields, the study of journalism in Bangladesh is limited to classroom lectures and exercises, with the student provided little exposure to the actual trade that he or she is studying. The result is that practicing journalists in Bangladesh tend to look down upon graduates of journalism schools, contending that their academic experience does not prepare them for the rough professional life of a press or broadcast journalist.

With its own GG funds, TAF will make a grant this year to enable DU to launch an internship program for 20 honors-level journalism students. The internships will consist of part-time employment for a four-month period, intended to give the students hands-on work experience in their field of study. Students will be selected on a competitive basis, and provided a

nominal stipend for the duration of their work. Approximately 12 positions will be allotted to Dhaka-based newspapers, with the remainder allotted to radio, television, and news agencies. If the program is successful, DU will consider instituting it on a regular basis with credit offered for participation.

PR-3. Seminar Program: As the only university journalism program in Bangladesh, the DU Journalism Department must exercise more leadership in stimulating thought on the theory and practice of the profession--not only for the students, but for practicing professionals as well. One important way this can be done is through a prestigious seminar program. With funds from USAID, TAF will help DU launch such a program. Two national seminars will be organized by Dhaka University focusing on issues vital to the functioning of the press. The first seminar, which will deal with press freedom, will be organized in conjunction with an American school of journalism and will include American and Asian participants. TAF and DU will explore the possibility of working with SIU on this seminar. The seminar will take place after the completion of a TAF activity that has been launched this fiscal year with the Asian Mass Communication Research and Information Center (AMIC). This Singapore-based regional organization is working with Bangladesh collengues to carry out a study and produce a publication on mass media laws and regulations in Bangladesh. There are no comprehensive guides or compilations like this in the country. AMIC's guide will address the legal/constitutional issues relating to press freedom in Bangladesh. The DU seminar will draw upon the AMIC study, and will focus on issues such as:

* Press Laws
* Government Pressure--Direct and Indirect

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* Impact of Advertising Revenue

* Licensing

* The Press and Politics.

The second seminar will be organized in cooperation with an Asian school of journalism--one with which DU wants to develop an ongoing linkage. TAF has extensive contacts in the field of journalism--both in the U.S. and Asia--and will help DU select the right Asian school. This seminar will focus on an important press issue, and will include participants from other Asian countries. One of the speakers will be a well-respected figure in journalism from the U.S. These international participants will lend prestige to the seminar series, bring credit to Dhaka University, and ensure wide international press coverage of the issues discussed.

PR-4. Media Center: Formal training in journalism began in Dhaka in 1962 with the establishment up of the Department of Journalism at Dhaka University. The Department has tried to keep pace with developments in the field, but has fallen behind in many areas because of a shortage of resources and the rapid advance in technology. Many daily and weekly newspapers in Bangladesh are being composed, set, edited, and printed using high-technology equipment. With the increasing availability of electricity in even the remote areas of the country, television is rapidly becoming a major source of news and information. In each of these fields, there is a need for more well-trained personnel who can utilize fully the latest technology in effective, creative ways. The Journalism Department at DU needs to enhance its program and produce the kinds of graduates who will meet present and future needs of the media profession. This means

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establishing a desk-top publishing facility for classroom use that will give the students practical experience using the kind of technology they will encounter when they enter the job market. It means procuring camera equipment so the Department can strengthen the photojournalism component of its reporting course. The Department now covers the theoretical aspects of photojournalism, but not the practical aspects. A similar situation pertains in electronic journalism. Without added facilities, equipment, and training, the Department cannot adequately prepare its students to work in the broadcast media area.

Training for Practicing Journalists

* PR-5. Program for Editors: The Press Institute of Bangladesh (PIB) is a government-supported institution charged with running basic training for journalists inside and outside the government. For most of the past year, PIB was without a Director, which made it difficult for the Institute to launch new programs. PIB now has an experienced, full-time Director, and would like to expand its activities. (The Director is a former Asia Foundation grantee on the Congressional Fellowship program.) In program discussions with PIB, members of their training staff indicated that they face a problem in getting editors to release their journalists for in-service training programs. In some cases the editors do not see the value of formal training for practicing journalists, and in other cases they are not sure that PIB is running programs that will really benefit their staff. On the basis of these and other discussions, it is clear that there is a need for programs targeted at editors in Bangladesh. These would be periodic seminars dealing with issues like the following:

* The Role of the Press
* The Press and Modern Technology

* Journalism Training

* Investigative Reporting.

While these seminars will be small, in-country activities, it will be important to bring in experienced, well-respected editors from Asian and American newspapers; this will encourage local editors to attend. The first seminar will be organized by PIB, and is expected to take place in 1989. It will be co-sponsored by the Asian Mass Communication Research and Information Centre. (A PIB/AMIC workshop for economic journalists from South Asian countries was held in Dhaka in November 1988 with TAF support.) The second seminar will be organized by the Newspaper Owners Association, and will be scheduled about 18 months after the first one in this series. TAF will take a similar approach with this seminar--bringing in respected resource people from Asia and the United States to work with Bangladesh colleagues in running the seminar, and to sensitize the editors to important issues. The Foundation will explore the possibility of working on this seminar with the Virginia-based Center for Foreign Journalists.

With its GG funds, TAF is supporting a project in FY 1989 that will enable Adhikar Trust to conduct a series of regional workshops for newspaper editors on issues of law and human rights. The topics to be covered in the workshops range from the ethics of editing, to women's rights, to how best to cover news regarding the police or government agencies. One three-day workshop will be conducted in each of the nation's four regions: Dhaka, Chittagong, Khulna, and Rajshahi. Each workshop will be attended by fifteen editors of regional or local papers, with editors of the national dailies participating as guest speakers or discussants. Following the workshops, and based on the discussions and findings, the

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Trust will publish a small handbook on human rights to be distributed to newspaper editors and reporters around the country. This program will be organized by Adhikar Trust in collaboration with the Press Institute of Bangladesh.

