



Successful Strategies Facilitating the Inclusion of Marginalized Groups in Customary and Democratic Governance: Lessons from the Field

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‘Democracy is strengthened when it includes indigenous peoples and gay people and women. This is democracy and this is how we create great civilizations’

EUFROSINA CRUZ MENDOZA

Introduction

The main objectives of the workshop were to create a forum in which inclusion practitioners can share examples of good practice in facilitating marginalized groups’ progress from exclusion to inclusion in democratic and customary/religious governance, and to distil key elements of successful inclusion strategies that may be replicable in political context elsewhere.

The workshop was organized in four thematic sessions designed to showcase good practices and lessons learnt for protecting and promoting the rights of marginalized groups through the utilization of protection mechanisms; democratic governance structures and civil society organizations; customary and religious governance structures; media; and community theatre.

Presentation of practices ranging from those based on internationally agreed human rights instruments to forms of interactive community activism such as theatre provided a uniquely broad spectrum of experiences for discussion and learning.

In the group and plenary discussions that followed the presentations, participants identified key substantive objectives that they had targeted and discussed specific measures, strategies and instruments utilized for

achieving these objectives. The substantive rights that these initiatives aimed to advance included effective protection and promotion of rights of indigenous communities over their ancestral territories, natural resources or other rights; the elimination of all forms of discrimination and violence against women and the advancement of the status of women in society; the protection and promotion of rights of labour migrants; the protection and promotion of rights of individuals based on their gender identity and sexual orientation; and the rights of ethnic and linguistic groups for self-determination and distinct identity as part of multi-ethnic states. The workshop emphasized that the choice of measures and strategies is invariably connected with the context in which they have to be implemented. It underscored that inclusion mechanisms need to be developed in an inclusive manner and that they need to be reviewed and reassessed periodically to ensure that they are in line with realities in given contexts.

The workshop brought together various human rights practitioners, ranging from community activists to government officials, from Afghanistan, Burma, Egypt, Georgia, Lebanon, Libya, Malawi, Mexico, Namibia, Nepal, Peru, Sierra Leone, South Africa, Thailand, Tunisia and the United Kingdom.

Sessions: Presentations and Discussions

Session I: Utilization of international and national protection mechanisms

The session featured three presentations:

- Hernan Coronado, Advisor to the Deputy Minister of Culture, Peru, presenting the origins and the purpose of Peru's Advance Consultation Law—landmark legislation adopted by the country in order to actively implement the rights of indigenous people to advance consultation in relation to new laws or other state measures that potentially affect their rights, property and wellbeing.
- Noe Noe Htet San and Ah Noh from the Women's League of Burma presenting their experience of reaching out to many different community organizations of Burmese women (in exile and within Burma, largely working in insecure conditions as they face persecution from the state) to compile the Shadow Report to the Commission on the Elimination of All Forms of Discrimination Against Women on the situation of women in Burma titled "In the Shadow of Junta". The report uncovered brutal crimes against women committed by the Burmese military, the situation of women labor migrants in neighboring countries and the domestic and sexual violence they experience.
- Carl Söderbergh from Minority Rights Group International, focusing on the key tenets of effective public participation by marginalized or minority groups and the implementation of internationally agreed human rights standards and mechanisms together with the special measures that are often necessary to protect and promote the rights of these groups.

Discussion

In the group and plenary discussions that followed, participants identified successful strategies and tools for inclusion and impact, such as: coalition building and networking with like-minded organizations; coalition building across the spectrum of human rights and democracy advocates; the systematic gathering of accurate and verifiable information and consolidation of this information to serve as evidence for awareness raising, lobbying and advocacy; capacity-building for participation in reporting mechanisms on regional and international levels; strategic lobbying with various political and opinion leaders, including religious and traditional leaders, to achieve set objectives; the strategic use of media outlets to reach out to the wider audiences to obtain public support; strategic litigation in local and international courts to create positive case law relating to similar substantive minority rights areas; and international reporting and consultations with United Nations as well as other regional bodies to create international pressure on domestic authorities.

