



HUMAN RIGHTS-BASED APPROACHES TO DEVELOPMENT EDUCATION

A toolkit for activists
in new EU member states

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Children carrying water in northern Ghana
Source: **András Megyeri**

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MAIN ABBREVIATIONS

ACP	African, Caribbean and Pacific Countries
AU	African Union
CAT	UN Convention Against Torture
CEDAW	UN Convention on the Elimination of All Forms of Discrimination against Women
CIS	Commonwealth of Independent States
CMW	UN Convention on the Protection of All Migrant Workers and Members of their Families
CRC	UN Convention on the Rights of the Child
CRPD	International Convention on the Rights of Persons with Disabilities
DAC	Development Assistance Committee
DCI	Development Cooperation Instrument
DG	Directorates-General
DE	development education
EC	European Community
ECtHR	European Court of Human Rights
EDF	European Development Fund
ENPI	European Neighbourhood and Partnership Instrument
EP	European Parliament
EU	European Union
GNI	Gross National Income
HRBA	human rights-based approach
IC	Instrument for Industrialized Countries
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
IPA	Instrument for Pre-Accession
LDCs	least developed countries
MDGs	Millennium Development Goals
NGDO	non-governmental development organization
NGO	non-governmental organization
NMS	new member states
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
TEC	Treaty establishing the European Community
TEU	Treaty on the European Union
UN	United Nations
UNDM	UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
UNDP	United Nations Development Programme
UNGA	United Nations General Assembly
UNICEF	United Nations Children’s Fund



INTRODUCTION

In the words of Louise Arbour, former United Nations High Commissioner for Human Rights, poverty is the gravest human rights challenge facing the world today. Though the end of poverty is considered an achievable goal, and the global governmental commitment to eradicating poverty is articulated in the Millennium Development Goals (MDGs), the vision of a world without poverty remains a distant prospect. Marginalized communities suffering from social exclusion and discrimination, such as ethnic, national, religious and linguistic minorities have been the hardest hit by poverty. International development efforts over past decades have been assessed as ineffectual, insufficient, and marred by corruption and waste. This has prompted a reassessment of the international development paradigm, resulting in the creation of a new approach which explicitly links development with the international human rights framework. The human rights-based approach (HRBA) to development created a new language and provided tools for the articulation of more effective and equitable responses to the multiple dimensions of poverty. Development came to be regarded as a human right which, in line with international human rights law principles, imposed obligations on states to respect, protect and fulfil the right to development, identifying specific rights holders.

The European Union (EU) has been the biggest donor of development aid in the world. The 2004–7 enlargement has extended the legal obligation to provide development aid to a number of Central and South-east European states whose historic experience of development cooperation has been fundamentally different from that of the old EU member states. Five years later, some new member states (NMS) are still struggling with the design of their international development policies; the fledgling non-governmental development organization (NGDO) sector in these states is still in the process of defining itself, while public awareness of international development issues and support for such policies are low. The link-

age between human rights and development, moreover, remains a distant concept.

In an attempt to fill this gap, in 2008–9 Minority Rights Group International (MRG) implemented a development education programme, ‘Promoting Development in Europe: Towards a Critical Mass and Beyond’. The programme aimed to build the capacity of development non-governmental organizations (NGOs) in NMS to enable them to raise public awareness of development issues in developing countries and the benefit of adopting rights-based approaches when targeting these issues, and to incorporate rights-based approaches in their development work. This toolkit offers some practical steps as part of this project. Written for development and human rights NGOs in the NMS, and for organizations and grassroots initiatives carrying out development education or advocating for development education and campaigning for the realization of the MDGs, it speaks to the specific context of the NMS and their civil sector.

MILLENNIUM DEVELOPMENT GOALS

The United Nations (UN) General Assembly adopted the Millennium Declaration, a global commitment to eradicate extreme poverty, in 2000. In 2005, the concept for implementation was also delivered: *Investing in Development: A Practical Plan to Achieve the Millennium Development Goals*, drawn up by an independent advisory body, led by Professor Jeffrey Sachs. The MDGs are:

- Goal 1: Eradicate extreme poverty and hunger**
- Goal 2: Achieve universal primary education**
- Goal 3: Promote gender equality and empower women**
- Goal 4: Reduce child mortality**
- Goal 5: Improve maternal health**

‘82 per cent of the EU citizens have never heard of the Millennium Development Goals.’
(http://www.eepa.be/wcm/dmdocuments/EU_0706XX_Eurobarometer.pdf)

Campaigning tools in this toolkit are at your disposal. If you have any feedback or suggestions for resources, tools or activities that we could add to help improve the toolkit, please click here.



- ❑ **Goal 6: Combat HIV/AIDS, malaria and other diseases**
- ❑ **Goal 7: Ensure environmental sustainability**
- ❑ **Goal 8: Develop a global partnership for development**

DID YOU KNOW?

The MDGs are considered a paradigm shift, as this is the first time such a poverty reduction plan has contained a deadline (2015) and indicators for progress.

The MDGs are criticized for lacking explicit references to human and minority rights, as well as for only aiming at the alleviation of poverty for half of the poorest of the world. One side-effect of the MDG agenda has been to take attention away from the goals set in the human rights treaties.

The MDGs are linked to specific targets with over 60 matching indicators, and have been highly referenced both in development assistance programming as well as in legally binding international instruments, despite their policy guideline character.

Country Data are issued every year, as well as a Human Development Report and Regional MDG Reports, all providing in-depth statistics, as well as project narratives on efforts around the world.

There have been many criticisms of the MDGs agenda, including that meeting them would allegedly become more important than complying with human rights obligations.

The United Nations Development Programme (UNDP) is the lead UN agency for the MDGs.



Panel at ACP–EU Joint Parliamentary Assembly, Ljubljana. Source: Balázs Lerner

CHAPTER I

HUMAN RIGHTS AND DEVELOPMENT

This section outlines the complex and interrelated nature of human rights and development assistance. Although they use different means to achieve change, both have the same aim: to ensure life in dignity for all human beings. The section defines development and describes the relevant international human rights framework. It then maps out the human rights-based approach to development, its basic concepts and principles.



WHAT IS DEVELOPMENT?

Development is much more than mere accumulation of wealth or increase in national income. Human development is a paradigm which fosters the right environment for people to develop their full potential and lead productive and creative lives. Within this, people's range of choices to live lives that they value expands.

The UN Declaration on the Right to Development (1986) defines development as:

'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 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.

Poverty is antithetical to the exercise of the right to development. The UN Committee on Economic, Social and Cultural Rights defines poverty as a human condition characterized by sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights.

In fact, development and human rights are intertwined; the one cannot be realized without the other. The goal of both is human freedom. People must be free to exercise their choices and to participate in decision-making that affects their lives. Human development and human rights are mutually reinforcing, helping to secure the well-being and dignity

Objectives of sustainable development



Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Social objectives:

full employment, equity, security, education, health, participation, cultural identity, etc.

Economic objectives:

growth, efficiency, stability, etc.

Environmental objectives:

healthy environment for humans, rational use of renewable natural resources, conservation of non-renewable natural resources, etc.

of all people, building self-respect and the respect of others.

INTERNATIONAL LEGAL FRAMEWORK FOR HUMAN RIGHTS AND DEVELOPMENT

States have the responsibility to respect, protect and fulfil human rights. This obligation stems from international human rights law and the treaties the states have ratified. The foremost international legal document, the Charter of the United Nations, lists the achievements of international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion as one of the purposes of the UN. The first universal statement on the basic principles of inalienable human rights was articulated in the Universal Declaration of Human Rights more than six decades ago. Since then, specific human rights have been elaborated in a series of UN human rights treaties. They are:



- ❑ International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- ❑ International Covenant on Civil and Political Rights (ICCPR)
- ❑ International Covenant on Economic, Social and Cultural Rights (ICESCR)
- ❑ Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)
- ❑ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- ❑ Convention on the Rights of the Child (CRC)
- ❑ Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (CMW)
- ❑ Convention on the Rights of Persons with Disabilities (CRPD)

The treaties are based on several fundamental recurring principles. These are:

- ❑ Universality and indivisibility
- ❑ Equality and non-discrimination
- ❑ Participation and inclusion
- ❑ Accountability and rule of law

Human rights are:

- ❑ Universal, indivisible, inalienable, interdependent and interrelated.
- ❑ Every woman, man and child is entitled to enjoy her or his human rights simply by virtue of being human.
- ❑ Enjoyment of one right is indivisibly interrelated to the enjoyment of other rights; the violation of one right will by default lead to the violation of a range of other rights.
- ❑ All human rights – civil, cultural, economic, political and social – are equally important.
- ❑ All human beings are equal in dignity and rights.
- ❑ The principle of non-discrimination prohibits discrimination in the enjoyment of human rights on any ground, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Examples of human rights



Civil and political rights

- ❑ The right to liberty and security of person
- ❑ Freedom of movement
- ❑ Equality before the law
- ❑ Independence of the judiciary
- ❑ The right to privacy
- ❑ Freedom of thought, conscience and religion
- ❑ Freedom of expression
- ❑ Freedom of association
- ❑ The right to take part in the conduct of public affairs
- ❑ The right to vote and to be elected
- ❑ The right to freely determine political status
- ❑ The right of ethnic, religious or linguistic minorities to to enjoy their own culture, to profess and practise their own religion, or to use their own language

Economic, social and cultural rights

- ❑ Right to work, to form trade unions, and to safe and healthy working conditions
- ❑ Right to the highest attainable standard of physical and mental health
- ❑ Right to education
- ❑ Right to an adequate standard of living, including adequate food, housing and clothing
- ❑ Right to take part in cultural life
- ❑ The right to freely pursue economic, social and cultural development

- ❑ The term 'or other status' is interpreted to include personal circumstances, occupation, lifestyle, sexual orientation and health status.
- ❑ Every person and all peoples are entitled to participate in, contribute to, and enjoy civil, economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realized.
- ❑ The obligation to respect human rights rests with states who must be accountable to their constituents.



DEVELOPMENT AND MINORITIES

Development is also a *minority right*. In fact the right to participate in decision-making, particularly on issues that affect minorities, as well as in the benefits of development, is one of the four key pillars on which minority rights are based. The remaining three pillars include protection of existence, protection and promotion of identity and non-discrimination.

The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM), in its Article 5, specifically requires that:

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.
2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

The UNDM was inspired by the provisions of Article 27 of the ICCPR, the first legal provision on the protection of minorities in a UN human rights treaty. The article holds:

'In those States in which ethnic, religious or linguistic minorities exist, persons belonging to

such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.'

A comparable provision was subsequently included in the Convention on the Rights of the Child. Its Article 30 states:

'In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.'

The set of rights elaborated by the UN and other regional bodies for persons belonging to minorities have the aim of ensuring that minorities can enjoy their human rights on the same basis as other people. Their distinct identities require special protection from discrimination as well as special action to promote the preservation of their cultures, religions and languages. Their equal participation in the public sphere needs to be supported. This is part of the human rights obligations of states towards persons belonging to minorities.

THE HUMAN RIGHTS-BASED APPROACH TO DEVELOPMENT

Some earlier concepts in development work proved to be essentially harmful and not sustainable. Despite its ethical importance (which still carries significant weight), the traditional charity approach easily treats beneficiaries as objects rather than partners. The *charity approach* tends to be paternalistic and beneficiaries are put into the role of passive re-

cipients who cannot help themselves. This approach tends to reproduce the existing power structure, and is thus unable to achieve sustainable results.

In order to overcome these difficulties, another approach was created: assessing the needs of those to be developed. This is the *needs-based approach*. But as long as the donor determines the needs of the beneficiaries, the development relationship will reiterate power-differences. In essence, the needs-



based approach does not differ significantly from the charity concept. Experience showed that the needs-based approach often turned out to be supply-based, meaning that the donor was dumping whatever surplus it had on developing countries, regardless of whether it was needed or not.

The underpinning for the human rights-based approach to development is the norms and values set out

in international human rights law which constitute the basis for development policies and institutions. Within

Milestones in the HRBA



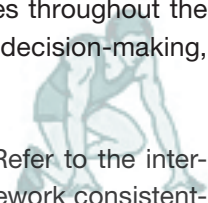
- ❑ 1986: Declaration on the Right to Development (UNGA A/RES/41/128)
- ❑ 1993: World Conference on Human Rights (Vienna Declaration and Programme of Action, creating the position of the High Commissioner for Human Rights)

‘All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.’ (UN Doc. A/CONF.157/23, para. 5)

- ❑ 1997–2005: UN reform endorsed by the Secretary-General to focus on integrating human rights into policies of the UN, including development policies.

‘Indeed, human rights must be incorporated into decision-making and discussion throughout the work of the Organization. The concept of “mainstreaming” human rights has gained greater attention in recent years, but it has still not been adequately reflected in key policy and resource decisions.’ (UN Doc. A/59/2005, para. 144)

Employ the following principles throughout the whole process of planning, decision-making, implementation and evaluation.



1. *Human rights framework.* Refer to the international human rights framework consistently. This framework provides a set of objective and universal standards against which the impacts of laws, policies and interventions can be measured.
2. *Empowerment.* The HRBA is empowering. It empowers vulnerable groups to advocate for their own rights, gives them a voice and makes them active stakeholders. Marginalized communities such as ethnic minorities, women, the elderly, children, persons with disabilities are particularly socially vulnerable and would benefit most from empowerment.
3. *Participation.* Participation is not only means to an end, but also a fundamental human right that should be realized for its own sake. Effective participation in development requires specific mechanisms and arrangements at different levels of decision-making in order to overcome the impediments faced by marginalized groups, minorities suffering discrimination and people living in poverty.
4. *Non-discrimination.* Development activities aim to eliminate discrimination and therefore should focus on groups and individuals who are most vulnerable to human rights abuses such as persons belonging to minorities. Discrimination is universally prohibited by international human rights law.
5. *Accountability.* Rights imply duties and duties demand accountability. It is an intrinsic feature of the human rights-based approach that institutions, and legal and administrative arrangements for ensuring accountability are built into development strategies. These mechanisms must be transparent, accessible and effective.



THE HRBA IS NOT JUST A THEORY: APPLY IT IN PRACTICE

- ❑ Build partnerships as wide and deep as possible. Build partnerships with the rights-holders.
- ❑ Look for the root causes in your problem analysis, no matter how distant-looking they may be.
- ❑ Look for structural problems in your programme design.
- ❑ Advocacy is a very powerful tool, invest in it. Your arguments should be evidence-based. If the necessary (statistical) data is not available, you should advocate for the data first.
- ❑ Use very specific and accurate indicators in planning, in implementation as well as in monitoring/evaluation. Indicators are for you and not for the donors of your project.
- ❑ Evaluate your past or present projects against the principles of the HRBA. The outcome may be helpful for future programme design.
- ❑ Turn to multidisciplinary approaches. Look at your agenda from all possible perspectives and use all relevant disciplines to address underdevelopment and non-fulfilment of human rights.
- ❑ Take immediate action to address vulnerability and imbalances in power relations and remove obstacles to smooth development processes.

this paradigm, the processes of achieving development goals become as important as the goals themselves.

PRINCIPLES OF THE HRBA

Human rights are instrumental in human development: human rights standards and related principles sharpen development strategies by focusing on discrimination, vulnerability and weaknesses in the system of accountability.

MULTIPLE DISCRIMINATION

Many of the human rights treaties have articles addressing especially vulnerable groups with regard to the main issues it is dealing with. For example, Article 23 of the CRC deals specifically with protection of children with disabilities. Article 10(3) of the ICESCR contains special protection measures for children in relation to labour rights. Article 6 of the CRPD expressly states that women and girls are subject to multiple discrimination, therefore special measures need to be taken to protect and fulfil their human rights and freedoms. While ICERD lists the universal human rights included in the two Covenants (the ICCPR and the ICESCR), and elaborates on the

obligations of the state to prevent, prosecute and punish acts that are discriminatory on the grounds of race, colour, descent, or national or ethnic origin.

Many of these articles do not go beyond the statement that individuals belonging to particular groups, or who are subjected to multiple discrimination should be accorded some special protection. Seemingly, the treaty system creates multiple divisions among humanity, where everybody has human rights, but some are referred to across a variety of conventions. Some groups, like rural women for example, figure in the CEDAW, but there is no rural persons' convention. The most sophisticated and comprehensive convention in this regard is the CRPD, as it addresses the issues of a variety of groups subjected to multiple discrimination.

The methodological solution for dealing with multiple discrimination is provided by the human rights-based approach and its basic principles. For example, when the primary education target from the MDGs has been almost reached, and it turns out that the missing percentage is made up of rural girls from a certain ethnic minority, we know that the prior assessment of the situation and the project design need improvement. Careful application of those principles can assist in overcoming the complexity and challenges posed by multiple discrimination.



Awareness-raising demonstration, Budapest, Hungary. Source: Balázs Lerner

CHAPTER II

DEVELOPMENT, LEGAL REQUIREMENTS AND THE EU: SETTING THE SCENE FOR NEW MEMBER STATES

This section highlights the main actors and the policy framework of the EU and introduces the commitments made in this field. It provides short summaries of some of the most important documents as well as giving insight into approaches the EU employs in its development assistance efforts.



WHY DOES THE EU ENGAGE IN DEVELOPMENT?

There are several interrelated reasons for the EU to engage in international development cooperation. One of them is *historical*: while the founding treaties of the European Community (EC) were concluded, and for a while after that, the European colonial empires were disintegrating. As the ex-colonies were establishing their own institutional structures to realize self-determination, European states needed to keep their former colonies engaged in political and economic relations (in the context of Cold War politics). The first development agreements mainly focused on countries 'associated' with EC member states, meaning their former colonies. The EU rhetoric often includes *security* reasons. Political references are frequently made to the struggle against international terrorism as well as to the idea of Fortress Europe: development assistance is seen as a way of stopping the flow of migration.

Economic reasons for engaging in development include international development investment, specifically trade relations (infrastructure development for market access), tourism and out-sourcing of business (because employees can be paid much lower wages than in the developed world). There are also ethical and moral reasons behind EU commitments, but more obvious are the legal reasons.

THE LEGAL FRAMEWORK OF DEVELOPMENT COOPERATION

Duties of states under the UN Charter

The UN Charter states that one of the purposes of the UN is 'to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights

and for fundamental freedoms for all without distinction as to race, sex, language, or religion' (Art. 1(3)). One might say that underdevelopment of a certain country is not an international problem, but this does not hold true today, nor has it for some time. It has long been realized that poverty, grave and or protracted violations of human rights, economic and political instability lead to conflicts which rarely remain internal.

Accountability of EU member states

The UN Charter declares the supremacy of states' obligations flowing from the Charter over any other international agreement (Art. 103). According to the Charter, EU member states remain accountable for their acts, regardless of their competences being transferred to an international organization, namely the EU (ECtHR, *Bosphorus Airways v. Ireland*, 2005). Most UN member states are parties to the main human rights treaties (at least to the ICCPR and the ICESCR), therefore both the donor and the recipient countries are under the same human rights obligations. Furthermore, the founding treaties of the EU make it explicit that liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law are common principles, which the member states respect and promote throughout their joint activities, in accordance with the UN Charter (see TEC Art. 177; TEU [Treaty on the EU] Art. 6).

Legal foundations: Treaty establishing the European Community

Development cooperation is primarily governed by the Treaty establishing the European Community (TEC) (1957). This is a policy area which is part of the Community pillar (Pillar I), meaning that decision-making power lies with the EU institutions. However, it is important to note that EC development cooperation complements EU member states' efforts (complementary competence).



Abridged version of the TEC: goals of the development cooperation of the EC



Article 177

(1) Community policy in the sphere of development cooperation, which shall be complementary to the policies pursued by the Member States, shall foster:

... the sustainable economic and social development of the developing countries, and more particularly the most disadvantaged among them;

... the smooth and gradual integration of the developing countries into the world economy;

... the campaign against poverty in the developing countries.

(2) Community policy in this area shall contribute to the general objective of developing and consolidating democracy and the rule of law, and to that of respecting human rights and fundamental freedoms ...

The European Consensus on Development

The European Consensus on Development is a policy statement signed in 2005 by the European Commission, the Council and the European Parliament.

Policy objectives:

- To create a framework for common principles for the implementation of the 27 member states' development cooperation policies.

- To focus on poverty reduction, reinforcing member states' commitment to reaching the MDGs through sustainable development efforts.

The EC's action concentrates on the following fields:

- trade and regional integration; the environment and the sustainable management of natural resources; infrastructure; water and energy; rural development, agriculture, and food security; governance, democracy, human rights and support for economic and institutional reforms; prevention of conflicts and of state fragility; human development; and social cohesion and employment.

The common principles of development cooperation activities are:

- ownership and partnership, in-depth political dialogue, participation of civil society, gender equality and an ongoing commitment to preventing state fragility.

Assessment:

- The statement does not go beyond simply referencing treaty obligations regarding human rights.
- It does not incorporate the human rights-based approach into the policies and principles of implementation.
- It fails to define observation of human rights obligations as the objective of development efforts.

European Consensus on Humanitarian Aid

The European Consensus on Humanitarian Aid is a policy statement signed in 2007 by the European Commission, the Council and the European Parliament.

Table 1: EU commitments

Target year	EU 15		EU 12	
	Individual minimum ODA/GNI	Collective average ODA/GNI	Individual minimum ODA/GNI	Collective average ODA/GNI
2010	0.50%	0.56%	0.17%	0.17%
2015	0.70%	0.70%	0.33%	0.33%



Policy objectives:

- ❑ It emphasizes good donor practice.
- ❑ It provides a framework for boosting EU coordination.
- ❑ It refers to the complexity of coordination in relief actions involving EU, international, non-governmental and local efforts.
- ❑ It provides support for vulnerable communities through risk reduction and disaster-preparedness work.
- ❑ It ensures the coherence, complementarity and effectiveness of policies connected to humanitarian aid (e.g. crisis management and food security), while also emphasizing the principle of independence.

The Cotonou Agreement

The Cotonou Agreement is a Partnership Agreement between the EC, its member states and 79 African, Caribbean and Pacific (ACP) countries, signed in 2000, ratified in 2002. It succeeded the Yaoundé (1964–75) and the Lomé (1975–2000) Agreements.