* PR-6. Institutional Support: PIB suffers from the lack of adequate resources that many other organizations face in this country. Based on TAF's discussions with people at the Institute, it is clear that PIB is doing some useful training, and has the potential to do much more. The Institute has a competent staff, and an interest in further professionalizing its operation. Providing support at this time could make a significant difference in the way PIB runs its activities, and in the way people perceive the Institute. The first step would be to bring a curriculum and planning specialist to Dhaka to take an in-depth look at strategic planning, curriculum development, training, resources, and marketing. PIB has a fairly good library, but needs professional advice on how it can be improved. The Institute also needs audio-visual equipment to strengthen its courses. In short, the consultant would work with PIB to develop a master plan for its operation. The second step would be to evaluate the consultant's assessment of PIB, and determine the nature and level of further assistance. Such assistance would be dependent upon PIB demonstrating that it could sustain an expanded program through its annual budget.

Rural Journalists

GRASSROOTS is a voluntary organization formed by a group of young journalists in Bangladesh with the objective of making the media responsible to the needs of the country's poor. GRASSROOTS believes that

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the media can be used to help solve problems of development and human rights in the nation's rural areas. During FY 1988, TAF will support the inaugural activity of GRASSROOTS, a one-day workshop on "Poor People and the Media in Bangladesh." The workshop will be conducted in collaboration with PIB, and its findings will help GRASSROOTS and PIB shape future programs.

In addition to this workshop, TAF will use its GG funds to support a two-year pilot project that will enable GRASSROOTS to work in four village areas to raise citizen awareness of the role the press can play in rural society, and to establish alternative rural newspapers. Through workshops and training, local people will be responsible for writing the news for small, monthly newspapers. GRASSROOTS will circulate the newspapers in the rural target areas, and coordinate with the national media to see that important reports from the local papers receive attention in the national press. Topics of national concern may be the performance of local government, local elections, disaster relief, and human rights in the rural areas.

PR-7. Training for Rural Journalists: The Press Institute of Bangladesh runs some courses each year for rural journalists, but would like to expand its activities there. Training journalists based in the rural areas is important in and of itself, but with the other activities outlined in this OPG proposal it is even more important to have rural journalists functioning well in reporting on local-government activities, elections, etc. Thus, TAF is requesting funds to enable PIB to expand its training during the life of this project. The planning for this activity will be done as part of the curriculum review being carried out by the foreign consultant discussed earlier.

THE JUDICIARY

The judiciary in Bangladesh is under a great deal of pressure. It is trying to function with limited resources and inadequate infrastructure, exacerbated by a rapid expansion following decentralization. In addition, it is attempting to maintain its credibility in the face of attacks from prominent individuals and groups of lawyers. There is no easy, short-term way of dealing with these pressures; rather, the judiciary must do everything it can to enhance its image and performance by increasing its professionalism at all levels. With the resources currently available to the judiciary, this is not possible. It is imperative that concerned organizations commit the time, effort, and money necessary to enable the judiciary to move ahead with specific programs and activities that will strengthen the courts and the people who staff them. TAF is at the forefront of this effort.

Previous TAF Activities

During the period 1983--85, TAF assisted the Bangladesh Institute of Law and International Affairs (BILIA) by providing key judicial figures with opportunities to learn about judicial training through a series of projects supported with GG funds. These included visits to the U.S. by Chief Justice Munim and Barrister K.M. Hassan, Honorary Director of BILIA. In April 1985, TAF sponsored the visit to Bangladesh of Dr. Paul Li, Director of the Center for Judicial Education and Research in Berkeley, California. Subsequent to these visits, the Foundation's Senior Advisor for Law, Judge J. Clifford Wallace, has met with members of the judiciary on several occasions, and has discussed with them the value of establishing an institute of judicial administration (IJA). With Foundation support

provided through 116(e) funding, the Bangladesh Institute of Law and International Affairs launched its pilot judicial training course in September 1985. By the time the current funding ends (FY 1989), a total of 375 out of 465 Assistant Judges will have been trained through this project.

Training of Judges

During his visit to Bangladesh in May 1988, Judge Wallace urged the Chief Justice to move ahead with his program plans for expanded in-service training as soon as possible. They discussed ways this might be done, including setting up the IJA as a statutory body. Judge Wallace explained how the Federal Judicial Center came into being by statute in the United States, and subsequently sent the Chief Justice a copy of the statutory documents that established the Center. These documents were useful to the Supreme Court in framing the statute that will bring the IJA into existence in Bangladesh. The Foundation has assured the Chief Justice that it will do everything it can to assist the court in further conceptualizing its overall training program, staffing requirements, library needs, etc. To assist in this regard, TAF is planning to bring in a consultant to work with the Chief Justice and other key officers of the judiciary. This activity is scheduled for March 1989.

J-1. Pilot Judicial Training Project: Bangladesh suffers from a shortage of trained judges, especially at the subordinate level. The problem has been exacerbated in recent years by a decentralization of the court system that created 460 new jurisdictions, and by increasing pressures from the country's growing population. Subordinate level judges are usually drawn straight from the universities, and assume duties on the

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bench sometimes after little more than a week of courtroom observation as their training. Considering the complexities of the Bangladesh civil code, and the fact that new assistant judges are often stationed in locations where senior members of the judiciary cannot be consulted for advice, their qualifications for administering justice are often grossly inadequate.

This training course is but the first part of what must be an expanded, ongoing, in-service training program. The Supreme Court will not have the resources in the next three years to expand its training program as fast as it should; outside funds will be required. It is in everyone's interest to have each assistant judge in the country trained through the pilot judicial training project and related activities. TAF will work with the IJA in developing additional courses for assistant judges--drawing upon the experience of BILIA's judicial training course over the past three years. This will be done with the understanding that what has been and will be done with USAID/TAF support will be integrated into the IJA's ongoing training program.

