

# Democracy and Human Rights for Development

KIOS Seminar 2010

In collaboration with  
Political Parties of Finland for  
Democracy (DEMO Finland)



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**Democracy and Human Rights  
for Development**

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# Contents

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<b>Foreword</b>	<b>7</b>
-----------------	----------

<b>Welcoming Remarks</b>	<b>9</b>
<i>Ms. Elisa Mikkola, Executive Director, KIOS</i>	

<b>Opening Speech</b>	<b>11</b>
<i>H.E. Dr. Paavo Väyrynen, Minister for Foreign Trade and Development</i>	

## MORNING SESSION

<b>Democracy and Development: Why the EU is Getting it Wrong</b>	<b>13</b>
<i>Dr. Richard Youngs, Director General, FRIDE</i>	

## EQUAL PARTICIPATION AND DEVELOPMENT FOR ALL Viewpoints from political and civil society in Asia

<b>Children's Parliament – Civil Society Experiences of Youth Participation in Nepal</b>	<b>16</b>
<i>Ms. Anjana Shakya, Chairperson, Himalayan Monitors for Human Rights, representing Partnership for Protecting Children in Armed Conflict</i>	

<b>Opportunities and Challenges for Youth Participation in Politics - Experiences from Nepal</b>	<b>20</b>
<i>Mr. Dinesh Prasad Bhatt, Central Committee Member, Nepal Tarun Dal youth organisation, affiliated to Nepali Congress Party</i>	

<b>Right to Participation for Minorities in Post-Conflict Sri Lanka</b>	<b>24</b>
<i>Mr. K. M. Rukshan Fernando, Head of Human Rights in Conflict Program, Law and Society Trust</i>	

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## **EQUAL PARTICIPATION AND DEVELOPMENT FOR ALL**

### **Viewpoints from political and civil society in Africa**

#### **Right to Participation in Democratic Processes: Implications of Inclusiveness for Development in Rwanda, Burundi and DRC** **34**

*Mr. Kris Berwouts, Director, European network for Central Africa*

#### **Civil Society Actors Promoting Inclusive Democracy in Rwanda: Experiences of Promoting Workers' Rights** **37**

*Mr. Alexis Rusine, General Secretary, Congress for Labor and Brotherhood in Rwanda*

#### **Right to Participation and Right to Development in Ethiopia: Young Women Claiming their Space** **42**

*Ms. Meselech Wondimu Wube, Chairperson, Bright Africa Women Development Association*

#### **Human right challenges and women's participation in democratic processes in Tanzania** **45**

*Ms. Anna Abdallah, Member of Parliament, Chairperson, Tanzania Women  
Cross-Party Platform*

## **WORKSHOPS**

#### **Youth's Right to Participation and Development – Best Practices** **48**

*Chaired by Ms. Anna Ranki, Secretary for International Affairs,  
Finnish Youth Cooperation Allianssi*

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<b>Women's Right to Participation and Development – Best Practices</b>	<b>52</b>
--	-----------

*Chaired by Ms. Tanja Auvinen, General Secretary,  
NYTKIS - The Coalition of Finnish Women's Associations*

<b>Global Economic Structures and Right to Participation</b>	<b>56</b>
--	-----------

*Chaired by Ms. Anita Kelles-Viitanen, Lic.Pol.Sc.,  
former Director of Social Development, Asian Development Bank*

<b>Seminar programme</b>	<b>60</b>
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<b>Participants</b>	<b>62</b>
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## Foreword

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*“Development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.”*

-The Preamble of the Declaration on the Right to Development (1986)

The 4th annual international seminar organized by KIOS, held 15-16 September 2010 in Helsinki, focused on the complex connections between human rights, democracy and development. It was organized in collaboration with *Political Parties of Finland for Democracy (DEMO Finland)*.

The seminar gathered together nearly 200 professionals, students, political party, civil society and media representatives and other interested individuals to share ideas, experiences and best practices. The key speakers and other invited special guests – coming from Ethiopia, Kenya, Rwanda, Senegal, Tanzania, Uganda, Nepal, Sri Lanka and Belgium – offered valuable insights to African and Asian realities.

The discussion and debate were vivid and a rich variety of opinions and best practices were exchanged during the presentations, panels and coffee breaks. Most speakers seemed to agree on the notion that human rights, democracy and development are complementary, inseparable and interconnected processes, and that the civil society, states and regional and international systems all have an important role to play in advancing and promoting them.

Cooperation and solidarity are the best ways of bringing about change. This is also one of the reasons why the seminar was organized in partnership with *DEMO Finland*. KIOS will continue the successful teamwork in 2011 as the next seminar, focusing on minority rights, will be organized together with KIOS's sister foundations, Siemenpuu Foundation and Abilis Foundation.

This publication summarizes the opinions, facts and visions expressed during the seminar *Democracy and Human Rights for Development*. We hope you'll enjoy them as much as we did, and we also wish you warmly welcome to our next seminar in September 2011!

Elisa Mikkola  
Executive Director  
KIOS

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## Welcoming Remarks

*Ms. Elisa Mikkola, Executive Director, KIOS*

Mr. Minister,  
Seminar participants and facilitators,  
Ladies and Gentlemen,

On behalf of The Finnish NGO Foundation for Human Rights KIOS I have the honour to welcome you all to the seminar Democracy and Human Rights for Development organized by KIOS and Political Parties of Finland for Democracy DEMO Finland.

Since some in the audience might not be familiar with the Finnish NGO Foundation for Human Rights, I would like to use this opportunity to tell briefly about our foundation.

KIOS is an independent, non-political, non-religious and non-governmental foundation, established by eleven Finnish human rights and development NGOs in 1998. The establishment of KIOS and its two sister foundations, Abilis Foundation and Siemenpuu Foundation, was the result of discussions between the Ministry for Foreign Affairs and Finnish human rights organizations, started by the former Minister for Development, Mr. Pekka Haavisto. The aim of these discussions was to create direct funding mechanism for supporting human rights movement in developing countries. And this is the essence of the work of KIOS: we support the promotion and protection of human rights in developing countries, as human rights are defined in the treaties and other instruments of the United Nations, and in regional human rights instruments.

In practise, KIOS finances local civil society organisations working for human rights. We aim especially at promoting the rights of the most disadvantaged groups,

which is in line with Finnish government's Development Policy Programme. In Finland, we aim at increasing the knowledge of Finnish civil society on the human rights situation in developing countries. Our annual seminars are one way of implementing this aim.

For KIOS this year's seminar is already the fourth annual seminar. We are also proud to note that there has been some progress over the years when it comes to our seminars: the first seminar was a national one and we did not have any experts from the South as facilitators, but this was corrected already by the time of our second seminar. Today we are proud to host experts from seven KIOS and DEMO project countries in East



*Ms. Elisa Mikkola*

Africa and South Asia. In addition, there are international and Finnish experts to share their thoughts with us. We are grateful to all of you for having taken time to come and participate.

Since seminars are about mutual learning, it makes sense to organize them together with other organizations. KIOS cooperated with the city of Vantaa in organizing its annual seminar in 2008 and this year we are glad to be working together with DEMO Finland. It has been a fruitful partnership since DEMO and KIOS share the same basic idea: human rights, democracy and good governance cannot be separated from each other; one cannot work without the others. Democratic rights are also one of the three thematic focuses of KIOS.

According to the UN Declaration on the Right to Development, the right to development is an essential human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. Therefore, in order to promote development, it is necessary to protect and promote also human rights. Popular participation is also an important factor in development and in the realization of human rights, and it should be encouraged in all spheres.

Civil society plays a crucial role in promoting democracy. Human rights organizations worldwide have campaigned for the right to participation, the right to security of person and a genuine rule of law. The mere existence of human rights organizations is part of democracy, in which freedom of expression and freedom of association should be respected. Unfortunately, many human rights defenders continue to be persecuted because of their demands for democracy and human rights.

Even if there have been setbacks, there has also been progress. I am sure our guest speakers are going to give examples of both. By sharing experiences we can work

more innovatively, extensively and effectively for democracy, human rights and development.

I wish you all an interesting seminar and fruitful discussions!

# Opening Speech

*H.E. Dr. Paavo Väyrynen, Minister for Foreign Trade and Development*

Ladies and gentlemen,

The United Nations General Assembly announced 15th of September as International Day of Democracy three years ago. The UN invited all Member States, non-governmental organizations, and individuals to celebrate the International Day of Democracy in a manner that leads to raising public awareness of democracy. The General assembly resolution notes that “while democracies share common features, there is no single model of democracy” and that “democracy does not belong to any country or region”.

Democracy is not a privilege of the western countries anymore but a global trend. According to Freedom House, 67 dictatorships have fallen since 1972. It is also noteworthy to mention that non-violent civic resistance had a strong influence in over 70 percent of these transitions. According to Freedom House, “changes were catalyzed not through foreign invasion, and only rarely through armed revolt or voluntary elite-driven reforms, but overwhelmingly by democratic civil society organizations utilizing nonviolent action and other forms of civil resistance, such as strikes, boycotts, civil disobedience, and mass protests.”

Finland applies a holistic approach to democracy. Democracy is inextricably associated to human rights, rule of law, good governance and to anti-corruption. Democracy is more than civil and political rights, it is also about economic, social and cultural rights. Due to historical circumstances, differences in cultures, and the stage of development, democracy is practiced in diverse forms around the world.

We have to remember that democracy and human rights are not “an isolated island”. They are part of open political dialogues, development programmes and trade relations. Democracy and human rights are an internal part of all the pillars of sustainable development – ecological, economical and social.

Democracy and human rights have been often neglected in development policy for two reasons. First of them is linguistic. The English language concept “social sustainability” has been often understood to concern only development in the social sectors. This kind of narrow interpretation excludes the foundation of social sustainability which is formed by democracy, human rights, good governance and rule of law.

Secondly, the Millennium Development Goals do not include the economic and social sustainability at all. The environmental sustainability is there but it has been overshadowed by the other MDG’s. In the September MDG Summit sustainability is fortunately given special attention. Democracy and human rights, the foundation of social sustainability, must have a central role also in that context.

These remarks justify the reasonable conclusion that human rights and democracy should not be “export products”. However, one can support the domestic economic, social and political development and local civil society that can be a driver for a change for democracy.

The Council of the European Union adopted nearly a year ago Council Conclusions on Democracy Support in the EU’s External Relations. Finland played a crucial

role in the Democracy Support Conclusions by heavily “flagging” for democracy support instead of democracy building. EU’s democracy support bases on internationally recognized human rights and democracy standards, like the right to take part in the government of his or her country, directly or through freely chosen representatives.

But EU’s democracy support also emphasizes the diversity of democracy situations, a country-specific approach and the readiness to partnership and dialogue on democracy and human rights. The EU is committed to the principles of ownership of development strategies and programmes by the citizens of its partner countries. The local government and people have a primary responsibility and the international community can and shall give, as appropriate, political support and technical assistance to the local-driven reforms. This is the same idea as what the Obama administration calls “democracy support”, instead of the definition “democracy building” used by the previous U.S. administrations. Finland initiated at the EU Transatlantic Partnership for Development with the US. The EU and the US will benefit from this Partnership in the field of democracy support, as well.

Finland has a wide array of aid instruments at use to support democracy and human rights. From different forms of multilateral and bilateral assistance to local co-operation funds which our Embassies can use to support local non-governmental organizations – to quickly react to local needs.

Expression of the EU’s wills to promote democracy and human rights is not an end in itself. Improvements of democratic situations can usually be reached more effectively by longstanding and equal dialogue with other governments. This does not mean that Finland should be inactive on the matter – quite the contrary. Like to tango, it takes two to dialogue. In an open dialogue, we shall be ready to discuss also about our own challenges on democracy and human rights. A credible democracy support policy starts at home.

Ten per cent of Finnish official development assistance (ODA) is applied to activities which support democracy and human rights. This is already a historical trend – democracy and human rights play a crucial role in Finnish development co-operation.

At the eve of the MDG Summit it is needless to say that poverty reduction is important to the realization of democracy and human rights. We have to accelerate the process of poverty reduction in the spirit of socially sustainable development. We need to look for innovative solutions on strengthening democratic processes in our partner countries. Mature democracy and realization of human rights make sustainable economic growth possible thus improving the wellbeing of people. The interaction between democracy and development works to both directions.

Finland has never been a colonial power. We have sometimes been asked to mediate peace negotiations because of our reputation of not seeking financial or military gain. We are a constitutional republic. We have a long history of power-sharing between the president and the government (prime minister) and the parliament. Our constitution is very modern and it covers civil, political, economic, social and cultural rights equally. Our school system has been ranked high and the level of corruption has been one of the lowest in the world. Women play a crucial role in our labour market and in political life; for example, we have both a female president and a female prime minister. Local democracy is grounded on strong municipal autonomy with a mandate to impose taxes. A strong civil society is a fundamental part of the Nordic system.

These are some strong points of our expertise that we can offer to the European Union, Council of Europe, United Nations and other international operations and to our partner countries in supporting human rights, democratic constitutional reforms, the status of women, inclusion of the most vulnerable populations and other kinds of democracy reforms.

## MORNING SESSION

*Chaired by Mr. Jani A. Seikkula, Vice Chairperson of KIOS Executive Board, Finnish Refugee Council*

### Democracy and Development: Why the EU is Getting it Wrong

*Dr. Richard Youngs, Director General, FRIDE*

Interconnectedness of democracy, human rights and development is central at the moment to a number of policy developments in the EU. Three policy frameworks being discussed at the moment on the European level that are related to the interconnectedness of the support for development, support for democracy and support for human rights are:

1. Discussions about the new EU external action service
2. New EU agenda for action on democracy support (council conclusions)
3. New EU policy for fragile states

Presentation will be about two things: 1) short overview of the current debates over the relationship between democracy and development and 2) why the skepticism in the development policy community over democracy assistance is misplaced.

Relationship between development and democracy  
What does the evidence really tell us about the relationship between democracy and development?

There is no strong positive correlation between levels of democracy and levels of development. We simply cannot conclude that in all places at all points in time democracy is always strongly beneficial to economic and social development. However, neither can we conclude the opposite.

It is often suggested that political freedom is worth sacrificing for the aim of economic and social development and that non-democratic developmental states can have economic and social development, particularly at its early stages, more effectively than democratic states. However, the statistical evidence does not prove this conclusion. So, there is neither strong positive correlation nor a strong negative correlation between democracy and development.

The key difference is in variability. Non-democratic regimes exist at both ends of extremes of economic development. Skeptics of democracy will argue that non-democratic developmental state can generate a more equal form of development. This is not proved by statistics. In China inequality has grown with economic development but in India inequality has recently started to decrease.

Democracies generally perform better than non-democracies on the Human Development Index. Only one non-democratic state appears on the top 20. Hence, if one understands development in a broader sense than just economic development, there seems to be a clear link between democracy and development.

How about the other way around? Do we need democracy for development?

Some scholars, for example Paul Collier, have suggested that democracy is impossible in very poor countries.