Objectives:

- ❑ It establishes a framework of development cooperation with the ACP countries for the next 20 years. The Agreement is revised every five years, apart from the economic and trade cooperation provisions.

The Agreement establishes five interdependent aspects of partnership:

- ❑ reinforcement of political relations between the ACP states and the EU;
- ❑ promotion of participatory approaches, involvement of civil society, the private sector and other non-state actors;
- ❑ development strategies and priorities for the objective of poverty reduction;
- ❑ a new framework for economic and trade cooperation;

- ❑ reform of financial cooperation.

Assessment:

The Cotonou Agreement represents a new approach in cooperation with the ACP countries, by applying more flexibility and involving non-governmental actors. In 2005, the Agreement was revised and amended to include a new reference to the MDGs; the protection of the sexual and reproductive health and rights of women; provisions to enhance regional cooperation between the ACP countries, etc. The economic focus of the Agreement is on the EPAs (Economic Partnership Agreements) between the EU and the six ACP regions (Caribbean, Pacific, and South, Central, East and West Africa). The mid-term review of the Agreement will take place in 2010 and it is likely that it will be significantly adjusted.

Africa–EU Strategy

This is a policy document, in the form of an international agreement between the Council of the EU and the African Union (AU), agreed in 2005, confirmed by the Council in 2006 and by the AU in 2007. Subsequently the Lisbon Declaration was issued in 2007, defining the principles and commitments of the partnership, and was adopted at the same time as the joint strategy and the first three-year action plan (2008–10).

Policy objectives:

- ❑ It focuses on political partnership reaching beyond ‘dialogue’ and envisions joint actions of common interest. The Strategy aims to approach Africa as a single continent, and regards the AU as the key partner.
- ❑ Aside from political objectives, the European Commission proposed five joint initiatives, included in an action plan, in the fields of energy; climate change; migration, mobility and employment; democratic governance; political and institutional architecture.



Assessment:

The Strategy provides opportunities for participation for non-state actors. Governance became a cornerstone of this partnership, going beyond just words. However, EPAs are intended to be strategies to integrate ACP countries into the global economy, but have been criticized as likely to harm economies heavily dependent on preferential access to the EU markets.

The Paris Declaration on Aid Effectiveness

Alongside the MDGs, the Paris Declaration on Aid Effectiveness is frequently referred to in EU policy instruments, although these instruments do not only concern the EU development policy framework.

This declaration was signed by donor governments in 2005, including the EU, and led by the Organisation for Economic Co-operation and Development (OECD). It is a declaration; therefore it is not binding legally.

Objectives:

- ❑ Donor governments committed themselves to 'respect partner country leadership and help strengthen their capacity to exercise it'.
- ❑ Cornerstones of the Paris Declaration are:
 1. Ownership (developing countries set their own poverty reduction strategies)
 2. Alignment (donor countries align behind these objectives and use local systems)
 3. Harmonization (donor countries coordinate to avoid duplication)
 4. Managing for results (focus on development results and measuring them)
 5. Mutual accountability (both donor and recipient partners are accountable for results).

In 2008, donor governments met to review and measure progress in aid effectiveness and recognized that little has been achieved. The Accra Agenda for Action announced steps to be implemented immedi-

ately: transparency and provision of timely information on alignment (use of recipient countries' systems for development assistance), conditionality (making public all conditions linked to disbursements) and predictability (public information on expenditure and/or implementation plans). The EU set its own priorities in this field: division of labour, country ownership (using country systems), conditionality, predictability and untying (tied aid is given on the condition that the beneficiary will use it to purchase goods and services based from the donor country).

Assessment:

The Paris Declaration resulted from the recognition that 'imposing' external aid most of the time is not very effective. Lack of ownership over the development process, as well as the outcome, creates major obstacles in managing aid flows, as recipient governments often do not have the capacity to assist 'external' projects and absorb the level of financial aid in accordance with the expectations of the various donor organizations. Since the aid effectiveness agenda lacks any clear and detailed implementation plan, it is still at the phase of recognition without practical value.

THE ROLE OF HUMAN RIGHTS IN EC DEVELOPMENT

Human rights are in the forefront of EC development policies, at least on the thematic side. Reference to the observance of human rights obligations is a regular condition in partnership agreements; however, it rarely becomes a decisive condition when the implementation of an agreement is in question. Despite human rights and fundamental freedoms being the founding principles of the common European value system and the EU (TEU Art. 6), the EU (and the EC) has been criticized for not enforcing these values and human rights obligations equally throughout all of its policies and activities. There is a condition used in trade and development agreements that partner countries must observe



human rights; however the EU has been criticized for not enforcing those requirements. EU policies in several fields are inconsistent with the supremacy of the human rights framework, and often misleading by not referring to legally accurate human rights standards but instead using the euphemisms of 'good governance', 'equity', etc. Another major issue is coherence of EU policies, both in the human rights framework, and between the various policy areas, such as development and trade policy, asylum and migration policy, etc. EU development actions and programmes should themselves be in accordance with the HRBA principles, including clarification of rules of accountability.

A sectoral instrument is allocated for human rights in the EU's development budget. The objective of human rights compliance of developing countries is a cross-cutting issue and an overall objective of all EC initiatives in the field of development.

Furthermore, the Instrument for the Promotion of Democracy and Human Rights (Regulation (EC) No. 1889/2006, substitute for former European Initiative for Democracy and Human Rights [EIDHR] programmes) specifically aims:

- ❑ to enhance respect for human rights and fundamental freedoms, democracy and democratic reform in third countries, to support human rights defenders and victims of repression and abuse, to strengthen civil society active in this field;
- ❑ to strengthen the international and regional human rights framework;
- ❑ to enhance reliability of electoral processes (election observation missions), and support for local civil society organizations active in this field.

The EC aid action refers to the Universal Declaration of Human Rights and other international and regional instruments specifically in this field, and envisions these actions being carried out mainly by civil society organizations. Beyond strengthening civil and political rights, there is special emphasis on gender equality in all areas of life.

Useful terms in EU development policy



European Development Fund (EDF): The fund was set up to finance the implementation of the Cotonou Agreement. The amount contributed by each member state depends on the GNP (gross national product) and historical ties to the ACP countries. There are two instruments for implementation: one is a grant for sector programmes, the other is managed by the EIB (European Investment Bank) and aims at boosting private investment.

Development Cooperation Instrument (DCI): This instrument is made up of five thematic programmes (Non-state actors; Food security; Investing in people; Environment; Asylum and migration; Compensations) and five geographic programmes (Asia, Central Asia, Latin America, the Middle East and the Republic of South Africa). The thematic programmes are open to all developing countries and support the Country Strategy Papers (CSPs). The DCI is part of the normal EU budget.

European Neighbourhood and Partnership Instrument (ENPI): ENPI is the instrument for supporting the European Neighbourhood Policy in a more flexible and policy-driven manner. The former TACIS (eastern neighbours and Russia) and MEDA (southern Mediterranean neighbours) programmes, as well as the European Initiative for Democracy and Human Rights have been all incorporated into this one instrument from 2007 onwards. This instrument covers individual country programmes, improved cross-border cooperation programmes, technical assistance and information exchange, and long-term twinning arrangements with EU member states' administrations among others. Geographically this is the main instrument covering initiatives for the Balkans and Turkey. The ENPI is part of the normal EU budget.



Table 2: Financial instruments of the EU in relation to development

Geographic Instruments			
Horizontal Instruments	Instrument for Macro-Economic Aid		
	Instrument for Democracy and Human Rights		
	Stability Instrument		
	Instrument for Humanitarian Aid		
	Nuclear Safety		
Development Cooperation Instrument (DCI)	European Neighbourhood and Partnership Policy Instrument (ENPI)	Instrument for Pre-Accession (IPA)	Instrument for Industrialized Countries (IC)
Five geographic programmes			
Five thematic programmes – also appropriating funds for the EDF (ACP countries) and the Global Funds and Initiatives			

PROBLEMS AROUND DEVELOPMENT ASSISTANCE

Although the EU together with its member states is the largest development donor in the world, there a number of problems regarding compliance. While the EU has reaffirmed on various occasions that it intends to maintain aid levels (though they should in fact be increased), various techniques are used to record figures which do not necessarily match actual money flows to developing countries.

Debt cancellation

While EU member states are behind with meeting their commitments regarding the level of aid, aid effectiveness and policy coherence, the aid that is accounted for is often not genuine aid. One of the methods used to create impressive numbers is including debt cancellation in the aid figures. While cancelling debts, especially in cases of Heavily In-

debted Poor Countries (HIPC), is a step towards poverty reduction, this does not mean that actual aid was disbursed. These debts were mostly accumulated (or rather imposed) decades ago on conditions which were considered dubious even at that time. Anyway, the pledges of EU member states refer to increasing aid levels – that is, actual aid to be put in place – and not creative accounting. In the Monterrey Consensus, European countries committed to not diverting money made available for development assistance by cancelling debts.

Tuition fees

Tuition fees and other costs of students from developing countries studying in EU member states are often listed as Official Development Assistance (ODA), though it is just support for the EU member state's own educational institution. It is not clear how this actually contributes to sustainable development in developing countries, rather than fuelling brain drain and creating an ever in-



EU development policy after the entry into force of the Lisbon Treaty

The expected entry into force of the Treaty of Lisbon in January 2010 will bring about a number of significant changes to the EU. The two most important institutional innovations with impact on the EU's external action concern the appointment of a permanent President of the European Council for a renewable term of two and a half years, and the new High Representative for Foreign Affairs and Security Policy and Vice-President of the Commission, who are expected to ensure the consistency of the EU's external action. The Treaty should also help the EU work more effectively and consistently in areas such as diplomacy, development, humanitarian aid and international negotiations. Importantly, it introduces for the first time a specific legal basis for humanitarian aid and the possibility of creating a European Voluntary Humanitarian Aid Corps. This provision stresses the specificity of the policy and the application of the principles of international humanitarian law, in particular, impartiality and non-discrimination.

In reference to development, the Treaty of Lisbon clearly states that the reduction and eradication of poverty is the primary objective of EU development cooperation policy. This goal must be respected when the EU implements policies likely to affect developing countries. This implies also that development policy is a policy in its own right, and not an accessory of common foreign and security policy. Specifically, **Article 21** (Consolidated version of the TEU), specifies that:

'the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.'

Article 208 of the Consolidated version of the Treaty on the Functioning of the European Union (ex Article 177 TEC):

1. Union policy in the field of development cooperation shall be conducted within the framework of the principles and objectives of the Union's external action. The Union's development cooperation policy and that of the member states complement and reinforce each other.

Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty. The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries.

2. The Union and the member states shall comply with the commitments and take account of the objectives they have approved in the context of the United Nations and other competent international organisations.

creasing need for expertise in those developing economies. Some countries even include costs incurred in services provided for refugees, although it is their obligation under international refugee law to provide those services and has nothing to do with development assistance in their respective countries of origin.

Climate change financing

Climate change financing has never been higher on the global agenda than it is now; however, there are fears that financial instruments aiming at supporting developing countries in the face of this challenge will be counted as ODA. These financing instruments should be additional to existing ODA commitments.



The role of the Commission, the Parliament and the Council

Commission: The 'RELEX-Family' is the group of Commissioners whose competency areas deal with third countries. These are the Commissioners for Development and Humanitarian Aid, External Relations and Neighbourhood Policy, Trade, and Enlargement. Their role is defined in accordance with the Commission's overall role, that is, proposing strategies, policies, legislation and action. The Commission is divided into Directorates-General (DG).

DG DEV: Development: covering the ACP countries and the Overseas Countries and Territories (OCTs), managing the thematic programmes, DCI and EDF;

DG ECHO: Humanitarian Aid: covering all countries, administers its own fund (part of it from the EDF), crisis management, in partnership with NGOs and UN agencies;

DG RELEX: External Relations: covering all developing countries outside DG DEV and DG ELARG, manages the following instruments: Democracy and Human Rights, ENPI, Stability, Nuclear Safety, DCI, IC;

DG ELARG: Enlargement: covering (potential) accession countries, managing IPA;

DG TRADE: covering all countries outside the EU;

DG AIDCO: EuropeAid: the main structure for implementing development aid from the EC budget. Co-financing NGOs, evaluation of thematic and geographic strategies and policies are part of its tasks.

EuropeAid has delegations in partner countries. Formally, the Commissioner for External Relations is responsible for EuropeAid, just as for all EU Delegations.

Council: GAERC (the General Affairs and External Relations Council) is in charge of all external relations, including Development and Humanitarian Aid. These are high-level meetings of the relevant development ministers (often the ministers of foreign affairs), held every six months on development cooperation issues. The Council's work is prepared by various bodies (Council Working Groups and COREPER I and II), consisting of the staff of the permanent representations of member states, including ambassadors. From a domestic perspective it is the ministry of foreign affairs that decides on the national positions and instructions given to the preparation committees.

The implementation of foreign policy measures and representation of the EC in international fora are mainly the tasks of the Presidency of the EU (the current President working with the previous and next presidents in a 'Presidency Trio' on a rolling basis). The Presidency is supported by the Commission and the High Representative for the Common Foreign and Security Policy (these three commonly referred to as the Troika).

Parliament: There is a separate committee for the issues of development (DEVE). If a report is to be drawn up on any given development issue, a Rapporteur is appointed (consequently shadow rapporteurs are selected in all other parties as well), to present the report in the Parliament, which after voting will then become the final position of the European Parliament (EP).



Street vendor in Accra, Ghana. Source: Balázs Lerner

CHAPTER III

OVERCOMING DEVELOPMENT POLICY CHALLENGES IN NEW MEMBER STATES

This section gives a picture of the special context of international development in the NMS, which mainly originates from their particular historical background. This gives rise to some comparative advantages, which are listed, and discussed in terms of whether they are real advantages for the NMS themselves. A thorough overview of challenges and possible ways for improvement follows in the context of the human rights-based approach to international development.



NEW MEMBER STATES' CIVIL SOCIETIES AND INTERNATIONAL DEVELOPMENT

Following the fall of the Berlin Wall, there was a flurry of interventions in the former communist bloc by external donors, most of them from the old member states, focused on supporting democratization and the rule of law, and strengthening democratic institutions, decentralization and the market economy, among others. An important aspect of such interventions was the support for the creation and strengthening of civil society.

A proliferation of NGOs characterized much of the 1990s; some, such as church-related organizations, gained extensive experience of the field of aid and relief. As civil society strengthened and began to articulate its advocacy agendas, it also attempted to engage in dialogue with different ministries and establish itself as an interlocutor to be consulted on a variety of issues. These efforts, however, were frustrated by a lack of openness, suspicion and a general lack of capacity on the part of state officials to engage with civil society. The concepts of accountability and transparency were quite alien at the time. NGDOs found themselves in a particularly unfavourable position since the ministries of foreign affairs were reluctant to cooperate with NGOs in the period from 1990 to 2004, a situation which has changed since the countries' accession to the EU. The difficulties were further exacerbated by a lack of knowledge and capacity on the part of both the civil and governmental sector to engage on issues of international development cooperation, human and minority rights and human rights-based approaches to development.

Although inter-sectoral communication has since improved, an understanding of human rights-based approaches to development, and an awareness of their benefits, are still insufficient, both among government officials and NGO activists. Much work remains to be undertaken so that the relevant actors are sensitized and educated on the importance of

such approaches, and how they can contribute to more effective development aid: development policies and assistance will be successful only insofar as they are inclusive of socially marginalized communities such as ethnic minorities, women and persons with disabilities.

As NGDOs based in the NMS today are more deeply involved in international and EU-level discussions, recent challenges and new trends in development discourse have brought about a commitment to paradigm change at both the EU and national levels. EU NGDOs found that the *MDG paradigm should be criticized*. The discussion is still running regarding what the options may be. It seems that a new approach, the *human rights-based approach* – a framework of principles – might take over the struggle to fulfil the MDGs' indicators and goals. The HRBA may offer a universal language and more influential arguments when rights are clearly harmed – which happens in all societies, just like unequal access to resources. Within this framework, the HRBA is gaining relevance and may become more popular in the NMS, as well.

NGDOs' national platform in new member states

Adapting the old member states' model, new members' NGOs identified themselves as being NGDOs, and formed their national platforms. This was partly a response to a concern in the old member states at the lack of preparedness of NMS to fulfil their roles as donors. As a result, efforts were combined and the NGDOs could lobby ministries of foreign affairs or other institutes with united force, even if cooperation between NGDOs still needs to be further developed and better managed. The platforms became members of EU-level advocacy networks, and created thematic working groups harmonizing with EU networks' working group system.

One of the most well-known advocacy and lobby networks in Brussels is CONCORD, the European NGO Confederation for Relief and Development.



Its 18 international networks and 22 national associations from the European member states represent more than 1,600 European NGOs vis-à-vis the European institutions. The main objective of CONCORD is to enhance the impact of European development NGOs vis-à-vis the European institutions by combining expertise and accountability (**read more**). All NMS' platforms are members and are obliged to pay the annual membership fee, which proved to be a real challenge for them.

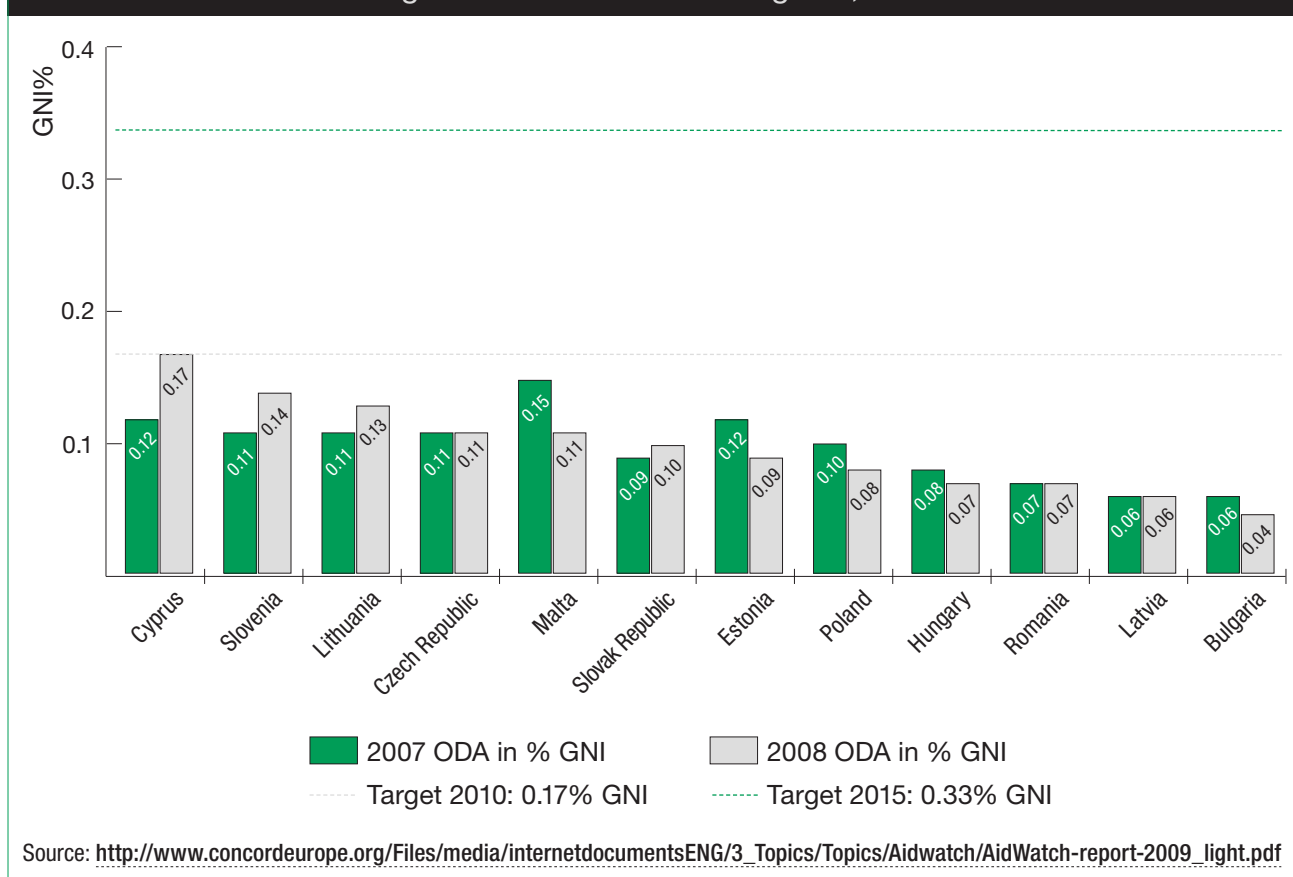
One CONCORD project is TRIALOG, which is based in Vienna and promotes capacity-building for NMS' NGDO platforms and their member organizations. CONCORD also helps NMS' platforms and their members to become more active in global education through its Development Education working group and the DEEEP (Development Education Exchange in Europe Project), which organizes annual summer

universities on development education questions. The main activities of most NMS' NGDOs, which lack field experience, is development education and lobbying around ODA targets and commitments in their home countries.

There is a missing link between NGOs working on human rights protection and NGDOs. The activities of these two groups may overlap in certain areas as some human rights defenders are basically doing international development work, although they would not call it that. As a first step, these two groups of organizations should establish a relationship and set aside time and space for mutual learning and cooperation.

Some positive results have been seen over the past three years:

Figure 1: EU-12 official aid figures, 2008





- ❑ Some NGDO platforms are active and they are consulted for example about ODA law or other questions, such as country strategy papers or the ODA grant system. (The Hungarian Ministry of Foreign Affairs and the Hungarian NGDO platform have been running consultations every two months since 2008.)
- ❑ NGDOs' capacities have been strengthened: for example financial capacities have been strengthened through accessing EuropeAid resources; human resources and advocacy skills have been developed through training programmes, seminars, conferences, etc.
- ❑ A working partnership has been developed among NMS' NGDOs, and between new and old member states' NGDOs.
- ❑ Brussels-level connections have become stronger through EU network memberships, like CONCORD.
- ❑ An increasing number of NMS' NGDOs participate in EuropeAid-supported development, awareness-raising and development education projects.

