

HUMAN RIGHTS FOR DEVELOPMENT NEWS BRIEF, VOL. 2, OCTOBER 2009

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DEAR COLLEAGUES AND FRIENDS

We are pleased to present you with the second issue of the *Human Rights for Development* news brief. Like last time, the news brief features a range of interesting project updates, insightful commentaries and a compelling personal story. From engagement with the UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Manfred Nowak, in Uruguay and Moldova, to commemorating the 60th anniversary of the UDHR in Thailand and Vietnam, UNDP is actively supporting human rights for development.

This issue also features commentaries on UNDPs engagement with 'minorities in development' from the UN Independent Expert on Minority Issues, Gay McDougall and Mark Lattimer, the Executive Director of the Minority Rights Group International. Furthermore, the Action 2 Chairperson, Craig Mokhiber, offers a post-assessment of the UN's inter-agency work on human rights and a preview of what's coming next, whilst Kieren Fitzpatrick, Director of the Asia-Pacific Forum, provides an overview of developments with regard to national human rights institutions in the Asia Pacific region. In the '*Human Rights and Me*' section, Geraldine Fraser-Moleketi, Director of the Democratic Governance Group in the Bureau for Development Policy, shares her experiences about growing up during South Africa's apartheid regime and how it shaped her future.

We are very grateful for the cooperation and support from colleagues who contributed to this edition and look forward to further collaboration in the future. We also look forward to welcoming many of you at the UNDP Community of Practice Meeting on Human Rights which will take place from 5-9 October 2009 at the UN System Staff College in Turin, Italy. I am sure that the meeting will provide further food for thought, and hands on experience to continually improve our services within the area of human rights.

Patrick van Weerelt

THAILAND COMMEMORATES THE 60TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR).

In recent decades, Thailand has made remarkable progress in advancing human development throughout the country. Thailand is a state party to six of the nine core human rights treaties: the International Convention on the Elimination on All Forms of Racial Discrimination (ICERD): the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the optional protocol; and, the Convention on the Rights of the Child and both optional protocols. Thailand has therefore set an example in a region where ratification remains limited. However, the country still faces internal disparities both regionally and among social groups, and the challenge remains to ensure that human rights are enjoyed equally by all people. For that reason, the Royal Thai Government, the National Human Rights Commission of Thailand (NHRC) and UNDP Thailand, worked jointly in a human rights promotion campaign throughout the country. The campaign was designed to commemorate the 60th anniversary of the Universal Declaration of Human Rights. The theme, Dignity and Justice for All, was chosen to reinforce the vision of the Declaration as a commitment to universal dignity and justice.

Focusing on capacity building and knowledge sharing, the campaign was built around two major initiatives. First was the publication in December 2008 of, *«Dignity and Justice for All of Us: Our Voices are Heard in Thailand»* a compendium of thoughts and experiences related to human rights, which included the voices of the most marginalised and vulnerable people in Thai society. The publication was prepared in a consultative manner and includes recommendations for policymakers. In the words of one NGO the publication is to be considered

"a milestone achievement in human rights work in Thailand". The second component of the campaign was the realisation of a Thailand Human Rights Caravan, a large double decker bus, that traveled from Bangkok to three outlying provinces holding forums on human rights topics. During the course of its operation, the caravan made presentations at a number of venues, including a school, youth detention center, women's correctional facility, and a social welfare center. Hundreds of attendees, including teachers, students, inmates, the elderly, persons with disabilities and homeless people were informed about their human rights through the caravan. At the launch, His Excellency, Prime Minister Abhisit Vejjajiva, publicly reaffirmed the government's commitment to the protection of human rights and welcomed the support of UNDP Thailand.

Moving forward, both the NHRC and Ministry of Education (MOE) remain committed to advancing the human rights agenda in Thailand with their own resources. It is planned to continue using the Thailand Human Rights Caravan as an advocacy tool throughout the country. Also and the Ministry of Education will continue disseminating information about human rights among teachers and students. Similar programmes can be brought to other parts of the country or replicated in other countries in the region.



Ms. Gwi-Yeop Son presents the publication "Dignity and Justice for all of us: Our voices are heard in Thailand" to the H.E., Prime Minister Abhisit Vejjajiva,.