His notion has been criticized but evidence shows that in very poor countries democratization becomes more difficult and in wealthier countries there are stronger incentives to democratize. The most interesting group is the middle income countries. Evidence shows that the linkage is a two-way, symbiotic one: development supports democratization and democratization supports development. You need a certain level of economic freedom to facilitate economic growth and that growth will in turn facilitate a deeper degree of democratization. Thus, a very important policy implication is that you need to promote democracy and development together! By promoting them together both democracy and development become more sustainable.

### Skepticism towards democracy assistance

Despite these positive linkages between democracy and development, in the development community there is a growing ambivalence about the role politics plays in development policy. European consensus on development confirms a holistic approach to development, democracy and human rights, but does this happen in practice in the implementation of development assistance?

When looking at what donors are doing in practice one can see a growing separation between development and politics and a growing skepticism towards democracy assistance. For instance, there is no Millennium Development Goal (MDG) on democracy or political freedom. It was seen as too political and not a priority in development. Standard line in the development community is that politics doesn't matter to poor people: they would rather have better material standards of living than political freedom.

It's also argued that other models seem to be delivering better, such as state led development in China and Russia, and that democracy efforts divert attention from development when development budgets are already under a lot of pressure.

Some of these doubts and skepticism are well found

but much of this thinking mistaken for a number of reasons:

- “The starving man” is not an argument for autocracy. That material wealth might be more important to the poor should not be inflated to an argument that supports autocracy. Politics cannot be ignored while focusing just on development objectives. The way you politically pursue development objectives will have an impact on the sustainability and fairness of development.
- Some say that social rights are more important than political rights. However the quality of political rights cannot be separated from the quality of social rights.
- Development community often considers democracy as a means and not an end. Democracy should be supported only when it contributes in a tangible way to economic and social development. But people living in non-democracies see democracy as an end in itself and often even as a more important end than economic development.



*Dr. Richard Youngs, Dr. Paavo Väyrynen and Mr. Jani Seikkula*

- Elections are still necessary for participation and accountability. Comprehensive democratic alternatives to elections have not emerged.
- Everybody agrees on the need for local ownership. But local ownership by whom? Local ownership by government or by a broader society? How can there be

true ownership if a country is autocratic? This relates to the increasing amount of budgetary support in development assistance.

- Donors usually understand governance in a very technocratic way and often the aim is to try to improve the efficiency of policy making in a way that avoids getting involved in politics or democratic processes. This is the most serious fallacy of donor thinking at the moment, because it gives the impression that there are technocratic or managerial solutions to development challenges which at their root have to do with profoundly political struggles about the way that resources are distributed.
- The development community also has a fear of too much political conditionality. They fear that the democracy agenda authorizes the use of punitive political conditionality. In fact, the use of political conditionality has been very limited. But without conditionality how can donors push for the needed governance and political reforms in developing countries?
- Development community has a concern about democracy support being overly prescriptive. Democracy promoters should be aware of the dangers of being prescriptive and trying to export certain models of democracy to other countries. But avoiding being prescriptive completely can end up in donors sanctioning non-democratic models of governance.
- Fear that democratization can be destabilizing in fragile states. This has to be taken into account but the danger is going too far and thinking that democracy has no value at all in these states, especially over the long term.

## Back to the EU

In conclusion, there are serious doubts raised against the potential positive linkage between democracy and development. Many shortcomings of democracy support are real but they should not be over exaggerated.

There is a serious conceptual mistake in many of the doubts about democracy promotion. The skeptics con-

fuse shortcomings in democratic quality to qualities intrinsic to democracy itself. It's true that in many developing countries democracy has failed to deliver but this failure to deliver is often due to the limitations on the quality of democracy rather than anything to do with the intrinsic qualities of democracy itself.

Why all this matters in terms of practical EU policies? There is a growing fragmentation and renationalization of EU development policy. National governments are more and more responsible for the dynamism of European development policy. They are beginning to use development policies as a foreign policy tool undermining some of the commitments made to human rights and democracy. We should be aware of this growing degree of bilateralism.

We all agree that governance is an absolutely pivotal concept but there is an urgent need for convergence on the different understandings of governance in a way that links together democracy, human rights and development, as different European donors have different understandings of what good governance is. A lot of work is still needed.

Good governance should be a way of improving democratic governance and not a substitute for it. If that is not realized we will not be able to enhance some of the positive linkages between democracy, human rights and development.

*Dr Richard Youngs is the director general of FRIDE and an expert on democracy promotion. FRIDE is a Madrid-based think tank which produces research and innovative thinking on peace and security, human rights, democracy promotion and development. Dr Youngs is the author of several books and articles and publishes regularly in national and international media. Dr Youngs' research focuses mainly on democracy promotion and democratisation, European foreign policy, energy security, and the Middle East and North Africa (MENA) region.*

# **EQUAL PARTICIPATION AND DEVELOPMENT FOR ALL**

## **- Viewpoints from political and civil society in Asia**

*Chaired by Ms. Gunvor Kronman, Vice Chairperson of DEMO Finland Executive Board*

### **Children's Parliament – Civil Society Experiences of Youth Participation in Nepal**

*Ms. Anjana Shakya, Chairperson, Himalayan Monitors for Human Rights, representing Partnership for Protecting Children in Armed Conflict*

#### **Introduction of HimRights and Protecting Children in Armed Conflict (PPCC)**

Himalayan Human Rights Monitors (HimRights) is a non-governmental, non-partisan and non-profit organization committed to defending the rights of poor, marginalized and socially excluded communities and individuals, with a special focus on women, children and youth. HimRights works in affiliation with all major human rights institutions based in Nepal and abroad in order to monitor, report, document and respond to human rights violations. It began its activities during the 1980s and was officially registered in 1999. The collective professional experiences enables HimRights to effectively address issues of human rights, trafficking, good governance, conflict mitigation, and peace building.

The Partnerships for Protecting Children in Armed Conflict (PPCC) is a network and small working group of national and international organizations based in Nepal. The national partners include Advocacy Forum Nepal, Backward Society Education (BASE), Concern for Children and Environment – Nepal (CONCERN-Nepal) and Himalayan Human Rights Monitors (HimRights). The international partners include Care Nepal, Save the Children and Watchlist on Children and Armed Conflict.

The concept of PPCC was initiated in April 2005 to focus on monitoring, reporting and responding violations against children's right to education. As an active member of UN 1612 National Taskforce<sup>1</sup>, PPCC has been monitoring, documenting and sharing cases and trends of violations of children's right to education and providing the information to the Task Force which passes it on to the UN policy mechanisms. PPCC has been able to influence even the higher echelons of international child protection policy and publications, such as the annual report of the Secretary General on Children and Armed Conflict. PPCC currently works in Bara, Bardiya, Dang, Dhading, Sunsari, Banke, Surkhet, Parsa, Rautahat, Siraha, Mahottari, Sarlahi and Saptari.

#### **Participation of different caste, ethnic and indigenous groups in decision making level and implementation sectors**

Nepal is a multi-cultural, multi-ethnic, multi-religious and multi-lingual country. There are 61 ethnic groups and 125 different languages or dialects are spoken in the country. Nevertheless, the country's overall structure was, until recently, highly influenced by Hinduism,

<sup>1</sup> The 1612 National Taskforce has been formed in Nepal as per the provision of the UN Security Council Resolution 1612. The resolution has requested the Secretary General to set up the mechanism to monitor and report on grave child rights violations in countries affected by conflict.



the caste system, feudalism, and the Nepali language. This inbuilt system of suppression and oppression continued for centuries. Participation and representation of a diverse population caused major problems and status quo was perpetuated in every way possible. The recent Constituent Assembly (CA) election has made figurative difference; however, substantively meaningful participation is yet to be materialized.

One of the most important root causes of the armed-conflict in Nepal was the widespread structural violence prevalent in our society, where even fundamental human needs were not being met and were instead denied. The human rights principle of non-discrimination, which stresses on non-exclusion of groups on the basis of their gender, opinion, or ethnicity was not practiced or implemented in this country. Interestingly, the general reaction to the root causes of conflict from most marginalized respondents from most districts is poverty and unemployment.

According to sociologist John Burton, if certain material, social, and cultural needs are not met, then overt, protracted conflict will take place. Rather than absolute poverty, the causes of conflict can be traced to social and political exclusion, acute inequality and inequity in the distribution of resources and opportunities among different groups (based on gender, caste, ethnicity, belief/faith and other social dividing lines), as well as the failure of political structures to address these issues. In the context of Nepal the structural violence and political differences were the main cause of the decade-long armed conflict.

### Impact of Conflict

The conflict has caused loss of lives resulting in many orphaned children, and therefore resulting in loss of childhood. Due to the direct involvement in conflict and/or displacement, many have been deprived of their basic rights such as education. For example, children who were recruited by the Maoists find it difficult to continue their education as their contemporaries are

ahead of them academically. In some cases, schools have not accepted these children.

Many children have been displaced internally or across the border together with their families or fled either conscription or threat. Furthermore, there has been an increase in physical harm, disability, and psychological trauma from direct and/or indirect engagement in the conflict. Due to trauma, anger, need for revenge and fear along with the lack of empathy from society the social reintegration is difficult in many cases.

For a long time several forms of discrimination and structural violence were viewed as "Karma" or fate of certain people, which thus gave justification to a number of human rights violations. After the armed conflict people started to realize their rights and see how the status quo was being maintained by the rich. They understood the need to fight for their rights and this was one of the many reasons for them to support the Maoist.

### Present Situation

The decade long conflict in Nepal has undoubtedly left the nation in a volatile and highly sensitive state.



*Ms. Anjana Shakyas*

Although the ending of the Maoist insurgency and the signing of the Comprehensive Peace Agreement have brought peace to the country, the citizens of Nepal continue to be routinely victimized. Whether it's through the rise of new armed groups and insurgencies or whether the suffering originates from the remnants of the conflict, it is no secret that those left most vulnerable are the children.

According to data collected by PPCC and HimRights, children continue to face a range of human rights violations, such as school closures; the recruitment, abduction and use of children by armed groups; kidnapping of children for ransom; killings; and corporal punishment. The violations are being committed by the CPN Maoists, mainstream political parties and other non-armed armed groups.

The government seems to ignore demands of the common people to ensure, respect, and protect their basic needs and rights. The emerging trend is that the government's attention cannot be drawn without strikes or violent protests. Thus, any group who wants government to address their cause either uses violence or strikes to make it self visible.

Currently, the 601 members of the Constituent Assembly (CA), including minority representatives, who were selected by voting in 2008 face the grave task of drafting the nation's new constitution. Though the tenure was initially for one year, it has been extended for an additional year, out of which four months have already passed. Inter and intra party conflicts have kept the drafting process moving at a slow crawl, with the agreements of the peace accord still not having been implemented on various sides.

### Child and Youth Participants in Democratic Process in Nepal

The Children's Mock Constituent Assembly, organized on 26-31 August 2009 with the participation of 76 children representing 27 districts of Nepal, was an

exercise for children/youth to understand democratic process and raise their voice in the new Constitution by using the actual CA process. This process was used as a tool to strengthen the participants' knowledge and leadership skills on effective representation and lobbying for the inclusion of children's issues in the new constitution. In previous years, HimRights has conducted eight mock parliaments for children and youth across the country where the feedback has proved that these processes provided children participants with an opportunity to not only learn about the processes, but also with the opportunity to develop leadership and negotiation skills so that they are better equipped to present their issues and advocate for their own rights.

In preparation for the Children's Mock CA, PPCC carried out district and community level interactions to get information on children's issues, concerns and opinions which could be fed into the process of drafting the new constitution. Through 67 interactions, PPCC reached 2006 children, out of which 1002 were boys and 1004 girls. It interacted with 611 other stakeholders including teachers, School Management Committee (SMC) members, parents/guardians, political party leaders, CA members, government officials and so on. Similarly, two Child public hearings in Kathmandu and Chitwan were conducted on the new constitution and Child rights.

On behalf of PPCC, HimRights convened the Children's Mock CA in 2009. The participants, aged 12-19, represented a diverse group with varied backgrounds. As a result of the CA, issues of child rights got integrated in the draft of Fundamental Rights and Directive Principle. On 2009 November 8, the draft was submitted to the constituent assembly.

Impacts of Children's Mock Constituent Assembly on children:

- Participants gained knowledge on the electoral process and its rules and regulations, understanding the essence of democracy (i.e. transparency, accountability, responsiveness and predictability) and its relevance to the society;
- They also gained in-depth and practical knowledge on the rights of children and took part in a decision-making



*Ms. Gunvor Kronman and Ms. Anjana Shakyas*

process actively and effectively;

- Some of the child participants took an initiative to work as a watchdog and exert pressure for the protection of rights of children;
- Some participants were elected and took initiatives for their representation in local- and national-level leadership organs
- Young men and women collaborated in a powerful way in Parliament/CA;
- Participants were empowered in speaking with self confident, identifying issues, analysing the issues critically for their appropriate resolution;
- The participants also learned about the importance of issues such as inclusion in decision-making, equality, and open and honest discussions with the aim of reaching consensus;
- Leadership skills, critical thinking and reflection skills of the participants were developed.

*Ms. Anjana Shakyas is the Chairperson of an organization called Himalayan Monitors for Human Rights. Today she is representing a wider Nepalese civil society network: Partnership for Protecting Children in Armed Conflict, which is supported by KIOS. Anjana Shakyas has over 15 years expertise in human rights, including children's rights. In the seminar she told about civil society's work for youth participation in Nepal, using the example of Children's Parliament.*

# Opportunities and Challenges for Youth Participation in Politics - Experiences from Nepal

Mr. Dinesh Prasad Bhatt, Central Committee Member, Nepal Tarun Dal youth organisation, affiliated to Nepali Congress Party

## Abstract

Nepal's population was calculated to be over 23 million in last census of 2001, and is now projected to be nearly 30 million. More than half of this population is under 25 years of age. Almost a third of Nepali people are between the ages 15-29 and a total of 60 percent is below 30 years old. In the light of these statistics, it should be firstly noted that Nepal's population is predominated by youth.

Nepalese youth and students have played a vital role in all the past political and social movements of the nation, but their active contribution is shaded out by history. As a result, the past political movements have failed to bring about necessary changes in the political culture of the nation. Nepal has a plentiful of politically intelligent and disciplined young political leaders in political parties and their sister organizations; and prosperous Nepal is not possible without the active involvement of these youth. But as the major political parties of Nepal continue to be marked by lack of internal democracy and hierarchical tendencies, youth tend to be sidelined from higher political decision-making. Furthermore, there are no proper policies and programs in place to tap the potential of this generation in the national mainstream.

Now it is high time to change this situation. Opportunities are indeed emerging, as public faith in young leaders is increasing with their disillusionment of current party heads. Youth leaders are also strengthening their cross-party relations for common issues, thereby enhancing collaboration, joint initiatives and synergies, e.g. in the framework of the recently agreed Joint Youth Agenda. At the same time, youth leaders must increase their

capacity to understand and advance economic reforms, social inclusion, and promotion of human rights. They must press on an adamant fight against poverty, corruption and violence, and most importantly; have the capacity to effectively raise questions against the misuse of youth by present party leaders.