* J-2. <u>Training for Middle and Senior Level Judges</u>: In order for the IJA to develop and implement a comprehensive training program, it must have a professional director and support staff. The Chief Justice is moving ahead quickly in this regard, and has identified a first-rate person for the director's position. Once this appointment is made, the director and one member of the IJA Governing Board will be sent to the U.S. to observe similar training centers. This will include the Michigan Judicial Institute and the Federal Judical Center. TAF has excellent working relationships with both of these institutions, and they will be helpful to the IJA. (Judge Wallace is a member of the Board of the Federal Judicial Center.) Every effort must be made to provide the philosophical,

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programmatic, and material support necessary to ensure the development of judicial training in Bangladesh on a comprehensive basis. This will be vital to the functioning of the judiciary over the long term. The IJA is the lead institution in this effort.

Court Management

* J-3. U.S. Internships in Court Management: Due to a backlog of more than 150,000 cases pending in district and upazila courts, many citizens do not even attempt to utilize judicial channels to seek redress for their grievances. The causes of court delay include procedural inefficiencies and a lack of knowledge on the part of judges and lawyers as to how to keep courts running smoothly. The Foundation has supported a cross-section of projects in Bangladesh to train judges and lawyers, and to encourage discussion on how to improve court management. In 1986, the Foundation brought William E. Davis, an American expert on court management, to Bangladesh to study the court system and evaluate the effectiveness of its practices. Mr. Davis's observations of the judicial system resulted in a number of recommendations. Among them was that the Ministry of Law and Justice develop a cadre of court-management specialists. The Foundation has designed a program to enable mid-level judges from Bangladesh to undertake ten-week internships in court management in the United States. The judges selected for this program will be those recently promoted, or soon to be promoted, to Additional District Judges. They will have an average of ten years' experience on the bench. Upon their return to Bangladesh, the judges will serve as catalysts to reduce court delay in their own jurisdictions. They also will be available to consult on and participate in training on court management at the IJA.

While in the U.S., the judges will be assigned to American courts where they can gain first-hand working knowledge of the principles of court management. The ten-week program will start with a short course or seminar, such as the course offered on court management for trial judges by the Center for Judicial Education and Research in Berkeley, California. This will be followed by one-month internships in each of two courts--since not all courts handle the problems of management in the same ways. As appropriate, and depending upon the timing, the judges may also attend a short seminar at an institution such as the Reno Judicial College, the Institute of Court Management, or the Michigan Judicial Institute.

J-4. Benchbook Series: The Asia Foundation proposes a program that will provide support to BILIA for the production, publication, and distribution of a series of easy-to-use benchbooks for judges at the upazila and district court levels. BILIA will produce three separate benchbooks on civil procedure, criminal procedure, and rules of evidence. The books will be published in a format that will allow for easy reference, and for the inclusion of additions or revisions at a later date. One thousand copies of each book will be published. They will be distributed free of charge to more than 600 judges and judicial officers, but will be sold to members of the bar. This will create a revolving fund for use in updating and enhancing the books.

BILIA will engage the services of an ex-judge with extensive experience at the district level to serve as Project Director. This person, along with a research assistant, will have primary responsibility for writing the benchbooks. After the drafting of each benchbook, a five-member committee consisting of a Supreme Court official, a member of the Ministry of Law and Justice, former judicial officials, and an academician

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will review the draft to propose changes or additions. Because the benchbook is only a guide for judges and not a statutory document, the Ministry cannot provide an official endorsement of the book. It can, however, be utilized in an advisory role through participating in the review.

The books will be published in English. Although an executive order in 1987 specified that all business at the ministries and in the courts be conducted in Bengali, the civil and criminal codes themselves are written in English. Translation of different sections into Bengali ranges from difficult to impossible. BILIA feels that Bengali benchbooks might eventually be produced, but this is a considerable undertaking not warranted at this time. TAF will launch this benchbook series by providing support for the first publication with its GG funds, but additional funds will be required for the second and third publications.

Studies of the Judiciary

J-5. Functioning of the Judiciary: If the judiciary is to plan effectively, it must carry out a study of how the judicial system is functioning--focusing on practical issues such as infrastructure needs, staffing requirements, and available resources. The study can be carried out by judicial officers, and will provide the Chief Justice and Ministry of Law and Justice with the information needed for a review of the judicial system. Funds are required to cover the costs for staff time, travel expenses, secretarial support, and computer time. The data collected will be analyzed, and stored for future reference and decision making. Similar studies have been carried out in the region, and one or two Asian resource persons can be brought to Dhaka to assist in the project if necessary.

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J-6. Independence of the Judiciary: A companion study should be carried out on the "Independence of the Judiciary in Bangladesh." This study will look at the issue of judicial independence from an historical perspective--taking into account political, constitutional, and extra-constitutional issues. Considering how polarized the legal establishment is, the challenge for TAF will be to identify an organization or institution that can carry out such a study in an objective manner. One possibility is the Law Faculty at Dhaka University; another is the Centre for Development Research, Bangladesh. It may be advisable to bring in an expert from the region to consult on how best to frame the study in such a highly-charged political climate.

Court Libraries

With its GG funds, TAF recently made a grant to support a twelve-month study of the upazila courts by the Institute of Democratic Rights (IDR). Since the upazila courts were established, there has been considerable discussion among the judiciary and bar alike as to how effectively the courts are operating. The IDR study will determine how successful court decentralization has been in fulfilling its promise to make justice more accessible to citizens at the local level. When the results of the study are in, TAF will design a program based on the study to address some of the needs of the judiciary at the local level.

* J-7. Strengthen the Upazila Court Libraries: One of the clear needs of judicial officers in the upazila courts is reference materials. The decentralization of the judicial system in 1985 created 460 new jurisdictions. Each is manned by Assistant Judges (formerly known as

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"Munsifs") and Magistrates. Most of these judicial officers have had no previous experience on the bench, and have few reference materials available to them. With support from The Asia Foundation, the Ministry of Law and Justice will design and compile sets of reference materials to form a basic library for each of the country's upazila-level courts. In some cases, the materials will be available and in print; in other cases materials will have to be translated or developed. These mini-judicial libraries are but the first step in an ongoing process that will keep up-to-date materials in the hands of these judicial officers. It will be the responsibility of the Ministry to see that these libraries are maintained and expanded; this will be built into the project as a precondition.