NMS' NGDOs proved to be successful in the following areas:

- ❑ *awareness-raising and development education activities*: i.e. publicizing development issues through organizing public events and building relations with the media, training journalists, lobbying at national and European parliamentary level, building relations with schools and teachers, promoting and running global education programmes, advocating at ministries;
- ❑ *think-tanks*: i.e. being consulted about ODA policies and strategies, participating in the preparation of country strategy papers;
- ❑ *development policy watchdogs*: i.e. preparation of annual aid watch reports;
- ❑ *advocacy* for global responsibility and for the needs of the NGO sector;
- ❑ *partnership*: (1) establishing connections to local partner NGOs and representing their needs; (2) developing cooperation with different sec-

tors in the EU: successfully connecting to other NGDOs; such connections are weaker with the governmental sector and weaker still with the business sector;

- ❑ *mediatory role between the EU and the national level*: NGDOs are members of Brussels-based networks and participate in lobby and advocacy work at the EU level;
- ❑ *know-how*: NGOs react more quickly to new trends in development than governments;
- ❑ *promoting international standards in development*: programme implementation should follow the principles of transparency, accountability, ensuring equal rights, non-segregation, multi-stakeholder approach, ownership, etc.

THE HISTORICAL CONTEXT AND COMPARATIVE ADVANTAGES OF NEW MEMBER STATES

There are obvious differences between the old and NMS' development context. These have their roots in the historical and ideological past, and can add value to international development policy. However, they also pose specific challenges. By understanding their own development and transition history, NMS can provide relevant expertise and know-how for the developing world. This heritage can be positively harnessed by NGOs working on development issues.

The NMS are former aid recipients and do not have a colonial past. Therefore they enter international development from a different political and ideological context to that of the EU-15.

Disadvantages?

The NMS:

- ❑ lack links to partner countries and traditional development partners of EU members;



- ❑ have few connections to and experiences of development cooperation that would help in clarifying the terms of development, creating and renewing their development policies, and searching for development policy options;
- ❑ inherited the international development agenda as an obligatory and indivisible part of joining the OECD or acceding to the EU with the application of the *acquis communautaire*, thus they were not formulating such an agenda and have less influence on the international (EU or global) development policy-making levels;
- ❑ acted as donors, during socialist times, for some Asian, African or Latin American countries, creating connections that are still active today, and also serve as the basis of current ODA country strategies in NMS;
- ❑ experienced how communist regimes undermine faith in volunteerism and the capacity of state to promote development.
- ❑ transition expertise relevant across the development world in relation to:
 - democratization
 - market reform
 - environmental clean-up
- ❑ EU accession experience
- ❑ experience in cross-border cooperation with Eastern European countries and the Western Balkans
- ❑ cultural, linguistic affinities vis-à-vis Western Balkans and Commonwealth of Independent States (CIS) countries for example.

After becoming member states, these countries started their more or less active involvement in the EU's international development activities. They are still in the process of learning about what it means to become a donor country after being a former recipient country.

Advantages

NMS have a great deal of knowledge related to their transitional experience, which can be exploited as their added-value in development policy. Having been on both sides of donor-recipient relationships (although on different basis from the least developed countries [LDCs]) can promote an understanding of partnership in development cooperation. They can share their experience based on their development and transition success stories.

The typical elements of the comparative advantages of NMS were identified and expressed as follows:

Latin-American countries offer a special case. Because of their socialist/communist approaches and the ideologies still deeply embedded in their societies today, they seek connections to ex-socialist NMS.

The lack of a colonial past means NMS' governments do not have a bad conscience in this respect, thus they may create a more healthy relationship with partner countries.

The European Commission has increasingly emphasized good governance and democratization in its international development agenda. Now the Directorate-General Development of the EC has put together an initiative, the European Transition Compendium (ETC), which aims to collect experiences of managing transition from NMS' governments in order to strengthen their role as EU donors and their contributions to EU development policy.

However, this raises the question: if the transition experiences were driven by and based on the wish to join EU in NMS, then how can these experiences be relevant for LDCs or for other countries that are not affected by EU accession? What are the 'universal' elements of the transition experience that can be adaptable everywhere?



CHALLENGES FOR NEW MEMBER STATES AND POSSIBLE WAYS TO OVERCOME THEM

A. Financial challenges

There is a lack of funds for international development activities in national budgets.

- ❑ In the recent global crisis governments have been holding funds back or decreasing the level of ODA.
- ❑ In some NMS (mainly those that are active in Afghanistan) the Ministry of Defence is lobbying to take over the funds for international cooperation.

Table 3: EU ODA commitments	Target (ODA as % of GNI)	When
EU collective target	0.56	2010
EU-15	0.51	2010
	0.70	2015
EU-12	0.17	2010
	0.33	2015
Countries with more ambitious targets		
Belgium	0.70	2010
Denmark	0.80	2010
Ireland	0.70	2012
Luxembourg	1.00	2010
Netherlands	0.80	2010
Spain	0.70	2012
Sweden	1.00	2006
UK	0.70	2013
Countries which have lowered their commitments		
Estonia	0.10	2010
Greece	0.35	2010
Latvia	0.10	2010

Source: *Lighten the load* p. 6

B. Self-identification in the global arena and choosing priorities for international development

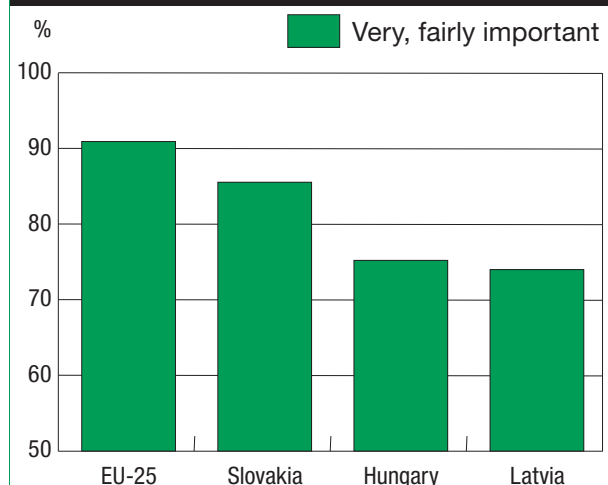
- ❑ In order to consciously determine priority countries, NMS need to re-define themselves as EU or global actors, to change their view about foreign affairs; this is still in process.

- ❑ Most NMS are influenced only by international commitments, or rely on connections built up during the socialist era to determine priorities or choose partner countries.
- ❑ Without a specific strategic international development policy, NMS tend to choose too many target countries.
- ❑ NMS hardly include any LDCs on their list of priority partner countries, although they are in most need of support and cooperation. A strong Africa focus, also represented during the German EU Presidency, must be taken into account. This is especially important in NMS where the lack of the colonial past or other historical relations does not serve with arguments for initiating partnership with countries in Africa.

C. Society's support for international development

- ❑ The wider society in NMS is unfamiliar with international development obligations, although some research contradicts this statement (e.g. OECD public opinion poll about the popularity of MDGs in 2007, or some Eurobarometer research).

Figure 2: Is development cooperation important?





- ❑ Government communication about international development is weak (NGDOs' awareness-raising projects financed by EuropeAid are the main information resource).
- ❑ Capacity-building of the media and Parliamentarians is of key importance (also covered mainly by NGDOs' projects supported by EuropeAid).
- ❑ There are few school programmes or courses run by NGDOs cooperating with schools or higher education institutions in operation (the Latvian government is strongly cooperating with the Latvian NGDO sector and has worked out a development education (DE) strategy for Latvia, but in other NMS DE is not acknowledged on the governmental level). Development or global education should be introduced for different school levels; in some countries intervention of the ministry of education and official accreditation processes can be crucial.
- ❑ The importance of more intensive awareness-raising, development education and communication in EU societies was clearly acknowledged and articulated by partner country representatives. Key actors, such as MPs and the media, as well as the wider society, are not familiar with international development questions and what global solidarity and responsibility means.

D. Follow and keep up with new trends, paradigms in the field of international development cooperation

- ❑ NMS tend to follow EU or global agendas, but the adaptation of approaches and mechanisms takes time, thus NMS are always behind the actual trends (e.g. NMS are still struggling to popularize the MDGs – including within the NGO sector, while among the EU-15, criticism of the MDGs has been running for several years; another example is switching from aid effectiveness to development effectiveness).
- ❑ It is necessary to reframe 'lack of experience in international development cooperation', as it is not true that NMS have never carried out international

development initiatives or have no experience in this field, but NMS need to redesign their development cooperation agendas and approaches.

- ❑ The proportion of bilateral cooperation programmes should be increased.
- ❑ Multilateral aid should be decreased, but in a healthy balance so that the expectations of multilateral organizations are also met.
- ❑ The capacity of ministries of foreign affairs must be increased so they can present issues of international development in their governments and argue with the ministries of finance, the armed forces or other ministries.

E. Challenges regarding programmes, projects and priorities

- ❑ The move from projects to programme-based approaches initiates a more comprehensive approach that is key to decreasing poverty.
- ❑ In order to design programmes, donor coordination is crucial.
- ❑ It is necessary to improve project or programme design according to the project cycle management (PCM) approach, in terms of:
 - monitoring and evaluation
 - measuring impact and demonstrating results
 - the strategic design of international development projects (however NMS governments have little knowledge of PCM).

F. Challenges regarding institution building, partnerships

- ❑ NMS are still weak in the area of designing and building solid institutions and systems for distributing ODA funds. This is understandable as they have only just become donors. Without such institutions and systems, policy-making and the distribution of ODA is not transparent and accountable. There is a lack of:
 - national ODA institutions
 - human resource management
 - the will to build institutions.



❑ Strengthening delivery of and support for ODA via partnerships:

■ Internationally

- partnership agreements should be signed with target countries
- there should be more effective use of multilateral platforms and follow-up regarding where the money goes
- both partner countries' and NMS' NGOs request an intensifying of bilateral aid. For example, according to government officials from Ethiopia bilateral cooperation is preferred because this gives a stronger sense of ownership and partnership. Most NMS allocate more of their ODA to multilateral aid, although ministries of finance are clear that this means there is less accountability.

■ Domestically

- NGOs must strengthen their own capacity to advocate for the implementation of human and minority rights through acquiring a better understanding and overcoming their reluctance to incorporate the HRBA in their work.
- Private sector – preparation and training programmes are necessary in order to access the EDF, possibly through projects involving cooperation between business, NGO and state sectors
- Partnership between the different ministries still needs to be developed. This is strongly connected to policy coherence, at the EU and the national level. Most NMS allocate more ODA to multilateral aid, as favoured by ministries of finance, although accountability is weak for such spending. On the EU and national level, policy coherence presents huge challenges, as trade interests often collide with international development interests.
- Some NMS have not passed an ODA Act. In most cases, ministries of finance do not support this, as it requires

amendments to other regulations. Ministries of foreign affairs are weak when it comes to lobbying for ODA at the government level in several NMS.

- A multi-stakeholder approach is lacking, as a result of the lack of strategic planning.

❑ Partnerships and the global development agenda:

- NMS do not participate in formulating the EU or global agendas. MEPs of NMS need to be more informed regarding international development cooperation, and other channels must be found so the NMS have a voice in the European Council development agenda, as these states have not yet developed the necessary partnerships to be able to participate.
- There is a need to develop a comprehensive policy in partnership with other member states – but NMS are then designated as 'junior' partners.
- There is also a need to secure funds for exchange programmes, internships between development actors, or for study trips to gain missing experience.
- And cooperation between the civil, governmental and business sectors must be developed and strengthened.

G. Challenges regarding reaching the targets and increasing ODA – the involvement of new member states in development cooperation with LDCs

❑ Global trends, economic crisis vs. increasing ODA

- Globalization, the new socio-economic trends, the recent economic crisis and climate change mean NMS face new challenges like other EU member states or other countries in the world.
- The reason for not choosing LDCs as priority countries in NMS is not only because of the lack of a colonial past. NMS have smaller resources for ODA and, because of the economic crisis, even this small amount is likely



to decrease. EU regulations enable NMS to come up to the EU average gradually.

- Today multilateral and international organizations, and the EU all clearly state that the MDGs and the 2015 commitments will not be fulfilled. Following this trend, NMS' governments began to communicate this message, instead of searching for solutions.
- NMS have small funds for international development cooperation, but if these small funds are combined and several such states cooperate to focus, for example, on one region, then more comprehensive support could be provided to a partner country and coordination between the NMS donors could be improved.
- If states intend to cooperate with target countries at the level of the state (as has been stated by governments in several fora), then another solution is the decentralization of ODA funds with the involvement of regional and local authorities in NMS that would anyway more easily cooperate with NGOs. NMS' local governments have yet to take up positions regarding ODA. At the European Development Days in 2008 decentralization of aid was the main focus. However, several NMS city councils signed an expression of interest in joining international development efforts.

IMPROVING THE PARTICIPATION OF NEW MEMBER STATES' NGDOS IN INTERNATIONAL DEVELOPMENT COOPERATION

- Financial difficulties
 - Resources are shrinking and sustainability of the smaller NGOs or even of platforms is in doubt.
 - NGOs in NMS (apart from some large ones) have insufficient human and financial resources to employ an advocacy officer to

represent them in Brussels, to update the organizations about the most current issues, to participate in lobbying, policy formation, discussion of strategy and research and publication.

- NGOs are overwhelmed with projects, many of them are burnt out in the daily fight for survival.
- Non-transparency of money flows: in some NMS (e.g. Hungary) the distribution of ODA funds is basically uncontrolled, not transparent and not accountable, and data is inaccessible.
- Limited partnerships:
 - Old member states' NGOs do not necessarily want to involve NMS' NGOs on cooperation projects, although they need the latter's NGOs to be more successful in accessing EU funds. This necessity also supports an active search for partners and the development of cooperation between old member states' NGOs and NMS' NGOs.
 - NMS' governments still do not fully acknowledge NGOs to be partners in ODA.
 - It can be problematic to manage the different views within national platforms and become a trustworthy partner.
 - Reaching out to local government would start from zero, and a strong advocacy would be needed, as it was earlier with the government.
 - NMS' governments and NGOs do not have well-developed networks with partnership countries' actors, despite the importance of participatory approaches and strong cooperation and partnership with partner countries' governments, NGDOs, businesses, in the project cycle, including the planning and evaluation stages. Both EU and non-EU actors (governments or NGDOs) must cooperate to enable partner countries to initiate policies and to empower them to represent their interests more effectively. Lobbying work still can be carried out jointly.



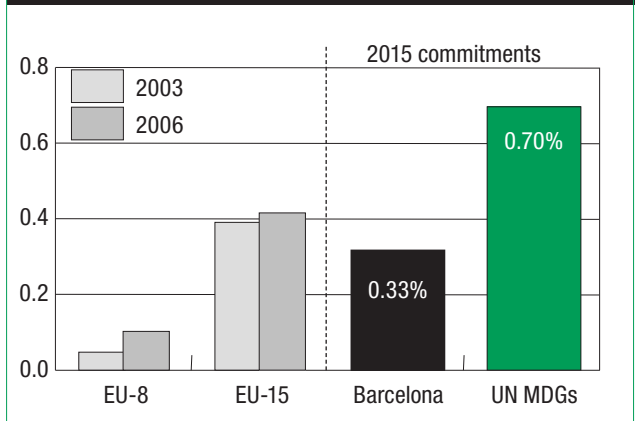
❑ **Missing field experience:**
 It is difficult for NGOs in NMS to gain field experience beyond their own neighbourhoods, as resources for study trips are unavailable. Only large NGOs (mainly church organizations) have field experience in other continents. Such experience is important for success in making grant applications. However, some partner country representatives prefer NMS to focus on empowerment in their projects rather than infrastructural development. Partner countries' NGOs emphasize their own need for skill development, enabling them to make their own developments, such as building schools. They ask EU NGOs for help with capacity-building, e.g. how to cooperate or access resources more successfully. They also ask that NMS' NGOs carry out awareness-raising projects, to make European societies conscious about their situation and to convince politicians to put forward policies that do not marginalize them even further. Partner countries' NGOs also request projects that take into account their own long-term impact on creating an enabling environment and empowering the target groups.

■ *Missing experience in applying horizontal principles*

In EU proposals horizontal principles such as gender, the environment and sustainability have been present for a long time now. Most NGOs are aware that these values should be thoroughly represented in any EU projects. However, looking at aid effectiveness statistics, it is clear that gender mainstreaming requires a stronger emphasis, as do climate change and sustainability.

NGOs initiated the creation of the Open Forum to connect the separate initiatives around self-evaluation by governments, donors and NGOs. Anyone can join the platform and share experiences, knowledge, doubts, raise questions or ask for help to measure not only 'aid effectiveness' but also the new paradigm of 'development effectiveness'. (Open Forum for CSO effectiveness: <http://www.cso-effectiveness.org/>)

Figure 3: Small shares of GNI devoted to ODA...



Source: Ben Slay, director of the UNDP Bratislava Regional Centre

■ **Measuring development effectiveness**
 Having criticized governments and the business sector's interventions, and having discussed aid effectiveness and published aid watch reports, NGOs have now raised the issue of measuring their own effectiveness. A new multi-stakeholder platform was created, as all social actors involved in international development are willing to evaluate their own work or to be evaluated, otherwise it is impossible to measure impact.



Fuel tank in Tema, Ghana. Source: Balázs Lerner

CHAPTER IV

CASE STUDY: PRACTICAL EXAMPLES OF DEVELOPMENT POLICIES IN NEW MEMBER STATES

This section provides an overview of the ODA structures of the four Visegrad countries (V4). The Czech Republic, Hungary, Poland and Slovakia share many historical ties and a common frame of reference, and this is mirrored in development cooperation as well. Also, these countries see each other's performance as comparable with their own, whereas it is often difficult to discuss, say, Scandinavian examples with ministry of foreign affairs officials, because they see them as irrelevant. There are a few geographic areas where all the V4 countries have a presence; this does not necessarily mean there are focused and coordinated efforts by these states, however. This section is concerned only with general structures and tendencies of V4 ODA structures, since these systems are undergoing constant change. It is clear that the donor position is not fully elaborated, responsibilities and partnerships are often not clearly defined, and therefore it can be argued that the V4 states are still in the transition phase when it comes to development assistance to developing countries.



LEGAL AND POLICY FRAMEWORK FOR DEVELOPMENT

The similarities of the legal and policy frameworks of the V4 countries result mainly from EU accession. The first government initiatives were undertaken in the second half of the 1990s (Czech Republic: 1995; Poland: 1998; Slovak Republic: 1999; Hungary: 2001). EU accession required the NMS to implement a number of international agreements including the:

- Cotonou Agreement
- Monterrey Consensus
- UN Millennium Declaration and the MDGs.

EU membership also brought a duty to enter the global arena as donors and to set up structures for ODA. All the V4 countries integrated their ODA structures into their ministry of foreign affairs as the task of development cooperation was seen as a classic foreign policy issue, to be conducted in a highly centralized manner and utilized for the purposes of security and regional geopolitics.

V4 states had issued their development policy statements by the time of their accession, however these were criticized for:

- lack of broad-based consultations
- focusing on neighbouring countries
- prioritizing political stability and regional security over poverty reduction
- ad hoc institutional arrangements
- poor legislation
- lack of capacity
- understaffing and lack of expertise on the part of the relevant ministry of foreign affairs department
- limited coordination of fragmented systems (too many small projects in too many target countries).

These problems result in lack of transparency regarding ODA, inefficient programming and problems with management. Improvements in ODA structures have been slow since EU accession (2004), however, some countries have managed to work on improving their efficiency.

Improving development institutions and cooperation



Czech Republic: as of 1 January 2008, the Czech Development Agency (CZDA) was established to manage ODA projects. The International Development Cooperation Council (IDCC) was set up as an advisory body, continuing cooperation with the line ministries. The IDCC includes NGDO representatives, organized as the Czech Forum for Development Cooperation (FoRS).

Slovak Republic: as of 1 February 2008, the Slovak ODA structure is governed by specific legislation by Parliament (and not only by the government of Slovakia). The Slovak Agency for International Development Cooperation was set up, taking over management of ODA instruments from the Slovak-UNDP Trust and the Bratislava-Belgrade Fund. The legislative process included NGO–government cooperation through the NGDOs’ platform, which is good practice.

Hungary: the drafting process for the legislative framework for ODA has been ongoing for years; as yet no bill on ODA has been introduced in Parliament. The Ministry of Foreign Affairs has been consulting with NGOs prior to ministerial-level drafting; however, there are no clear results so far. Although the ODA government department considers the Hungarian NGDO platform (HAND) in its preparatory work, other line ministries, including the Ministry of Defence, completely disregard NGO involvement.

Poland: a long drafting process has been ongoing, but lack of political will and resistance on the part of the Ministry of Finance have been major obstacles to producing a legislative framework. The Ministry of Foreign Affairs held consultations with the Grupa Zagranica NGO platform, yet its proposals were not considered when discussing multi-annual programming and more efficient ODA structures.



Responsibility for development policy

The responsibility for development policies lies with the respective ministries of foreign affairs of the V4 countries, and ultimately with the governments. Despite their EU commitments and declarations, V4 countries clearly look to their own regional security purposes when it comes to determining development policies. The EU and international policy framework (e.g. the MDGs) are often referenced, but the ODA policies do not follow MDG indicators, nor is the impact of ODA assessed in terms of fulfilling the MDG agenda. The MDGs play a much more significant role, however, in terms of awareness-raising and global education projects.

FINANCING LEVELS AND COMMITMENTS

In 2005 the General Affairs and External Relations Council for the EU agreed that member states acceding to the EU after 2002 should increase their ODA budget allocations to the level of 0.17 per cent ODA/GNI by 2010, and 0.33 per cent ODA/GNI by 2015. This was reaffirmed in the European Consensus on Development. Furthermore, the Monterrey Consensus declared that they should take effective measures towards the ODA target of 0.7 per cent of GNP.

Multilateral and bilateral aid allocations

The percentage of bilateral aid within ODA in the V4 countries fluctuates greatly. The figures given in the various reports, and OECD statistics, are problematic as bilateral aid often contains inflated aid figures,

Bilateral ODA: grant or loan in accordance with the OECD definition, directly provided by a donor government to a developing country government.