## Political Youths and Students: A General Understanding

Students and political youths combine two essential and revolutionary qualities: *Youth and education*. Revolution has by nature a youthful spirit; the spirit of revolution is the spirit of rebellion. It is the spring of the soul, the hope that moves man to aspire to perfection, and all this is embodied and expressed by youth. Education is the greatest weapon in the hand of the revolution for it transforms the revolutionary hopes and objectives from sentiments and vague wishes into a high degree of clear, planned and organized consciousness. And this is the essence of political youth activism.

The United Nations has defined youth to from age 15 to 29. In Nepal, our National Planning Commission has recognized youth to be between 15 to 35 years old. It is noteworthy, however, that the threshold age for the definition of youth varies to some extent in different political organizations in Nepal and extends up to 45 years in some youth organizations.

## Youth Participation in Democratization and Political Movements of Nepal

Nepalese youth and students have played a vital role in all of the people's movements since unification of

Nepal 250 years ago. Youth have contributed significantly for political and social change and played an important role in the democratization process of Nepal. Major political movements include, for example, Jayatu sanskritam (1947), Anti-Rana movement (1951), Student movement to organize a national referendum (1979), Jana Andolan I (1990) and Jana Andolan II (2006).

In Nepal's history, young leaders have played a central role in bringing about social and political change in the country either by participating in the democratic struggles directly, fighting against social injustice or involving themselves in the process of community development. In the past, despite unfavourable circumstances where democratic principles and values were curtailed and citizens' fundamental rights restrained, young political leaders have always managed to come to the forefront to raise their voice for people's rights.

But after the success of these movements and with the restoration of democracy, youth were not able to become real owners of the achievements. The efforts of young political leaders are neither legitimized nor recognized. During the struggles, youth presence as strong defenders of democracy was celebrated, but after the restoration of democracy, their active contribution is shaded out by history and by subsequent political developments. As a result, all the following political movements have failed to bring about changes necessary for the political culture of the nation. Moreover, Nepal's national policies and programs are influenced more by partisan politics than a national demand. The state and society both have become characterized by favouritism and nepotism, rather than civility.

But this is bound to change in the near future as Nepal is currently undergoing a transformational political and social transition. The massive April 2006 revolution that mobilized millions of people throughout the country demonstrated the strong aspiration of Nepali people for a complete transformation of their country in terms of governance system as a whole; they want to institute

democratic values with justice and peace in all aspects of nation building. And as we are talking about the role of young Nepalese in the building of new Nepal, we must also remember an important aspect of the demography in the country: the youth-dominated population. We have to recall also the strength of those massive youth-led pro-democracy demonstrations.

### Youth leaders in Nepal

Nepal has politically intelligent and disciplined young political leaders in political parties and their sister organizations. This generation can meet the demand generated by modernity factors, such as globalization and its undercurrent effects. In general, young political leaders are tolerant and open-minded regarding the democratization process, economical reforms, and promotion of human rights - especially the rights of women, children, minorities and the disabled. And when I am talking about the young politicians I am talking about the people who are below the age of 35 - unlike some political leaders of Nepal who still claim to be 'young' in their late 50s.

Prosperous Nepal and its social, political and economic change is not possible without involvement of youth, who are educated, competent, dedicated, and who are receptive to progressive ideas and willing to work across party lines. The demand for a change and an overarching spirit for the establishment of 'Prosperous Nepal' have dominated the current discourse for peace and democracy. However, the establishment of 'Prosperous Nepal' is only possible if there is a replacement of one generation by another with new experiences and attitudes, especially when it comes to social, political and economic transformation. But in the face of tough challenges ahead, the political leaders are the same - leaders of older generations who are responding attitudinally and behaviourally in a similar fashion to these new political developments as before.

## The barriers for participation

The major political parties of Nepal are still bogged down by hierarchical tendency and are shaped by the principles of a single leader and family politics, appointing officials of their choice and distributing public roles not on the basis of actual capabilities and virtues of those chosen. In this context, where the senior and old party leaders upholding authoritarian principles and conservative views have an immense leverage in political parties, the young political leaders who differ from their line of thinking find it difficult to get a meaningful space in the party and show their presence at national and local-level politics. Moreover, there are no proper policies and programs to tap the potential of this generation in the national mainstream. Neither is there an established culture to include youth in the political decision-making. Instead, the tendencies for engaging

youth in street politics to consolidate the vested interests of the political elite continue to live on.

Youth in Nepal have often been used, misguided and exploited by the political and social elite for their temporary gains. Once the immediate objective is achieved, often in a form of successful mobilization of demonstrations, our actions are forgotten and our activism is sidelined. We have become marginalized from all the central political processes, including the peace process, and feel rather powerless and disconnected from mainstream politics.

It is important to analyze the political participation of the Nepalese youth in a holistic manner. The following table breaks down the strengths and weaknesses as well as opportunities and threats affecting young people's political empowerment in Nepal.

Strengths	Weaknesses
Demography of Nepal with predominantly young population Increasing public disillusionment with present leaders and growing faith in young generation of politicians Youth's strong commitment to democratic culture Strengthening of cross-party relations and cooperation among youth - as demonstrated by the work of Joint Youth and Students Platform Higher level of competency among youth than in older generations Young people's open and optimistic attitude towards change and development Aspiration for peace and prosperity	Youth's tendency for violence Lack of sufficient knowledge and capacity in e.g. resource management and time management Inability to mobilize and include politically inactive youths Tendency for youth to be misled and misguided by senior party leaders
Opportunities	Threats
Posts in the Constituent Assembly, leadership in political parties and their sister organizations Realization of the principle of inclusion and system of proportionate representation Replacement of older generation leaders by youths in many parties in their recent and upcoming general conventions Time for change and current transitional phase as an opportunity to perform and demonstrate youth's potential	High expectations with limited resources Erosion of constructive cross-party relations Increase in violence Older generation clinging on to power through all means available Lack of rules and regulation and youth-related programs



## Conclusion and road ahead

As Nepal is moving towards a democratic setup, its future rests on the responsibilities taken up by the youth to reinforce three central points: Firstly, there is a growing demand for change. Secondly, leaders should be capable of providing and delivering this change. And thirdly, it seems necessary that for the aspired change to take place, more young leaders need to be encouraged to come to the forefront. Indeed, this *is* the time for change; as public becomes increasingly disillusioned by party leaders and begin placing their hopes on the new generation of politicians.

But political youth and students have their role to play for the generational shift in political leadership to materialize. Youth leaders must continue strengthening their cross-party relations and cooperation for promoting common issues and shared objectives. As the work of our Joint Youth & Students' Platform (a cooperative forum of all major parties' youth and student wings) demonstrates, there is a window of opportunity to raise the voice of youth in politics through constructive cross-party collaboration. We have realized that despite

of our ideological differences, there are issues that we may more effectively advocate as a joint front and gain strength in unity. And this we must continue.

Furthermore, youth leaders must also increase their capacity to understand and advance economic reforms, social inclusion, and promotion of human rights. They must fight against poverty, corruption, violence, and most importantly, have the capacity to raise questions against misuse of youth by party leaders. This is our responsibility.

*Dinesh Bhatt is a Nepalese youth politician, who has played a very active role in Nepal's Youth & Students Platform since its inception in 2007. The Platform brings together 21 political youth and student organizations from 11 different political parties. It aims to strengthen the voice of youth in politics through cross-party collaboration; simultaneously enhancing constructive dialogue across party-lines in Nepal's post-conflict context. The work of the Joint Platform is supported by Demo Finland. Bhatt has been involved in the work of the Platform as the organizational representative of Nepal Tarun Dal; the youth organization of Nepali Congress party.*



# Right to Participation for Minorities in Post-Conflict Sri Lanka

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## Introduction

In May 2009, the Sri Lankan government claimed victory of the three decade old war, winning over territories the government had no control for decades. It claimed to have eliminated the leadership of the Liberation Tigers of Tamil Eelam (LTTE) and captured thousands of its cadres. Furthermore, the government claimed victory in a series of elections including the 2010 presidential and parliamentary elections.

It is in this context, that I will try to look beyond the surface and highlight some key challenges for participation of minorities in context of democratization, human rights and development. It is not meant to be an academic thesis but rather, based on my personal experience and work.

The perspectives I present are based on what I have seen and heard in regular visits to the war ravaged North and East of Sri Lanka where no visit has passed without coming into contact with families of those killed, disappeared or detained and having to listen to tragic tales of those injured, displaced, lost properties, detained and tortured. Closer to home in Colombo, my perspectives are influenced by conversations with regular visitors to my office and home, many of whom are journalists, lawyers, religious leaders, human rights defenders facing repression and their helpless families. Fear of their lives have compelled some of these people to go into hiding, others are trying to flee the country while some had already fled.

In order to maintain focus, and based on my areas of work and experience, I will largely focus on ethnic mi-

norities, though religious minorities, sexual minorities also face specific challenges in Sri Lanka.

**Background on majorities and minorities in Sri Lanka**  
The major ethnic groups in Sri Lanka are Sinhalese (74 % of the population), Tamils (18%), Muslims (7%) and Veddahs (Indigenous peoples), Malays and Burghers (around 1%). Tamils consider themselves primarily two groups: Hill country Tamils are mainly living in the hill country, and are sometimes also referred to as Indian Tamils or Estate Tamils. Sri Lankan Tamils make the majority in the North and are also present in many other parts of the country.

Buddhists make about 70% of the population, Hindus 16%, Christians 7% (Catholics are the being the largest group) and people of Islamic faith 7%. Almost all Buddhists are Sinhalese and nearly all Hindus are Tamil; Christians are both Tamil and Sinhalese.

## History and present status of the ethnic conflict and war

Ever since Sri Lanka gained political independence from the British in 1948, Tamil community has been subjected to various forms of discriminations and harassments in several areas such as language, land and education.

Tamil political leaders agitated peacefully for several decades for equality and form of governance that will not centralize power with the Sinhalese dominated central government in Colombo. However, these were ignored, and on some occasions, violently and brutally repressed.



In the 1970s, young Tamils started to form armed groups and demands for a separate state (Eelam) for the Tamils began to emerge. Not all Tamils supported these, but there was indeed wide spread sympathy and support from the Tamil community. Later, the Liberation Tigers of Tamil Eelam (widely known as LTTE / Tamil Tigers) became the most powerful and largest group, after wiping off most other armed Tamil groups in violent clashes in the 1980s.

The LTTE soon turned to acts of terrorism, massacring hundreds and thousands of civilians in villages and in public places. They set off many bombs and claymore attacks in public places such as buses, trains and other public buildings, and also attacked two of the most sacred Buddhist shrines and mosques. Buddhist monks were also massacred and Muslim community, who had been living in the North for a long time, was chased out of the North by the LTTE. The LTTE also became notorious for forced recruitment, including very young children. Many leading Tamil political leaders and intellectuals who espoused Tamil rights, but held dissenting views and criticized the LTTE were also killed.

The response of the Sri Lankan government and armed forces was equally brutal and repressive. It was clear that the Government suspected all Tamils to be LTTEers or their supporters. In 1983, the government allowed massive ethnic riots to take place, where more than 2000 Tamils are estimated to have been killed and large number injured and property destroyed. This started a massive exodus of Tamils from Sri Lanka, in fear of their lives and convinced that they could not live in safety and dignity in Sri Lanka. Tens of thousands of Tamil men and women, many of them youth, were killed, subjected to enforced disappearances, detained without charges and tortured. Hundreds of thousands were displaced and severe restrictions were placed on freedom of travel and traditional livelihoods such as fishing and farming.

Except during the limited respites offered when the government and the LTTE came together for talks, this trend continued till the end of the war.

In 2006 and 2007, hundreds of thousands were displaced as the government fought to take control of territories controlled by the LTTE in the East. Civilians were also killed and injured and had to undergo many hardships. Afterwards, the government turned its guns on the tiger controlled territories in the North. From 2009, civilian casualties soared and UN's Special Rapporteur on Extrajudicial and Summary Executions reported allegations of up to 30,000 civilians being killed in the final five months of the war<sup>1</sup>. Thousands of others were injured and went missing. The LTTE didn't allow civilians to leave and even resorted to shooting and beating those who tried to escape. Eyewitness accounts and well-known human rights organizations and the Department of State of the United States reported mass casualties, injuries and attacks on safe zones declared by the government itself and other places of refuge such as hospitals and churches<sup>2</sup>.

On 19<sup>th</sup> May, the government announced the end of the war and that the LTTE leader was killed. There were widespread celebrations on the streets of Colombo and in southern, central and western parts of the country, while the government also held official victory celebrations.

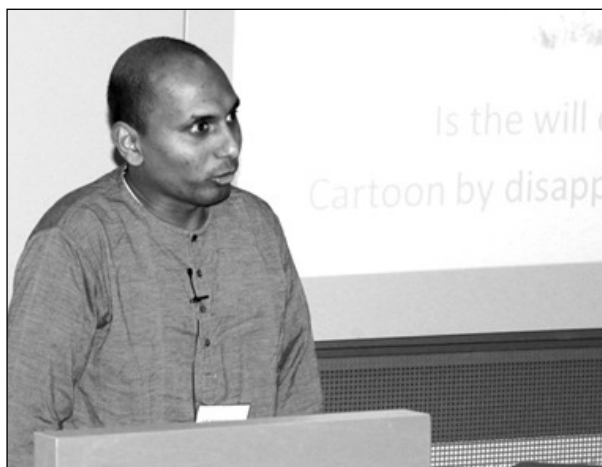
In the North, Tamils mourned for loved-ones killed, missing, detained and injured. Almost all the displaced people (about 280,000) were detained for about 6 months without any charges for the crime, only for having lived in the LTTE controlled territories.

As of 29<sup>th</sup> July 2010, 127,647 people were reported as not having returned to their places of origin and living in camps, with host families, in institutions and in transit.<sup>3</sup>

People who had returned to their places of origin face number of challenges, such as security, sexual abuse and harassment of women (many women are single due to males being killed, missing or detained), lack of adequate shelter, food, water, transport, health, education etc.<sup>4</sup>

## Inclusive vs. exclusive democracy – from ancient Greece to modern Sri Lanka

History of democracy is often traced back to ancient Greece. But what is less well known is that the democracy practiced in Greece excluded majority of its people from participating in governance and politics, including women and slaves. So, contrary to the projected image of the will of the majority and popular participation, democracy in ancient Greece was in effect the will of a small privileged group.



*Mr. Ruki Fernando*

Today, there are no slaves in most countries considered democratic. Women vote and also stand for elections (although the number of women in politics remain minimal compared to the female population).

But like ancient Greece, democracy in Sri Lanka today is far from being inclusive. Like the slaves and women in ancient Greece, minorities and those with dissenting views are at the losing end and have hardly any space for participation in the brand of democracy that is being practiced in Sri Lanka today.

## Elections and majoritarianism in Sri Lanka

Elections and will of the majority is often considered key benchmarks in a democracy. The Sri Lankan experience today is an example of the inadequacy of elections as a benchmark of a functioning democracy.

From my frequent visits to North and East and interactions with people there in lead up to elections and on election day, it was clear that elections were way down in their list of priorities.