Session II: Utilization of democratic governance structures and utilization of customary and religious structures

The session featured presentations by:

- Wazhma Frogh, Research Institute for Women, Peace & Security, presenting the organizing and mobilizing strategies of women for inclusion in Afghan governance structures through the use of a proactive and strategic engagement with existing traditional structures and religious and tribal gatekeepers.



- Chaitanya Subba, Nepal Federation of Indigenous Nationalities, focusing on domestic measures for the inclusion of indigenous peoples such as the importance of social movements based on a collective identity to mobilize public opinion and generate change through, for example, affirmative action initiatives.
- Sunil Pant, Blue Diamond Society, discussing the Society's use of Hindu discourse and texts to create awareness of and acceptance for lesbian, gay, bisexual and transgender people and the need to continuously challenge customary and religious systems in place.
- Eufrosina Cruz Mendoza, National Action Party Mexico, presenting strategies utilizing democratic legislative structures to challenge traditional governance systems and highlighting the importance of building strategic alliances and pragmatic partnerships in order to achieve change.
- creating short-term partnerships and options for mutual gains with conservative forces;
- creating mass mobilization based on commonalities and identity politics;
- lodging collective grievances as a way to pressure governments;
- utilizing existing legislative structures to advocate for reform;
- using public pressure and disruptive strategies (when deemed safe to do so);
- carrying out continuous and objective risk analyses of political contexts, achieved by inviting external experts to challenge internal organizational assumptions about external realities;
- continuously monitoring and evaluating tactics used against set objectives;
- ensuring community buy-in through targeted information sessions and outreach strategies;
- building mass-based organizations to pressure elected officials on single-issue campaigns; and
- establishing national institutions to monitor and advocate for rights.

Discussion

In the group and plenary discussions that followed, participants identified successful strategies and tools for inclusion and impact, such as:

- regional networking with like-minded organizations to build solidarity and gain context-relevant knowledge;

Session III: Utilization of media for successful advocacy

The session featured two presentations:

- Toom Mawk Harn, Migrant Action Program, Thailand, presenting the organization's strategic use of media, specifically radio shows broadcast in minority languages to reach out to a broad spectrum of the Burmese migrant society in order to create awareness of labour and migrant rights as well as health and gender issues.
- Roshan Mahato, Blue Diamond Society, Nepal, discussing strategies for successful media sensitization to create public awareness of lesbian, gay, bisexual and transgender rights.

Discussion

In the group and plenary discussions that followed, participants identified successful strategies and tools for inclusion and impact such as continuous monitoring of media; risk analysis, risk mitigation and developing crisis management skills; developing complaints procedures and establishing media ombudspersons; establishing protection mechanisms for journalists; organizing public events for recognising responsible media reporting; media training for marginalised groups; sensitization of journalists; identifying the strategic use of public, private and social media; and recognizing interactive media's usability.

Session IV: Utilization of community theatre

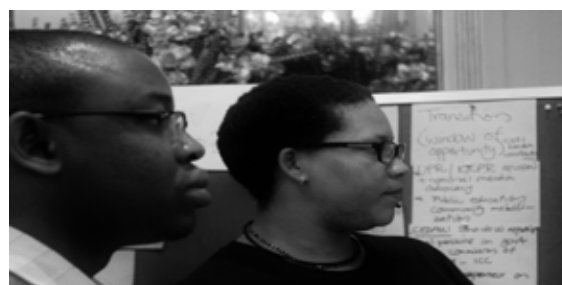
The session featured two presentations:

- Wilatluk Sinawat, LaNYT Theatre, presenting community theatre as a means to promote human development and social empowerment by raising public awareness and providing a platform for marginalized voices and in the process promoting social cohesion and dialogue.
- Nina Betori and Augustine Tarawalie, War Child Holland, presenting a summary of War Child's Performing for Peace projects in Lebanon and Sierra Leone and identifying successful strategies and tools to maximize impact in using community theatre such as: involving the target group in the design and performance of the play, thus ensuring community buy-in and legitimacy while empowering local participants; designing

personalized invitations to local decision-makers and coordinating lobbying efforts to coincide with performances; analyzing local contexts to identify targets and strategic locations; creating follow-up committees ensuring that the objectives of performances are achieved; and involving local media to disseminate information.