UN COUNTRY TEAM TOOLKIT HELPS STRENGTHEN NATIONAL HUMAN RIGHTS INSTITUTIONS

Helping UN Country Teams (UNCTs) strengthen national human rights institutions was the aim of a consultative meeting held from 25-27 May 2009. The Democratic Governance Group/Bureau for Development Policy (DGG/BDP), with support from the UNDP Global Human Rights Strengthening Programme (2008-2011), organized a consultation on the draft "UN Country Team Toolkit for Collaboration with National Human Rights Institutions (NHRIs)" at the Training Centre of the South African Human Rights Commission (SAHRC) in Johannesburg. The Director of the Democratic Governance Group, Geraldine Fraser-Moleketi, opened the meeting, along with Jody Kollapen, the Chairperson of the South African Human Rights Commission and Gianni Magazzeni, the Coordinator of the National Institutions Unit of the UN Office of the High Commissioner for Human Rights (UNOHCHR).

Over forty participants from all regions (NHRI officials from India, Uganda, South Africa and the Danish Institute for Human Rights; UNDP and UNOHCHR staff from Egypt, Fiji, Georgia, Indonesia, Kenya, Malawi, Malaysia, Nigeria, Peru, Philippines, Slovakia, South Africa, Switzerland, Thailand, Uganda, USA and Zambia; and staff from the Human Rights Division of the Ministry of Foreign Affairs of Brazil and the Ludwig Boltzmann Institute of Human Rights –Austria) came together for the event. The purpose of the fast-paced, three day meeting was to review and adapt a specialized series of tools which help UNCTs enhance their support to National Human Rights Institutions (NHRIs). Participants shared their experiences through specific examples, case studies and innovative strategies that were designed to point the way, not only for UN staff who find themselves working with NHRIs for the first time, but also for staff seeking to deepen their expertise. Participants examined good practices, inspired by direct national and regional experiences, in setting up and strengthening NHRIs. Additionally, they developed a first set of proposed Standard Operating Procedures to guide UNCTs seeking to integrate initiatives related to NHRIs (whether planned, or already existing) into their programmes and into UN documents such as the UN Development Assistance Frameworks (UNDAFs) and Country Programme Action Plans. On the final day of the consultation, participants also mapped out strategies for the roll-out of the Toolkit, which will be launched before the end of 2009.



Opening Panel at the Consultation: (L-R) Jody Kollapen, Chairperson-SAHRC, Geraldine Fraser-Moleketi, Director-DGG/BDP, Patrick van Weerelt, Human Rights Adviser-DGG/BDP, and Gianni Magazzeni Coordinator –NIU/OHCHR

United Nations Development Group

URITALK - Human Rights Policy Network

HURITALK – the Human Rights Policy Network -

Our new HURITALK facilitator is Sarah Rattray. Sarah holds a Masters degree in Human Rights Law (LLM), a Bachelors degree in Law (LLB) and an International Diploma in Humanitarian Action (IDHA). Sarah has extensive field experience working on human rights issues with UNDP, UNHCR and consulting for the European Commission and NGOs. Sarah is based within the Democratic Governance Group at the Bureau of Development Policy with UNDP in New York and can be reached at: sarah.rattray@undp.org

To join the network and participate in the exchange of information with other 1,200 practitioners, please submit an email to: humanrights-talk@groups.undp.org

LIBERIA

HUMAN RIGHTS IN A POST-CONFLICT CONTEXT

Support to victims of human rights abuses in post-conflict environments presents unique challenges to human rights practitioners. Specific assistance is particularly required for individuals and families displaced by war or natural disasters and living as internally displaced persons (IDPs) or refugees.

In 2002, UNDP, in collaboration with the UN High Commissioner for Human Rights and the Liberian Ministries of Justice, Gender, Development, Health and Social Welfare and the Liberian Refugee, Resettlement and Repatriation Commission, established the UNDP Liberia *Human Rights Protection and Gender Programme*. Alongside advocacy and training initiatives, the program initially focused on strengthening human rights monitoring and reporting through the deployment of 20 trained human rights monitors to IDP camps to serve as a visible human rights presence.

In October 2003, the programme was revised to accommodate the Accra Peace Agreement, which set out the framework for Liberia's post-conflict recovery. The focus of the program then shifted from IDPs to a more general approach in enhancing the protection of civilians. This meant a broader incorporation of human rights and justice issues at both the community level and in national human rights institutions and policy development. Due to the specific challenges in Liberia, the programme also incorporated a strong gender component, addressing issues such as economic empowerment for women, sexual exploitation, and gender based violence.