Multilateral ODA: budget allocations of various countries through an intermediary international organization (often a UN agency, or EU institution). The aid is provided in the form of membership fees.

for example including debt relief, tied aid credits or, in some cases, aid projects implemented by the military (under the command of the Ministry of Defence) in foreign missions to Iraq or Afghanistan.

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NGDOs criticize the ODA allocations of NMS because bilateral aid often does not focus on the MDGs but is spent for purposes of regional security or to fulfil international commitments regarding post-war reconstruction. Some governments argue that much multilateral aid is already spent on the MDG targets in LDCs. However, aid inflation mainly concerns bilateral allocations. For example, in the case of Poland 88 per cent of bilateral aid in 2007 consisted of inflated aid components (debt relief, tied aid connected to preferential credits, foreign student grants, etc.), according to NGDO estimates.

Table 4: V4 countries' ODA 2004–8

Year	Czech Republic ODA/GNI%	Hungary ODA/GNI%	Poland ODA/GNI%	Slovak Republic ODA/GNI%
2004	0.11	0.07	0.05	0.07
2005	0.11	0.11	0.07	0.12
2006	0.12	0.13	0.09	0.10
2007	0.11	0.08	0.09	0.09
2008	0.11	0.07	0.08	0.10

Source: <http://stats.oecd.org/Index.aspx#>



THEMATIC AND GEOGRAPHIC POLICY PRIORITIES

Policy priorities are defined in the respective national ODA strategies, and are accompanied by a limited number of Country Strategy Papers (CSPs). Thematic priorities rarely reference poverty reduction; they focus on the comparative advantages of each V4 country and highlight the potential transfer of the transition experience. The geographic focus rarely follows the EU's logic: target countries are mainly defined by security, foreign policy, international trade relations and historic relations between them and the donor countries. This also means that the potential transfer of transition experience is based on socialist-era connections with developing countries rather than careful assessment of whether this experience could be useful in the case of developing countries.

Czech Republic

Sector focus: health care, education, energy production and selected areas of engineering and environmental protection.

Geographical focus: Angola, Bosnia-Herzegovina, Moldova, Mongolia, Serbia, Vietnam, Yemen, Zambia. There are CSPs for all of these countries but not for Iraq and Afghanistan, even though they are medium-term priority countries.

Hungary

Sector focus: transfer of transition experience, knowledge-based assistance, education, training of experts and technicians, health services, agriculture, water management and developing water resources, developing general infrastructure, providing technical advice on environmental protection.

Geographical focus: Bosnia-Herzegovina, the Palestinian Authority, Serbia, Vietnam. Further project partner countries are being considered:

China, Kyrgyzstan, Macedonia, Moldova, Mongolia and Ukraine; moreover LDCs appear on the list: Cambodia, Ethiopia, Laos and Yemen, and there is a vague reference to sub-Saharan Africa as a region. International commitments in Afghanistan and Iraq take up an increasing portion of the ODA. Hungary has elaborated CSPs for Bosnia-Herzegovina, Serbia and Vietnam, and the CSP for Moldova is in progress. The CSPs have been criticized for their vagueness and lack of clarity regarding strategy.

Poland

Sector focus: health protection, education and science, access to potable water, environmental protection, consolidating local structures, support for democratic institutions and systemic transformation, improvement of public administration efficiency, development of cross-border cooperation and sector restructuring. The CSP for Georgia is the most advanced, due to the intense involvement of Poland in aid activities after the last Georgia–Russia conflict.

Geographical focus: Afghanistan, Angola, Georgia, Iraq, Moldova, the Palestinian Authority, Vietnam and some Central African countries.

Slovakia

Sector focus: developing democratic institutions and a market environment (transition experience), infrastructure (including social infrastructure), landscaping, environmental protection, agriculture, food safety and the use of raw materials (forestation, irrigation systems, etc.). There is a CSP only for Serbia

Geographical focus: main target countries are Serbia and Montenegro, project countries include: Afghanistan, Albania, Bosnia-Herzegovina, Cambodia, Kazakhstan, Kenya, Kyrgyzstan, Macedonia, Mongolia, Mozambique, Sudan, Tajikistan and Uzbekistan.



In all the V4 states, the preference for neighbourhood-driven policy and the regional focus (Western Balkans, Eastern neighbouring countries, Central Asia and post-socialist ties to Vietnam) can be observed. The strategy papers and ODA policies lack mid- and longer-term approaches (with the exception of the Czech Republic), and are criticized for lacking strategic programming efforts. The policies of V4 countries clearly mirror the two-sided position of these states: one side looks back and is focused on historic connections and current security priorities; the other side looks forward, and is trying to incorporate EU demands and global commitments into ODA strategies. These differing intentions result in a lack of transparency and failure to build expertise and capacity.

Relations with NGOs

ODA-related information is often regarded as not public, despite the general democratic notion of transparent budget spending. This is the result of ODA being part of foreign policy and old political mechanisms are at work. Another reason is that often ODA expenditure is fragmented among the various line ministries, and data-gathering and management is not well organized. Most of the data provided on ODA is *post factum*. The lack of monitoring and evaluation processes adds to this problem.

Consultation processes are driven by the pressure from NGDO platforms; these efforts often remain

a post-drafting commenting opportunity, however, resulting in a lack of consideration of NGDO arguments by relevant government bodies. In some countries only a small portion of ODA is spent on projects in partnership with NGOs, whereas in the Czech Republic, due to the more continuous expertise and focus, there is more of this kind of expenditure.

CHALLENGES: THE GAP BETWEEN POLICY AND PRACTICE

The weakest point of V4 ODA structures is monitoring and evaluation. In all cases the usual regulations apply in the case of ODA expenditure, since these are state budget lines as well. However, there are no mechanisms for monitoring and evaluating project design and implementation, or the accuracy, efficiency and transparency of these programmes. In Poland and in Hungary, the more powerful line ministries (Ministry of Defence) are attempting to take over the agenda, claiming that development work carried out by the armed forces is more efficient than NGOs' work, although this argument is not supported by any evidence (there is no monitoring and evaluation, except in the case of EC-funded development projects carried out by NGOs). Furthermore, the armed forces are not in a position to implement development efforts in accordance with the requirements of partnership and transparency, let alone the HRBA.



Military parade in a Saharawi refugee camp, Algeria. Source: Balázs Lerner

CHAPTER V

DEVELOPMENT EDUCATION: WHAT IT IS AND WHY IT MATTERS TO NGOs

Development education and advocacy are essential tools to tackle the causes of global poverty. Applied in Europe, they aim to change policies and societies in order to contribute to fairer global relations, and to limit the harm of individual or collective behaviour in the North (of citizens, companies, states ...) to sustainable global development.



While development cooperation, as defined by the dominant actors such as the OECD Development Assistance Committee (DAC), is situated within the international aid agenda (MDGs, aid effectiveness debate, etc.), DE goes beyond the aid question: it is not (only) about creating public support for development policies, but also discussing issues of global trade, migration or climate change – policy fields which have a much more important impact on development than the aid programmes of donors. Therefore, it is close to the field of policy coherence for development (PCD), which looks at the overall development impact of rich countries’ policies, and which is increasingly important for the NGO sector.

The following section will provide:

- ❑ An introduction to DE and its importance
- ❑ An overview of DE practices in the Europe with a special focus on NMS of the EU
- ❑ An introduction to planning advocacy activities.

WHAT IS DEVELOPMENT EDUCATION?

CONCORD, the European Confederation of Development and relief NGOs defines DE as follows:

- ❑ Development education is an active learning process, founded on values of solidarity, equality, inclusion and cooperation.
- ❑ It enables people to move from basic awareness of international development priorities and sustainable human development, through understanding of the causes and effects of global issues, to personal involvement and informed action.
- ❑ Development education fosters the full participation of all citizens in worldwide poverty eradication, and the fight against exclusion. It seeks a more just and sustainable economic, social,

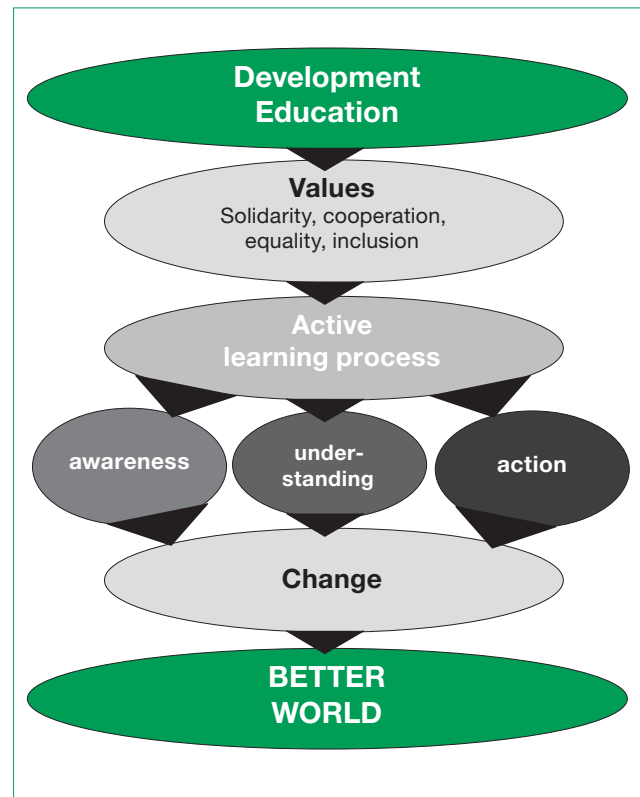


Figure 4: Development education

environmental, and human rights-based national and international policies.

While the growing number of actors in the sector provide a broad range of definitions of DE, the above statement includes the main elements of the concept. The ultimate aim is a more just and sustainable global development through influencing behaviour and policies in the North. The target group of a DE activity should go through a process – from awareness to understanding to action.

The message of DE is that everyone can contribute to social change. All DE activity should provide concrete ways for people to get involved. Over time, successful DE will lead to societies of conscious and empowered citizens, which will contribute to a transformation of the global economy and power relations towards more just and sustainable global development.



Development education and other types of education

DE is closely linked to other fields and concepts of education, such as human rights education or education for sustainable development. These different concepts often overlap. The overarching concept is 'Global education'. 'Global' refers to the content (on world issues) as well as to the methods of a holistic pedagogic approach. DE and global education are used as synonyms by most of the main actors in the sector, such as the CONCORD Development Education Forum, the Global Education Network Europe

(GENE) or the European Development Education Multi Stakeholder Steering Group.

As it is based on holistic, learner-centred pedagogic concepts, the methodology used in DE activities should comply with the following, non-exhaustive checklist:

- Personal – connecting local and global
- Participative – working with, not for the target group
- Creative – using all senses, not just speech
- Irritating – using contradictions, not hiding them
- Motivating – showing ways to get involved.

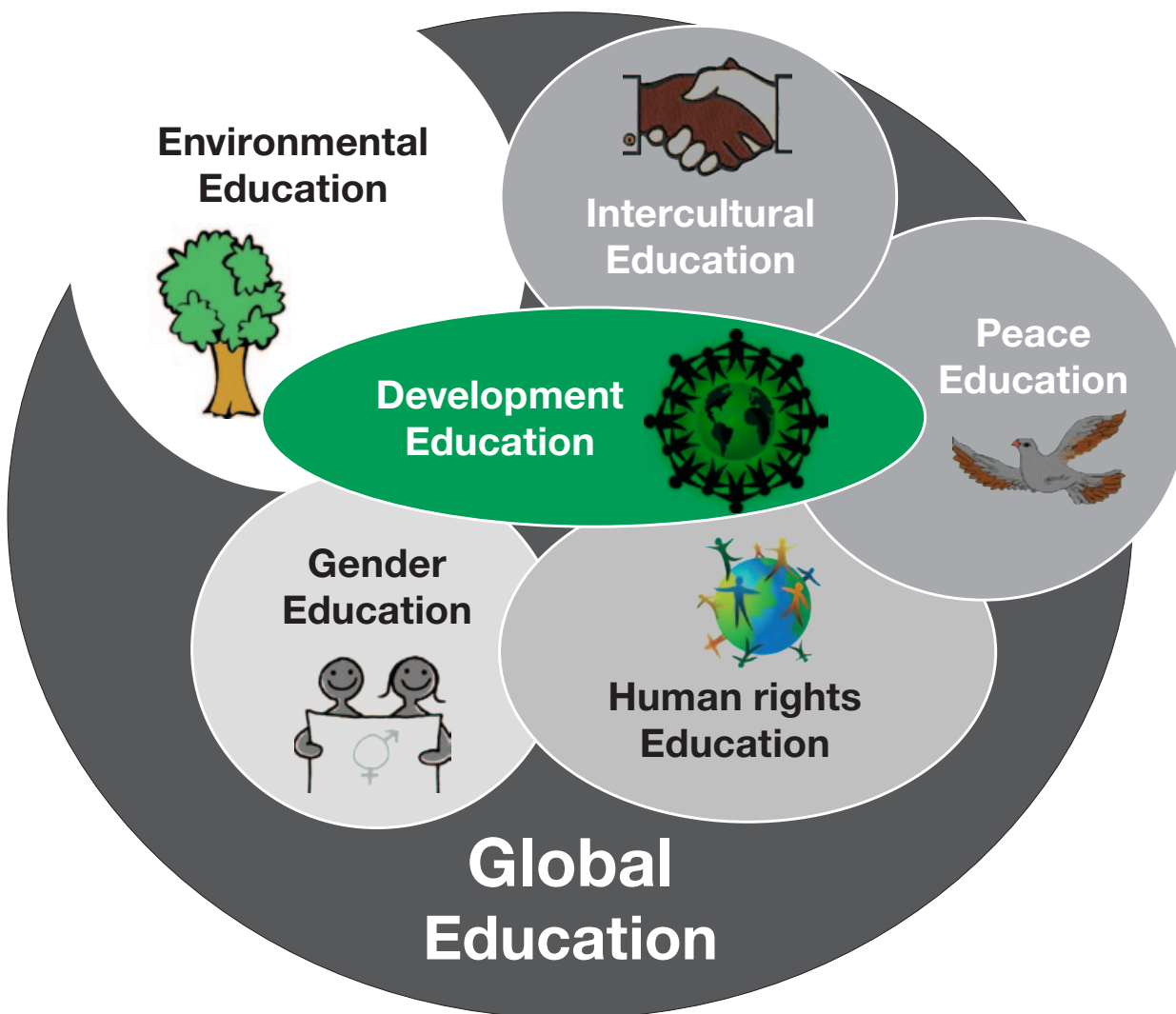


Figure 5: Global education

Take every penny you have set aside in aid for Tanzania and spend it in the UK explaining to people the facts and causes of poverty. (Julius Nyerere, former president of Tanzania)



Development education as a political act

Beyond its educational character, the final objective of DE is strongly political: through the change of attitudes and behaviours of citizens (including decision-makers), a change in politics and societies will be achieved. This happens through a broad range of activities and action fields, from awareness-raising to formal and non-formal learning processes to campaigning and political advocacy work. In this sense, education as a tool to enable citizens' engagement is necessarily political.

Why is it important?

Ten solid arguments why development education is increasingly important:

1. DE is an answer to globalization

DE provides necessary knowledge, understanding, skills and values to fully participate in ensuring one's own well-being and that of others, and to make a positive contribution to globalization, both locally and globally.

2. DE is a contribution to the fight against global poverty

As Julius Nyerere stated, decades ago (see above), the most effective way of fighting poverty would be to tackle the causes of poverty, which lie in the North and the international economic system. DE contributes to creating a critical mass in order to change this system.

3. DE fights misinformation

Stereotypes or ignorance are typical of the European public opinion on globalization and development issues. DE helps to overcome this knowledge gap.

4. DE provides skills and qualifications

Self-esteem, critical thinking, communication, cooperation, adaptability, team behaviour and global citizenship are essential qualities in the modern society.

Active and participatory methods of DE engage the learner and help individuals to grow and develop their potential. DE is quality education.

5. DE strengthens civil society

The empowering and participatory approach of DE strengthens engagement of citizens. A strong civil society is a precondition for coherent international cooperation policies, especially in the NMS, where international cooperation policies are yet to be designed.

6. DE fosters public support of ODA

The OECD Development Centre sees a positive correlation between better awareness and higher expenditure on DE. The five EU members that have invested most in DE are close to the target of 0.7 per cent of GNP for ODA, or have reached it already.

7. DE is a democratic requirement

It is a democratic right that the general public are adequately informed of development cooperation so that they can hold their governments to account to show that their taxes are being used to tackle poverty consistently and effectively.

8. DE is a political obligation

In an ever growing number of political commitments and declarations, governments and institutions recognize the importance of DE.

9. DE is growing

The sector grew rapidly during the last decade: More and more states have a national DE strategy, budgets are rising, the number of actors is increasing.

10. DE works

Evaluations and studies, for example by the OECD, the European Commission or GENE, show the positive impact of DE.



The situation of DE in some new member states of the EU

In *Hungary*, EU funding has been instrumental in establishing the field of global education (the preferred terminology in Hungary), as DE is not a priority for the government. There is no systematic integration of DE in school curricula, and funding is weak (560,000 euro in 2007). However, civil society, through the national NGDO platform HAND, is pushing for a stronger DE agenda. The platform has a dedicated global education working group, and HAND engages on a European level in the consortium of the DEEEP3 project, as well as host for the 2010 European Development Education Summer School.

In *Poland*, government and NGOs are increasingly engaged in systematizing the approach to DE. Being part of GENE, Poland is undergoing a peer review of the sector in 2009. The report should be the basis for a future national DE strategy. The national NGDO platform Grupa Zagranica engaged in a constant dialogue with both the Ministry of Foreign Affairs and the Ministry of Education in order to achieve the integration of DE in school curricula and teacher training, as well as to develop DE funding mechanisms. DE funding of 900,000 euro is available through Ministry of Foreign Affairs grants, and up to 10 per cent of funding for development projects abroad can be used for DE in Poland.

While some NGOs in *Slovakia* are quite active in setting up DE programmes or activities, the sector remains weak due to inconsistent government support and lack of NGO capacity. DE funding is weak (300,000 euro), and there is no integration of DE in teacher training or the school curricula (while multicultural education is included). At SlovakAid, there is little support for DE, and there is no national strategy process.

DE has still a low profile in *Slovenia*, due to the lack of government support and lack of NGO capacity. EC support, especially in the frame of the Slovene EU presidency, has given an impetus to SLOGA, the national NGDO platform, which runs a dedicated DE working group. In 2008, SLOGA organized the international multi-stakeholder conference 'Intercultural Dialogue in Development Education', and started a process with the government in order to systematize the national DE approach. However, the process is slow and funding for DE remains very weak.

While DE is recognized as a concept in *Latvia*, the funding situation for the whole NGO sector is disastrous due to the impact of the financial crises on the country. Latvia is very active in the Global Education Network of Young Europeans (GLEN) network and participates regularly in European activities such as DE Summer School and DE fora, but the sector is still fragile.

THE ROLE OF DE IN NEW MEMBER STATES

In making the NMS' societies more aware about development issues, DE programmes serve a key function. NGOs in NMS play an active role in introducing DE at primary and secondary school levels, in higher education and outside the formal education systems. Discussions about the definition and the content of DE are ongoing.

Specifically, DE can contribute to the following:

- ❑ transfer of knowledge to young people about humanity;
- ❑ teaching about global issues using interactive pedagogical methods;
- ❑ informing the taxpayers about how their money is spent;
- ❑ encouraging higher allocation of public funds for emergency appeals, development and human rights projects;
- ❑ justification of the additional government expenditure as required by the *acquis communautaire*;
- ❑ strengthening accountability and therefore democracy in NMS.



Most Europeans do not know that partner countries also run DE programmes. For example, the Brazilian DE school programmes are said to be operating very actively.

European NGOs therefore should feel encouraged to:

1. connect European and non-European DE programmes
2. organize exchanges of teachers and students
3. participate in DE programmes in partner countries
4. ensure a voice for partner countries in DE programmes, for instance by involving migrants living in the EU.



An activist protests with PHO at the UN's Climate Change Conference in Poznan, Poland. Source: PHO

CHAPTER VI

A PRACTICAL GUIDE TO HRBA CAMPAIGNING ON DEVELOPMENT

In the framework of MRG's project 'Promoting Development in Europe: Towards a Critical Mass and Beyond', eight European NGOs – African Center of Slovenia, Annwin Slovakia, Foundation for Development of Democratic Rights Hungary (DemNet), Hungarian Africa Platform, Karat Coalition Poland, Polish Humanitarian Organization (PHO), SOS Malta and Youth Against AIDS Latvia carried out their one-year long in-country campaigns with the aim of raising public awareness of development problems. The common point in all these campaigns was the education of youth on development issues. This section provides a guide to the key principles of campaigning, but rather than presenting the complete spectrum of campaigning tools, it keeps to the basics and focuses on the accumulated know-how, best practice and lessons learnt by the implementing NGOs, using a practical approach and with the intention of highlighting the human rights-based approach.



WHAT IS A HUMAN RIGHTS-BASED APPROACH TO CAMPAIGNING?

Campaigning is the creation and delivery of a strategy that mobilizes people to achieve a specified outcome or change. A campaign is based on research analysis, draws attention to a problem and intends to provide solution. Campaigning is never one single activity; it is always a series of activities, which all contribute in a strategic manner to achieve the final target(s). If you campaign using a human rights-based approach, you implement the principles of dignity, fairness, equality and respect for human and minority rights in each and every segment of the campaigning process.

Campaigning from a human rights-based approach means:

- ❑ *Your campaign uses human rights as its main framework.* Use international and national standards of human rights as benchmarks and send out messages in this framework if rights are violated. For example, if there is no access for a group to water: every human being has an inherent right to water according to the ICESCR.
- ❑ *Your campaign empowers beneficiaries to advocate for their own rights.* Equip the beneficiaries (marginalized communities, ethnic, national, religious and linguistic minorities, persons with disabilities, youth, women, etc.) with the knowledge to call on the authorities to protect, respect or fulfil their rights. Make the voice of the community heard by asking them to communicate their stories whenever possible. Avoid victimization and using images or messages which sensationalize or stereotype peoples or places (see **CONCORD Code of Conduct on Images and Messages**).
- ❑ *Your campaign addresses all segments of society, including the marginalized minorities.* Foster cooperation with NGOs representing socially excluded groups such as minorities, migrants, refugees, persons with disabilities, etc.