J-8. Strengthen High Court Libraries: The Eighth Amendment to the constitution recently passed by Parliament established permanent benches of the High Court in Chittagong, Comilla, Rangpur, Barisal, and Jessore, in addition to Dhaka. This was a controversial decision by the government, but the High Court is now a functioning reality in these areas. Virtually no attention has been paid to the court libraries in the areas outside Dhaka, and their collections are inadequate. To support the administration of justice, TAF proposes to build up each of the High Court libraries on a one-time basis. The Foundation will work with the Ministry of Law and Justice and Supreme Court to identify the materials lacking in these libraries. TAF will draw upon its local, regional, and U.S. contacts to get the required materials, and will get an assurance from the Ministry of Law that funds will be provided in the future to keep these libraries supplied with updated materials through the Court's annual budget.

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LOCAL GOVERNMENT

The central government is committed to increasing the effectiveness of local government, and has put a great deal of emphasis on its decentralization program. This has meant reshaping the system, modifying procedures, and instituting new approaches. In this process, however, the policy changes have gotten ahead of the planning, and there is a critical need for more data and information in a number of areas. Decision makers need to know if the local government infrastructure is adequate. They need to know the facts on staffing, resources, training, and planning. If such information is to be collected, analyzed, and managed in an efficient and judicious manner, support must be provided to key institutions. Once a reliable data base is established, appropriate organizations can develop ongoing programs to meet the most important needs of local-government institutions.

As part of its effort to strengthen organizations and institutions concerned with local government, The Asia Foundation has had program discussions have been held with officials at the Bangladesh Academy for Rural Development (BARD) and the National Institute of Local Government (NILG). With NILG, this involved discussions with people from the United Nations Development Programme (UNDP), which had consultants looking at NILG's program. One aim of that consultancy was to identify potential available resources for NILG. The Asia Foundation and UNDP will stay in close contact to coordinate programming plans in this area.

Previous TAF Activities

The Asia Foundation, with USAID support, provided a grant in 1984 to NILG to produce a book on local government entitled, Upazila Parishad

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Manual. This publication includes information on the following subjects: (1) the evolution of local government in Bangladesh; (2) the organizational structure of the upazilas; (3) the powers and functions of upazila officials and their relationship to the union parishad; (4) election, business, and taxation rules; (5) personnel management; (6) planning and budgeting; (7) sectoral development programs; and (8) the role of NGOs in local development. The published manual became available in July 1986, and 1,250 copies were distributed to upazila chairmen and other concerned officials at that time.

Research and Training

The National Institute of Local Government was established in 1969, and has as its main function the training of elected, nominated and appointed officials of local-government bodies--both urban and rural. The Institute runs ongoing training courses, conducts research, and publishes books and reports on a variety of subjects related to local government. There are more than 5,000 local-government units in Bangladesh, but no available, reliable, country-wide data on these units and their activities. Thus, NILG plans to establish and maintain a systematic data base on local government.

* LG-1. Research on Decentralization: In order to map out its strategy for strengthening the local-government units and establish a data base, NILG needs support to carry out a comprehensive research project on the current state of the government's decentralization efforts. Decentralization took place quickly across the board, without enough attention paid to assessing infrastructure needs, analyzing staffing requirements, and anticipating immediate and ongoing training needs.

Without such a study, it is difficult for the government and NILG to be sure that their plans are meeting the real needs of the officials and citizens at the grassroots level. TAF will provide the funds for an authoritative study to be launched in FY 1989.

The Bangladesh Academy for Rural Development in Comilla has been a proponent of improved local-level planning since its inception in 1959. In addition to a thana (upazila) planning book developed in the 1960's, the Academy has developed models of local-level planning systems through its Comprehensive Village Development Program. BARD believes that many elected leaders and official members of local administration responsible for managing the upazila parishad and cooperative societies lack adequate understanding, skills, and motivation for efficient planning and management of economic activities at the upazila and village level.

The Asia Foundation will begin addressing these issues this year by using its GG funds to support a BARD training program for upazila officials on management and evaluation of rural-development projects. This will be a pilot project for 80 local officials charged with designing and administering projects that compete for and receive block funds from the central government. In addition to enhancing the skills in administration and evaluation for a group of important local-government officers, TAF hopes this project will demonstrate to policy makers and other donors the need to do more training like this. Expanded training is essential if the government's decentralization program is going to be effective.

Materials

LG-2. Handbook on Administration: The National Institute of Local Government wants to produce a Handbook for Upazila Administration. It will

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build upon and complement the Manual produced earlier, and will be written in an easy-to-read manner. The material in the Manual is now over four years old, and a great deal has changed in both theoretical and practical terms during the ensuing years. The Handbook will be practical rather than theoretical--concentrating on real issues that face upazila administrators in carrying out their varied responsibilities. This will advance NILG's efforts to produce materials geared to the current needs and challenges facing local-government officials.

LG-3. Upazila Administration Libraries: There is a critical need for additional reference materials on administration, planning, budgeting, management, and evaluation at the upazila level in Bangladesh. With support from TAF, the Ministry of Local Government, Rural Development and Cooperatives will put together sets of reference materials that will strengthen the basic library for each of the upazila administrative offices in the country. NILG will collect those materials that are available and in print; it will have relevant materials in English translated into Bangla; and it will develop new materials to be used in administration at the upazila level. The mini-collections NILG develops will be distributed to each of the upazilas, and will include both theoretical and practical reference materials. The Foundation will obtain the commitment of the Ministry of Local Government to update these collections on a periodic basis as part of the Government's counterpart contribution to this project.

* LG-4. NILG Library Development: If the Institute is to develop its professional capabilities effectively, it must pay more attention to its own library. TAF is working with NILG to develop a plan to strengthen the NILG library considerably. An initial survey will be

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carried out to determine the strengths and weaknesses of the collection. In the process, NILG will do a complete inventory of its materials. When this is done, TAF will have the collection analyzed by specialists on local-government administration in both Asia and the U.S. to determine what needs to be added to the collection to make it current. Funds have been budgeted to cover the analysis and provide for the purchase of materials--both in Asia and the U.S. Funds also have been budgeted to provide in-service training for the NILG librarian at an appropriate institution in the region.