Supporting the Truth and Reconciliation Committee (TRC) was another important aspect of this programme. UNDP transformed the legislative language in the Truth and Reconciliation Act and produced a user friendly, accessible pamphlet on the key relevant issues in the Act, thereby making this important information more accessible to all Liberians. UNDP also provided operational and technical support to the Truth and Reconciliation Committee through the *Mapping of the Conflict* initiative. This resulted in 13,500 testimonies being compiled, which included video and photographic evidence detailing human rights violations during the Liberian Civil War.

The UNDP Liberia *Human Rights, Protection and Gender Programme*, which initially only focused on three counties was ultimately able to reach 20,000 IDPs. It also resulted in the establishment of the Human Rights and Protection Forum, a consortium of over 40 human rights and pro-democracy organizations. Additionally, local NGOs were trained on basic human rights education. Assistance was also provided to civil society through the dissemination of information on newly enacted laws such as the Inheritance Law and the Truth and Reconciliation Commission.



Meeting with the Liberia's Gbarpolu County authorities in to assess capacity development needs of national actors including civil society

Vietnam presents its Human Rights Record to the UN Human Rights Council

On 8 May 2009, the Government of Vietnam presented its human rights record before the United Nations Human Rights Council in Geneva. As mandated by the Council, each UN member state is required to report on the human rights situation in its country every four years through the Universal Periodic Review (UPR) process. To help Vietnam prepare for the presentation, UNDP and the Swiss Embassy facilitated a workshop in Hanoi. During the workshop, experts from Switzerland, Indonesia and the Philippines provided Vietnam with guidance on how to best present the report to the Council. The 22 member Vietnamese delegation, headed by the Vice-Minister of Foreign Affairs H.E. Pham Binh Minh arrived in Geneva well prepared for the presentation. The support received from the UN was much appreciated by the Vietnamese Government and the UN country team hopes that the fruitful collaboration on the UPR will create further opportunities for collaboration on human rights issues.

COMMEMORATING THE 60TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

To commemorate the 60th Anniversary of the Universal Declaration of Human Rights (UDHR), the UNDP Office in Vietnam organized a brown-bag birthday celebration. The objective of the event was further reflect on relevant human rights issues, and prepare the UNCT for the roll-out of a human rights-based approach to development grounded in the Vietnamese context. During a game of Jeopardy, staff members tested their human rights knowledge, and were rewarded with a copy of the Universal Declaration of Human Rights (in English or Vietnamese) and a piece of the large birthday cake, decorated with 60 candles.



Human Rights Jeopardy

STRENGTHENING NATIONAL HUMAN RIGHTS INSTITUTIONS IN ASIA

National human rights institutions (NHRIs) are independent state organizations established to promote and protect human rights and protect people from discrimination. Asia is a highly diverse region with almost 60% of the world's population and a wide range of socio-economic and political issues. While a human rights body is being established for the ASEAN sub-region, there is no regional inter-governmental system dedicated to human rights issues. Therefore, Asia's 21 NHRIs play a significant role in monitoring human rights in the region and must be well equipped to manage the tasks placed before them.

Since capacity development is at the centre of UNDP's mandate, it is a natural entry point for supporting NHRIs. Working with the Asia-Pacific Forum of National Human Rights Institutions (APF) and the Office of the High Commissioner for Human Rights (OHCHR), National Institutions Unit, UNDP is involved in a project to strengthen the institutional capacity of NHRIs. The project is designed to help NHRIs understand their capacity strengths and weaknesses and offer support in filling the identified gaps through a self assessment process, which is facilitated by a multidisciplinary team comprised of APF, OHCHR and UNDP. The project's first step was to adapt capacity assessment tools to the specific needs of NHRIs and pilot them on selected NHRIs.

The Human Rights Commission of Malaysia (SUHAKAM) came forward as the first pilot NHRI at the 2008 APF annual meeting of NHRIs. The capacity assessment was carried out

between December 2008 and February 2009. This process included face to face interviews with Commissioners, staff and external stakeholders and quantitative worksheets completed (anonymously) by Commissioners and SUHAKAM staff. Following an analysis of the gathered data, the team provided SUHAKAM with feedback and offered a framework of strategies to address capacity gaps highlighted by the process. As a result of the assessment, SUHAKAM developed a strategy and work plan -"the 39 steps" for capacity development – to address priorities identified by the assessment.