Know-how can be passed on and both parties can benefit.

- ❑ *Your campaign addresses the needs of all groups, including the most vulnerable communities.* Represent the interest of all groups affected by the human rights abuse you want to tackle, including women, children, minorities, indigenous peoples or any marginalized groups. Involve them in your work and ask them to communicate their stories.
- ❑ *Your campaign is accountable.* Make your campaign transparent. Design the monitoring and evaluation system jointly with the communities represented in the campaign. Ensure their participation in the planning, design, implementation, monitoring and evaluation of the campaign, and ensure that their views are incorporated. Your campaign will have greater legitimacy.

Check that the HRBA is properly applied using the five fundamental principles:

- ❑ Your campaign uses human rights as a normative framework.
- ❑ Your campaign empowers beneficiaries to fight for their own rights.
- ❑ Your campaign addresses all segments of the society, including the marginalized minorities
- ❑ Your campaign addresses the needs of all groups including the most vulnerable communities.
- ❑ Your campaign is accountable.

The HRBA does not only apply to development policies; the concept is fully applicable to NGO work as well. Review your organizational structure and see whether decision-making is participatory and accountable, whether management procedures are transparent and accountable, and how you are involving marginalized groups such as minorities, people with disabilities or LGBT people in your work. Develop an action plan to implement the HRBA to your own organizational structure. See **Amnesty International's guide** to mapping.



STEP 1: TO DO THE RIGHT THING, LEARN WHAT IS GOING ON

If you want to change policy, practice or attitudes, you have to be informed about the *issue*, the *actors* and your own *resources*. This need not be a cumbersome process. Allocate some time to background research of the issues to ensure that your activities are well-targeted and effective. Make a list of the key information you need to know and start a thorough planning process. Campaigning requires energy, time and money, and big results come with a critical and analytical approach. You have to anticipate what is going to happen and build up different scenarios. For this, you have to know the situation in-depth.

Do the situation analysis now. You are an activist in a new member state planning a campaign to address a human rights abuse related to development. One of your activities is DE. You want actors in your country to put pressure on the receiving government and accomplish change. Analyse your situation.

The issue

You can use this list of questions to help define the different aspects your campaign will be shaped by:

1. What are the relevant international and regional human rights obligations of the target country? (See [MRG's table on the status of ratification](#) or at <http://www.bayefsky.com/>)
2. Is the right enshrined in the constitution or other domestic laws? Which formal or informal barriers prevent the full realization of the right?
3. Which communities are affected by human rights abuses and what are their side-effects (diseases, poverty)? List the basic and most outrageous facts. Are some sectors of society such as women, children, minorities or indigenous peoples worse affected than others?

4. What activities have been undertaken by individuals, groups, aid organizations or NGOs to remedy the situation in the target country?
5. What needs to be changed? Make a list of the things you want to change and prioritize them.
6. Why has change not happened yet?
7. What does your country undertake in its international development policy?
8. In which countries does your country implement development projects? Which countries are your government's main partners in international development cooperation?
9. To what extent are people aware of development obligations in your country? Check out [Eurobarometer's report on NMS](#).
10. What activities have been undertaken by individuals, groups or NGOs in your country? What steps or measures have been taken by the authorities?
11. What is the situation of DE in your country? Is DE included in school curriculum? Does your government allocate funds to improve DE? Check out reports and surveys on DEEEP's website ([link 1](#), [link 2](#)).

Continue the list of questions yourself.

The actors

1. Which ministry is responsible for the coordination and implementation of the international development policy? Which ministries are involved in the process of international development cooperation? Which ministry decides about the amount of ODA?
2. Is there any company which is directly involved in the implementation of governmental development projects?
3. How is the government in the target country protecting, respecting and fulfilling human rights?
4. Who are the victims of human rights abuse in the target country? Do any of them live in your country (refugees, activists, experts, celebrities, etc.)? They are your potential allies.



5. Which individuals, groups, aid organizations or NGOs have taken action in the target country? They are your potential allies.
6. Which NGOs implement international development projects or advocate for a more transparent and better development policy? They are your potential allies.
7. Which government officials, MPs or MEPs have made statements or taken action (positive or negative) on your issue? They are your potential allies or opponents.
8. Which journalists, editors or media outlets or academic experts have published articles (positive or negative) on development issues or global/development/human rights education? They are your potential allies or opponents.
9. Which celebrities have already been engaged in aid activities or have been a face of such a campaign? They are your potential allies.
10. Which companies carry out international development projects?
11. Which NGOs advocate for mainstreaming DE/global education/human rights education or educate in such issues in schools? They are your potential allies.
12. Which schools have already incorporated elements of DE in their curriculum or which teachers have given opportunity to DE activists to hold lessons or extra-curricular programmes on development issues? They are your potential allies.

Continue the list of questions yourself.



Relaxation and entertainment after a workshop organized by HAP in Hungary. Source: HAP

Get to know your allies and opponents. Analyse the information so you can use it well.

After having identified the actors, you need to be able to anticipate what you can expect from them during the campaign. Use the power matrix and the key actors map. Organize the actors into this chart according to their attitude towards your campaign.

Allies	Opponents
Potential allies	Potential opponents

Figure 6: Power matrix

Evaluate your key actors in three dimensions. Place your allies and opponents into the grid based on their level of influence. Write at least one point about their strengths and weaknesses and try to anticipate their aims and plans for the future.

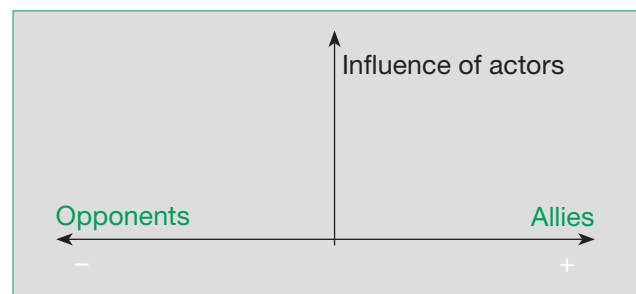


Figure 7: Key actors map

For other guidance on mapping see [Civicus's campaigning toolkit](#).

The resources

1. Do you have relations with individuals, groups or NGOs in the target country?
2. What are their resources? How can they contribute to the success of the campaign?
3. How do you involve rights-holders in decision-making and in all other aspects of the campaign?



4. How is the campaign accountable to the rights holders?
5. What resources do you have to monitor progress? Do you have a well-elaborated indicator system to assess developmental and human rights impacts?
6. How many people are available to work on the campaign? Do they have a basic understanding of development and human rights standards?
7. What are their abilities and skills and which tasks can be assigned to them? How much time can they dedicate?
8. How many people can you reach and mobilize?
9. What are your financial resources?
10. What are your time resources?
11. What infrastructure do you have?

Continue the list of questions.

What you must NOT do is STOP. Get the best out of what you have and you will be surprised how much potential you have at hand. If you don't have some of the resources, think about how you can supplement them. For example, if you don't have a creative designer for the project, don't be reluctant to ask a professional company. They may be happy to serve a good cause as they may count it as a corporate social responsibility (CSR) activity or can enter the creative materials in a competition.

STEP 2: SET YOUR TARGETS

After the robust assessment of the human rights situation you must identify a number of issues which may be addressed in the campaign. You need to transform them into goals and objectives and prioritize them.

A goal

A goal is your long-term vision. It can be very broad and is not necessarily measurable. This reflects the vision you have in your mind, the world as you would like to see it.

Example

The first goal among the **MDGs**: to eradicate extreme poverty and hunger.

Targets or objectives

Define the problems you would like to tackle on the basis of your in-depth situation analysis. Categorize these problems and transform them into intermediate and short-term targets.

Work with well-elaborated targets. It is a key to success. Your targets must be very concrete, clearly formulated and – very important – measurable. You need to be very clear about the outcome of your campaign so as not to lose direction.

Be S.M.A.R.T.!



S. Specific

Your targets need to be very concrete and focused.

M. Measurable

Define in numbers what you want to achieve. Indicators can be assigned only to specific targets.

A. Achievable

Know your human, financial and time resources. Make sure your targets are both ambitious and realistic.

R. Relevant

Address a problem which causes concern or anger and offer a solution.

T. Time-bound

Set a deadline for yourself for when you want to achieve your targets.



Example

Targets assigned to the first MDG are set with the timeframe of 2000–15. They are defined as follows:

Target 1a: Reduce by half the proportion of people living on less than a dollar a day.

Target 1b: Achieve full and productive employment and decent work for all, including women and young people.

Target 1c: Reduce by half the proportion of people who suffer from hunger.

Establish your indicators. Evaluation is a key to success. Set your indicators, monitor progress and assess success after each activity and at the end of the activity.

Use existing indicators. Narrative and qualitative reports, survey-based data on the perception of rights protection and official statistics help you to form an overall view of any improvement.

For more examples on human rights indicators assigned to concrete development programmes, see the [UNDP's guide](#).

Example

Indicators assigned to the MDG1 targets are defined as follows:

Indicators of Target 1a:

- 1.1 Proportion of population below \$1 (PPP) per day
- 1.2 Poverty gap ratio
- 1.3 Share of poorest quintile in national consumption

Indicators of Target 1b:

- 1.4 Growth rate of GDP per person employed

1.5 Employment-to-population ratio

1.6 Proportion of employed people living below \$1 (PPP) per day


1.7 Proportion of own-account and contributing family workers in total employment.

Indicators of Target 1c:

1.8 Prevalence of underweight children under five years of age

1.9 Proportion of population below minimum level of dietary energy consumption.

The UN has set ambitious targets because of its size, its human resources, and its capacity for evaluation and monitoring. Know your **resources** and be ambitious, but on the basis of what you have at hand. Results matter as much as – if not more than – the process itself. You may want to confine your activity to one district or region. This helps you to work within a well-defined framework and you can turn your expected outcome into numbers more easily.

Keep on questioning yourself and think how you could work more effectively. You want to change the world. 

STEP 3: BUILD UP YOUR STRATEGY AND DEFINE YOUR TACTICS

Now you need to decide which battles you wish to fight. For example, if you want to achieve full and productive employment and decent work for all, including women and young people (MDG1 Target1b), you can implement very different strategies. You can lobby your government for a more effective development policy. You can put pressure on companies which do not pay enough to people in the area in exchange for their work but sell their products at a very high price in developed countries. You can



raise awareness and mobilize people to put pressure on the recipient governments to allocate money for marginalized regions; you can link this with an action to raise money for local NGOs or aid organizations which implement activities on the spot. You can join the women’s rights movement and mobilize people to change those provisions or traditional practices which put women in a disadvantaged position; you can link this with an action to raise money for local NGOs or aid organizations which do the same on the spot.

These are a few examples and there is a variety of options. To choose the best approach you have to know the issue, the actors and – very important – your resources and capabilities very well. Different strategies imply different target groups and you need to know which target group you have strength to influence. In any case, you need to build up different scenarios and anticipate what will be happening if you take action.

At this stage do not list activities such as signing a petition, boycotting a product or organizing a public event in front of a supermarket. Those are tools and they will come next.

You may decide to set up several working groups, build strategies accordingly and start the battle from many sides. Don’t forget to harmonize **your steps**.

Define your target group

Your target group is a mixture of allies, opponents, duty-bearers and rights-holders. Describe the people you target as precisely as you can and name the relevant individuals or groups (MPs, directors of companies, groups, individuals, etc.). The more accurately you describe them the better you will be able to define their interests and values. Concentrate on decision-makers. Following the example above, if you decide to put pressure on companies, you need

to know the management of the companies, their statements, the policy of the company, the products which are produced in the rights-holders’ country, and you should have a list of the shops where these companies sell their products. You also need to know who you want to mobilize. In this case, you need to have a picture about what kind of people buy those products and learn about their attitude and at what platforms they can be reached (where online, in which local newspapers, in which restaurants, etc.). Following this example, you can anticipate that the owners of the shops which sell the companies’ products may become your opponents.

The stages of your campaign plan are in interaction with one another. You may need to update the allies/opponents list, or refine your strategy as you move forward during the planning process and also during the campaign.

The tone of your campaign

The way you speak is very much defined by the attitude of the people you speak to. It is also a strategic decision whether to start with a critical tone towards the government, or be patient first and change to a stronger tone when your request remains unfulfilled.

Use the HRBA when building up your communication strategy. *Refer to human rights*. You want to strengthen the realization of universal human rights. Use the human rights framework to communicate your goals. Advocate for human rights.

Give voice to the rights-holders. Engage with individuals, groups or NGOs from the rights-holders’ country or refugees living in your country and make their voices heard. Ask them to communicate their stories wherever possible.

Ensure participation of the most vulnerable groups. Involve those who may be in a disadvantaged position even in their own communities, such as women, children, minorities or indigenous peoples.



Empower the beneficiaries to speak on their own. Avoid victimization and using images or messages which sensationalize or stereotype peoples or places. See **CONCORD Code of Conduct on Images and Messages.**

African Center of Slovenia



The African Center of Slovenia carried out an awareness-raising campaign on development issues in Africa. The campaign was connected to the life of African migrants in Slovenia and the NGO involved empowered migrants living in the country. The African Center organized a workshop for African migrants on their rights. Lectures of experts were followed by personal presentations of migrants living in Slovenia, who shared their first-hand experience and best practices about how they sorted out their residence status, family reunion and acquired work permits. Migrants were involved in further activities such as round table talks.



A participant in the African Center workshop

Timing and tactics

Deciding when to start campaigning, how to time activities and the sequence of steps is important. You may decide to start with lobbying. You may find it more effective to mobilize people, ask for a product boycott or approach the management of the company later on. A conference may be organized on your issue, or a relevant privileged person may be scheduled to visit your country, and you may want to exploit these opportunities, when attention is focused on your issue. Good timing can help you to more effectively expose the human rights abuse to the public.

Make a calendar. List all the important dates for one year in advance, which may help you in deciding on the timing of activities. List the dates of relevant

PHO



The Polish Humanitarian Organization (PHO) launched a campaign to highlight the detrimental effects climate change has had on developing countries and to expose the resulting violations of human rights. The UN's Climate Change Conference was held in Poznan on 1-12 December 2008 and the PHO exploited this opportunity to draw attention to the human rights aspect. One of their targets was to brief the media about linkages between human rights and climate change before the conference. They translated Oxfam's report *Climate Wrongs and Human Rights: Putting People at the Heart of Climate-change Policy* into Polish and organized a joint press conference with Oxfam and the Polish Green Network on the day of the report launch, one month before the Poznan conference. During the press conference they highlighted the interconnection between human rights violations and climate change. The Polish version of the report, as well as leaflets, were distributed among journalists visiting the Poznan conference. As a result, the human dimension of climate change was well covered in the media, thanks to good timing.



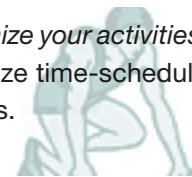
Leaflets disseminated by PHO. Source: PHO

national and European Parliamentary sessions, national, regional and international human rights conferences, UN days, anniversaries, regular annual marches, etc.

Annwin

Annwin organized a campaign to promote the importance of development in Slovakia and wanted to motivate the government to increase its share of ODA. There were two elections in Slovakia in 2009, and campaigning had been going on for the election of the president of the Slovak Republic and MEPs. It seemed to be a good idea to exploit the media hype and address the candidates at this time. However, it proved to be a wrong choice. In NMS the majority of people are not aware of their government's development duties, so it is not worth promoting this issue during an election campaign. In addition, the attention of the media was not focused on the topic of development.

Use the **GANNT chart** to harmonize your activities. This chart enables you to visualize time-schedule and interdependency of activities.



At this stage you can start brainstorming about activities but do not elaborate them. Just set out the sequence of the activities. Look at the dynamics of your campaign and compose your campaign like a piece of music. Decide which is better: to build up pressure step by step or to start with a sensational debut. Set the climax point(s). Decide which parts of the campaign should be exposed to the attention of the media and which parts should avoid publicity.

If there are more working groups, harmonize their steps and strategies now. Each plot's dynamic is different. The sequence of tools such as mobilizing, lobbying, media exposure, demonstrations, other awareness-raising activities, etc. can be manifold; however, all efforts aspire to reach the same target. You have to harmonize activities on the different battlefields and compose one genuine piece.



Students and their work at an Annwin workshop, Slovakia Source: Annwin

If you want to hold lessons on development issues within the school day or organize extra-curricular programmes, do not forget to adjust your timing to the school year and liaise with teachers and the headteacher well before the first semester starts. The end of semester is also a very busy period in both secondary schools and universities.



An example of a GANNT chart	11.09	12.09	01.10	02.10	03.10	04.10	05.10	06.10
Situation analysis								
Analysing the issue	█							
Analysing the actors		█						
Drawing up the power matrix			◇					
Key actors map			◇					
Analysing the resources			█					
Setting the targets				█				
S.M.A.R.T. analysis				◇				
Developing strategy and tactics								
Defining the target groups				█				
Defining the tone of the campaign				█				
Timing				█				
Outreach strategy				█				
Activities								
Activity 1					█	█	█	
Activity 2						█	█	
Activity 3						█	█	
Evaluation								█

Make your SWOT analysis using the HRBA. What are your strengths, weaknesses, opportunities and threats in the five dimensions of the HRBA: human rights framework, empowerment, participation, non-discrimination and accountability?

Fill in this SWOT chart!

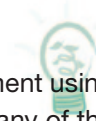
Strength	Weaknesses
Opportunities	Threats

STEP 4: ACT

NGOs are organized in national platforms or networks, which are coordinated by international platforms. Find your national platform [here](#). Outreach is a useful tool for organizations as they can unite their forces, set up working groups and coordinate their campaigns in joint efforts. Outreach

can be a single action, limited to one campaign, or just a part of a campaign, but it can develop into long-term, well-organized relationships with groups, organizations and individuals, when targets and strategies are harmonized, and the cooperation may be realized in the form of platforms or networks.

Outreach



If you carry out a campaign on development using the HRBA and include DE, reach out to any of the following groups (basically those who you identified as allies or potential allies):

- Rights-holders living in your country such as refugees, activists, experts, celebrities, etc.
- Individuals, groups or NGOs in the rights-holders' country working against the violation of human rights.
- NGOs implementing international development projects or advocating for a more transparent and better development policy.



- Aid organizations working in the rights-holders' country
- Medical community working in the rights-holders' country
- Youth activists
- Women's rights organizations in both countries
- Children's rights organizations in both countries
- Minority and indigenous rights organizations in both countries
- Organizations watching international investments such as those of EBRD, World Bank
- Organizations working on climate change
- Research institutes working on development issues
- NGOs or networks advocating for global or DE, or running human rights education or other relevant programmes for schools
- Journalists, editors or media outlets sensitive to development issues
- Travel agencies promoting the idea of sustainable tourism
- Teacher's associates who are open to the concept of global education
- Teachers or heads of schools who have already incorporated elements of DE in their curriculum or who have given opportunity to DE activists to hold lessons or extra-curricular programmes on development issues
- Teacher training institutes



DemNet media training, Budapest, Hungary. Source: DemNet

Activities

Be original and break through the flood of information. Customize your activities to the needs of your target groups. Act on relevant issues, be armed with relevant arguments and offer solutions. And know what you want them to do.

Lessons learned, best practices and tips

Now we provide you with lessons learned during the campaigns carried out by the NGOs participating in our project. This section presents tips and ideas related to techniques from the HRBA used in our campaigns, thus it does not include tips about activities such as protests or petitions. The campaigning tools here may be adapted, or provide inspiration for new ones.



DemNet media training, Budapest, Hungary. Source: DemNet

DemNet

Development education intertwined with a campaign training

The Foundation for Development of Democratic Rights (DemNet) found that interest in development issues is low in Hungary. Instead of launching a theme campaign, the impact of which is hard to evaluate, the NGO decided to use DE, media and advocacy as a tool. DemNet organized a media and campaigning training in which university students



could learn about the relations between international development and the media, acquire campaigning skills and apply knowledge in practice. University students specializing in media, communication, international studies or social science were invited to the session, which took place over two days.

Media training

On the first day, there were presentations by development and media experts on:

- The history and structure of international development cooperation
- The human rights-based approach to development
- The characteristics of printed and electronic media
- The directions of journalism on foreign policy
- The representations of global issues in the media

On the second day, students acted as foreign policy reporters. Their task was to write articles and record and edit their fictitious news report for a fictional TV channel. Students were helped by pro-

fessional journalists and a film crew. The rule was that the news items had to contain the words ‘water’, ‘human rights’, ‘development cooperation’ and ‘Ministry of Foreign Affairs’.

Campaigning training

This training focused on media and campaigning techniques. Students acquired media communication and editing skills, and produced and edited their own campaign videos about human rights issues related to development. See campaign videos [here](#).

Channel sensitized youth into other parts of the campaign

Offer sensitized future decision-makers a platform to speak. DemNet organized an article-writing competition on development issues for these and other university students. The winning articles are published on their awareness-raising [website](#) or in their regular bulletin, *Volumen*. Globalance.hu provides news and analysis on development issues and *Volumen* is produced for decision-makers, with articles on international development, as part of DemNet’s advocacy work.



Natalia Czobanu, Impresje na temat starości, Mołdawia



Ekonomiczne prawa kobiet są prawami człowieka

Economic rights of women are human rights. Photo: Natalia Czobanu, Impressions of old age, Moldova. Postcard produced by Karat, Poland. Source: Karat



Karat Coalition

Break through the flood of information

Karat Coalition used a simple tool to raise awareness. The NGO produced postcards to draw attention to the disadvantaged position of women in Central Asia and the Western Balkans and promoted their economic rights. Check out the postcards on previous page.

If you want to draw attention to a problem visually, try the following tips.

Attract attention. Use a creative image and place it in an unusual context, e.g. display it in an **unusual place**. And don't just think in images. **Create your message in your surroundings.** Your aim is creativity and uniqueness. Be astounding and you will be able to break through the flood of information. Discover more [here](#). See also the **CONCORD Code of Conduct on Images and Messages**.

Prompt action. You have managed to attract attention to your message. Use the opportunity and call people on to contribute to your target. If you prepare a postcard, use it as a lobby tool. Address it to the relevant authority, print a message on it, including details of the issue, your concerns and requests. Pay the postage in advance so that people just sign and send it.