Staff Development

LG-5. Research Methodology: The relevance and effectiveness of NILG's program depends in many respects upon the quality of the research carried out by the Institute's staff. NILG has competent research staff, but they could benefit from in-service training on research methodology. TAF is working with NILG to design a training program that will draw upon local expertise in conducting seminars for the junior research officers. The senior officers will be sent for in-service training at appropriate institutions in the region. Their programs will concentrate on research methodology at a more sophisticated level, including the management of research teams. This training should increase the professional skills of the NILG staff, and enhance their credibility in conducting and managing quality research.

CONSTITUTIONALISM

Since the birth of the nation in 1971, Bangladesh has been in a state of perpetual constitutional flux. The present ruling party is in complete

control of the Parliament, and can legislate constitutional changes at will. The only real checks on the government's constitutional endeavors are the threat of civil unrest by the opposition political parties outside Parliament, and international public opinion--primarily from Western donor nations. This was demonstrated within the last year when the Eighth Amendment to the constitution was passed, which made Islam the state religion of Bangladesh. It has become increasingly apparent that there is a need for research, informed discussions, and publications on constitutional issues facing the nation.

Previous TAF Activities

The Asia Foundation has not concentrated on this area directly in its programming in Bangladesh, but it has supported a number of activities and projects that relate indirectly to constitutionalism.

Research, Workshops, and Conferences

With the formal establishment of the South Asian Association for Regional Cooperation (SAARC) in December 1985, there has been increasing interest among academics, government officials, political leaders, and concerned citizens in looking at issues and problems from a regional perspective. One of the important areas where a broader regional approach can be helpful is constitutionalism. In this regard, TAF was approached by the Dean of the Arts Faculty at Rajshahi University to provide support for a conference on constitutional development in the SAARC countries. The conference organizer had a long-standing interest in the subject, and had done research on the impact of the U.S. constitution on the nations of the subcontinent. The Foundation agreed to support this conference, and it was scheduled for late 1988 in Bangladesh. The conference organizer died

suddenly last spring, so the conference was postponed. TAF remains committed to this project, and is discussing it with other potential organizers. If possible, it will be rescheduled, and will include participants from each of the SAARC countries and the United States. The conference will be supported with the Foundation's GG funds.

* C-1. Scholarly Research on Constitutionalism: The Foundation intends to promote the study of constitutional government by helping to develop Bangladeshi scholars interested in this field, and by stimulating discussions and dialogue on important constitutional issues. A series of small grants to local institutions will focus on the technical and legal aspects of constitutional developments in the country. Topics will include international law, constitutional change in an historical context, and political development and nation building. In scholarly terms, the aim will be to create opportunities for young scholars to develop their skills in the constitutional field, and to encourage established researchers to continue working in this area. With funds available to sustain research on constitutionalism over a period of three years, the grants should bring results in a number of areas of importance to the nation.

C-2. Workshops on Constitutionalism: As the results of the research on constitutionalism come in, it will be beneficial to hold a series of constitutional workshops at local universities and research institutions. These should be low-key affairs targeted at different audiences--depending upon the specific aspects of the research that was carried out. In some cases the target audience will be primarily academic--students, teachers, and scholars interested in constitutional developments. In other cases, the audiences will be Members of Parliament, policy makers, and concerned

citizens from the non-governmental sector in Bangladesh--including the press. In all cases, the objective will be to promote thought and discussion on important constitutional issues, which over time will sensitize significant numbers of people to constitutional issues.

C-3. Conference on Constitutionalism in Bangladesh: If everything goes well with the two preceding activities, TAF will support a conference on "Constitutionalism in Bangladesh." This conference will focus almost entirely on the Bangladesh situation, but some participants will be brought in from the region. A constitutional specialist from the United States also will be included in the conference, which will lend prestige to the gathering and be educational for the younger Bangladeshi constitutional scholars. The conference is a logical outgrowth of the other constitutional activities TAF will support, and it will be scheduled for the fourth year of this OPG. Preparatory research work must be done, momentum generated, and enthusiasm sparked. Then it will be possible to hold substantive discussions on the impact of constitutional developments on nation building in Bangladesh.

Center

C-4. Center for the Study of Constitutionalism: Assuming that the support for constitutional activities outlined above is successful, it may be possible to create a Center for the Study of Constitutionalism in Bangladesh. Such a Center would be based at one of the universities, and could emerge in formal or de facto terms. This will depend upon the initiative taken by people at the university, and the political climate. Such a Center will need support from the outside to develop and implement its activities, and it should have links with other relevant institutions

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in the region and elsewhere. This will strengthen the Center, and promote the exchange of ideas among constitutional scholars.

Libraries

* C-5. Library Development: All of the constitutional activities will draw upon the library resources available in the country, and support must be given to develop the constitutional materials in the Parliament Library and the main university involved in research on constitutionalism. TAF will work with the relevant scholars and librarians to assess the current constitutional materials in the country, and will inventory what is required to strengthen collections. TAF will then procure the necessary materials through its Asian field offices and home office.

PROJECT ANALYSIS

Sociocultural Environment

Bangladesh is a nation of 110 million people occupying an area the size of Wisconsin. Eighty percent of the people live on or below the poverty line, and sixty percent are landless. Bangladesh has a literacy rate of about 23 percent, which has not changed appreciably since independence in 1971. Women constitute approximately 48 percent of the population, and are in a disadvantaged position. One recent study on the status of women rated Bangladesh lowest in the world.

While this project is not targeted specifically at women, there are a number of ways in which women stand to benefit from it. If the electoral process becomes legitimate, politicians in Bangladesh will no longer be

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able to ignore the women's vote. Their voice will be heard through the ballot box. If the judicial system becomes more efficient and effective, women will have access to justice in ways that are virtually unavailable to them now in practical terms. Finally, if local government becomes more responsive to real needs at the grassroots, women's issues will be focused upon by local leaders.

TAF will target women to participate in training and exchange programs whenever possible during the course of this project. These will include women lawyers, judges, journalists, parliamentarians, government officials, university professors, and students. It is estimated that as many as fifty women each year will be direct beneficiaries of training and exchange programs inside and outside of Bangladesh.