Theatre exercises and discussion

Workshop participants then developed and performed their own small group theatre presentations concerning inclusion themes and issues. In the plenary discussions that followed, community street theatre was generally lauded as being an effective low-budget tool for advocacy with high replicability and as an approach that can be used to empower marginalized groups and ensure public commitments of reform from decision-makers. It was seen as an important and often overlooked tool for dialogue and for the transformation of power relationships by assisting people to experience issues from other people's perspectives.



Recommendations and Lessons

At the end of the workshop, the participants gathered by thematic areas to identify successful methods and strategies for the inclusion of marginalized groups in decision-making settings and governance structures.

The following methodologies were recognized as crucial for successful inclusion work, when contextualized:

- undertaking continuous context analysis, risk assessments and preparation for crisis management;
- identifying and engaging in short-term strategic partnership and coalitions with new partners (including perceived adversaries and “conservative” entities);
- actively including young people as social agents of change;
- identify options for mutual gain; emphasizing shared opportunities and objectives to build alliances, including alliances with other similar campaigns/struggles, and sharing regional know-how and creating external pressure across borders;
- engaging in community theatre, the arts, and interactive radio broadcasting to raise awareness, empower marginalized voices and provide a platform for dialogue;
- undertaking litigation and participating in international reporting mechanisms as capacity-building and awareness raising activities; and
- localizing, analyzing and contextualizing strategies and methods used while periodically reassessing these against set objectives.

In thematic group discussions, participants identified key substantive strategies to facilitate their inclusion work. The following tactics were highlighted in the thematic group sessions:

Theme I: Lesbian, Gay, Bisexual, Transgender and Intersex

- Human protection: social mobilization, creating alliances (with young people’s, HIV/AIDS, and women’s organizations and local bodies such as district administrations).
- Mobilizing political leaders and recognizing their need for votes; adopting a top down approach where appropriate (e.g. lobbying the Prime Minister or the person at the top); adopting a bottom up approach where appropriate involving community mobilizing in each district, an awareness raising program and sensitizing educational curriculum to LGBTI issues.
- Law: using litigation/court cases to highlight discrimination issues; using external experts, often offering themselves as volunteers, to assist when needed.
- Using culture and religion when appropriate, particularly where values overlap with LGBTI issues.
- Creating strong unity within communities through awareness raising and alliance building.
- Analyzing opportunities in the social and economic sectors: creating new spaces for dialogue; using positive stories to highlight LGBTI contributions to the social “good”; developing case studies to provide details of successes or issues requiring action; ensure funding comes from a diverse number of sources; income-generation training to build your support base; family and social counseling and linking the LGBTI cause to social services; and organizing or participating in popular activities (such as festivals and the LGBTI ‘Olympic’ Games).



Theme II: Gender

- Looking for new and broader alliances:
 - creating conventional and non-conventional alliances (with trade unions, farmers, companies, etc.).
 - building short-term and long-term coalitions (when it is impossible to build alliances then use coalitions). These can be short- or long-term depending on the issues; focus on mutual gains and transforming power dynamics.
- Including women and marginalized groups in key professions in society.
- Using culture (theatre) to create change, by including and targeting young people and children.
- Constantly challenging what we know.
- Motivating, promoting and recognizing those in a public forum that include marginalized groups/ voices.
- Using regional and international structures to create platforms for exchange of information and experience, and for building solidarity across the borders within civil society.

Theme III: Indigenous People's Rights and Territories

Lessons

- Peru's law on consultation is important despite its limitations.
- Mobilization and organization for territorial defense; goes hand in hand with the exercise of free and prior consent.
- International coalitions and networks, solidarity with other struggles.
- Build relations with a host of political actors and the state, even if hostile.