Provide contact information. Give your website and contact information. People may want to help and join you or donate.

Be informative in an unusual form. The same holds for posters, stickers and leaflets. If you are fighting for land rights and to protect indigenous peoples from eviction from their lands, create an eye-catching brochure, which looks at first as if it is advertising a travel agency. Mark the places on a map where evictions have occurred and prompt readers to act, by attaching your postcard for example. Visitors to travel agencies which promote the idea of sustainable tourism can be your target group. Leave your leaflets at such agencies and don't forget to give your contact information.

The Code of Conduct on Images and Messages



In their awareness-raising work, DE and advocacy, NGOs feel the need to bring to public attention the outrageous reality of poverty and injustice. In the process, it is imperative that the images and messages do not violate the dignity of the people concerned. In order to establish a common basis for the use of images and messages, in 2007 CONCORD adopted a common Code of Conduct on Images and Messages. The aim is to provide a framework on which organizations can rely when designing and implementing their public communication strategy. While these choices are inherently subjective, the Code offers a set of guiding principles that can assist practitioners in choosing which images and messages to use in their communication.

African Center of Slovenia

Talks, talks, talks ...

Provide information and prompt for action

Roundtable talks are a quite common and popular activity among NGOs. The African Center of Slovenia promoted the idea of DE among teachers and young people and organized six roundtable talks with the following topics: why people migrate; historical patterns of migration; media representation of migrants in Slovenia and in the EU; representations of Africans in the Slovene educational system; migration and human rights; impact of migration on sending and on receiving countries.



If you organize a roundtable using the HRBA:

- ❑ *Provide a diversity of speakers.* Ensure that target groups are given a voice and communicate their stories. Ensure gender balance and invite people from different sectors. The head of a teacher training institute, a secretary of the Ministry of Education, an enthusiastic teacher and an NGO representative can bring different approaches to the introduction of DE and make an interesting and informative debate. You can provide a platform to interact and if you invite open people, you may promote further cooperation among the different sectors.
- ❑ *Use the roundtable as a strategic tool.* Make it an organic part of your campaign plan.

- ❑ *Choose an appropriate venue.* Make sure your venue is easily accessible to your target audience and your rights-holders, and sends about the right message about your organization.
- ❑ *Prompt for action.* The roundtable serves your campaign targets. Make a conclusion at the end and agree on some further action from all counterparts including your audience. Develop contacts and make follow-up visits on the basis of your final conclusion.

Set up a rights-holders forum. Organize regular meetings for rights-holders to communicate with duty-bearers and propose solutions. This promotes participation and empowerment. See more on rights-holders forum in **Amnesty International's Human Rights Handbook**.



Ruler and leaflet for SOS Malta's Water for Life campaign. Source: SOS Malta



Annwin and SOS Malta

Connecting development education to fundraising and lobby

Annwin Slovakia and SOS Malta organized programmes on development issues for primary and secondary school children. Children produced artwork on a development issue and these materials were used for lobbying and fundraising. Annwin produced a poster from the pictures and accompanied letters to candidates with this creative material. SOS Malta produced calendars from the best artwork and distributed them to businesses, associations, banks and unions as part of its fundraising campaign.

If you lobby using the HRBA:

- ❑ *Use the human rights framework.* Refer to international and national standards and le-

gal obligations. Identify the rights which the rights-holders are entitled to and the duty-bearers are obliged to respect, protect and fulfil.

- ❑ *Empower the rights-holders.* Go to meetings with them not instead of them. If you work with a far-away partner NGO, involve them in the lobbying process.
- ❑ *Find decision-makers sensitive to human rights.* Make a situation and power analysis. Learn more about the relevant officials, read their statements on human rights, learn about their activities and attitude from their website, blog or the newspapers. Identify those officials who need to take action.
- ❑ *Make sure your objectives reflect the needs of the most vulnerable groups.* Divide your targets into clear and achievable sub-targets. It will be a long battle, and it should be clear when you can celebrate.

The Hungarian Africa Platform

Training teachers on MDGs – the multiplication effect.

The Hungarian Africa Platform (HAP) organized educational programmes for secondary schools, most of them took place in marginalized regions. After students had been given a presentation on MDGs, their task was to write mini-projects and offer solutions for one of the MDGs. Students entered into a competition for a prize. In the meantime, HAP provided training on MDGs for teachers to promote the introduction of development issues in the school curriculum.

- ❑ *Keep in touch with those teachers who let you enter their classroom.* Organize a network on

the promotion of DE or invite them to join an existing network. If these teachers live in a far-away city, empower them to organize their own network there.

- ❑ *Prepare professional teaching materials* for a whole curriculum for teachers or promote the ones that may exist in your country. Involve teachers in this work. Check out a book on **Global Education in Hungarian.**
- ❑ *Reach out to organizations* which already do human rights or global education and ask them about their experience.
- ❑ *Organize professional workshops* for teachers on DE. Involve teachers in this work.
- ❑ *Involve the rights-holders.* If you have the resources, organize a speaking tour. Learn more about speaking tours in **Amnesty International's Campaigning Manual.**



Giving publicity to a topic – the media as an ally

Exploiting media opportunities to give publicity to their topics is general among NGOs. Sending out press releases, holding a press conference, giving interviews are good ways to draw attention to the topic and to the organization. As part of a project an NGO may liaise with a leading journalist to cover a story, and pays for its trip and mainstreams the topic of development in the media this way. Karat Coalition did this. DemNet liaised with a leading daily newspaper to supply articles on development for its special weekend edition.

- ❑ *Analyse the media.* Organize programmes into categories and see which deal with, or can potentially deal with, your topic. Make a list of the editors and journalists and build relationships with them.

- ❑ *Empower the rights-holders.* Give voice to them in the press release or the press conference. Invite people from the most vulnerable groups. Build media-related capacity.
- ❑ *Use the human rights framework.* Refer to international and national standards and legal obligations. Use human rights language when communicating with the media. Name duty-bearers and rights-holders and do not victimize them.
- ❑ *Ensure participation of rights-holders.* Involve them in planning the strategy, communication and organizing events.
- ❑ *Offer full service to the media.* Attach photographs and, if possible, video and audio podcasts, to your press release. Exploit the opportunities of the electronic media.

See [CONCORD Code of Conduct on Images and Messages](#).

STEP 5: EVALUATE

Evaluation shows where to improve campaigning techniques, where to change strategy or tactics, and gives you a feedback about what you have already achieved. Provided you have well-defined indicators assigned to targets and activities, and you monitored the campaign process continuously, evaluation will not take long. Draw your conclusions and report back to the rights-holders about results and achievements. Having satisfied the principle of accountability, celebrate your campaign success!

Make a thorough assessment at the end of each activity. Use multiple indicators and multiple sources of information to reduce biases.

Make minutes of your meetings with officials and write a summary of the conferences you participated in. Make it part of the institutional memory. Write down who you got to know and assess the results.

Evaluate the content of the media coverage from the HRBA. How does the article depict the rights-holders? Does the journalist avoid stereotyping? Were the rights-holders given the opportunity to speak?

Evaluate the statements of decision-makers in your country. Have development issues or the needs of the most vulnerable groups been addressed? How many times?



Endorois elders at the line that divides their land from the land the government has taken from them. Source: MRG

CHAPTER VII

THE HRBA IN PRACTICE IN AFRICA: THREE CASE STUDIES

Local NGOs and citizens in developing countries have been fighting for the realization of their rights such as equal access to land, water, education or gender equality. The achievement of the MDGs by the set date of 2015 remains, however, uncertain. Getting to know the projects of local NGOs working on the spot brings development issues closer to activists acting in Europe and highlights the importance of the HRBA. In this section MRG, which has long been working in partnership with local NGOs in its projects all over the world, strongly promotes outreach and cooperation.

The three case studies present the activities implemented by African NGOs applying a rights-based approach to land rights in Uganda, the right to water in Ethiopia and fighting exclusion through constitutional recognition in Kenya.



CASE STUDY 1: LAND RIGHTS OF THE KARAMOJONG

A case study on land management in Uganda

A project carried out by Uganda Land Alliance (ULA)

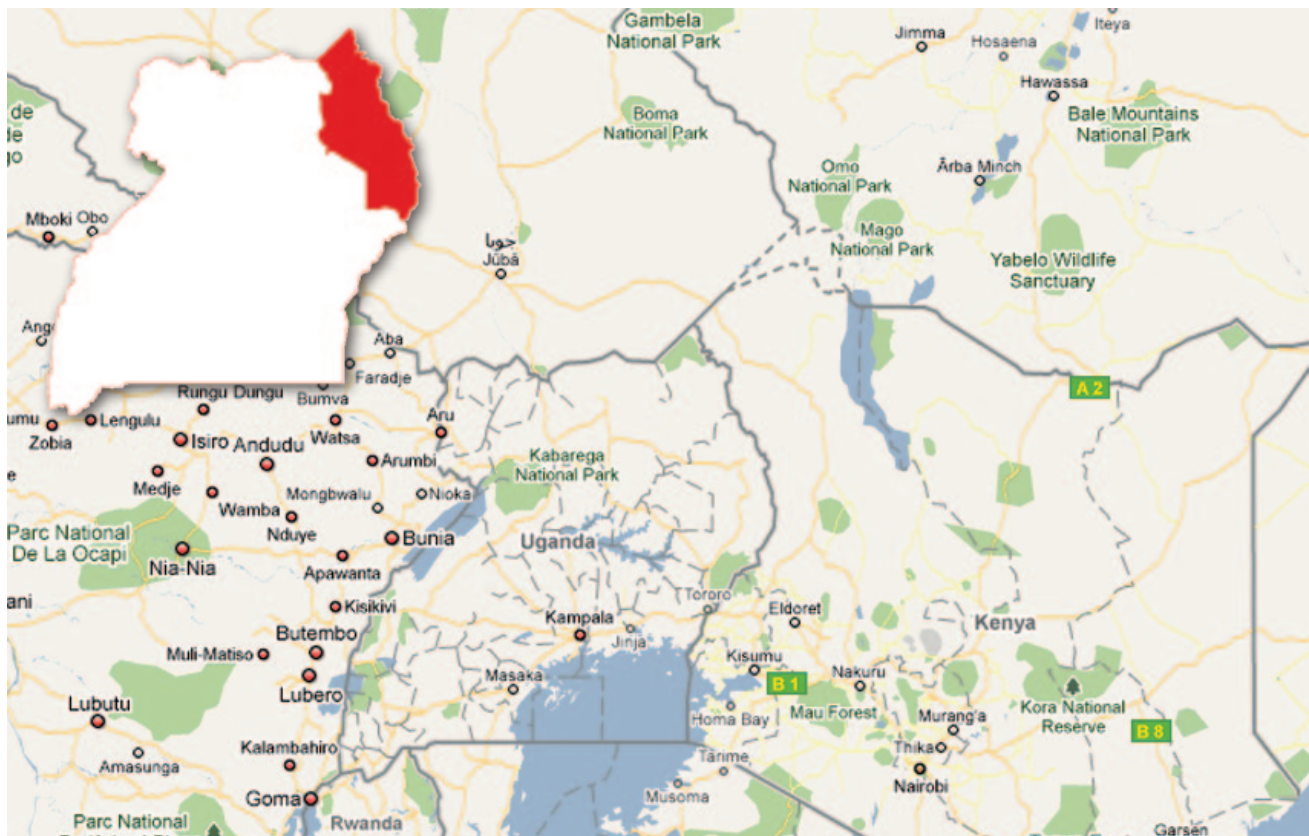
Summary

The case study describes the field and advocacy work of the Uganda Land Alliance (ULA) on safeguarding the land rights of one of the poorest and most marginalized communities in Uganda, the Karamojong. In reaching out to the community, ULA incorporated both empowerment and advocacy elements into its project design and implementation. One of the challenges the NGO faced was how to bridge the cultural gap and transform legal language about land rights into a terminology which is meaningful to the agro-pastoral herders living in isolated settings.

Project background

In Uganda, 65 per cent of pastoral lands have been gazetted for wildlife conservation projects. Gazetting is a procedure whereby the government declares the land under its protection and allocates it for different purposes, such as creation of wildlife reserves or natural resource exploitation. Communities that have lived on this land historically lose title to it, and are under threat of eviction or have been effectively subjected to eviction from their ancestral land. This government action particularly affects minorities and indigenous peoples. This is the case with the Batwa in south-western Uganda or the Benet living in the Mount Elgon National Park.

In Karamoja, 80 per cent of the land has been gazetted, creating excessive hardship for the autochthonous community, **the Karamojong**. The Karamojong combine livestock breeding with sedentary agriculture. They practise transhumance, move their



The Karamoja region, Uganda. Source: GoogleMaps & Wikipedia



livestock, and compete for grasslands and water resources with neighbouring groups. Because of the long-standing and ingrained prejudices against this community, they are regarded by others, and by the government, as backward, primitive and unwilling to modernize and develop.

The Karamojong exercise land rights as customary land ownership, whereby land is controlled through customary rules, by elders, clan heads or a group in their own administrative structure; the community owns the land, but has no land titles. Access to and use of land are based on membership of a community, lineage and family. In addition to jeopardizing the community's access to land and its traditional lifestyle, gazetting has also threatened women's access to land within the community because of the traditional cultural bias against women's involvement in decision-making on land issues.

This complex situation is further exacerbated by the violent conflict – particularly acute in Karamoja – between neighbouring groups, facilitated by arms proliferation and a colonial legacy. Conflict is over boundary disputes and due to the fact that tribes are squeezed into smaller territories because of land acquisition by government or corporations.

Objectives and challenges

Uganda Land Alliance (ULA) initiated a project to enhance tenure security of the marginalized communities in Karamoja. The project aims to bring to an end the indiscriminate appropriation of the land of the Karamojong and the abuse of land rights of women.

Relying on continuous and substantial cooperation with the community, the project focused on providing them with knowledge about land rights, raising awareness of the fact that land rights extended to the rights of women, and supporting them in establishing their own communal land association to empower them to act as interlocutors of the government.

Laws to refer to when advocating for the rights of women in Uganda



The Land Act 1998: Cap 227 Sections 27, 38A and 39

S.38 (A) of the Land Act as amended provides that every spouse has a right to enjoy security of occupancy on family land. Security of occupancy means the right to have access and live on the family land. The Land Act in Section 39 requires that, before any transaction (such as sale, pledge, mortgage, lease, transfer or gift) takes place on family land, the spouse must give consent in a form to be prescribed by the regulations.

Constitution 1995: Article 33

'Women shall have the right to equal treatment with men, and that right shall include equal opportunities in political, economic, and social activities.'

African Charter on Human and Peoples' Rights 1986: Article 18, Section 3

'The State shall ensure the elimination of every discrimination against women and also ensure the protection of the rights of the woman and the child as stipulated under international declarations and conventions.'

Convention for the Elimination of all forms of Discrimination Against Women 1979: Articles 13, 14 and 15.

International Covenant on Civil and Political Rights 1966: Article 23

'take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage and at its dissolution'

Working with a culturally different community



ULA built on beliefs and knowledge already existing at community level and sought to understand how people define their rights and responsibilities and see where these rights are not being upheld well. After ULA gained a better understanding of current social norms and mechanisms, it had a basis to start define educational messages and develop educational materials.

In this effort, ULA faced several challenges. Although land is central to the Karamojong lifestyle, their notion of land ownership and boundaries is different from the official legal framework. ULA had to bridge this cultural discrepancy and transform legal language into a terminology which is meaningful to agro-pastoral herders. The promotion of women's

rights took place in a community where people continue to regard land as a 'man's issue'. ULA therefore had to foster social change in an environment, which is hostile to the participation of women in land issues. The existing conflict situation required that ULA take up steps towards conflict resolution by mapping and certifying the use of land occupied by minority groups for generations. Finally, the project had to recognize the extreme marginalization, prejudice and discrimination suffered by the Karamojong.

Strategy and tactics

ULA carried out activities at both the parliamentary and the community level and laid great emphasis on the incorporation of community views into the advocacy work with the officials. This was a reflection of the realization that land rights of pastoral communities cannot be effectively and sustainably safeguarded



Community education on land rights, Uganda. Source: Uganda Land Alliance

Empower beneficiaries to fight for their own rights. They know best the root of the abuses and what sustainable solutions might entail. Work to develop their knowledge and skills; your role should be that of facilitator and moderator.



Women drawing sketch maps of their land, Uganda. Source: Uganda Land Alliance

unless the community itself is involved in project implementation and empowered with the knowledge of rights and the legal means for their protection.

Strategically, at the local community level it was challenging to overcome the cultural discrepancy between the communal notion of land ownership and the official legal framework. ULA's approach was participatory: it developed a common terminology on land rights on the basis of the notions and terminology of the community, established a working relationship with them and then introduced new concepts of land rights.

ULA worked to involve communities in the project, to ensure that the project reflects and incorporates their ideas. The organization trained community vol-

unteers on land issues. ULA also developed a collaborative working relationship with NGOs in the district and with the local government.

At the parliamentary level, the project targeted a variety of relevant stakeholders through consultative meetings and one-on-one lobbying. They included parliamentarians, in particular women MPs, and relevant parliamentary committees, as well as government ministers, informal leaders, academics and the media. The project emphasized the need to take steps to eliminate arms proliferation, to empower the communities with information, to remind local council leaders of their roles and responsibilities towards community development, to take renewed initiatives in the region and to lobby for donor support.



Human rights declarations to refer to when advocating for the rights of minorities and indigenous peoples

Declaration on the Rights of Indigenous Peoples 2007

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities 1992: Article 2

'2.2 Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.

2.3 Persons belonging to minorities have the right to participate effectively in decisions on the national, and where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.'

Rio Declaration on Environment and Development 1992: Principle 22

'Indigenous people and their communities and other local communities have a vital role in environmen-

tal management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.'

Indigenous and Tribal Peoples Convention 1989 (ILO Convention No. 169): Article 7

'The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.'

International Covenant on Civil and Political Rights 1966: Article 27

'In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.'

Specifically, the project identifies the challenge of integrating customary ownership into the legal land tenure framework of the country. Customary tenure is seen as a less valuable system of tenure and there is an emphasis on gradually shifting from customary tenure to freehold title. It is supposed to be managed according to customary rules, but the traditional institutions supposed to do so do not have full legal and institutional backing. The land market policy regards land as a commodity that should be tradable on willing-seller and willing-buyer basis, a process that may exclude those uninterested in trading land in formal markets. Moreover, the land administrative framework is not efficient and can-

You can:

- Create awareness among the minority community of their land rights
- Educate volunteers about the basics of land law through training
- Enable them to develop their own communal land associations so that they can protect and exercise their land rights themselves
- In cooperation with the community, document how the minority community perceive the question of land ownership in their region and advocate for the inclusion of this documentation in any National Land Policy formulation process.





not effectively perform tasks, so an overhaul of the entire land rights administration system is needed, especially to simplify land registration.

Activities

The activities implemented within the project included resource development, capacity-building, awareness-raising, advocacy and lobbying and research and documentation of land rights issues.

Project results and conclusions

The overall objective of the project was to enhance tenure security of the Karamojong as a mechanism for fostering their productivity and economic advancement. The project helped catalyse some changes in political thinking, such as the need to harness the natural resource base in Karamoja, certification as the most secure way to guarantee ownership rights and land use planning as a way forward for pastoralist development. The following were the targeted project outcomes:

- ❑ Pastoralist civil society organizations are aware of their land rights and able to contribute to policy changes and public decisions concerning land rights and land use.
- ❑ Pastoralists in targeted sub-counties are able to assert their land rights.

TIPS for activists working in the region



- ❑ *Empower beneficiaries to advocate for themselves.* Do not advocate on their behalf instead of them. Giving the communities space to express their views on the type of project and activities, and incorporating them in project implementation, is central to the success of any community project.
- ❑ *Make linkages with partners and stakeholders.* It ensures that more is achieved with limited resources. It gives a forum for sharing projects run by different organizations and it broadens the perspective of your organization.
- ❑ *Work in a team in the dissemination of information as well.* It is crucial to ensure that information flow is sustained and covers a wide geographical area.
- ❑ *Reach out to the political leadership and the technical officers of government right from the inception of the project to build ownership and acceptance.*

- ❑ Policy-makers and implementers understand research findings and are implementing them. The project contributes to the ongoing National Land Policy consultation processes.
- ❑ Legal and policy environment is improved for pastoralist lands.