A much larger number of women will be indirect beneficiaries of the project. Due to low educational levels, women's rates of legal literacy and voter literacy in Bangladesh trail behind those of men. Programs conducted in these areas by the Bangladesh Society for the Enforcement of Human Rights and the Madaripur Legal Aid Association will have a disproportional impact on women. Of the 2,000 clients served by these organizations each year, an estimated seventy percent are women. Substantial numbers of women will be among the estimated 16 million people who will see BSEHR's voter-literacy film.

In the field of journalism, women's rights will be included in the workshops being conducted for newspaper editors by Adhikar Trust. GRASSROOTS also will focus on women's rights and development by including stories on these topics among those circulated in the national press. TAF will provide substantial support to Dhaka University for upgrading its

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Department of Journalism and Mass Communication. Of the 360 students currently enrolled in the Department, 108 are women.

In both direct and indirect terms, the poor in Bangladesh stand to gain significantly from activities planned through this project. If the institutions of government--from the local municipal councils to the national Parliament--are run by people who are elected by the people, the poor will be able to communicate their needs to their representatives. When the poor, who constitute the vast majority of the country, are virtually disenfranchised through election violence, fraud, and manipulation, there is little hope that their plight can be relieved. The masses must have the right to vote and choose their leaders.

In implementing this project, TAF has chosen those organizations, institutions, and groups of citizens who are in the best position to carry out the activities. In most cases, the Bangladeshi organizations have approached TAF for assistance and support. In some cases, TAF has approached organizations that have the ability to launch or expand program activities that will increase civic participation in Bangladesh. In all cases, the interest has been mutual. In short, TAF knows that these organizations have the capacity to develop, administer, implement, and sustain planned program activities. The Foundation also knows that the people running the organizations have the ability to get their program activities cleared by the government bureaucracy.

Beneficiaries

The objective of this project is to support the institutional strengthening of civic participation in Bangladesh, and the beneficiaries are multiple. In broad terms, the intended beneficiaries are the people at

large. Those activites targeted at Parliament and the electoral process will be of benefit to everyone in the country who understands his/her right to vote, and to be represented in Parliament by duly elected people. Thus, project activities are directed both at strengthening Parliamentary and electoral institutions, and educating the electorate. One of the activities in this area, a voter literacy film, should reach an estimated 16 million people as it runs in cinema halls throughout the country. In overall terms, project activities with the press are intended for the same broad group of beneficiaries. In some specific activities, however, the beneficiaries will be intellectuals, decision makers, and political leaders--the people who make and shape policy. In other activities, the direct beneficiaries will be the students, teachers, administrators, editors, and journalists who play vital roles in providing information to people across the country. The intended beneficiaries of judicial activities are primarily entry to mid-level judicial officers and judges. These are the main officers upon whom the judicial system and people depend for justice on a day-to-day basis. With a backlog of 150,000 cases in the lower courts, it is imperative that the court system function better and more efficiently. Without more and better training on a continuous basis, without more intellectual and material resources, the quality of justice in Bangladesh cannot improve significantly. In local government, the immediate beneficiaries will be the officials charged with training and supporting local-government officials. The ultimate beneficiaries will be the people at the grassroots who are governed by the local-government structure. The beneficiaries in the constitutional area will be scholars, intellectual leaders, and political decision makers. These people must increase their expertise on constitutional issues, help educate the public

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at large, and encourage sound constitutional decisions that reflect the will of the people.

Availability of Inputs

The resource people required for this project are available. In some cases, experts will be brought to Bangladesh from other Asian countries and the U.S. They will be identified by the Foundation's home office and other Asian field offices. In most cases, the resource people will be available within Bangladesh. TAF and the leaders of the organizations that will receive the subgrants will be able to identify the right people for project activities.

The material and technical resources are also available. The Foundation is experienced in importing equipment for its projects, and has a good working relationship with the various government agencies involved in this process. Some of the project activities involve the production and printing of materials. TAF is experienced here as well, and knows that Bangladesh has the capacity to produce such materials.

Project Constraints

The Government of the People's Republic of Bangladesh is well acquainted with the Foundation's work and program philosophy, and has been supportive over the years. It is rare that a Foundation project is not approved by the government, and this is a testimony to the understanding and trust that has developed between TAF and the government. This trust is particularly important, since approximately 85 percent of TAF's current program resources are directed to non-government organizations (NGOs). The Asia Foundation expects that there will be delays in the approval process

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for some sensitive activities in this civic-participation project, but TAF does not expect to encounter any additional approval difficulties.

Replication and Sustainability

Several of the projects in this proposal are pilot projects, which have been designed so that appropriate government organizations or NGOs can replicate them. These projects address important needs, and none of them are prohibitively expensive. In developing these pilot projects and other program activities, TAF has discussed the issues of replicability and sustainability with the potential subgrantees, and is confident they have the capability to sustain the activities after the TAF/USAID support ends.

IMPLEMENTATION PLAN

This four-year project is designed in a way that will enable USAID and TAF to assess its strategy for the development of democratic institutions on a yearly basis, and make adjustments as necessary for addressing changing conditions within Bangladesh. The project will be implemented according to annual work plans, which will be developed by TAF in consultation with the Program Office of USAID. The initial work plan will be completed within one-month after the grant agreement between USAID and TAF is signed, and will address a 12-month period. Subsequent plans will be submitted to USAID in final form one month prior to the beginning of each fiscal year.

Preparation of the annual work plan will be a two-stage process. The first stage will take place three months before the end of each fiscal year, and involve a consultative meeting between USAID and TAF. In this

meeting, TAF will review activities of the current year, discuss political or institutional trends in the country, and present a draft plan for activities during the coming year. In the second stage, based upon its initial consultation, TAF will prepare an annual work plan that will be presented to USAID one month prior to the beginning of each fiscal year. The plan will provide a formal review of TAF's accomplishments during the past year, evaluating the project based on its broad goals, as well as subgrant objectives. It will summarize the project for the coming year, including capsule descriptions of each planned subgrant, and a proposed budget. This budget will include a provision for unplanned program initiatives, which will not exceed 15 percent of the total funds designated for each program area during the year. This will enable The Asia Foundation to be flexible in responding to new programming opportunities that will advance overall project objectives. USAID will formally acknowledge its approval of the work plan by letter to TAF. Should TAF require major alterations in the work plan during the course of the fiscal year, changes will be effected through an exchange of letters with USAID.