To build on lessons learned and to determine how to refine the methodology for further use by other NHRIs, a two-day workshop was held in March 2009. The workshop, which was attended by executives and staff from NHRIs, UNDP staff and expert human rights practitioners, played an important role in increasing participants' understanding of capacity development and the capacity assessment process. It was also an opportunity to share feedback about the process. The second pilot capacity assessment is scheduled for the third quarter of 2009 with the Human Rights Commission of the Maldives. As part of an effort to increase the capacities of NHRIs to conduct capacity assessments, the Executive Secretary of SUHAKAM, who was involved in the first pilot, will be part of the assessment team in the Maldives. Eventually the goal is for the capacity assessment methodology to be adopted by APF in their work in supporting NHRIs and for NHRIs to support each other in developing it further and applying it to other NHRIs.

Kieren Fitzpatrick

Director, Asia Pacific Forum



Sukaham Capacity Assesment Excercise, Core Group comprising of two Commissioners and Secretary and Resource Persons from APF and UNDP.

HUMAN RIGHTS AND POVERTY REDUCTION IN ARGENTINA, BOSNIA AND HERZEGOVINA AND MACEDONIA

The Millennium Development Goals aren't just about meeting average targets. To have a real and long-term impact, everyone in a society must benefit, including the most marginalised and disadvantaged groups and people. While building a new school or hospital can be a great addition to a community, sometimes specific measures are needed to ensure that these institutions can be accessed by everyone or that the services provided are of a quality that is acceptable to people. For that reason, three UNDP country offices: Argentina; Bosnia and Herzegovina (BiH); and Macedonia, have been supporting their local government counterparts in formulating and implementing development plans which help everyone achieve the Millennium Development Goals (MDGs) as part of the "Operationalising Human Rights Approaches to Poverty Reduction" project.

In order to achieve this, the three country offices supported their counterparts in a number of steps such as a) identifying the most vulnerable people in the community and taking stock of what was specifically important to them (e.g. by holding focus groups), b) mapping existing public services and their shortcomings (e.g. through human rights based sectoral analyses in BiH); and, c) identifying government responsibilities and linking related government programs which had been operating separately in the past (e.g. through diagnostic exercises in Argentina). The country offices also helped strengthen local capacities, for example of local officials on policy development, strategic planning and project cycle management, as well as of civil society and the private sector for involvement in the process as well as in following up on outcomes.

As a result, a number of municipalities across the three countries have adopted development plans that are human rights sensitive: multi-year, local development plans were adopted in 15 municipalities in BiH. They address the needs of vulnerable groups as well as shortcomings in social sectors like health and education. In addition, in order to ensure their implementation, the content of local plans was 'advertised' on bus stops and in other public places so that people are now able to check whether the local government has delivered on what it has agreed on with the community. Local plans were also adopted in two municipalities in Argentina. In Macedonia, plans were adopted in three municipalities, in two cases along with Annual Action Plans for Social Protection. These plans also focused on the priorities of marginalised groups and included human rights indicators. In addition, quantitative and qualitative data from the three Macedonian target municipalities was fed to the national level and has informed Macedonia's National Development Plan 2007-2009. While replication in a number of new municipalities has started in Argentina and Macedonia, there are plans in BiH to use the methodology for municipalities across the country.

All three countries are now consolidating their methodologies in handbooks and are working together to draft concise recommendations for other countries interested in following a similar approach in local development planning.



Members of the public and of local Civil Society Organizations participating in a diagnostic workshop in Argentina to prioritize MDGs and assess existing public policy.

MINORITIES IN DEVELOPMENT

MINORITIES AND DEVELOPMENT: MRG'S PARTNERSHIP WITH UNDP

Ethnic, religious and linguistic minorities are believed to account for over one fifth of the world's population, but in many countries they constitute the poorest of the poor. The Batwa and Baka in Central Africa, Dalits in South Asia, the Roma in Europe and Afro-descendants in the Americas, for example, all face multiple obstacles to development, including entrenched poverty and social exclusion.