Killinochi and Mullativu, which was fully controlled by the LTTE for a number of years, were the worst affected districts in the war waged in 2008 – 2009, with its entire people displaced and thousands killed, injured and missing. In presidential and parliamentary elections held in early 2010, the voting percentage in these two districts was around 12%, despite government claims that all arrangements had been made for people to vote in an atmosphere devoid of intimidation and coercion. In most parts of the country outside the North and East war zones, more than 60% voted.

So the people who bore the brunt of the war, and whom the government claims to have liberated, clearly didn't think elections were going to solve their problems.

The last two national level elections, first in post war era, indicated clearly ethnic polarization in Sri Lanka. In the January 2010 Presidential elections, the incumbent President won less than 1/3 of the votes in Tamil dominated North and East, while he won about 2/3 in other parts of Sri Lanka. The Parliamentary elections in April 2010 also showed a similar trend.

Thus, the Tamils who are minority nationally, but majority in the North and East find themselves in a situation where they are governed by a President and political party they (Tamil people) clearly rejected insuccessive elections.

In an ominous sign of continuing repression of dissent, in the immediate aftermath of the presidential elections, the defeated presidential candidate, who won about 40% of votes, including clear majorities in the North and East, was arrested and detained. While the legitimacy of the arrest and reasons behind this is being argued in the public domain and has been challenged in courts, the timing of the arrest was alarming for those who valued dissent. His popularity remains as was evident by his election as a member of parliament at the parliamentary elections held about two months after his arrest.

### Minority rights and dissent – key to democracy, human rights and development in Sri Lanka

It is in this context that I flag respect for minority rights and dissent as two key elements that are essential if Sri Lanka is to move forward as a true democracy today. Indeed, I believe this is valid not just for Sri Lanka but any country.

#### *Minority rights and aspirations*

Discrimination and harassment of the minority Tamil community was the root cause of the ethnic conflict and brutal war. Peaceful struggles were violently repressed and Tamil youth took up arms and violence, which in turn drew more repression from the Sinhalese dominated government, military and police.

One result of the war had been the brutal clampdown on dissent within the Tamil community by the LTTE, which assassinated several leading Tamil politicians, academics, activists and even other militants. Countless others choose to be silent or flee overseas. Now, after the military defeat of the LTTE, it is expected that there will be more pluralistic political thinking and self criticism within the Tamil community.

However, challenges faced from the Sinhalese dominant government remains.

Although the government claims to have defeated the LTTE, the strongest Tamil armed group, and ended the

war, Tamil aspirations remain far from being fulfilled. In fact, there are fears that the military and election victories of the government will result in further alienation of Tamil community and strengthen Sinhalese – Buddhist nationalism and domination.

A political restructuring of the state, with a system of power sharing acceptable to the minority Tamil and Muslim communities, as well as the majority Sinhalese is clearly the long term solution to resolve the ethnic conflict in Sri Lanka. Power sharing is also seen as a step towards good governance and popular political participation amongst all communities and provinces. The clear electoral rejection of the President and his party in both presidential and parliamentary elections in 2010 in the Tamil dominated North and East also point towards the need for power sharing and to move away from Colombo based centralized power structure dominated by Sinhalese. The present President and his ruling coalition in parliament, with huge electoral majorities, appear to be in a good position to push through such restructuring. However, from what's been said and done, restructuring the state and power sharing appear to be far from the agenda of the President and the ruling coalition.

In fact, as I write this, in an ominous sign of consolidating power in one individual, family and party, the 18<sup>th</sup> amendment to the constitution, has been being brought forward. The two key features of this amendment is that it will remove restrictions placed on the number of terms of the powerful executive president and remove checks and balances on the massive powers concentrated in the executive president.<sup>5</sup>

But there are no efforts to deal with minority aspirations and grievances by any constitutional amendments. For example, after 17 amendments to the constitution, Sinhalese is still the official language and relegates Tamil to “*also*” an official language<sup>6</sup>. Buddhism is given privileged position over other religions.<sup>7</sup>

The All Party Representative Committee (APRC) was summoned by the present president in

2006 to formulate a draft proposal for Constitutional reform and resolution of the national question. Significantly, the Tamil National Alliance, the largest Tamil party in parliament was not invited to be part of the APRC process. However, the APRC went about its task and is reported as having met 128 times, with each of the meetings lasting 3-4 hours. Although a report had been handed over by the Chairman of the APRC to the President, it is still to be made officially public. Perhaps in desperation, two minority representatives released a report that they claimed to “reflect correctly the decisions taken by the APRC and should be in conformity with the final report submitted by Prof Tissa Vitharana Chairman of APRC”.<sup>8</sup> However, the APRC deliberations don’t seem to feature at all in constitutional changes brought forward to date by the government.

While a political solution is the long term aspiration of the minorities, particularly the Tamils, there are number of short term issues that need to be dealt with to ensure minorities enjoy equal rights and dignity.

Tamils who had historically felt they had no part in constitution making also continued to be left out of post war development initiatives.

For example, there was not a single Tamil representative in the 19-member Presidential Task Force that was appointed by President Mahinda Rajapaksa for Resettlement, Development and Security in the Northern Province, even though the Northern Province is predominantly Tamil.<sup>9</sup>

Similarly, the post of Governors (appointed by the President and the only Provincial official deriving direct executive powers through the constitution) for both the Northern and Eastern provinces, are Sinhalese, even when the population is largely Tamil with significant Muslim population. Making matters worse is the fact that both Governors are former military men. Many Tamil civilians in North and East hold the military responsible for serious crimes ranging from killings, disappearances, arbitrary arrest and detention, torture, rape, occupation

of land and destruction of property in the North and East during decades of war.

Although the Tamil National Alliance clearly won the most number of seats in the parliamentary elections of 2010 (as well as in 2001 and 2004), it continues to be left out of development initiatives planned and implemented by a Sinhalese – Buddhist centric Government and Executive President rejected by the Tamil people at successive elections in 2010.

The domination of Sinhalese – Buddhist centred Colombo based government and its military in developments and administration of the North and the alienation of Tamil’s participation has led to startling post war developments, such as large military presence in the North; continuing occupation of land; building up of new military camps and facilities for families of the military in the North; building up of monuments for military and destruction of memorials of Tamil militants. Other acts include building up of Buddhist temples and monuments in predominantly Hindu – Christian areas; naming roads and villages with Sinhalese names in predominantly Tamil areas; and using only Sinhalese language for signboards in predominantly Tamil areas.

At the same time, the lack of space for Tamils to participate in development initiatives had led to ignorance or low priority being given to urgent issues and concerns of Tamils, e.g. acknowledgement and due procedure such as accountability, death certificates and compensation in relation to the thousands of Tamil civilians killed in the last five months of the war in the North in 2009 (Sinhalese killed by LTTE attacks have received death certificates, compensation, media coverage and even state patronage for funerals).

Furthermore, there haven’t been sufficient efforts to trace the thousands of missing people, particularly since 2006, the vast majority of whom are Tamils. There are eyewitness accounts which indicate both government and LTTE culpability for such disappearances.

There's also the issue of detention of around 7,000<sup>10</sup> Tamil youth for more than 15 months, without charges and access to lawyers and protection agencies such as the National Human Rights Commission and the International Committee of the Red Cross. They are alleged to be ex – LTTE cadres, but majority are those who had been forced by the LTTE to engage in armed conflict and civilian chores of the LTTE. In addition, thousands of more Tamil youth throughout the country have been detained without any charges, some for more than 10 years, based on the Prevention of Terrorism Act and Emergency regulations.

Lastly, there's a need for a speedy resettlement of those displaced by the war in places of their original habitats or places of their choice, with adequate security, livelihood opportunities, access to services such as transport, health and education.

*Tolerance and appreciation of dissent*

The second key challenge towards minority's participation is tolerance and appreciation of dissent.

“Dissent at a time of war amounts to treason” was an ideology promoted at the highest level of government



*Interview with The Global South Magazine*

in Sri Lanka, including by the Defense Secretary and brother of the President.<sup>11</sup> This is not to be taken lightly and seems to hold true even today, more than 17 months after the end of the war.

As the government organized grand celebrations to commemorate the 1<sup>st</sup> anniversary of the end of the war, those who organized religious and cultural rituals to remember and mourn for Tamil civilians killed were threatened and intimidated by the Army and some events had to be cancelled and stopped.<sup>12</sup>

Since 2005, five (5) Tamil opposition politicians have been killed<sup>13</sup>, and others have been threatened, attacked and interrogated. Tamil Doctors, who remained in the theatre of war to the very end, treating patients and telling the country and the world about the civilians affected by the war, were detained.

Tamil church leaders, who had tried to assist, protect, serve and lend a voice to those affected by the war had been killed, disappeared, detained and threatened.<sup>14</sup> It is more than four years since the disappearance of Rev. Fr. Jim Brown, a Catholic priest who was threatened by the Navy after he had tried to intervene to assist and protect displaced people who took shelter in his church amidst shelling. Santha Fernando, a 64 year old church activist was arrested at the airport and detained for several months for carrying images of the effect of the war on civilians. His case still goes on despite no charges being brought against him for more than 17 months.

Lawyers appearing for victims of torture and those detained as LTTE suspects were labelled traitors by the website of the Ministry of Defense. Amitha Ariyaratne, a human rights lawyer, who represented a torture victim who was subsequently killed, was assaulted inside a police station and his office was burnt. Grenades were thrown at the house of J. C. Weliamuna, a leading human rights lawyer and Executive Director of Transparency International Sri Lanka chapter.

Paikiasothy Saravanamuttu, Executive Director of independent think tank Centre for Policy Alternatives was detained and interrogated at the airport, and received death threats by post. Authorities then started to hunt down and interrogate concerned citizens who signed and publicized a statement condemning the death threat and expressing solidarity with Saravanamuttu.

Journalist Tissainayagam was convicted for 20 year for writing two articles highlighting effects of the Eastern war of 2006 on civilians and was in long detention till he was pardoned by the President. Consistent government critic Editor Lasantha Wickramatunga was shot dead close to a major air force base. The paper he edited and which exposed numerous corrupt deals and abuses, the Sunday Leader, as well as popular television station “Sirasa” seen as more independent, giving coverage to opposition political parties and exposing police and administrative abuses, were subjected to attacks several times with serious losses to property and equipment. Tamil Editor Vithyatharan, was abducted by unknown persons, but later, it turned out that the “abduction” was actually an arrest and he was in custody of the police. He was subsequently released by courts without any charges being filed due to lack of evidence. But before his release, the Defense Secretary and President’s brother had passed his own judgment that “Vithyatharan is a terrorist. If you try to safeguard him, you will have blood in your hands. He is the person who coordinated LTTE air attacks in Colombo”<sup>15</sup>

Several employees of state media institutions, who insisted on unbiased coverage of the presidential election campaigns in 2010 based on guidelines issued by the Supreme Court and the Elections Commissioner, were interdicted and sacked from their jobs. Others were assaulted inside the media institutions and some are in hiding due to threats.

Journalist and cartoonist Prageeth Ekneligoda, went missing on 24<sup>th</sup> January 2010. To date, there is no news of him. Many activists and journalists have fled the country in fear. Some temporarily, some permanently.

Their families who remained in Sri Lanka continue to receive threats.

So, it appears that we in Sri Lanka are resigned to a democracy where dissent can entail punishments ranging from assassination, disappearance, assault, arson, detention without charges, 20 year prison sentences etc. Until dissent is tolerated and appreciated, democracy and development remains a distant dream for Sri Lanka.

### The way forward: Independent institutions, rule of law and change in popular thinking

Three things would be important in moving towards an inclusive democracy that respects minority rights and dissent.

#### *Independent institutions and rule of law*

A major obstacle in ensuring minority rights and participation in Sri Lanka has been the breakdown in rule of law and criminal justice system. The legal and institutional framework in Sri Lanka, including the judiciary and adhoc Commissions of Inquiry have failed to ensure the rights of minorities.

The Sri Lankan constitution, through its 17<sup>th</sup> amendment, a rare amendment that was adopted unanimously in parliament, set up the Constitutional Council that was expected to play a key role in nominating individuals to key independent commissions such as the National Human Rights Commission, Police Commission, Elections Commission, Judicial Services Commission, Bribery and Corruption Commission. However, all these independent institutions were paralyzed due to the non implementation of the 17<sup>th</sup> amendment and thus, we are left with no independent institutions to ensure rule of law and checks and balances on the executive branch of the government. At the moment, we are staring at the 18<sup>th</sup> amendment to the constitution which will in effect kill the independent institutions established by the 17<sup>th</sup> amendment.

Repeal of the emergency regulations and the prevention of terrorism act must feature high on the agenda, if Sri Lanka is to move towards democracy<sup>16</sup>. These are two draconian pieces of legislation incompatible with a functioning democracy. These laws have taken away safe guards citizens are entitled to under Sri Lankan and international law and conferred massive power and even immunity to the defense establishment. These laws have provided legal cover to torture and prolonged periods of detention without judicial supervision and discretion. Amongst the thousands of victims of these laws the majority is Tamils.

The Sri Lankan government has claimed victory over the LTTE, one of the most brutal and organized rebel groups in the world, which for number years ran a de-facto state in an area spanning more than two districts in northern Sri Lanka.

However, ironically, the same government has failed miserably to ensure justice for a large number of killings, disappearances, torture, assaults, threats and a variety of other abuses against lawyers, journalists, human rights defenders, religious leaders, opposition politicians and general citizens, particularly Tamils. Until independent institutions in Sri Lanka are able to tackle this wide spread impunity, it is clear Sri Lanka needs international assistance. Wide spread impunity and democracy are certainly not compatible.

#### *Change of popular thinking*

Along with institutional set up that will facilitate rule of law and address impunity, Sri Lankan society, particularly the majority community (Sinhalese Buddhists) will also need to undergo a paradigm change of respecting minority rights and dissent.

The spectacle of hundreds and perhaps thousands of Sinhalese celebrating in the streets of Colombo and other southern cities at the end of the war in May 2009, while their Tamil brothers and sisters in the north were weeping and mourning for loved ones killed, missing, injured and detained in inhumane conditions, was

shameful and certainly doesn't bode well for a democratic Sri Lanka.

If Sri Lanka is to stay united and prosper as a country, the majority community will have to understand that their wellbeing is closely connected to the wellbeing of minorities and that progress will not be achieved by subjugating minorities through electoral and military victories.

#### Constructive and principled assistance from international community

The international community could also play an important role, particularly with a strong focus on rule of law and respect for minority rights and participation. While accountability for alleged war crimes is important, it is crucial not to only focus on this, but strive to understand the crisis with rule of law and accountability in Sri Lanka and the historical and present issues facing minorities.

Donor countries could play a more constructive role by ensuring that their aid contributes towards rule of law and respect for minority rights. The dialogue between the European Union and the Government of Sri Lanka, together with other concerned groups and individuals in Sri Lanka is an example. A similar process is also underway with regard to the GSP facility of the United States of America.

Countries in Asia, Africa, South and Central America, particularly those that have overcome ethnic and other identity based conflicts and dictatorial regimes, could play a more positive role by constructively contributing towards more inclusive policies and practices that favours rule of law and minority rights.