- Promote initiatives of community communications (radio, theatre).
- Active participation of youth in changing the social attitudes.

Recommendations

- Political context analyses.
- Political lobbying in multiple sectors.
- Use theatre for social transformations.
- Use social media, esp. Facebook (you can link this to community radio, use indigenous languages).
- Risk assessments and evaluations, both inside and outside the organizations.

Theme IV: Dialogue

Several of the methodologies identified pertained to practices needed to achieve successful dialogue to advance the inclusion of marginalized groups. The following key approaches were recognized by the participants as central to engage in effective dialogue with customary and democratic decision-makers:

- public recognition of marginalized groups;
- working with strategic individuals and organizational partners to identify mutual gains and shared opportunities as well as parties with which to initiate dialogue;
- making commitments tangible, as well recording and signing them;
- ensuring the dialogue itself is intercultural in practice and informed by principles of honesty, respect and trust;
- ensuring the space in which dialogue is conducted is safe and neutral and facilitated with the help of a third party;
- recognizing the media, community theatre and the arts as tools through which to initiate dialogue.



Annex 1: Participant List

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Annex 2: Links to further reading

Documents in English:

- Resolution 1325: http://www.un.org/events/res_1325e.pdf
- CEDAW: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>
- ILO 169 Indigenous and Tribal Peoples Convention: http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:312314
- Yogyakarta Principles: http://www.yogyakartaprinciples.org/principles_en.htm
- Background document by the independent expert on minority issues, Gay McDougall, on minorities and effective political participation: <http://www2.ohchr.org/english/bodies/hrcouncil/minority/docs/A-HRC-FMI-2009-3.pdf>
- Public Participation and Minorities: <http://www.minorityrights.org/980/reports/public-participation-and-minorities.html>
- In the Shadow of the Junta—CEDAW Shadow Report: <http://www.womenofburma.org/Report/InTheShadow-Junta-CEDAW2008.pdf>
- Arnstein, Sherry R. “A Ladder of Citizen Participation,” JAIP, Vol. 35, No. 4, July 1969, pp. 216-224

Documents in Spanish:

- Resolución 1325: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/720/21/PDF/N0072021.pdf?OpenElement>
- CONVENCIÓN SOBRE LA ELIMINACIÓN DE TODAS LAS FORMAS DE DISCRIMINACIÓN CONTRA LA MUJER: <http://www.un.org/womenwatch/daw/cedaw/text/sconvention.htm>
- OIT 169 Convenio sobre pueblos indígenas y tribales: http://www.ilo.org/dyn/normlex/es/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:312314
- Los Principios de Yogyakarta: http://www.yogyakartaprinciples.org/principles_sp.htm
- Documento de antecedentes de la Experta independiente e cuestiones de minorías, Sra. Gay McDougall, sobre las minorías y su participación política efectiva: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/163/92/PDF/G0916392.pdf?OpenElement>

Annex 3: Feedback Poem

Diversity Is Our Strength

As time was catching up on us and the group discussions were under so much pressure, there was the translation that kept on disrupting my level of concentration.

And instead of ignoring the translation, my thoughts were stolen by my jet lag.

Ideas ideas ideas and so many more ideas I have to take back home to my people.

I can only ask you my brothers and sisters to keep on sharing lessons learned during our struggles.

As I stand here with the most admiration of each and everyone of you, I never thought that I would have those moments of crazy emotions experienced while listening to your stories.

You are those who I will bow to and proudly call my heroes.

As we had the flow of a fascinating day filled with true stories that really went deep. These stories were empowering, interesting and so inspiring.

With our excellent day that started off with amazing presentations, followed by the different stories; one could only yearn for more.

Oh my comrades, you were so generous with the flow of open discussions that kept me fixed throughout the day.

Giving me all those new ideas for the betterment of our people.

We have learned a lot from you, and only greater things can come of this. As the work we do is very critical for the very reason that we are one people.

Long Live The Struggle My Comrades!!!

Long live!!!

Aluta Continua!!!!!!