UNDP's realisation that many such minorities were being overlooked by existing development initiatives led it to forge a partnership starting in 2002 with Minority Rights Group International (MRG), an NGO working in over 50 countries worldwide to promote the rights of minorities and improve cooperation between communities. MRG has provided advice to UNDP's Bureau for Development Policy (BDP), not just on the extent of minorities' exclusion around the world, but also on the range of practical interventions that can assist country offices in ensuring that minority communities too can benefit from human development. These include both targeted and mainstreaming initiatives, and range from data collection, minority recruitment, consultation and participation initiatives, education programmes, advocacy and rights training, inter-cultural awareness and anti-discrimination measures. Together with the UN Independent Expert on Minority Issues and the OHCHR, MRG has helped draft a UNDP Resource Guide on Minorities in Development, which is due to be launched by UNDP's Global Human Rights Strengthening Programme in November 2009.

MRG has also provided technical advice and support to a separate UNDP initiative with the Inter-Parliamentary Union, which is managed by the Democratic Governance Group/ BDP, and aims to promote minority representation in national parliaments. Ensuring that all the different communities in a society have some representation in national parliaments is important for the strengthening of democratic governance and helps to ensure that the benefits of development are felt by all, serving a vital conflict prevention function.

UNDP was one of the first development agencies to recognize that a minority rights approach to development was needed in order to overcome the profound exclusion experienced by hundreds of millions of members of minority communities. Subsequently MRG has gone on to provide technical advice, training and support to the European Commission and to a number of the larger bilateral development agencies, helping to share best practices. One key theme that has emerged in designing interventions to overcome minority exclusion is the need to ensure minority communities have control over the decisions that affect their lives. If these communities are centrally involved in the planning, implementation, monitoring and evaluation of development are much greater.



Mark Lattimer Executive Director Minority Rights Group International

MINORITIES IN DEVELOPMENT

MINORITIES AND DEVELOPMENT: WORKING WITH UNDP TO ENSURE MINORITY RIGHTS

The poorest communities in almost any region tend to be minority communities that have been targets of long-standing discrimination, exclusion and sometimes violence. This is not only true of the least developed countries, but also of the most developed States. This is the key message that I presented in my report as Independent Expert on minority issues to the Human Rights Council in 2007. Poverty within minority communities, I pointed out, must be viewed as both a cause and a manifestation of the diminished rights, opportunities, and social advancement available to the members of those communities. A more coherent effort is required to reduce poverty and enhance development through targeted strategies that specifically reach out to minority communities. However, these are messages that too often have been ignored or are not being acted upon where they are most needed.

Having concluded that more must be done in all regions to focus the development process sharply on the needs of minorities, I reached out to UNDP. My consultations revealed that the staff shared these concerns and were willing to take the lead with me in working to strengthen UNDP's treatment of minorities and minority issues across all of their key areas of work. In October 2006 we launched our collaboration towards a UNDP Guidance/Policy note on minority issues with a consultation on UNDP's engagement with minorities in development processes. Together we took stock of key issues, challenges, and gaps with regards to UNDP's engagement with minorities and identified entry points that would help the organization to better address issues related to minorities in development.

In 2008 a UNDP *Resource Guide on Minorities in Development* was produced in cooperation with me and OHCHR, following extensive consultations with UNDP country offices and staff. A Validation Consultation on the Draft UNDP *Resource Guide on Minorities in Development* was subsequently held in December 2008 in New York to critically review the draft Guide, which will be finalized by November 2009. This Resource Guide constitutes a hugely important and innovative tool. I am excited by the prospect of working together to begin to see it applied and functioning in different regional and country contexts.

My collaboration with UNDP is now firmly established and I see them as a key partner with me in helping to give a voice to minorities and secure their rights. This has led us to consider additional areas of complementarity in our work. One of these comes in relation to my role in organizing the annual UN Forum on Minority Issues. Held in Geneva, the second Forum will have as its thematic focus "minorities and political participation." The Forum will benefit immensely from the considerable experience of UNDP in this critical area of development processes and good governance – ensuring that all groups are represented and have a meaningful role in political processes and decisions that affect them.