At the same time, people to people solidarity initiatives, including those between victims and their families and representatives of minority communities could also contribute towards positive change.

#### Conclusion

Electoral and war victories have brought about a strange type of democracy to Sri Lanka.

It's a democracy where executive and legislative power is effectively in the hands of one ethnic community, one party, office of one person, and one family.

A democracy where rights and aspirations of minorities are easily discarded in the guise of separatism and national security.

A democracy where development initiatives for predominantly Tamil areas are decided by Sinhalese – Buddhist centred Colombo based central government.

A democracy where dissent is subjected to brutal repression in the name of national security and treated as treason and criminal act.

A democracy where independent institutions to ensure rule of law and checks and balances on power and to ensure rights and participation of minorities have collapsed.

A democracy where the majority community doesn't care about humiliations and indignities heaped on a minority community and goes to the extent of celebrating a war victory that had brought death, destruction and grief to the minorities.

Until and unless we are able to address the above, inclusive and true democracy remains a distant dream in Sri Lanka.

The litmus test for a true and lasting democracy is not how rulers treat their allies, partners and the majority community that voted them in, but rather, how minorities and those with dissenting and critical views are treated and the extent to which they have the space and opportunities to participate in development and governance.



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2/3 majority due to cross over of several opposition MPs. For detained critiques of dangers to democracy and good governance by the 18th amendment see <http://www.cpalanka.org/page.php?id=0&pubid=732&key=9bdd5f06c37bdab66735ca41a9457925>, <http://www.groundviews.org/2010/09/04/the-18th-amendment-constitutional-reform-as-the-consolidation-of-power/>, <http://www.groundviews.org/2010/09/02/the-18th-amendment-to-the-constitution-process-and-substance/>, <http://www.groundviews.org/2010/09/01/outrageous-process-and-substance-the-proposed-18th-amendment-to-the-constitution/> and [http://transcurrents.com/tc/2010/09/a\\_plea\\_to\\_withdraw\\_the\\_eightee.html#more](http://transcurrents.com/tc/2010/09/a_plea_to_withdraw_the_eightee.html#more)

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13 Four MPs from Tamil National Alliance and one Tamil MP from United National Party

14 Two Tamil Catholic priests were killed and two have disappeared since 2006, all of them involved in humanitarian and human rights issues

15 Interview with Australian SBS TV channel on February 26 2009 available at <http://www.sbs.com.au/deline/story/transcript/id/600020/n/Hunting-the-Tigers>

16 Some provisions of the emergency regulations were repealed in May 2010

# **EQUAL PARTICIPATION AND DEVELOPMENT FOR ALL**

## **Viewpoints from political and civil society in Africa**

*Chaired by Ms. Elina Multanen,  
Member of KIOS Executive Board, UNIFEM Finland*

### **Right to Participation in Democratic Processes: Implications of Inclusiveness for Development in Rwanda, Burundi and DRC**

*Mr. Kris Berwouts, Director, European network for Central Africa*

The 50 European member organisations of EurAc share a common understanding of development and partnership, one which addresses the structural causes of underdevelopment of the people and supports or accompanies local initiatives. The identification, implementation and evaluation of development activities are primarily done by our partners and by the local communities we support.

Supporting Central African civil society organisations as well as policy and lobbying work have become increasingly important priorities for EurAc, as civil society organisations have often been the only actors providing essential services to the people, due to the weakening of the state and the departure of the international community from the scene. This support has been accompanied by a wish, clearly advocated by local organisations, to support the establishment of institutions which aim to promote the rule of law.

By civil society EurAc understands: the combination of social forces organised independently from the state. Among these forces are: the Churches, media, non-profit organisations or/and common interest groups, such as the women's movement, trade unions, development NGOs, human rights groups, etc.. Civil society can and should be a key player in

the peaceful, democratic, political, social and economic development of each country and of the region, because of its roots within the local population and its active contribution to the establishment of a democratic rule of law based on principles of non-violence, transparency and accountability.

Central Africa is emerging from a long period of crisis and political, economic and social instability which has led to the almost complete dismantling of the state, the political institutions, the justice system, and all administrative structures. The socio-economic infrastructure has been greatly weakened and in many cases totally destroyed. For decades the three countries of the region have been without proper governance which has, for the most part, been the cause of the collapse of the state and the ensuing crisis.

The crises in each country respectively occurred in the context of the extremely problematic regional and international situation leading to a conflict in the 1990s which has been called «The first African World War». The main issues in the conflict were border security and competition for the natural resources of the Congo.

Since then the three countries have undergone pe-

riods of transition culminating in elections. However, the elections will not bring about true democracy unless they are accompanied by a new culture of good governance, including mechanisms by which government representatives can be questioned, forced to be transparent and able to justify their actions.

Some areas where we see the role of the civil society as crucial:

1) Civil society has an important role to play in the organisation of local elections: the complex nature of the political concepts and the fact that democracy is only at an embryonic stage make grass roots mobilisation and awareness raising vital, through civic and electoral education. EurAc believes that the organization of free and fair elections on the local level is an important step in the development of democracy, and continued to plead together with the Congolese civil society to organize the local elections in 2010. We regret that they have not been considered as a priority by the Congolese authorities nor by the international community. We focus now on the forthcoming electoral cycle, starting at the end of 2011. We will support the civil society in its efforts to organize the independent monitoring of these elections. Between May and July 2010, we followed and monitored the electoral process in Burundi.

2) We believe that the decentralisation process in Central Africa is very important. Decentralisation should consolidate democracy from below by creating a framework for participative governance. It will help to reconstruct the state and restore its credibility. It will also be a school for democracy where citizens learn how democracy works. It will facilitate the renewal of the political landscape and the emergence of new leadership and at the same time it will encourage a more harmonious economic development based on local initiatives rooted in the community. Civil society has a contribution to give in



*Mr. Elina Multanen, Mr. Kris Berwouts and Mr. Alexis Rusine*

the preparation, implementation and follow up of the decentralisation process.

3) Governance is about the way public activities are carried out and how public resources are administered. The extent to which authorities are effective and accountable has a great influence on local development. We emphasize the importance of citizens' involvement in a process of national reconstruction and the establishment of citizen control at grass roots level to strengthen responsible governance from the lowest to the highest level in the political system. Essential is the creation of mechanisms and principles of transparency and liability for the management of mineral and forest resources, the illicit exploitation of which has become a major reason for the continuing impunity.

4) Civil society organizations are in an excellent position to establish and reinforce the links between communities in a divided society, so they have a key role in reconciliation projects and peace building activities at the local as well as the national level.

5) Civil societies try to contribute to the creation of a climate for a negotiated approach: recent military campaigns (Umoja wetu and everything that followed) did not bring a sustainable progress for peace.

They radicalised the different rebel groups and broke a fragile modus Vivendi which existed between rebels and communities in the field. Different civil society initiatives, involving among others Protestant and Catholic churches, try to use their roots in community and their knowledge of local situations to convince rebel movements to demobilise and prepare for reintegration. Unfortunately these initiatives have suffered under the recent military campaigns. But the failure of this approach increases the pertinence of a longer, maybe slower, but certainly more efficient and more sustainable initiative.

6) EurAc strongly believes in the interdependency of the different countries in the region. No country will find sustainable solutions to its problems if these solutions are not part of a coherent global regional approach. Different initiatives have been made to overcome the different gaps between the countries in the region and to install mechanisms of regional collaboration. We strongly believe in the relevance of such initiatives and we will continue our advocacy to reinforce the International Conference. But at the same time, we notice that it is not yet a reality felt by the common citizen. We see an important role for civil society to raise awareness about the ICGLR and the Nairobi Pact at local level in the different countries. A better connection between the Secretariat in Bujumbura, the various national committees, and the field could further strengthen this.

#### Concluding remark

A strong and well structured civil society can play an important role in a process of peace consolidation, reconstruction and sustainable development. EurAc pleads for an important investment in favour of its work and structures, in terms of finances and expertise, and pleads for the creation and protection of the political space for civil society, including the press, to play its role independently.

*Mr. Kris Berwouts is the Director of the European Network for Central Africa. He has more than 20 years of expertise in development-, development cooperation-, democracy and security issues of Rwanda, Burundi and Democratic Republic of Congo. The EurAC network brings together 46 European development or humanitarian organisations working in Central Africa. The main tasks of the network are advocacy, providing information and networking between organizations.*



*Question from the audience*

# Civil Society Actors Promoting Inclusive Democracy in Rwanda: Experiences of Promoting Workers' Rights

*Mr. Alexis Rusine, General Secretary, Congress for Labor and Brotherhood in Rwanda*

Ladies and Gentlemen,

It is with honor and on behalf of more than 20,000 Rwandan workers gathered in the Congress of Labor and the Brotherhood in Rwanda (COTRAF RWANDA) that I bring my contribution to this important seminar. First of all, I thank the organizers of this event for the opportunity to share with you some of our experiences and our commitment to promote and defend the workers' rights in Rwanda – with the support from KIOS.

Considering the theme of the seminar, our experience depicts both our legitimate rights that we're promoting and defending as well as our participation in the socio-economic development of our dear country and its democratic governance.

Yes! Our duties to contribute to the prosperity of our nation are inextricably associated with our rights such as the right to decent employment, the right to a decent wage and the right to social protection. These rights are fundamental human rights, as stated in the Article 23 of the Universal Declaration of Human Rights:

- (1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Since its inception, COTRAF RWANDA has endorsed this provision of the Universal Declaration of Human Rights, and at the core of its values there is a strong conviction that the worker as a human being is born with an inherent dignity: the worker is not a machine and the work isn't a commodity.

We firmly believe that all of us – workers, unemployed, employers and political authorities – share the idea of dignity that needs to be promoted at any time and at any place. It is this profound conviction which underpins our trade union action and allows us to move forward in the midst of a thousand challenges. We look at our struggle as a very important one for us and for our children, and it also commemorates those who have already sacrificed themselves for improving workers' rights and living conditions.

In Rwanda, we are still witnessing cases of massive violations of workers' rights. For example this year, we saw hundreds of workers improperly fired simply because of their membership in our union. Sometimes, the machines are better treated than the workers who handle them. For example, I remember the worker who last year came to see us at our office with a hand crushed by machine. He was not insured by his employer to Social Security Fund, but surprisingly the machine was insured.

In view of such violations of workers rights in Rwanda, COTRAF was created in order to enlighten and free Rwandan workers from the habit of accepting such injustices with resignation.

## Who we are

COTRAF-RWANDA is an independent and representative trade union confederation created in 2003 and currently constituted of six unions representing over 20,000 workers in various sectors: agriculture, plantation and tea production, industry, education, building and construction, printing, services, and the informal economy. We aim at promoting and defending workers' rights, particularly freedom of expression at the workplace, and workers' participation in making decisions that affect their lives and work.

COTRAF-RWANDA has a legal personality since December 2003. We act basing our endeavors on legal provisions such as the Constitution of the Republic of Rwanda which recognizes the dialogue as a privileged way of finding solutions to the problems and guarantees freedom of workers union. The new labor code provides for freedom of workers' union and freedom of opinion of workers at the work place. Our struggle also relies on the International Labour Conventions ratified by Rwanda, particularly the conventions on the Convention on Freedom of Association and Protection of the Right to Organize (C 087) and the Convention on the Right to Organize and Collective Bargaining (C 098).

## Context

Rwandan society continues to be marked by the humanitarian disaster caused by the war in 1990's and the genocide of Tutsis in 1994. From a political perspective, the country is still under a fragile process of democratization. Decentralization generates a visible impact on the socio-economic development in both rural and urban areas. Furthermore, the embryonic Rwandan unionism finds itself in an economic context which is marked by an economic liberalization with a fairly ultraliberal tendency.

A significant ignorance regarding workers' rights is regularly observed from the side of both workers and

employers. The private sector is benefiting from a significant and abundant support from the Rwandan government and the official statistics show a constant economical growth in recent years. Yet, it's a growth to which we contribute as workers without noticing palpable repercussions on the plates of our families. Furthermore, the purchasing power of the Rwandan workers continues to erode drastically and their living conditions are becoming increasingly precarious. This situation is more dramatic for certain vulnerable categories of workers, such as rural workers.

In this perspective, the commitment to social justice, equitable distribution of national wealth and the promotion of equal opportunities for all are also at the center of the six values that guide our union action.

## Mechanisms of social dialogue in Rwanda

COTRAF-RWANDA participates in the social dialogue as a social partner of the Rwandan government. We represent workers within the National Labour Council, although it's not yet as operational as it should be. In a tripartite framework (government-employers-workers), we participate in various consultations on issues affecting the interests and rights of workers in Rwanda. At the national level, we have repeatedly taken part, up to now, in the formulation process of policies, laws and ministerial orders relating to employment and social security.

Our input is to bring out the voices of millions of Rwandan workers and defend their interests so that decisions are made by taking into account their concerns.

Dialogue is far different from a monologue. Following the rules of respectful social dialogue we listen to all parties and on some occasions we agree, on others disagree. Indeed, consensus is a fundamental part of the dialogue between stakeholders whose interests often diverge, especially when money comes into stake.



*Example of Social dialogue: COTRAF's initiative in the process of revising the Labour Code*

During 2009, the Rwandan government deregulated the labor laws with the intention of attracting foreign investors to do business in the country. To this end, the bill submitted to Parliament included for example:

- The increase of working hours from 40 to 45 per week
- The flexibility of the procedures for firing workers
- The elimination of employment contracts of indefinite duration
- Reducing the protection of trade union representatives

We had to protest. After analyzing the bill, a memorandum of claim was sent to His Excellency the President of the Republic of Rwanda, with copies to the highest political authorities of the country. Meanwhile, a strong mobilization of workers in Rwanda and their opinion was communicated through the media. We attended the plenary sessions of the House of Representatives passing the law. A formal request from the COTRAF was sent to the Senate after which our delegation was welcomed to the social committee of the Senate for further consultation. In May 2009, during four days, members of the Social Commission of the Senate, the representative of the Ministry of Labor, including the Minister himself, and the delegation of COTRAF revisited the text of the law. Despite our efforts, several previously acquired workers' rights were suppressed.

After the promulgation of the new Labor code on 27th May 2009, we have been observing its implementation for a new advocacy process. Already, some perverse effects of this deregulation are being endured by the workers: following the abolition of an effective protection of trade union representatives, they are being improperly fired because of the union membership; and the minimum wages have not yet been promulgated as promised while the number of hours of work increased from 40 to 45.

To what extent will the new Labour code, based on the

liberal principle of collective bargaining between employers and workers, have results? This is what we wonder in the situation where the workers are mistreated and arbitrarily dismissed.

Field experience has taught us that in order to accomplish our role as civil society actors we must bring workable alternatives as an input to the social dialogue and decision-making processes.