Attached to this proposal is an illustrative budget summary that lists anticipated projects in the program categories over the four years. Due to political, institutional, and programmatic realities, however, there will be project changes, which will be discussed and agreed upon during the annual work-plan process.

In implementing this project, the Foundation will draw upon its established procedures for administering subgrants to local institutions. These procedures have been tested and refined over many years, both within the Foundation's general grant program, and within the USAID-supported population program. A subgrant to a local institution is provided through

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a letter of agreement that clearly states the goals of the grant, the activities to take place under the grant, and the budget. It also specifies the subgrant's time frame and reporting requirements, both substantive and financial.

For planned training that will involve a Singapore-based institution, TAF will submit a request to USAID asking for a waiver of Geographic Code 941.

Government of Bangladesh Approval Process

The Asia Foundation conducts its program under a status agreement signed with the Government of Bangladesh in 1974. Its activities are monitored by the Fellowships and Foundations Section of the External Resources Division (ERD) of the Ministry of Planning. In accordance with Government of Bangladesh procedures, all subgrants provided under this project will only be made after a grantee institution has received clearance to accept external funding. This is standard Asia Foundation procedure, and assures government concurrence with all TAF activities.

Non-Governmental Organizations: In the case of NGOs, a grantee institution initially must obtain project approval from its parent ministry. The ministry then forwards the proposal to a special NGO cell in the Cabinet Division that reviews all grants offered in support of NGOs. Based on the Cabinet Division's approval, ERD issues a formal letter of authorization for a grantee institution to accept funds from TAF for a specified project.

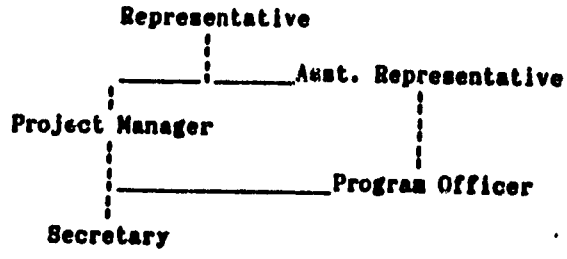
University System: As with NGOs, universities must obtain approval to accept external funding from the appropriate parent ministry. Based on

ministry approval, ERD issues a formal letter of authorization enabling the university to accept external funds.

Government Ministries: Grants provided by TAF directly to government ministries require ministerial concurrence, after which ERD issues a formal letter of authorization.

Staffing

Implementation of this project will be staff-intensive. Its success is contingent upon the involvement of TAF's staff at every stage of the grant process, beginning with subgrant identification and continuing through project development, monitoring, and evaluation. To coordinate the project, TAF will appoint an expatriate Project Manager, who will work under TAF's Representative for Bangladesh. The Project Manager will have administrative responsibility for the grant, including coordination of all substantive and financial reporting to USAID. Due to the grant's close relationship to TAF's ongoing program, responsibility for subgrants in each subject area will be shared by the Representative, Assistant Representative, and Project Manager, assisted by a local-hire Program Officer. The project will provide for a full-time Secretary. All staff recruited for the project are expected to be in place within three months after the grant agreement with USAID has been signed.



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Staff assigned to the project will draw upon the technical resources of TAF's Dhaka office, its home office in San Francisco, and other Asian field offices. Subgrant administration and financial reporting will follow established procedures utilizing staff that are already in place. TAF's Program Advisor will serve as liaison with the government to assist institutions in obtaining clearance for TAF subgrants. The project will receive support from TAF administrative and secretarial staff in Dhaka.

Equipment

The Asia Foundation will require some additional equipment to support this OPG, and funds have been budgeted for these items. Since TAF will be launching this project as soon as the agreement is signed and funds are available, the Foundation hopes that it will be possible to procure this equipment locally. TAF will submit a local procurement request to USAID, along with supporting information and documentation at the appropriate time.

MONITORING AND EVALUATION PLAN

TAF will utilize its established procedure for monitoring and evaluating subgrants. A subgrant is provided through a letter of agreement that clearly states the project's objectives, TAF's expectations, and the subgrantee's obligations. Although the time period may vary, sub-grants for in-country projects generally are for a one-year period. The subgrantee will be required to submit interim and final substantive reports to the Foundation that provide a self-evaluation of the project. TAF staff

will analyze these reports in conjunction with their own assessment derived from multiple visits during the development and implementation of the project. In addition, subgrantees will be required to submit financial reports to TAF on a biannual basis.

TAF will provide substantive reports to USAID on a biannual basis. An interim report submitted six months after the beginning of each fiscal year will provide a brief evaluation of the overall project, as well as progress reports on individual subgrants. TAF's internal evaluation for the entire fiscal year will be provided annually as part of its work-plan submitted to USAID. In this report, the overall project will be reviewed in relation to its broad objectives and goals. TAF will provide USAID with quarterly financial reports for the project prepared by its controller in San Francisco.

Funds have been budgeted for one external evaluation of the project at the end of Year 3. Rather than a quantitative assessment, the evaluation will analyze the social and institutional impact of project activities. The evaluation will be performed by an expatriate expert, and will be used to assess whether additional funds may be required and/or if the project should be extended to meet its objectives.