CASE STUDY 2: THE RIGHT TO WATER AND SANITATION IN ETHIOPIA

A case study on the water projects in Achefer district

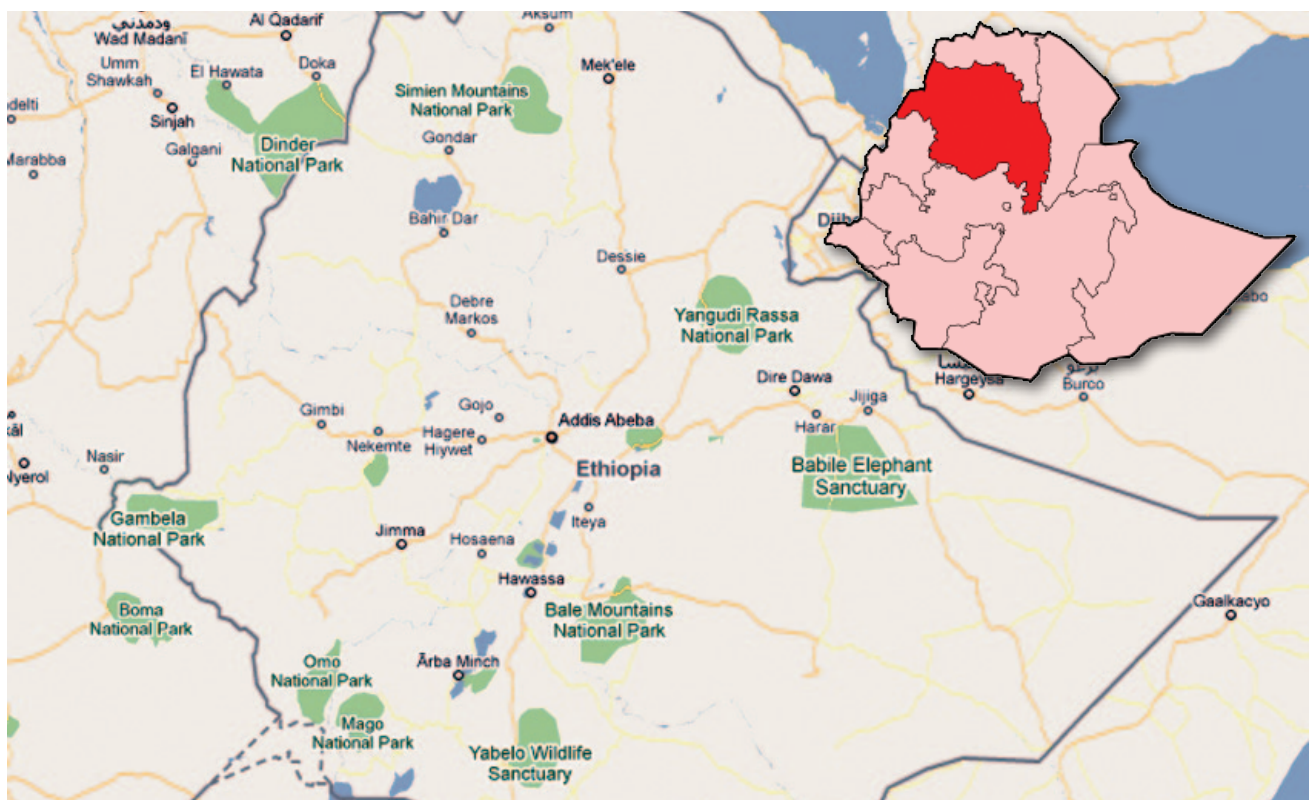
In cooperation of international NGDO WaterAid and the local Organization for Rehabilitation and Development of Amhara (ORDA)

Summary

Organization for Rehabilitation and Development of Amhara (ORDA) and WaterAid pressured the local authorities to incorporate human rights in the design and implementation of water-related projects to ensure their effectiveness and sustainability in this region of Ethiopia. Residents partner with their local government by participating in community water management boards.

Project background

Ethiopia is the fourth largest country in Africa and one of the poorest and driest. Only 22 per cent of the population have access to safe water supplies, and only 13 per cent have adequate sanitation. This ranks Ethiopia among the most poorly served countries in the world with respect to access to safe water and sanitation. Water-related diseases are rife, child mortality high and health services limited. The quality of water used by the majority of the population is unsafe: 80 per cent of the diseases in Ethiopia originate from unsafe water supplies and poor sanitation practices; children, who constitute over 40 per cent of the population, are one of the most vulnerable groups. Collecting water from long distances, especially during the dry season, contributes significantly to the drudgery of household chores and places a burden on female members of households. These household chores divert family labour, time and energy away from productive activities that would otherwise increase production and thereby household income and food security.



The Amhara region, Ethiopia. Source: GoogleMaps & Wikipedia



In the Amhara Region, 43 per cent of the rural population lives in absolute poverty. The situation is acute in one of its districts (*woreda*), Achefer. The Water Office of Achefer estimates that an average of just 21 per cent of the population has access to water supply. Surface water resources in the project areas are not safe and sufficient for human and livestock consumption, especially during the dry season from December to May, and their use exposes the communities to various water-associated diseases. The district health offices indicate that sanitation coverage is just 23 per cent.

As a result, six of the top ten common diseases in the region are those associated with the lack of clean water supply and hygiene/sanitation, such as acute watery diarrhoea and malaria. These frequent and widespread diseases weaken the communities' strength and therefore the ability to work, and leave already very poor families with the burden of heavy medical costs. This situation is exacerbated by the low health service coverage in the district.

Moreover, community members, especially women and girls, spend much of their time fetching poor-quality water, leaving little or no time for income-generating activities and school attendance. During the dry season, they can travel for up to an hour. Inadequate access to potable water increases the workload of women and in turn affects the nutritional status and health of family members, as women have less time to dedicate to work in the home or income-generation activities. Generally men are involved in farming and do not fetch water.

In line with the decentralization of Ethiopian government institutions and the devolution of power to local levels, district administrations are expected to plan and manage the implementation of their own development initiatives. NGOs found, however, that this decentralization was not properly resourced, lacking qualified and experienced staff who could plan and implement effective development programmes. As a result, existing rural water supply schemes in Achefer are poorly constructed and have low functionality. Funding avail-

able is not utilized due to inefficient mechanisms for transferring it from the national to the local level.

Objectives

NGOs involved in implementation aimed at addressing the needs of the most vulnerable segments of the communities in Amhara. They include women and girls, whose task is to fetch water from far away water sources, or people with HIV/AIDS whose health depends on access to clean water.

The NGOs wanted to empower both local communities with knowledge to participate in community water management boards and local partner organizations to implement water, sanitation and hygiene education projects. Through the water management boards local communities can hold their local government accountable to provide them with functioning water schemes and sanitation facilities in a more sustainable way. They also took up opportunities to involve major actors from the water and sanitation sector, including local government, to build their capacity to implement appropriate and sustainable projects. The NGOs faced several challenges during this work.

First, the political space in Ethiopia was re-opening after severe restrictions following the 2005 elections. This provided an opportunity to strengthen civil society organizations that promote the human rights-based approach to water and sanitation, and facilitate community participation in such decision-making. The situation worsened again in January 2009, however, after the government enacted the Charities and Societies Proclamation, which effectively prohibits existing local NGOs from working on human rights. The law brands as 'foreign' any organization receiving more than 10 per cent of its funding from abroad. 'Foreign' NGOs, in turn, are not allowed to engage in activities concerning democracy and human rights, conflict resolution or criminal justice. The implementation of the law has already caused the closure of a number of human rights organizations, including those working on the right to water.



Second, being the most marginalized groups, minority communities are often the hardest to reach for reasons such as language, settlement in remote areas, cultural way of life (pastoralism), ingrained prejudice and discrimination, cost, etc. Governments and NGOs must ensure that these communities do not fall off the radar of development projects. This requires a conscious effort not to exclude them and to ensure that resources are provided so that these communities also enjoy access to water and sanitation.

Strategy and tactics

Integrated approach

To maximize the impact of development projects, people have to learn how to use and maintain clean water. An integrated approach combining the provision of safe, affordable domestic water, effective sanitation and appropriate hygiene education should be used. This integrated approach has been proven to provide the best health and poverty outcomes for poor communities. Research by the World Health Organization (WHO) shows that the integrated approach reduces the number of deaths caused by diarrhoeal diseases by an average of 65 per cent.

Warning

Do not exclude. Make sure you reach the most marginalized groups. The pressure for cost efficiency from donors has put pressure on governments and NGOs to devise low-cost interventions. Therefore the most remote areas, which would be more costly to reach, are often neglected in favour of other more reachable communities. Donors must therefore be made aware of this and be prepared to support initiatives that serve communities living in hard-to-reach areas.

TIPS for activists working in the region

To maximize the impact of projects, people have to learn how to use and maintain clean water. Combine the provision of safe, affordable domestic water and effective sanitation with appropriate hygiene education.



Villagers in Ethiopia. Source: Barbara Erős



Working with an intersectoral approach

Governments have a responsibility to ensure the provision of safe water and sanitation for their citizens, and their engagement in a project provides a critical mechanism for multiplying and scaling-up its positive impacts and approaches. Private businesses can also serve a key role in filling gaps that government and NGOs cannot, such as provision of construction work. Creating strong linkages with all relevant government offices and businesses, as well as building their capacity and securing their active participation in project activities, are key to the success of water, sanitation and hygiene projects.

Activities of the government

The Ethiopian government is increasingly prioritizing water and sanitation in its development projects. The two most recent initiatives are the National Sanitation Strategy and the Universal Access Plan.

The National Sanitation Strategy sets the objective of achieving 56 per cent of Ethiopians living in 100 per cent sanitized communities by 2015. A sanitized community is defined as one in which people dispose of faeces safely, wash hands after defecation and maintain a safe drinking water chain (a safe drinking water chain is where water for domestic use is collected and stored safely from its source to its consumption). The 'Strategic Pillars for Improved Sanitation and Hygiene' include sanitation and hygiene promotion through participatory learning, advocacy, communication, social marketing, incentives or sanctions creating demand and forging behaviour change.

The Universal Access Plan adopted by the Ethiopian government aims to provide water and sanitation to the entire population by 2012. While this demonstrates government commitment to and prioritization of the provision of water and sanitation, the plan has been criticized for being unrealistic, based on unclear numbers and calculations, and severely under-resourced. For these reasons the plan appears not to have the universal support of Regional Governments.

Conclusions

Recent initiatives by both the Ethiopian government and donors in prioritizing the right to water and sanitation are encouraging. However, more *realistic planning* and *clear financing plans* by government and donors are required to ensure that targets are achievable. The participation of beneficiaries, in particular marginalized minority communities, in the planning, development, implementation, monitoring and evaluation of such development plans is imperative.

The legalization of community water management boards would ensure that water schemes are sustainable, as these bodies would have a legal basis for challenging service providers that are not providing adequate water and facilities. The legalization of water management boards would empower local communities as they would then have access to remedy if service providers should fail in their delivery. It would also strengthen local communities in their participation and fight for basic services.

(The case study is based on an initial pilot project implemented by the Organization for Rehabilitation and Development in Amhara (ORDA) and supported by WaterAid.)



CASE STUDY 3: CONSTITUTIONAL REVIEW PROCESS IN KENYA

A case study on the Kenyan Constitutional Review Process

The participation of minorities and indigenous peoples in the review process was spearheaded by Pastoralists and Hunter Gatherers Ethnic Minorities Network (PHGEMN) and hosted by the Centre for Minority Rights Development (CEMIRIDE).

Summary

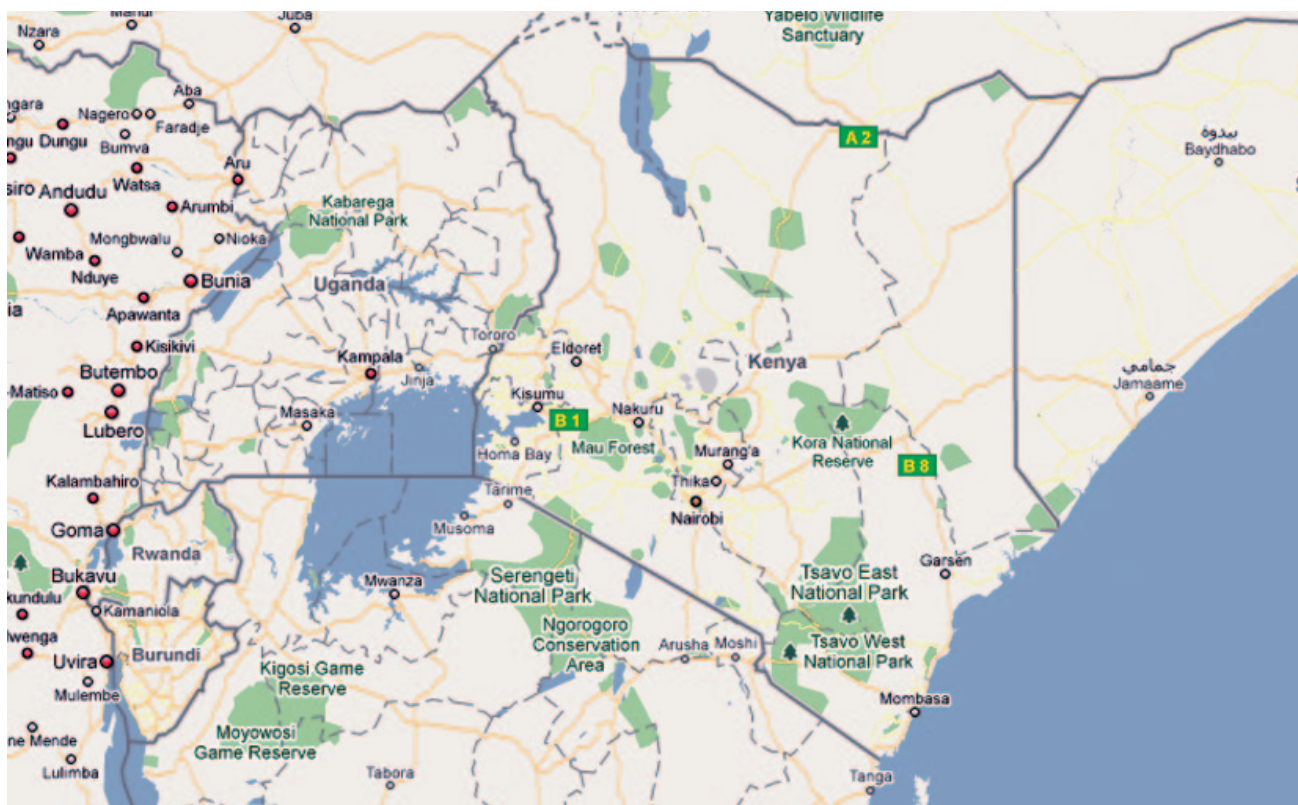
Official recognition of minorities enables the communities to enjoy their minority rights. Long-standing exclusion of minorities from development processes can be the cause of violent conflict. The constitutional review process in Kenya was an attempt to empower minorities and marginalized people through

constitutional recognition as this deficiency resulted in a lack of basis for advocacy for their social integration and adversely affected their access to the benefits of development. The Indigenous Fisher People Network (IFP) coordinated the process.

Project background

The Kenyan Constitution has been a subject of dispute since the country gained independence in 1963. As the system changed from a multi-party democracy to a single-party regime, the position of the prime minister was abrogated, concentrating the power in the hands of the president. The administration became centralized, losing its transparency and accountability.

Since 1965 the Kenyan government’s development policy has explicitly targeted the 30 per cent of the country that was classified as areas of ‘high potential’. These regions enjoy high rainfall and are there-



Kenya. Source: GoogleMaps



A man from the Endorois community. Source: MRG



fore more fertile. These areas dominated the government's focus on investment (see Sessional Paper Number 10 of 1965). Such government development policy came to be viewed by many members of minority and indigenous communities who inhabit the 70 per cent of the country in the areas of low investment as discriminatory against them.

Areas such as North Eastern Province and parts of Coast, Nyanza, Eastern and Western Provinces are poorer and show lower indicators for health facilities, safe water, sanitation, communication and transportation, as well as higher mortality. According to the UNDP, in 2001 Western Nyanza Province and North Eastern Province, regions predominantly inhabited by minorities, indigenous peoples and other marginalized communities, experienced a 40 per cent poverty rate, which was the highest in Kenya. By comparison, Central Province, predominantly inhabited by the dominant Kikuyu community, had a poverty rate of 30.7 per cent. Differences in the level of human poverty between regions indicate disparities in the dimensions of deprivation: short lifespan, lack of basic education and lack of access to public and private resources.

The concentration of power in the hands of the president has allowed for preferential treatment of the president's ethnic community at the expense of other groups. As a result of this exclusion, indigenous peoples (pastoralists who live a nomadic lifestyle, hunter gatherers who inhabit the forest areas and the fisher peoples), minorities and other marginalized communities have experienced severe levels of poverty, low education enrolment rates, illiteracy, poor health, gender inequality and general underdevelopment. This of course has led to resentment over time towards the dominant communities.

People thirsted for change and put hopes in the constitutional reform, which held out the prospect of redistribution of power. In 2000, the Commission for Constitutional Reform of Kenya was set up, bringing together acknowledged scholars in constitutional law. The Commission proposed the dilution and devolution of presidential powers to ensure a

more accountable government. These aims were accompanied by proposals to guarantee participation in decision-making for all peoples of Kenya, including minorities and indigenous peoples. Devolution of powers was expected to ensure self-determination, rights of restitution and development of resources such as water, fisheries, forestry, wildlife and pasture. The proposals were designed so that (1) the elected president appoints the prime minister; (2) the prime minister appoints the cabinet; (3) the prime minister leads the government and chairs the cabinet; and (4) the president remains head of the armed forces.

Objectives

PHGEMN participated in the review process with the overall aim of gaining constitutional recognition for minorities and indigenous peoples in Kenya in order to address their development needs. It was felt that the recognition of their rights in the constitution would guarantee inclusiveness and effective participation in the development processes.

Comprehensive consultation with citizens and civil society representatives over the constitutional proposals ensued during the Constitution of Kenya Review Process (CKRP). Two National Constitutional Conferences were held at Bomas, where delegates from all over the country representing various interest groups, and marginalized communities, including minorities and indigenous peoples, were represented and strove for a broad consensus.

Activities

During the CKRP, PHGEMN lobbied on the grassroots and national levels and organized visits for delegates to minorities' and indigenous peoples' areas. Both men and women delegates visited the Olkaria Geothermal Power Station and were shown the effects of displacement and environmental degradation on minorities and indigenous peoples. Media were also employed to



ensure that key information reached the larger Kenyan society, although much of the media work was disseminated through PHGEMN publications. PHGEMN and partners were able to send delegates to – and thus actively *participate* in – the Constitution of Kenya Review Commission, and were also represented at the National Constitutional Conference.

PHGEMN also organized trainings, which *empowered* community members with lobbying skills and enabled them to articulate their concerns effectively and with clarity as delegates and observers during the national constitutional conference.

In its final form, the Kenyan Draft Constitution that became popularly known as the **Bomas Draft** was responsive to the issues of concern to minorities and indigenous peoples in Kenya. Article 43 addressed the rights of minorities and indigenous peoples and redressed their marginalization.

Project results and conclusions

The Commission for Constitutional Reform started work under the presidency of Daniel arap Moi in 2000. When Mwai Kibaki became the president of Kenya in 2002, he was supportive of the constitutional reform and the restriction of presidential powers. He went as far as pledging during the elections that he would have a new constitution adopted within 100 days. However, after the draft constitution had been finalized, the government withdrew from the talks and started to undermine the reform process. This caused a battle between coalition MPs, as some wanted to pursue the process, and led to a weakening of the coalition. In the summer of 2004 Kibaki announced that the 100-day deadline was missed and the draft constitution could not be adopted because agreement had not been reached on key issues.

One year later Kibaki proposed a new draft, the **Wako Draft**, which was however voted down in a referendum, clearly expressing the views and disagreement of the people. Broken promises after five years set

Article 43 of the Bomas Draft 2004



Minorities and marginalized groups

43. (1) Minorities and marginalized groups are entitled to enjoy all the rights and freedoms set out in the Bill of Rights, on a basis of equality, taking into account their special circumstances and needs.

(2) The State shall take legislative and other measures to put in place affirmative action programmes, designed to benefit Minorities and marginalized groups.

(3) The measures referred to in clause (2) shall include measures to ensure that Minorities and marginalized groups –

(a) participate and are fully represented in governance and in all other spheres of national life;

(b) are accorded special opportunities in the educational and economic fields;

(c) are accorded special opportunities for access to gainful employment;

(d) are assisted to develop their cultural values, languages and practices;

(e) are assisted to have reasonable access to water, health services and transport infrastructure;

(f) have a reasonable opportunity to meet their basic needs; and

(g) live a life free from discrimination, exploitation or abuse.

the stage for serious ethnic tension, which has long dogged Kenyan politics.

In the disputed elections of December 2007, when Kibaki was accused of election fraud, deep-seated



animosities and anger deriving from years of marginalization and discrimination of certain communities was triggered. Kenyan ethnic communities split into two camps, one supporting Kibaki and the other endorsing the opposition leader Raila Odinga. There was serious resentment towards the members of the Kikuyu community of which Kibaki was member. They were perceived as the obstacle to the realization of the rights of minorities and indigenous communities. The violence was started by the members of many communities that identify themselves as minorities and/or indigenous peoples, or generally communities that have felt marginalized by successive Kenyan governments. After the bloody riots,

Be prepared to react to changing circumstances. Think over different scenarios in the planning process so that you can adjust your strategy and tactics to sudden setbacks.

Create a security action plan for your group's and your own safety. Think ahead if you tackle issues which may threaten your personal safety.

Since 2008...

...minorities and indigenous peoples have engaged in the revived constitution reform process. Participants spearheaded by the Minorities' Reform Consortium (MRC) aspire to ensure that provisions of the Bomas Draft of 2004 are refined into the draft constitution and the final version effectively caters to the needs of minorities, indigenous peoples and other marginalized groups.

there was a temporary change to the constitution in March 2008, and the positions of prime minister and two deputy prime ministers were introduced. Odinga became prime minister under the power-sharing agreement. The total dilution of the presidential power however, did not happen and neither are the rights of minorities and marginalized people guaranteed in a separate article.

Read more

Kenya: Minorities, Indigenous Peoples and Ethnic Diversity – Minority Rights Group International and Centre for Minority Rights Development.

**RELEVANT
INTERNATIONAL
INSTRUMENTS**



PROVISIONS ON EQUALITY AND NON-DISCRIMINATION IN INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

International Covenant on Civil and Political Rights

Article 2.1

Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

Article 24.1

Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

Article 26

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

International Covenant on Economic, Social and Cultural Rights

Article 2.2

The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

Convention on the Elimination of All Forms of Discrimination against Women

International Convention on the Elimination of All Forms of Racial Discrimination

Convention on the Rights of the Child

Article 2.1

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Article 7

States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education

International Labour Organization (ILO) Convention No. 111 on Discrimination *(Employment and Occupation)*

PROVISIONS ON THE NATURE OF STATES' OBLIGATIONS IN INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

International Covenant on Economic, Social and Cultural Rights

Article 2.1

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present

Covenant by all appropriate means, including particularly the adoption of legislative measures.

International Covenant on Civil and Political Rights

Article 2.2

Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

PROVISIONS ON PARTICIPATION IN INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

International Covenant on Civil and Political Rights

Article 19

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Article 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.



Article 22.1

Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

Article 25

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.

International Covenant on Economic, Social and Cultural Rights

Article 15.1

The States Parties to the present Covenant recognize the right of everyone:

- (a) To take part in cultural life.