*Mr. Alexis Rusine*

## Conclusion

As civil society actors, our mission of promoting and defending human rights constitutes a herculean task. It is a demanding one which requires a whole series of consistent and coherent actions. For COTRAF, our system of action includes among others:

- Mobilizing and organizing Rwandan workers
- Building the capacity of workers, mostly union representatives
- Raising public awareness on workers' rights
- Providing legal assistance for workers whose rights are violated
- Participating to collective bargaining with employers and to social dialogue
- Observing and documenting workers' rights violations
- Doing research for Advocacy
- Representing workers before the political decision makers

Ultimately, we strive to promote internal democracy through the holding of meetings and statutory meetings of members at all levels (from the enterprise to national level). This framework provides for freedom of expression of the members, allowing regular analysis of problems and developing collectively the alternatives. This is also a great moment for accountability towards the members. We cannot claim to promote democracy without being democratic.

Our whole approach mainstreams the role of women and youth in the promotion of decent work and rights of workers in Rwanda. Two networks, COTRAF-WOMEN and YOUTH COTRAF, connect the gender focal point and youth focal point at the workplace. *Participation for social justice*

The socio-economic conditions of hundreds of thousands of workers as well as the recent experience of COTRAF RWANDA allow us to assert that participation in decision-making is the key to social justice, peace and sustainable development. Without an effective par-

ticipation of trade unions and civil society actors in ensuring the respect for human rights and the MDGs, the word 'development' will make little sense especially to the most vulnerable people and groups.

The tripartite partnership between government and social partners in Rwanda provides a framework for social dialogue in guaranteeing the interests and rights of various stakeholders. Such dialogue is vital to our country and its workers. Civil society actors and unions are constantly invited to play a proactive role within such forums in order to guarantee a peace and sustainable development through inclusive governance.

And last but not least, Solidarity is fundamental. From COTRAF's point of view, solidarity is primarily horizontal, joining thousands of Rwandan workers around the vision of decent work. Vertically it unites workers and civil society actors from the North and South in a struggle for a fair globalization which is respectful of human dignity and human rights. Lastly, solidarity helps us to move forward despite of the challenges ahead.

I strongly believe that today, it is this solidarity that gathers us together from different parts of the world to share a vision of human dignity, democracy and protection of human rights.

*Mr. Alexis Rusine is the general secretary of a central organization of Rwandan trade unions, The Congress for Labor and Brotherhood in Rwanda. He has been working with human rights and peace issues for the last ten years. The Congress for Labor and Brotherhood in Rwanda is the second largest central organization of trade unions in Rwanda with 20 000 members. The organization concentrates on trainings, information work, advocacy, legal aid, monitoring labour rights and social-economic issues. The organization runs a KIOS funded project on worker's rights.*





*Mr. Niklas Kaskeala (DEMO Finland) and Ms. Elisa Mikkola thanking the audience for their participation in the seminar*



*KIOS staff and guests*

# Right to Participation and Right to Development in Ethiopia: Young Women Claiming their Space

*Ms. Meselech Wondimu Wube, Chairperson, Bright Africa Women Development Association*

Our association, Bright Africa Women Development Association (BAWDA), was established in 2009 from the girls' unit of Bright Africa Youth Association (BAYA, now reregistered by the new charities and organization law of Ethiopia as Bright Africa Integrated Development Association BAIDA). It was independently established by female members and it has a board led by women; yet, it also includes male members in order to work effectively on women-related issues.

The presentation gives priority to women's participation starting from the perspective of progress made at the legal framework. Following that, it will try to construe the current status of women, apart from the legally recognized provisions in the country. It recognizes the challenges, with particular emphasis to women participation in decisions that affect them, starting from family, community and the development of the country.

## Progress at country level

The current Ethiopian federal democratic republic constitution was adopted in 1995. It comprises one chapter for human right provisions, including both individual and collective rights, which are given to all people. Furthermore, the constitution, e.g. in its article 35, provides for a special treatment for vulnerable groups, such as women. Ethiopia is a signatory to most international human right instruments, and the national laws are in accordance with these commitments.

### *Equality*

Equality is guaranteed in all occasions, such as marriage, participation (full consultation in the formulation of national development policies, the designing and execution

of projects, especially in activities which affect women), employment, pension entitlements, and the freedom of association. Furthermore, there's preferential treatment for pregnant women who have the right to family planning education and a maternity leave with a pay. Ethiopian women also have the right to acquire, administer, control, use and transfer property equally with men, and they also have equal rights in inheritance.

Ethiopian people have great respect for their customs. The constitution demands all state actors to act positively in order to eliminate the influence of harmful customs. The state is also expected to abolish laws, customs and practices that oppress women or cause them bodily or mental harm.

After the adoption of the new constitution different laws facilitating women's right to participation, directly or indirectly, have been adopted. The main instruments are the federal family law (2000) and state-level family laws, which guarantee women's rights, for example, in questions related to the marriage. In addition, the new criminal law (2002) protects women from domestic violence and other physical and mental abuses.

All in all, the country has realized it needs to use the potential of all its citizens in order to rise from the cultural, political, educational and economical backwardness. All people need to work together in advancing development and respect for human rights.

## Actual status of women and Challenges

Although the legal framework is supposed to protect women and guarantee them equal rights, the reality is quite

far from the ideal situation. For example, primary school enrolment ratio is 18.7% for women compared to 43.4% for men. Female literacy rate is 26.6% while the same rate for men is 49.9%. As for the health, the levels of maternal and child mortality remain high and the use of contraceptives low.

#### *Causes*

Participation is explicitly expressed in different legal instruments which guarantee women the possibility to be integrated in decision-making procedures at all levels of society. Yet, women's rights as human rights and the real possibilities for women to participate in the development of the country are sensitive issues in Ethiopia. There's also a lack of will to change the situation, which makes the situation even more complicated.

#### Causes for women's rights violations

- Lack of awareness: there is a big gap between the legal framework and people's awareness about the human rights and in particular women's rights. In addition, there's a lack of understanding about the usefulness of these rights for the society as a whole. We are living in a society that respects its culture and religion more than the freedom of each individual.
- Lack of education: education status (percentage of educated people), illiteracy rate, school dropout rate in the formal education and harmful customary practices have made the situation of women difficult
- Economic problems: the economic capacity of the country and the living standard at household level together with above-mentioned causes create a context in which women might be aware of her rights but don't have real possibilities to claim justice.

The physical and mental well-being of women in a poor society are hard to maintain, which directly or indirectly hinders participation and development of the country as a whole. For example in Tigray, where BAWDA operates, the way of life based on subsistence agriculture, and the cultural and religious attitudes that encourage women to focus on household duties as a mother and a wife, set limitations to women's opportunities.

## Work of BAWDA

Bright Africa Women Development Association has analysed challenges faced by women in Ethiopia and has developed ways of overcoming them and making a positive contribution towards the society. One of the applied mechanisms is the formation of girls clubs at schools, which was started when BAWDA was still the girls' unit of Bright Africa Integrated Development.

In a year 2008, with a motto "women empowerment for development", it formed altogether 25 girls' clubs at each school level in Mekelle City, the Capital of Tigray region, and nearby towns. In the same year, the number of schools increased to 85 in three cities in the region, and currently over 160 schools in the whole region have been formed and capacitated by the association, with more than 9000 members belonging to the clubs. In the forming of the clubs the funds from KIOS have been helpful, since they have permitted for example to serve coffee, which in Ethiopia is believed to facilitate discussions.

Out of the members of the girls clubs 80% are rural girls and most of them range between 12 and 18 years of age, which is a crucial period in young girls' personal life. The clubs have their own General Assembly, Board, committees and branches. Most of the issues dealt in the clubs are related to self-empowerment in the context of family, school and society. There's also leadership training on becoming a solution maker and a successful leader irrespective of challenges, and on overcoming family, cultural and personal problems. By participating and sharing experiences the girls can learn from one another and become engines of change in the country.

After the formation of the clubs BAWDA has introduced other programs, such as

- Awareness-raising on gender and human rights, in particular women rights
- Discussion on gender related issues and on the millennium development goals, in which school directors and female teacher representatives of the girls club have

participated.

- HIV /AIDS and reproductive health rights
- Training on Leadership, self development and life skills, together with school parliament.
- Different experience sharing programs with all girls clubs from cities to rural schools.

Major achievements by the girls clubs and related programs:

- High academic performance: many girls' club members have high academic performance. The girls are aware of the fact that their future depends on education and give priority to their academic performance.
- Fighting harmful practices: through continuous education the association, together with school teachers and administration, helps the girls in fighting early marriage and female genital mutilation.
- Minimizing school drop outs
- Active participation in decision-making: almost all members of the girls' club are members of school parliament as well. Their presence is meaningful and most of these girls want to become leaders, decision makers or journalists.
- Raising confidence: girls have more opportunities to express their opinions and points of view in discussions.
- Extra curricular involvement: girls participating in the clubs also often engage themselves in creative activities, such as music and dance, through which they can express their feelings.
- Active school environment: due to the activities of the girls clubs the school environment becomes more active.

## Conclusion

With limited funds BAWDA has been able to create greater opportunities for girls despite of many challenges. There's still a lot of work to be done and many obstacles on the way, such as difficult access to remote schools and an unbalance between demand and supply. Yet, the girls clubs are one way of enhancing development and respect for human rights in Ethiopia.

*Ms. Meselech Wondimu Wube is the Chairperson of Bright Africa Women Development Association BAWDA from Ethiopia. She is an expert on human rights work among young women and she is currently teaching law at the Sheba University College in Mekelle. She has been active in both BAWDA and in its sister organization funded by KIOS [lausutaan KIOS myös englanniksi] and she was one of the persons founding BAWDA.*



# Human right challenges and women's participation in democratic processes in Tanzania

Ms. Anna Abdallah, Member of Parliament,  
Chairperson, Tanzania Women Cross-Party Platform

## Introduction

Significant numbers of the world population are routinely subjected to marginalisation, torture, starvation, terrorism, humiliation, mutilation and even murder – reason being that they are women. Despite these glaring facts, women's rights are still doubted to be a part of human rights. Reaching gender equality in politics means more balanced and inclusive society with better state of welfare and human rights.

## Democracy, gender and human rights

Inaccessibility to education, food, shelter and self-determination by women due to poverty, culture and other reasons, is a source of violation of human rights. In politics, women face repression because a dominant image of political actors in today's world is that of a man. Therefore, political rights and political pluralism are man's rights, and democracy is brought down to mean inclusivity of men from different political parties in governance structures.

Political science literature on democratisation has so far made very little mention of gender or more specifically women. Even the International agencies championing democracy in developing countries, intensify the problem as they come and strengthen the roots of marginalisation of women and other marginal groups by supporting a certain political party. International agencies stand a strategic position of challenging the patriarchal system inborn in party systems in countries they support. But they don't put enough pressure for gender equality.

## Gender, Democracy and Human rights in Tanzania

### *Facts*

- Women make more than 50% of the population
- Out of 323 Members of Parliament (MP) in Tanzania, Women MPs make 31%
- Out of 27 Cabinet Ministers, Women make 26%
- Out of 32 Ambassadors, women make 9%
- Out of 72 high court judges, women make slightly above 33%
- In all the 18 registered political parties, all three top positions i.e. chair, vice chair and secretary general are occupied by men.

### *Challenges facing women's participation in politics*

Despite the above facts, the culture (male supremacy) still influences Tanzanian political setting. Patriarchal system within government and political parties is a major obstacle to female participation. Gender equality depends on the political will of an individual leader. It hasn't been institutionalised, except for the 10 Members of Parliament nominated by the President.

As for the access to education, seven years of compulsory education is not enough to enable women to take up leadership position within political and governmental structures neither at national or local levels. However, it is the highest level of education for the majority of women (80%). Drop-out rates due to pregnancy and truancy are high in primary, secondary and high schools.



Other challenges include:

- Bilateral and International Partners in Democracy
- Tendency to assist political parties without substantively addressing practical gender issues entrenched in patriarchal systems.
- Methods of identifying women's needs for enhancing participation in politics exclude women politicians.
- Parachuted capacity building programmes for women politicians (wrong timing, irrelevant content i.e. use of IT for campaign)



Ms. Anna Abdallah and Ms. Meselech Wondimu Wube

### Addressing the challenges

After realising the shortfalls of democratic practices, women of Tanzania, with the support of a bilateral stakeholder (DEMO Finland), went through a very tasking process of establishing a platform for women politicians, namely Tanzania Women Cross-Party Platform (T-WCP). T-WCP vision is to become a centre for changing attitudes towards participation of women in politics and encourage them to contest for leadership positions from local to national levels within their political parties.

Mission statement of T-WCP is to “dedicate itself to the engagement of women in leadership through

strong participation in politics and community services in a challenging male dominant society”. The Platform is therefore designed to address challenges of human rights and participation in politics facing women in Tanzania.

### Conclusion

It is clear that democratisation that fails to incorporate a gender perspective and impact of certain groups in a given society is a flaw. The Platform therefore expects same support accorded to other democracy oriented organisations such as Tanzania Centre for Democracy as an equal partner and not as ectopic organisation. Democracy is about inclusion of all.

*Anna Abdallah has been a prominent character in Tanzanian politics since 1970s. She has a solid record of advocating for women's rights and is a celebrated defender of gender equality. Recently she was elected as the chairperson of Tanzania Women Cross-party Platform, the establishment and work of which Demo Finland has supported. Tanzania Women Cross-Party Platform is a co-operative forum of all the women organisations of Tanzanian parliamentary parties. It brings together women politicians all the way from the grassroots to the top under one umbrella. Abdallah is a Member of Parliament of Tanzania's ruling party CCM.*



## WORKSHOPS

### Youth's Right to Participation and Development – Best Practices

*Chaired by Ms. Anna Ranki, Secretary for International Affairs, Finnish Youth Cooperation Allianssi*

#### Panelists:

*Mr. Simon Elo, Secretary, True Finns of Espoo, Finland*

*Ms. Niina Ilola, Board Member,*

*The Left Youth of Finland*

*Mr. Moses Ntenga, Executive Director,*

*Joy for Children - Uganda*

*Mr. Rajib Pabari, Head of International Department, Youth Front-Nepal affiliated to CPN-UML, Nepal*

*Ms. Anjana Shakya, Director, Himalayan Monitors for Human Rights, representing Partnership for Protecting Children in Armed Conflict, Nepal*

The workshop on youth's right to participation and development started by the general note that half of the world's population is under 30 years old. In some countries the figure is even higher, e.g. in Uganda the percentage reaches 77 %. It is crucial to ensure the participation of young people in their societies, so that their voices are listened to and opinions are taken seriously.

Failing to hear youth's needs and aspirations could mean serious challenges and instabilities anywhere. For example, in Nepal youth resorted to violence during the revolution partly because they were not given a chance to be heard in other ways. In Uganda many children are violent in schools for the same reason.

In Nepal some positive changes have taken place. After the revolution, in which also the young people participated, the older generations have started to listen

to youth more than previously. As Ms. Anjana Shakya pointed out: "We have a culture where mostly elders are listened to and they assume to know what's best for the children. Through public hearings in our project children had a chance to share their opinions with the elders. The elders were amazed of what they heard and said 'from now on we will give children space to tell their opinions'. This would not have happened without empowering the children". Also Moses Ntenga reminded that it is important to let youth know that they can have an impact and to sensitize them on ways in which they can participate.