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ILLUSTRATIVE BUDGET SUMMARY

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	TOTAL
PARLIAMENT					
P-1 : U.S. Exchange	$ 11,100	$ 5,500	$ 12,300	$ 6,800	$ 35,700
P-2 : Asian Exchange	---	18,600	18,800	20,700	58,100
P-3 : Library Development	4,600	---	4,700	5,300	14,600
P-4 : Legislative Drafting	---	19,500	11,000	---	30,500
P-5 : MP Orientation	6,900	3,500	7,800	---	18,200
P-6 : MP Observation	---	36,300	38,300	40,400	115,000
P-7 : MP Education	---	6,000	6,400	6,900	19,300
P-8 : Distinguished Fellows	5,100	8,600	9,100	3,600	26,400
P-9 : Needs Assessment	10,200	---	---	---	10,200
P-10: Specialist on Parliament Affairs	---	9,000	---	---	9,000
USAID Total:	$ 37,900	$ 107,000	$ 108,400	$ 83,700	$ 337,000
TAF	$ 56,000	$ 30,000	$ 35,000	$ 25,000	$ 146,000
ELECTIONS					
E-1 : Film for Voter Literacy	$ 38,300	$ ---	$ ---	$ ---	$ 38,300
E-2 : Conference on Election	---	---	17,600	---	17,600
E-3 : Citizens Action Group	17,200	12,400	11,900	---	41,500
E-4 : International Election Observation Team	54,000	---	---	---	54,000
USAID Total:	$ 109,500	$ 12,400	$ 29,500	$ ---	$ 151,400
TAF	$ 40,000	$ 50,000	$ 45,000	$ 50,000	$ 185,000
THE PRESS					
PR-1: Training Young Faculty	$ 8,600	$ 35,800	$ 38,300	$ ---	$ 82,700
PR-2: Curriculum Development	21,100	22,500	---	---	43,600
PR-3: Seminar Program	---	29,200	---	33,500	62,700
PR-4: Media Center	---	70,700	62,600	52,300	185,600
PR-5: Program for Editors	10,700	---	---	15,400	26,100
PR-6: PIB Institutional Support	9,500	---	---	---	9,500
PR-7: Training for Rural Journalists	---	3,600	3,800	4,200	11,600
USAID Total:	$ 49,900	$ 161,800	$ 104,700	$ 105,400	$ 421,800
TAF	$ 80,000	$ 45,000	$ 40,000	$ 35,000	$ 200,000

NOTE: Activities marked with an asterisk (*) are ready to be funded or will be within 6 months of an agreement between TAF and USAID. The total funding required for these activities is $ 277,900.

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	TOTAL
THE JUDICIARY					
J-1 : Judicial Training	$ ---	$ 29,900	$ 33,300	$ 36,800	$ 100,000
J-2 : Mid & Senior Level Judges Training	12,100	---	---	---	12,100
J-3 : U.S. Court Management Internship	17,800	18,900	---	---	36,700
J-4 : Benchbook Series	---	17,100	---	18,[illegible]	35,900
J-5 : Study on Functioning of Judiciary	---	12,500	---	---	12,500
J-6 : Study on Independence of the Judiciary	---	---	14,800	---	14,800
J-7 : Upazila Court Libraries	60,100	60,500	---	---	120,600
J-8 : High Court Libraries	---	62,100	63,300	---	125,400
USAID Total:	$ 90,000	$ 201,000	$ 111,400	$ 55,600	$ 458,000
TAF	$ 50,000	$ 65,000	$ 50,000	$ 55,000	$ 220,000
LOCAL GOVERNMENT					
LG-1: Research on Decentralization	$ 28,600	$ ---	$ ---	$ ---	$ 28,600
LG-2: Handbook for Upazila Administration	---	---	27,200	---	27,200
LG-3: Upazila Libraries	---	---	38,600	44,900	83,500
LG-4: NILG Library Development	20,400	---	---	---	20,400
LG-5: Research Methodology	---	6,000	11,200	11,500	28,700
USAID Total:	$ 49,000	$ 6,000	$ 77,000	$ 56,400	$ 188,400
TAF	$ 50,000	$ 45,000	$ 40,000	$ 54,000	$ 189,000
CONSTITUTIONALISM					
C-1 : Research on Constitutionalism	$ 15,500	$ ---	$ 22,400	$ ---	$ 37,900
C-2 : Workshop on Constitutionalism	---	6,300	---	7,400	13,700
C-3 : Conference on Constitutionalism	---	---	---	15,500	15,500
C-4 : Center for the Study of Constitution	---	3,400	2,800	---	6,200
C-5 : Library Development	14,900	12,600	---	---	27,500
USAID Total:	$ 30,400	$ 22,300	$ 25,200	$ 22,900	$ 100,600
TAF	$ 10,000	$ 25,000	$ 40,000	$ 35,000	$ 110,000

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	TOTAL
PROGRAM MANAGEMENT UNIT					
Dhaka Section (3 persons)	$ 98,600	$ 97,000	$ 98,500	$ 117,800	$ 411,900
San Francisco Section (1 person)	$ 27,000	$ 28,400	$ 29,800	$ 31,300	$ 116,500
Sub-Total:	$ 125,600	$ 125,400	$ 128,300	$ 149,100	$ 528,400
OFFICE OPERATION					
Dhaka Administrative Expenses	$ 20,516	$ 13,635	$ 14,590	$ 16,000	$ 64,741
Equipment	$ 31,438	---	---	---	$ 31,438
Sub-Total:	$ 51,954	$ 13,635	$ 14,590	$ 16,000	$ [illegible]
TAF Program Service Costs	$ 47,600	$ 49,300	$ 59,000	$ 57,100	$ 213,000
Evaluation Expenses	---	---	$ 35,000	$ ---	$ 35,000
Sub-Total:	$ 47,600	$ 49,300	$ 94,000	$ 57,100	$ 248,000
Indirect Costs (@ 24.5% current provisional rate)	$ 145,004	$ 171,215	$ 169,307	$ 133,819	$ 619,845
Total Direct & Indirect Costs:	$1,022,858	$1,130,050	$1,112,897	$ 934,019	$4,199,824

USAID TOTAL: $ 3,150,000
(Rounded)

TAF TOTAL: $ 1,050,000

TOTAL PROJECT COST: $ 4,200,000

S:

Indirect Cost Rate: In June of each year, the Grants Office at the U.S. Department of State issues a letter establishing TAF's final indirect cost rate for the previous fiscal year.

The final TAF figure is dependent upon TAF's overall levels of non-USAID funding for fiscal years 1990-92.