Convention on the Elimination of All Forms of Discrimination against Women

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Convention on the Rights of the Child: articles 13, 15, and 31

PROVISIONS ON INTERNATIONAL ASSISTANCE AND COOPERATION IN HUMAN RIGHTS INSTRUMENTS

Charter of the United Nations

Article 1.3

The Purposes of the United Nations are: ... To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: (a) higher standards of living, full employment, and conditions of economic and social progress and development; (b) solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and (c) universal respect for, and observance of, human rights and fundamen-



tal freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Universal Declaration of Human Rights

Articles 22 and 28

‘Everyone ... is entitled to realization, through national effort and international cooperation ... of the economic, social and cultural rights indispensable for his dignity and free development of his personality’ (Art. 22), and ‘to a social and international order in which the rights and freedoms set forth [in the Declaration] can be fully realized’ (Art. 28).

International Covenant on Economic, Social and Cultural Rights

Article 2.1

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

Articles 11.2, 15.4, 22 and 23

Convention on the Rights of the Child: Articles 4 and 24.4

Declaration on the Right to Development

WORLD CONFERENCES

UN Conference on Environment and Development (1992); Agenda 21; Vienna Declaration and Programme of Action (1993); UN Millennium Declaration (2000); Third UN Conference on the Least Developed Countries: Declaration and Programme of Action (2001); Monterrey Consensus of the International Conference on Financing for Development (2002); and the 2005 World Summit Outcome. Millennium Development Goal 8: Develop a global partnership for development.

DEVELOPMENT DECLARATION

A/RES/41/128

4 December 1986

97th plenary meeting,

41/128. Declaration on the Right to Development

The General Assembly

Bearing in mind the purposes and principles of the Charter of the United Nations relating to the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that 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,

Considering that under the provisions of the Universal Declaration of Human Rights everyone is entitled to a social and international order in which the rights and freedoms set forth in that Declaration can be fully realized,



Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights,

Recalling further the relevant agreements, conventions, resolutions, recommendations and other instruments of the United Nations and its specialized agencies concerning the integral development of the human being, economic and social progress and development of all peoples, including those instruments concerning decolonization, the prevention of discrimination, respect for and observance of, human rights and fundamental freedoms, the maintenance of international peace and security and the further promotion of friendly relations and co-operation among States in accordance with the Charter,

Recalling the right of peoples to self-determination, by virtue of which they have the right freely to determine their political status and to pursue their economic, social and cultural development,

Recalling also the right of peoples to exercise, subject to the relevant provisions of both International Covenants on Human Rights, full and complete sovereignty over all their natural wealth and resources,

Mindful of the obligation of States under the Charter to promote universal respect for and observance of human rights and fundamental freedoms for all without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the elimination of the massive and flagrant violations of the human rights of the peoples and individuals affected by situations such as those resulting from colonialism, neo-colonialism, apartheid, all forms of racism and racial discrimination, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity and threats of war would contribute to the establishment of circumstances propitious to the development of a great part of mankind,

Concerned at the existence of serious obstacles to development, as well as to the complete fulfilment of human beings and of peoples, constituted, inter alia, by the denial of civil, political, economic, social and cultural rights, and considering that all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of, respect for and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms,

Considering that international peace and security are essential elements for the realization of the right to development,

Reaffirming that there is a close relationship between disarmament and development and that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples and, in particular, those of the developing countries,

Recognizing that the human person is the central subject of the development process and that development policy should therefore make the human being the main participant and beneficiary of development,

Recognizing that the creation of conditions favourable to the development of peoples and individuals is the primary responsibility of their States,

Aware that efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order,

Confirming that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations,



Proclaims the following Declaration on the Right to Development:

Article 1

1. 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.

2. The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

Article 2

1. The human person is the central subject of development and should be the active participant and beneficiary of the right to development.

2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.

3. States have the right and the duty to formulate appropriate national development policies that aim 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 the benefits resulting therefrom.

Article 3

1. States have the primary responsibility for the creation of national and international conditions

favourable to the realization of the right to development.

2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.

3. States have the duty to co-operate with each other in ensuring development and eliminating obstacles to development. States should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and co-operation among all States, as well as to encourage the observance and realization of human rights.

Article 4

1. States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development.

2. Sustained action is required to promote more rapid development of developing countries. As a complement to the efforts of developing countries, effective international co-operation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development.

Article 5

States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self-determination.



Article 6

1. All States should co-operate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all without any distinction as to race, sex, language or religion.
2. All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights.
3. States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights.

Article 7

All States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries.

Article 8

1. States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices.
2. States should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights.

Article 9

1. All the aspects of the right to development set forth in the present Declaration are indivisible and interdependent and each of them should be considered in the context of the whole.
2. Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations, or as implying that any State, group or person has a right to engage in any activity or to perform any act aimed at the violation of the rights set forth in the Universal Declaration of Human Rights and in the International Covenants on Human Rights.

Article 10

Steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.

UNDM

A/RES/47/135

92nd plenary meeting

18 December 1992

47/135. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Reaffirming that one of the basic aims of the United Nations, as proclaimed in the Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,



Desiring to promote the realization of the principles contained in the Charter, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live,

Emphasizing that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among peoples and States, Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular by the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities and the bodies established pursuant to the International Covenants on Human Rights and other relevant international human rights instruments in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking into account the important work which is done by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Proclaims this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.
2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.
2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.
3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.



4. Persons belonging to minorities have the right to establish and maintain their own associations.

5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in the present Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowl-

edge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities. Article 6

States should cooperate on questions relating to persons belonging to minorities, inter alia, exchanging information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights set forth in the present Declaration.

Article 8

1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.



3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including

sovereign equality, territorial integrity and political independence of States.

Article 9

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles set forth in the present Declaration, within their respective fields of competence.



GLOSSARY

Advocacy – is putting a *problem* on the political agenda, providing a *solution* to that problem, and building support for applying the solution in order to *change* the situation. Advocacy is a process, not an event. It happens at all levels – local, national, regional and international.

Africa–EU Strategy – a policy document, in the form of an international agreement between the Council of the EU and the AU, agreed in 2005, confirmed by the Council in 2006 and by the AU in 2007. Consequently the **Lisbon Declaration** was issued in 2007 defining the principles and commitments of the partnership, and was adopted at the same time as the joint strategy and the first three-year action plan (2008–10).

Aid Watch – Monitoring activities of NGDOs regarding ODA levels, aid inflation and policies relevant to development assistance.

CONCORD – is the European NGO Confederation for Relief and Development. Its 18 international networks and 22 national associations from the European member states represent more than 1,600 European NGOs vis-à-vis the European institutions. The main objective of CONCORD is to enhance the impact of European development NGOs vis-à-vis the European institutions by combining expertise and accountability.

The Cotonou Agreement – a Partnership Agreement between the EC, its member states and 79 African, Caribbean and Pacific (ACP) countries, signed in 2000, ratified in 2002. It succeeded the Yaoundé (1964–75) and the Lomé (1975–2000) Agreements.

Development Cooperation Instrument (DCI) – This instrument is made up of five thematic programmes (non-state actors; food security; investing in people; environment; asylum and migration; compensations) and five geographic programmes (Asia, Central Asia, Latin

America, the Middle East and the Republic of South Africa). The thematic programmes are open to all developing countries and support the Country Strategy Papers (CSPs). The DCI is part of the normal EU budget.

Development Education (DE) – is an active learning process, founded on values of solidarity, equality, inclusion and cooperation. It enables people to move from basic awareness of international development priorities and sustainable human development, through understanding of the causes and effects of global issues, to personal involvement and informed action. DE fosters the full participation of all citizens in worldwide poverty eradication, and the fight against exclusion. It seeks to influence more just and sustainable economic, social, environmental and human rights-based national and international policies.

European Consensus on Development – a policy statement signed in 2005 by the European Commission, the Council and the European Parliament.

European Consensus on Humanitarian Aid – a policy statement signed in 2007 by the European Commission, the Council and the European Parliament.

European Development Fund (EDF) – set up to finance the implementation of the Cotonou Agreement. The amount contributed by each member state depends on the GNP (gross national product) and historical ties to the ACP countries. There are two instruments for implementation: one is a grant for sector programmes, the other is managed by the EIB (European Investment Bank) and aims at boosting private investment.

European Neighbourhood and Partnership Instrument (ENPI) – is the instrument for supporting the European Neighbourhood Policy, in a more flexible and policy-driven manner. The former TACIS (eastern neighbours and Russia) and MEDA (southern Medi-



terranean neighbours) programmes, as well as the European Initiative for Democracy and Human Rights (EIDHR) have all been incorporated into this one instrument from 2007 onwards. This instrument covers individual country programmes, improved cross-border cooperation programmes, technical assistance and information exchange and long-term twinning arrangements with EU member states administrations among others. Geographically this is the main instrument covering initiatives for the Balkans and Turkey. The ENPI is part of the normal EU budget.

Gross national income (GNI) – comprises the total value produced within a country (i.e. its **gross domestic product**), together with its income received from other countries (notably **interest** and **dividends**), less similar payments made to other countries.

Human rights-based approach to development – based on the norms and values set out in international human rights law which constitute the basis for development policies and institutions.

Human rights framework – provides a set of objective and universal standards against which the impacts of laws, policies and interventions can be measured.

Millennium Declaration – adopted by the UN General Assembly in 2000, a global commitment to eradicate extreme poverty.

Organisation for Economic Co-operation and Development (OECD) – was established by an international treaty in 1961. Some of the most industrialized countries of the world are members on condition that they observe the basic principles: an open market economy, democratic pluralism and respect for human rights. It is an exclusive club of market economies aiming to boost growth in world trade and support sustainable economic growth. In 2007, the OECD reviewed the Development Cooperation Policies and Programmes of the European Community. As a result, the Peer Review Recommendations included (1) more coherent operational strategies to assure that poverty eradication, the MDGs and

cross-cutting issues like gender, environment and HIV/AIDS are fully addressed; (2) further clarification of the respective roles of the Commission and the member states; improving the effectiveness and performance of Commission operations by adjusting systems of oversight by member states and Parliament, without compromising the management of Commission operations. Improvements for (3) aid effectiveness and (4) policy coherence were also addressed among the Recommendations.

OECD Development Assistance Committee (DAC) – is the primary forum where the OECD deals with support to developing country economies. Members are the world’s major bilateral donors.

Official Development Assistance (ODA) (bilateral/multilateral) – consists of grants or loans to territories on the DAC list of ODA Recipients (developing countries) and to multilateral agencies. There are three conditions for aid to qualify as ODA:

1. It is from government to government (between the official sectors);
2. It aims at promoting economic development and welfare primarily;
3. It is provided at concessional financial terms (if a loan, still at least 25 per cent grant element).

Technical cooperation accompanies financial support, and military purposes are excluded, as well as payments to private individuals.

Bilateral ODA – grant or loan in accordance with the OECD definition, directly provided by a donor government to a developing country government.

Multilateral ODA – budget allocations of various countries through the intermediary of an international organization (often a UN agency, or EU institutions). The aid is provided in the form of membership fees.

Paris Declaration on Aid Effectiveness – signed by donor governments in 2005, including the EU, and led by the OECD. It is a declaration; therefore it is not legally binding.



Sustainable development – development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

TRIALOG – a project of CONCORD, based in Vienna, that aims at the capacity-building of NMS' NGDO

platforms and their member organizations. CONCORD also helps NMS' platforms and their members to become more active in global education through its DE working group and the DEEEP project that organizes annual summer universities, for example about DE questions.



CONTACTS AND FURTHER RESOURCES

NGDO RESOURCES

Concord – European NGO Confederation for Relief and Development, available at:
<http://www.concordeurope.org/Public/Page.php?ID=8>

TRIALOG – Development NGOs in the enlarged EU, information and services specifically designed for the needs of NMS' NGDOs, available at:
<http://www.trialog.or.at/start.asp?ID=96>

Understanding EU Development Cooperation, Trialog (2007), available at:
http://doku.cac.at/broschure_final_website.pdf

DEEEP – Development Education Exchange in Europe Project, available at:
<http://www.deeep.org/>

Eurodad – Network of European Development NGOs working on economic policies, available at: <http://www.eurodad.org>

Eurostep – Network of NGOs focusing on European development cooperation, available at:
<http://www.eurostep.org>

BOND – British Overseas NGOs for Development, comprehensive information for small non-member NGOs as well, available at:
<http://www.bond.org.uk/learning-and-training.php>

NEW MEMBER STATES' PLATFORMS

Czech Republic: FoRS – Czech Forum for Development Cooperation, available at:
<http://www.fors.cz/en/news/news>

Hungary: HAND – Hungarian Association of NGOs for Development and Humanitarian Aid, available at:
<http://www.hand.org.hu>

Latvia – Latvijas Platforma attistibas sadarbibai, available at:
<http://www.lapas.lv/>



Malta – National Platform of NGOs, available at:
<http://www.ngdomalta.org/>

Poland – Grupa Zagranica, available at:
<http://www.zagranica.org.pl/>

Slovak Republic – P MVRO, available at:
<http://mvro.sk/index-en.html>

Slovenia – SLOGA, Slovenian Global Action, available at:
<http://www.sloga-platform.org/>

Basic information on other NMS' development cooperation policies can be found mostly on the websites of the respective ministries of foreign affairs, as well as at the TRIALOG website (www.trialog.or.at)

EU CONTACTS AND INFORMATION

Key links to EU institutions working in the field of development, summaries of legislation, etc.:

http://europa.eu/pol/dev/index_en.htm

and regarding human rights:

http://europa.eu/pol/rights/index_en.htm

Parliament:

<http://www.europarl.europa.eu>;

ALDE group:

<http://www.alde.eu/>

Commission:

http://ec.europa.eu/development/index_en.cfm

INTERNATIONAL DOCUMENTS

Monterrey Consensus, available at:

<http://www.un.org/esa/ffd/monterrey/MonterreyConsensus.pdf>

Paris Declaration, available at:

<http://www.oecd.org/dataoecd/11/41/34428351.pdf>

European Consensus on Development, available at:

http://ec.europa.eu/development/policies/consensus_en.cfm

European Consensus on Humanitarian Aid, available at:

http://europa.eu/legislation_summaries/humanitarian_aid/r13008_en.htm



Cotonou Agreement, available at:

http://ec.europa.eu/development/geographical/cotonouintro_en.cfm

Lisbon Declaration, available at:

http://ec.europa.eu/development/icenter/repository/EAS2007_lisbon_declaration_en.pdf

DEVELOPMENT COOPERATION

OECD Peer Reviews, available at:

http://www.oecd.org/department/0,3355,en_2649_34603_1_1_1_1_1,00.html

PASOS report on the Challenge of European Development Co-operation Policy for NMS, available at:

<http://www.pasos.org/www-pasosmembers-org/publications/the-challenge-of-the-eu-development-co-operation-policy-for-new-member-states>

PASOS report on development aid policies of new EU member states, available at:

<http://www.pasos.org/www-pasosmembers-org/news/flexibility-towards-eastern-neighbours-and-good-governance-emphasized-to-european-parliament-pasos-report-on-development-aid-policies-of-new-eu-member-states>

TRIALOG study 'Development Policy in the Accession Countries' (March 2003), available at:

<http://www.trialog.or.at/images/doku/study-march03.pdf>

TRIALOG Policy Paper 'Development Co-operation in the Context of EU Enlargement (September 2002)', available at:

http://www.trialog.or.at/images/doku/trialog-polic.paper_engl.pdf

WG Enlargement Statement 'EU-Enlargement related challenges for development policies in the European Union' (February 2004), available at:

http://www.trialog.or.at/images/doku/challenges_of_enlargement.pdf

CONCORD Aid Watch reports with country sections including ODA of all NMS, available at:

http://www.concordeurope.org/Files/media/internetdocumentsENG/3_Topics/Topics/Aidwatch/AidWatch-report-2009_light.pdf

ODA priority territories of the new EU member states, November 2007, available at:

http://www.trialog.or.at/images/doku/nms_oda_priority_countries.pdf

Which cooperation between old EU member states and new EU member states?

Conclusions from Workshop 2 of the European Meeting of Development Cooperation Platforms on 15 November 2008 (organized by HUMANIS, www.humanis.org, in partnership with TRIALOG; as side event during the European Development Days 2008 in Strasbourg, 15–17 November); presented to the European Development Days' Official Conference on 16 November 2008 by Christine Bedoya, TRIALOG, available at:

<http://www.trialog.or.at/images/doku/EDD-workshop-TRIALOG.pdf>



Also a summary of the HUMANIS event on the European Development Days website: <http://www.eude-vdays.eu/Public/PressRelease.php?ID=2724>.

'Challenges of development policy for new member states (NMS)', speech given by Annamária Kékesi, Board Member of CONCORD, at the ALDE seminar (European parliamentary group ALDE – the Alliance of Liberals and Democrats for Europe), 12 November 2008. The meeting followed up the European Parliament report written by Lithuanian MEP Danute Budreikaite earlier in the year on the challenges for NMS (see European Parliament resolution from March 2008 below), available at:

<http://www.trialog.or.at/images/doku/alde-speech-annamaria-kekesi.pdf>

Further links at European Parliament:

<http://www.europarl.europa.eu>;

ALDE group:

<http://www.alde.eu/>

'Development cooperation in the new member states from NGO perspective', speech given by Marian Caucik, chairman of the Slovak NGDO Platform at the Public Hearing on new EU donors, European Parliament, Committee on Development, 30 January 2007, available at:

http://www.trialog.or.at/images/doku/ep_hearing_caucik.pdf

For more information on the hearing, please turn to the [website of the European Parliament](#).

'The EU's "emerging donors": new players in development cooperation', presentation given by Ben Slay, Director, UNDP Bratislava Regional Centre, at **Public Hearing on NEW EU DONORS**, European Parliament, Committee on Development, 30 January 2007, available at:

http://www.trialog.or.at/images/doku/ep_hearing_slay.pdf

The challenge of EU Development Cooperation Policy for the new Member States. European Parliament resolution adopted in March 2008, available at:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0097+0+DOC+XML+V0//EN&language=EN>

Special EC Eurobarometer: **Citizens of the new EU Member States and Development Aid**, (September 2007), available at:

http://ec.europa.eu/public_opinion/archives/ebs/ebs_286_en.pdf

Open Forum for CSO effectiveness, available at:

<http://www.cso-effectiveness.org/>

On the European Transition Compendium, available at:

<http://trialog-information-service.blogspot.com/2009/06/european-transition-compendium-call-for.html>

Bucar, Maja, Anja Mesic and Eva Plibersek, 'Development policies of new EU member states: the role of non-governmental organisations' (2008), available at:

http://www.eadi.org/fileadmin/Documents/Events/General_Conference/2008/paper_bucar_et_al.pdf



Drazkiewicz, Elzbieta, 'Official Development Assistance in the Visegrad countries' (2008), Polish Green Network, available at:

http://globalnepoludnie.pl/IMG/pdf/oda_print.pdf

Horký, Ondřej, 'Development policy in new EU member states. Re-emerging donors on the way from compulsory altruism to global responsibility' (2006), Institute of International Relations, Prague, available at:

<http://www.cceisaconf.ut.ee/orb.aw/class=file/action=preview/id=166463/horky.pdf>

Growing pains: development policy in the new Europe, by Simon Lightfoot. In: BOND's April 2008 edition of *The Networker*; available at:

<http://www.bond.org.uk>

Lightfoot, Simon, 'Dynamics of EU development policy after enlargement', (2008), University of Leeds. This is a slightly revised version of European Development Policy Study Group Discussion Paper 35, available at:

<http://www.edpsg.org/index.pl>

or use the direct link

<http://www.edpsg.org/Documents/DP35.doc>

FURTHER ADVOCACY MATERIAL

DEEEP advocacy toolkit:

www.deep.org/advocacytoolkit.html

European Development Consensus, the European Development Education Consensus or the EP report on Development Cooperation Policies in the NMS. Full list of commitments and declarations on DE here:

<http://www.deep.org/advocacy.html>

FURTHER READINGS ON CAMPAIGNING

Amnesty International's Campaigning Manual:

<http://www.amnesty.org/en/library/info/ACT10/002/1997>

Civicus's Campaigning Toolkit on the MDGs:

<http://www.civicus.org/mdg/title.htm>

HAND's campaigning manual:

http://www.zpok.zoldpok.hu/img_upload/3a2faadd704989e61eedced2e0b9a4c/kampanyologia2008.pdf



FURTHER READINGS ON THE HUMAN RIGHTS-BASED APPROACH

UNICEF, *The Human Rights Based Approach* (2004), available at:

<http://www.unicef.org/sowc04/files/AnnexB.pdf>

Office of the High Commissioner for Human Rights, *Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation* (2006), available at:

<http://www.un.org/Depts/dhl/humanrights/toc/toc9.pdf>

UN Office of the High Commissioner for Human Rights, *Draft Guidelines: A Human Rights Approach to Poverty Reduction Strategies*, 10 September 2002, available at:

<http://www.unhcr.org/refworld/docid/3f8298544.html> (accessed 20 August 2009).

UN Office of the High Commissioner for Human Rights, *Human Rights and Poverty Reduction. A Conceptual Framework* (2004), available at:

<http://www.ohchr.org/Documents/Publications/PovertyReductionen.pdf>

Ellis, Lyndsey, *A Rights-Based Approach to Development: An Exploration of Cultural Relativism and Universality in Human Rights*, April 2006, Brandeis University, Heller School for Social Policy and Management, Program in Sustainable International Development.

Kochanowicz, Kordian, *Rights-Based Approach to Development as a New Opportunity and Challenge to Development Cooperation* (2009), available at:

<http://www.peacestudies.pl/niusy/photos/file/Kochanowicz.pdf>

'Rights-based approach and the Millennium Development Goals: the UNDP and Hurist experience', presentation given on 1 November 2004 by Inger Ultvedt, Human Rights Adviser, Oslo Governance Centre, available at:

<http://www.undp.org/oslocentre/> (accessed 20 August 2009).

Amnesty International EU Office, Terre des Hommes International Federation, ActionAid, International Human Rights Network, *Human Rights-Based Approaches and the European Union Development Aid Policies*, 2008, available at:

http://www.ihrnetwork.org/eu-development-policies_215.htm (accessed 20 August 2009).

'What is development?', World Bank, 2004, available at:

http://www.worldbank.org/depweb/english/beyond/beyondco/beg_01.pdf (accessed 20 August 2009).

All the UN Human Rights Treaties are available at:

<http://www2.ohchr.org/english/law/index.htm>

or

<http://www.bayefsky.com>



CONTRIBUTORS

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