Workshop panelists and participants also collected some best practices for making the voice of youth heard. These include the following:

- Need to support youth led civil society organisations
- Need to support peer training so that youth can sensitize other youth
- Need to respect basic needs of the youth
- Need to change attitudes so that youth are taken seriously

Chairperson of the workshop, Ms. Anna Ranki concluded that "If youth and children cannot participate, it is not possible to have sustainable development". It is crucial to sensitize the youth and share with them ways of peacefully participating in and influencing the society. After all, they are the leaders of the future.



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## Viewpoint of a panelist

*Mr. Moses Ntenga, Executive Director, Joy for Children – Uganda*

### Introduction

Youth's right to participation and development is a crucial concept in ensuring a balanced development where all people are involved in shaping the development of their countries. In Africa, and Uganda in particular, the youth comprise the biggest proportion of the population, and their participation in development is not only a right but also prerequisite for achieving meaningful sustainable development.

### About Joy for Children-Uganda

Joy for Children – Uganda (JFCU), established in 2006, is a Christian child-focused development and advocacy NGO working to transform lives of children, families and communities in order to overcome poverty and injustice.

JFCU's vision is a society devoid of children's rights violations where all children have equal opportunity to maximize their full potential, and its mission is to support and advocate for the needs and rights of children who are affected by natural and man-made catastrophes in Uganda.

Human rights work, particularly regarding the rights of children, was the core drive in the formation of Joy for Children-Uganda almost four years ago. The work began by identifying the gaps that exist in protecting and upholding the rights of children in Uganda.

Later on the organization came to understand that the country cannot protect and uphold the rights of child-

ren when the vast majority of its population is not aware of what they should protect and uphold. Therefore our work has been more focused on awareness raising on human rights issues and enhancing popular participation of the local people. JFCU promotes the four guiding principles of the UN Convention on the Rights of the Child that include non discrimination; the best interest of the child; survival, development and protection; and participation.

### Rationale for youth participation

Effective youth participation is about creating opportunities for young people to be involved in influencing, shaping, designing and contributing in policy-making procedures and the development of services and programmes. These opportunities are created through developing a series of formal and informal mechanisms for youth participation ranging from youth advisory groups to focus groups, from on-going consultation work to support for youth-led projects. There are many reasons for including young people in decision-making, such as:

*Youth participation means better decisions and increased efficiency*

Evidence shows that policies and programmes designed after consultation with users are more likely to be effective. By using youth participation, there's more probability to get it right the first time and avoid wasting time and money on services that young people don't want to use.

*Youth participation strengthens community capacity*

Giving young people a place in decision-making builds a broader base for citizen involvement and creates stronger, more inclusive communities. Youth participation is necessary in the development of an active citizenship because it balances young people's social rights with their responsibilities.

*Youth participation contributes to positive youth development*

Research shows that young people who are encourage

to participate in decision-making are more likely to have increased confidence and self-belief, exercise positive career choices and have greater levels of involvement and responsibility in the future.

*Youth participation enhances organization's relationship with young people*

Youth participation challenges negative stereotypes of young people and help break down barriers between adults and young people. Involving young people in decision-making can improve attitudes towards understanding young people and create a greater awareness of youth issues in an organization.

*Youth participation as a right*

United Nations Child Rights Convention (UNCRC) emphasizes youth's right to participation. It states that all young people under the age of 18 have the right to participate in decision-making. The convention recognizes their right to express their opinions, to have their opinions about decisions that affect them and to receive and give information and ideas.

These things considered, youth's right to participation and development should extend to all areas that affect them within the family, at school and in the community at large. Creating a good environment for youth participation in development through influencing policy formulation and implementation should be at the centre of every development framework.

However, it is surprising that youth's right to participation continue to be violated in many parts of the world, which has resulted into youth vulnerability, abuses, marginalization and economic misery.

For example, the vast majority of Southern Africa's population is under the age of 30, and thus, forms the largest interest group in the society. Although young people are stakeholders in elections, they don't actually benefit from them. They are eager to have more opportunities and claim their space, but the institutions of democracy have seemingly conspired against them.

Historically, the situation hasn't always been like this. Prior to the emergency of multiparty democracy in Africa, the nationalist/democratic movements fighting for the liberation of citizens relied on the mobilization of young people as a vital source of resistance against colonial or white majority regimes. The pressure on the governing institutions to admit and accept the participation of all citizens became a critical factor in legitimizing democratic governance.

There is a danger that young people are not considered, directly or indirectly, as a liability to democracy. Young people are, in many ways, under siege: they are marginalized from decision-making processes by male adults and the elderly, and face the prospect of mass death by the HIV/AIDS epidemic. They are lacking employment opportunities, and are often blamed for the increasing level of crime and violence.

The youth are not in the position to make informed choices regarding the exercise of citizenship, but find themselves at the mercy of political proprietors who take it upon themselves to interpret and decide what citizenship entails for young people. An added dilemma for democracy is that the majority of young people are women who live in rural areas and are subjected to many forms of gender inequality.

## Best practices

An important question is how can young people make meaningful contributions to community life through their enhanced participation in politics and democratic processes?

Joy for Children-Uganda has created following means to promote youth participation:

*Stay Safe Clubs*

These youth-led groups are selected in secondary schools in Kampala. The clubs meet regularly to discuss issues concerning the youth in the areas of sexual and reproductive health and rights. Stay Safe Clubs

enable young people to participate in issues affecting them and shape development processes of their country.

#### *Child Right Clubs*

The clubs are working in five schools of Fort Portal Municipality as a platform for young people to prevent violence against children and to promote their rights within schools, communities and families. They are run by the children and supervised by the teachers as patrons to ensure the sustainability and self-reliance of the clubs.

#### *Good School Programme*

Joy for Children Uganda is involving young people in creating “good schools”, which means that children are given the opportunity to contribute to what they think a good school should look like and they are supported in making it a reality. They are involved as key actors in policy-making and improving the school learning environment. The Good School Tool Kit enables participants to learn new skills and ideas by shifting from conventional to participatory ways of learning.

#### *Mural painting*

Murals are painting on walls that send a message to the target audience. Joy for Children-Uganda has been involving children in painting murals that aim at promoting children’s rights and preventing violence against them. Through painting, children are able to express and communicate their views, feelings and perspectives on issues affecting them.

In conclusion, youth participation plays a big role in steering up development. The youth need to be capacitated and empowered at an early stage on how to actively participate in social, cultural, economic and political spheres in the community. Furthermore, there’s a need for an increasing resource allocation to youth-led projects and initiative to accelerate youth participation and development.



# Women's Right to Participation and Development – Best Practices

Chaired by Ms. Tanja Auvinen, General Secretary,  
NYTKIS - The Coalition of Finnish Women's Associations

## Panelists:

*Mr. Antti Häikiö, National Coordinator, Civilian Crisis Management Training, Research and Evaluation, Ministry of the Interior, Finland*

*Ms. Kanchan Khanal, Vice-chairperson, ANNISU-Revolutionary affiliated to Unified CPN-Maoist, Nepal*

*Ms. Dieynaba Ndoye, Programme Director, Centre Africain pour la Prévention et Résolution des Conflits, Senegal*

*Ms. Kristiina Ruuskanen, Secretary General, Finnish Centre Women, Finland*

*Dr. Ave Maria Semakafu, Local Coordinator, DEMO Finland, Tanzania*

*Ms. Meselech Wondimu Wube, Chairperson, Bright Africa Women Development Association, Ethiopia*

The workshop on women's right to participation gathered together several viewpoints. Ms. Ave Maria Semakafu took up the issue of cooperation of women politicians. She also stressed that for a genuine participation, the local population should be setting the agenda. Ms. Kristiina Ruuskanen, in turn, noted that women in elections seem to have much less money for their campaigns than what men have. "Where is the democracy in that?" she asked. She also told how in Finland the public space has become so commercial it is difficult to find places where you are allowed to give out leaflets or meet voters. A solution to these challenges could be the social media. According to Ms. Ruuskanen, it could be a very important media for women to share their views.

Ms. Meselech Wondimu Wube reminded that already young girls should be able to participate so that they could continue to do so when they grow up. Women's participation is also a matter of society's attitudes. Women should be expected to participate in decision-making at all levels: at home, at the country level and at the global level. Ms. Dieynaba Ndoye suggested that in order to have women as equal participants, they should have access to information, the environment should be favourable for participation, there should be no threat of violence for those who speak out their views and the women should be encouraged to claim their space and given tools to do so. Ms. Kanchan Khanal told in turn, how after the restoration of democracy in Nepal, women have been encouraged to participate more than previously.

Mr. Antti Häikiö moved the focus from development to crisis management, in which international and regional actors play a crucial role. Still for example in EU, women make only 12 % of the crisis mission personnel. Heads of missions are also always men. Therefore the international community is not showing the best example. He also noted that before speaking of best practises, we should talk about practises in general. And when talking about practises, we should talk about implementation, not about laws. For example, implementation of the UN Resolution 1325 has taken time. One question coming up in the discussions was the intermediate and village level representation of women: What are the best practices to support women who



might be alone in these positions? According to Ms. Ave Maria Semakafu, DEMO Finland's activities are the best practices, since DEMO insists on grassroots activities along with national platforms. Women's participation also brings on other marginalized groups like people with disabilities. Ms. Dielynaba Ndoye reminded that women continue to be underrepresented at all levels, and that heads of political parties are never women. According to Ms. Kristiina Ruuskanen, the intermediate level is very important, and so is creating networks for



*Dr. Ave Maria Semakafu*

women working on this level and educating the women on networking. She also told a practical example of Anneli Jäätteenmäki's proverb: "Compliment and motivate at least one woman each day". Women should not work only within themselves, links to the main party are important and mutually beneficial.

Local levels mean many things, as Mr. Antti Häikiö noted. It can mean official or unofficial systems and structures. It is sometimes hard to bring on Finnish best practices, especially when the missions are headed by UN, EU or other multinational organization. Crisis management is also mostly looking at short term objectives. However, there are some examples, such as the Kosovo elections: international community was drafting the election law, according to which every third candidate on the list has to be a woman (not just a third, but every third), and in the case of resignation the replacement must be of same sex (next on the list). Mr. Häikiö reminded also of bad practises: in Kosovo youth groups in two villages wanted to reconcile and suggested a common youth camp for which UN answered it is too early for that.

Ms. Kanchan Khanal told that in Nepal "traditional feudalistic attitude" remains at the village level. It is difficult for women to take part in any decision-making as they have a heavy work load. However, in the Maoist liberation army more than 40 % were women, which led to women's representation in the constitutional assembly later. They continue to work to get 50 % representation of women on all levels of state organs. Maoists organised people's councils on local levels, at which at least 30 % were women. Other parties followed this example later on.

Chairperson, Ms. Tanja Auvinen told about a good practise in Finland: all political parties have women's sections, party support and certain percentage of the party support has to be given to these women's sections. In Tanzania, support from the mother party remains still a challenge; only two parties give some support to their women wings, told Ms. Semakafu.

Also the role of role models was discussed. Could there be a role for female teachers? Also older women should support younger women, and do some mentoring.

The workshop concluded with ideas of what instruments are useful to women's rights advancement. According to Ms. Ndoye, UN instrument material should be used in a simplified form with national language and even for the illiterate with pictures. Ms. Wube mentioned the regional instruments and national constitution alongside with the UN instruments. Ms. Ruuskanen reminded that all national legislation is important, and so is active research. Also public opinion can in some cases be used effectively for safeguarding women's rights. Ms. Semakafu reminded that the critical issue is not the lack of instruments, but the lack of implementation. She also told that Ministry for Gender is a good example of promoting equality. Also according to Mr. Häikiö, the problem is not the existence of the instruments but a lack of awareness, availability and accessibility, which leads back to the question of practices. Many of the panelists hoped for more awareness of CEDAW, and more political will and commitment to its implementation.

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## Viewpoint of a panelist

*Ms. Dielynaba Ndoye, Programme Director, Centre Africain pour la Prévention et Résolution des Conflits (CAPREC), Senegal*

### Context

Throughout the world, unequal power relations and different obstacles women face in their daily lives prevent them from participating fully in decision-making processes



*Ms. Anjana Shakyas and Ms. Dielynaba Ndoye*

ses and structures that govern their lives. Furthermore, while women make huge efforts to support the political leaders in search of power, they are often forgotten after the elections. In Senegal, women account for 52% of the total population, but are poorly represented e.g. in the National Assembly, regional and municipal councils, and rural communities. In recent years, more women wish to attain a leadership position. In May 14 2010 Senegal witnessed an important turn in this regard, as the Senate adopted an Absolute Parity Law which provides for equal participation by both men and women in all elected

representations, and demands that all stakeholders in the country's democratisation process adhere to the rule.

### What does women's participation mean?

Women participation refers to the ability of women to contribute on an equal footing with men at all levels and all aspects of decision-making in public life. It extends to all domains, such as family, cultural, social and economical life.

We believe that women have the right to have an equal saying in matters that affect their lives. They have to have the knowledge on how the country is directed, and they must participate fully in the development of the country. This right is written in a number of human rights instruments as well as in national constitutions and laws of many countries around the world.

### Combating non-participation of women

VIVRE/CAPREC seeks to empower women and enable them to overcome the barriers that prevent them to participate on equal terms with men. This is done through a combination of education, training, networking and lobbying.

The participation of women in public life and decision-making depend on several factors. Women must be aware of their rights and the ways to claim them. They also need to have access to information and the laws, policies and institutions that govern their lives. Furthermore, women need to have more confidence and necessary skills to challenge and confront the existing power structures.

In order to reach the goal of inclusion of women, there must be a favourable political, legal, economic, and cultural climate that facilitates female participation. This ought to be combined with a fight against gender-based violence, which is another factor creating barriers to women's involvement in decision-making processes.

# Global Economic Structures and Right to Participation

Chaired by Ms. Anita Kelles-Viitanen, Lic.Pol.Sc.,  
former Director of Social Development, Asian Development Bank

## Panelists:

*Mr. Kris Berwouts, Director, European network for Central Africa, Belgium*

*Mr. Steve Musau, Executive Coordinator, Release Political Prisoners, Kenya*

*Mr. Pasi Rajala, Secretary for International Affairs, The National Coalition Party, Finland*

*Mr. Alexis Rusine, General Secretary, Congress for Labor and Brotherhood in Rwanda*

*Mr. Mikko Sauli, Chairperson, Attac Finland*

The chair of the panel, Ms. Kelles-Viitanen, opened the session by defining the right to participation. Following this definition the right to participation consists of equal access to information, as well as realistic possibilities of influencing public policies and being consulted in decision-making processes. It can also be regarded as a way of empowerment.

Plenty of varied and also contrasting viewpoints were presented in the workshop. Yet, there seemed to be a general understanding of the fact that the current structures of global market economy exclude a vast majority of human population from decision-making processes and formulation of economic policies. Participation remains the privilege of a small minority and, as Mr. Sauli pointed out, in the Global South even fewer people possess the means for participation.

The rules of the game in the world market are set by a small group of actors, consisting of powerful states, their exclusive clubs (such as G8) and also increasingly non-state actors, such as multinational companies. Several panelists reminded that the current decision-

making structures are undemocratic, blur the notion of accountability, dismiss international human rights standards, and don't take into consideration the needs and views of the majority of the world's population.

What could be done to change the current panorama? Mr. Rajala called for a more responsible market economy in which inter- or intranational actors, such as the EU, would play a stronger role. Mr. Musau added that the trade must be made fairer and show a human face. In his opinion the national and global policies ought to be reformed in such a way that people have genuine opportunities to participate in the social, political and economic life and to define their own vision of development. Development must be a bottom-up process, he concluded.

Mr. Berwouts brought up the question of natural resources, which forms a constant source of conflicts and presents yet another example of unequal distribution of power and wealth. He argued there is a need for more efficient certificates and investment codes in the management of natural resources, and these ought to be combined with a transparent system of monitoring.

The civil society has a big role to play in demanding better governance in the global economy. Mr. Rusine gave examples of worker's movement's struggle for advancing the concept of "decent work". There are lots of ways to protest and the critical masses have the chance of bringing about change, he argued.

Mr. Sauli took a more radical standpoint and called for deeper structural changes. He proposed a revision of



monetary policies and the removal of incentives for speculation. During the panel there was also discussion about other alternatives for the ruling paradigm, such as the Degrowth-movement. After all, the dominant model is not perhaps the most suitable one for all countries and societies.

In sum, the movement towards a more inclusive global market economy seems slow and sometimes desperate. Yet, there's always hope. "Everything is possible, especially the impossible", concluded Ms. Kelles-Viitanen.

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### Viewpoint of a panelist

*Mr. Stephen Musau, Coordinator, Release Political Prisoners, Kenya*

#### Introduction

As a human rights worker, with an economic and sociologist background hence deeply concerned with development issues locally in my country, regionally and also

globally, and basing my argument on both the idealistic and realistic situations, I start from the rights perspective first and strongly state YES, people have right to participate in decision-making in all aspects: politically, socially, economically and culturally, and even spiritually!

Article 1 (1) on the Declaration on the Right to Development which was adopted by the UN General Assembly, resolution 41/128 on 4 December 1986, states that "the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized".

Article 2 (1) further goes to state that, "The human person is the central subject of development and should be the active participant and beneficiary of the right to development".

This strengthens the economic background, which tells me that no country can develop without business and trade, for these are the sources of revenue to built infrastructure, schools, health facilities etc. Economic development also creates jobs for the people, and reduces poverty and suffering, among other issues.



*Mr. Berwouts, Mr. Rusine, Mr. Rajala, Ms. Kelles-Viitanen, Mr. Sauli and Mr. Musau*

But looking at how the global economic structures have been structured, they rarely reflect the decisions of the people, the workers and the poor farmers and/or respect the human rights framework. Where there is no effective representation and good governance, the right to participation has little meaning.

Globally, we have to take note that the levels of development, democracy, respect for human rights, and actualizing a true democratic and representative government are at varied stages in different parts of the world. Related to this, we are not at the same level in matters of awareness, involvement, knowledge and exposures to the UN instruments, regional instruments and even the national laws.

### Kenyan Case

Giving an example, businesses in Kenya were virtually collapsed in late 1980s and the whole of 1990s; retrenchment was the way of management; unemployment escalated; poverty increased; and farmers lost morale. Moreover, teachers were on strikes frequently; companies moved out; corruption was the way of life; and in addition there was tribalism, nepotism and disrespect of the laws. All these killed participation of the people in economic issues and other structures.

The situation remains difficult for all workers, ranging from factory workers in the industrial area in Nairobi to poor peasant farmers. A critical issue is where to get the next meal, better clothing, housing or source of income. It's about survival, which goes against what has been defined by the ILO as a decent work.

### Globalisation

The challenges of economic globalization are worsening the situation. For instance, the subsidies are killing the local struggling farmers and local industries in many developing countries, rather than helping them to emerge, industrialize and compete in a fair manner. This is killing any dream of the right to participation, hence narrowing the debate to the means rather than looking at the larger developmental agenda.

Furthermore, the undemocratic structures of global economic institutions and clubs (G8, G20 etc) are excluding the developing countries from decision-making. World politics is governance with no government

and states retain their individual decision and choice at the end of the day.

People's possibilities to participate in decision-making are getting weaker and also more complex. There are great disparities between people regarding the level of information, knowledge and awareness on the issues affecting them.

The concerns in Africa on how the Transnational and Multinational Companies have taken up issues of human rights, for instance, has ended up meaning boardroom discussions rather than the right of the people to decide and push for better working conditions and influence issues that concern them. The corruption in different levels of the public sector makes the situation worse.

Of course all hope is not lost. There are some examples of global economic development which has positive impacts and support the participation of the people, such as the Export Processing Zones Authority (EPZA), which has been managing the Export Processing Zones (EPZs) since 1990; the Export Promotion Council (EPC), established in 1992, with the primary objective of assisting producers and exporters of goods and services; and the Capital Markets Authority (CMA), established in 1989, which regulates and oversees to the orderly development of Kenya's capital markets.

The government of Kenya has also been coming up with various programmes like Kazi kwa Vijana Programme, the Youth Development Fund and the Women Fund Initiative which are all run and managed under the government ministries and departments. There are also several micro-financing programmes and projects, run by banks and micro-financing institutions, which allocate funds to development initiatives.

Yet, many of these institutions and programmes haven't had a high impact on the national, regional or global economic structures. In many cases they are largely seen as elitist and government-owned, and people do

not know much of them or are unable to participate in them due to economic restraints, for example. These bodies rarely interact with the common people but rather with the international institutions, which is an example of the complexity of the right to participation. Furthermore, there are very few advocacy-oriented civil society organizations which would be involved in economic, trade and business issues in the country.



*Mr. Alexis Rusine and Mr. Stephen Musau*

## Solutions

We cannot reverse global wheels as business and trade get moving on, but we can make pragmatic decisions on how to ensure that people's rights to participation is ensured in a way that takes into consideration human rights and democracy-oriented principles and values.

The following points should be taken into consideration as regards to people's participation in economic issues:

- Ensuring that accountable governments are elected democratically, impunity is not practiced, corruption is not the way of life, and that laws are respected and improved.
- Educating people to know it is their mandate and responsibility to demand accountability from the state actors and leaders
- Creating an enabling environment for transnational and multinational companies and industries, while also monitoring how they meet the standards of humane investments and the right to Decent Work.
- Civil Society Organizations working in capacity building should focus on issues related to economic rights, taking into consideration the local, national and global levels. This will lead to more effective participation and ensure that the right to development is realized. CSOs need to increase their knowledge on the rights, the national laws about economic structures and on globalization in order to do more efficient advocacy and lobbying on policies.
- There is a need to ensure that economic growth of any country match with the right of people to participate in the growth in a meaningful and informed way and to influence their working conditions and environments.
- Developed countries need to open doors for trade and business for the developing countries, and cut down subsidies which limit the developing countries from doing any meaningful trade with them. Creativity of the developing countries in matters of trade and business will also be needed.

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According to the International Labour Organization, *Decent Work* involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.

# Seminar programme:

## Tuesday 14 September 2010

Venue: Allergiatalon kongressikeskus, Paciuksenkatu 19, Helsinki

- 8:15 Registration and Coffee
- 9:00 Welcoming Remarks
  - Ms. Elisa Mikkola, Executive Director, KIOS
  - Ms. Sari Varpama, Executive Director, DEMO Finland
- 9:15 Opening Speech
  - H.E. Dr. Paavo Väyrynen, Minister for Foreign Trade and Development

### Morning session

*Chaired by Mr. Jani A. Seikkula, Vice Chairperson of KIOS Executive Board, Finnish Refugee Council*

- 9:30 Democracy and Development: Why the EU is Getting it Wrong
  - Dr. Richard Youngs, Director General, FRIDE
- 10:00 Discussion
- 10:45 Break
- 11:00 Ensuring Human Rights in Finnish Democracy
  - Ms. Maija Sakslin, Parliamentary Deputy-Ombudsman
- 11:30 Discussion
- 12:00 Lunch

### EQUAL PARTICIPATION AND DEVELOPMENT FOR ALL

#### Viewpoints from political and civil society in Asia

*Chaired by Ms. Gunvor Kronman, Vice Chairperson of DEMO Finland Executive Board*

- 13:00 Children's Parliament – Civil Society Experiences of Youth Participation in Nepal
  - Ms. Anjana Shakya, Chairperson, Himalayan Monitors for Human Rights, representing Partnership for Protecting Children in Armed Conflict
  - Opportunities and Challenges for Youth Participation in Politics - Experiences from Nepal
  - Mr. Dinesh Prasad Bhatt, Central Committee Member, Nepal Tarun Dal youth organisation, affiliated to Nepali Congress Party
- 14:00 Discussion
- 14:45 Break
- 15:10 Right to Participation for Minorities in Post-Conflict Sri Lanka
  - Mr. K.M. Rukshan Fernando, Head of Human Rights in Conflict Program, Law & Society Trust
- 15:30 Discussion
- 16:00 Cocktails

## Wednesday 15 September 2010

Venue: Allergiatalon kongressikeskus, Paciuksenkatu 19, Helsinki

8:15 Registration and Coffee

9:00 Opening of the Day

### **EQUAL PARTICIPATION AND DEVELOPMENT FOR ALL**

#### **Viewpoints from political and civil society in Africa**

*Chaired by Ms. Elina Multanen, Member of KIOS Executive Board, UNIFEM Finland*

- 9:05 Right to Participation in Democratic Processes: Implications of Inclusiveness for Development in Rwanda, Burundi and DRC  
Mr. Kris Berwouts, Director, European network for Central Africa  
Civil Society Actors Promoting Inclusive Democracy in Rwanda: Experiences of Promoting Workers' Rights  
Mr. Alexis Rusine, General Secretary, Congress for Labor and Brotherhood in Rwanda
- 9:45 Discussion
- 10:15 Break
- 10:30 Right to Participation and Right to Development in Ethiopia: Young Women Claiming their Space  
Ms. Meselech Wondimu Wube, Chairperson, Bright Africa Women Development Association  
Human right challenges and women's participation in democratic processes in Tanzania  
Ms. Anna Abdallah, Member of Parliament, Chairperson, Tanzania Women Cross-Party Platform
- 11:10 Discussion
- 12:00 Lunch

### **13:00 WORKSHOP SESSIONS**

Youth's Right to Participation and Development – Best Practices

*Chaired by Ms. Anna Ranki, Secretary for International Affairs, Finnish Youth Cooperation Allianssi*

Women's Right to Participation and Development – Best Practices

*Chaired by Ms. Tanja Auvinen, General Secretary, NYTKIS - The Coalition of Finnish Women's Associations*

Global Economic Structures and Right to Participation

*Chaired by Ms. Anita Kelles-Viitanen, Lic. Pol. Sc., former Director of Social Development, Asian Development Bank*

15:00 Coffee and Closing Words

# Participants

Aarnio Kirsti	Ministry for Foreign Affairs
Abdallah Anna	Tanzania Women Cross-Party Platform
Addwow Godfred	Obeng Diaconia University of Applied Sciences
Alakotila Heidi	Laurea University of Applied Sciences
Alaviitala Lauri	UN Association of Finland
Anderzén Janica	The Finnish NGO Foundation for Human Rights KIOS
Aromaa Eekku	KIOS/ (Committee of 100 in Finland)
Autio Emilia	
Auvinen Tanja	NYTKIS - The Coalition of Finnish Women's Associations
Berwouts Kris	European network for Central Africa
Bhandari Krishna	Non-Resident Nepali Association
Bhatt Dinesh Prasad	Nepal Tarun Dal youth organisation
Bhusal Manoj Kr.	Silver Lining Creation ry
Bågman Katja	
Chand Suraj	
Chisumo Mugeta	Iramba District, Tanzania
Clancy Micheline	The Threshold Association
Dama Martha	
Dangol Tej	Loo Niva, Nepal
Dominic-Savior Chukwu	Diaconia University of Applied Sciences
Duh Abdalla Ali	University of Helsinki, Department of Political and Economic Studies
Eklund Torun	
El Bardi Malika-Aisha	University of Helsinki
Elo Simon	True Finns of Espoo
Ervamaa Eeva	Plan Finland
Fagerlund Emilia	Political Parties of Finland for Democracy
Fernando K.M. Rukshan	Law & Society Trust
Fondo Walter Kebila	Palace And Cultural network
From-Emmesberger Sofie	Ministry for Foreign Affairs, Unit for Human Rights Policy
Gautam Basu	DEMO Finland's office in Nepal
Gilmont Olivier	
Grüne Ann-Jolin	Bridge Front Office / Svenska Kvinnoförbundet
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Hakkarainen Minna	University of Helsinki, Institute of Development Studies
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Hatakka Elina	1325 Network of Finland
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Hirstiö-Snellman Paula	
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Hyppönen Salla	HUMAK University of Applied Sciences
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Immonen Karita	Association of Finnish Local and Regional Authorities, North-South Local Government Co-operation Programme
Jansa Veera	City of Vantaa
Jaranova Ksenija	University of Helsinki
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Joshi Hiranya Deo	NNYF, Nepal
Joshi Sudip	
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Jusuf Sukef	Suomi-Somalia seura
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Karanko Kari	Ministry for Foreign Affairs of Finland
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Kelles-Viitanen Anita	
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Mararia Monicah	Diaconia University of Applied Sciences
Marion Maxime	
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Matinpuro Hanna	Siemenpuu Foundation
Mehta Santosh Kumar	Student Front, Nepal
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Mikkola Elisa	The Finnish NGO Foundation for Human Rights KIOS
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Mäkinen-Pottiher Milla	International Solidarity Foundation
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Neuvonen Outi	HUMAK University of Applied Sciences
Ntenga Moses	Joy for Children - Uganda
Olkkonen Soini	
Pahari Rajib	Youth Front-Nepal
Paikkala Terhi	The Finnish NGO Foundation for Human Rights KIOS



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Pehu-Voima Satu	Ministry for Foreign Affairs / Embassy of Finland in Kathmandu
Pentti Sari	HUMAK University of Applied Sciences
Perähuhta Outi	Finnish Refugee Council
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Ranki Anna	Finnish Youth Cooperation Allianssi
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Rintala Marianne	HUMAK University of Applied Sciences
Ristelä Pekka	Central Organisation of Finnish Trade Unions
Romar Anne	KIOS / Service Centre for Development Cooperation
Rontu Kaisa	UNICEF Finland
Rusine Alexis	Congress for Labor and Brotherhood in Rwanda
Ruuskanen Kristiina	Finnish Centre Women
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Vikstedt Tuuli	Wind of Change International
Vilkama Satu	Embassy of Malaysia
Virtanen Riku	Threshold Association
Viteli-Hietanen Mervi	
Wube Meselech Wondimu	Bright Africa Women Development Association
Vuorinen Antti	Committee of 100 in Finland
Väyrynen Paavo	Ministry for Foreign Affairs
Yadav Kapaleshwar	MSF-Nepal (Democratic), Nepal
Youngs Richard	FRIDE