Gay McDougall UN Independent Expert on Minority Issues

COUNTRY IN FOCUS - KAZAKHSTAN

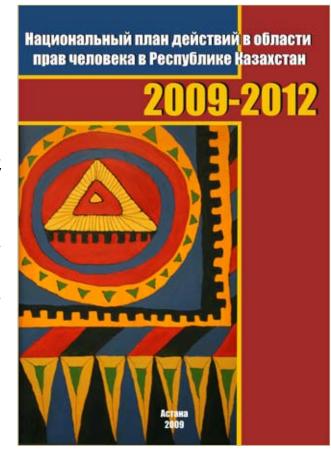
DEVELOPING CENTRAL ASIA'S FIRST NATIONAL HUMAN RIGHTS ACTION PLAN

Recent years have brought consistent economic growth and development to Kazakhstan. Averaging 9% growth per year since 2000, the country is now a solid middle income country with aspirations to become one of the world's 50 leading economies. In line with this goal, the government of Kazakhstan developed a National Human Rights Action Plan (NHRAP) that was officially launched in June 2009. The plan focuses on three areas: a) improved performance of human rights institutions; b) aligning legislation with international norms and standards; and, c) promotion of human rights education. Kazakhstan's NHRAP is the first of its kind in central Asia.

To support Kazakhstan, UNDP partnered in a project with the National Human Rights Commission (NHRC). This project, Fostering National Capacities for Development of National Human Rights Action Plan in Kazakhstan (2007-2009), was designed to build capacity of various actors involved in developing and implementing NHRAP. The project included a significant number of activities and initiatives. For example, UNDP was involved in creating two human rights reports to promote NHRAP development, as well as in hosting a number of human rights related events such as round tables, trainings, educational workshops and information dissemination programmes. Other initiatives included a study tour to Sweden and Lithuania, the creation of a postage stamp devoted to the 60th Anniversary of the Universal Declaration of Human Rights (UDHR), and the launching of three digital libraries, which are available to the public and contribute to the transparency of NHRAP implementation.

The UNDP project supporting NHRAP fostered national capacity to protect and promote human rights. All project

activities were based on cooperation with stakeholders including various government branches, international organizations and NGOs. Kazakhstan is scheduled to appear before the Human Rights Council for the Universal Periodic Review process in 2010, where the government will report on their achievements and challenges in human rights. UNDP, in cooperation with national and international partners, is undertaking measures to support this process.



National Human Rights Action Plan 2009-2012

COUNTRY IN FOCUS - KAZAKHSTAN

INCLUDING PERSONS WITH DISABILITIES

Persons with disabilities face unique challenges and are often among the most marginalised in a society. To have access to the full benefits of equal opportunity and human rights, special interventions are frequently needed. In recent years, the government of Kazakhstan has made overtures to address the rights and needs of the nearly 500,000 Kazakh citizens with disabilities. However, despite improvements, a number of weaknesses in the social protection system remain. Kazakhstan's interest in the International Convention on the Rights of Persons with Disabilities led to a request for UNDP to expand its social protection portfolio to specifically include persons with disabilities. The result was the creation of the project, Realizing the Rights of Persons with Disabilities in Kazakhstan (2008-2010). The implementing partner is the Ministry of Labor and Social Protection. The project aims to mainstream disability issues across public institutions and empower policy makers and civil society with knowledge about the country's disability situation.

Facilitating the signing of the International Convention on the Rights of Persons with Disabilities and its Optional Protocol in December 2008 was a major component of the project. Currently, UNDP is in the process of supporting Kazakhstan in the ratification process. The project is designed to provide concrete recommendations on the laws, policies and services that need amendments to comply with the Convention. Additionally, UNDP along with other partners, is supporting workshops and round tables aimed at increasing public awareness. UNDP also prepared a comprehensive analysis related to the situation of persons with disabilities in the country, and the costs and benefits of ratifying the treaty. Furthermore, the National Human Development Report for 2009 '*From Exclusion to Equality: Realising the Rights of Persons with Disabilities*' was launched in July and focuses on the question of how to create the conditions for adequate realisation of the rights of persons with disabilities in Kazakhstan. The report, which is the country's first comprehensive study on the status of persons with disabilities, outlines a road map of measures the government needs to take to meet its obligations and improve the standard of living for persons with disabilities. Two related entities were also established to meet these ends: the National Council on Persons with Disabilities; and, an inter-agency working group that supports the government in implementing the Convention.

UNDP has also been involved in other important activities, which aim to improve the situation for persons with disabilities in Kazakhstan. A project activity provided training of trainers for 30 specialists in sign language, as well as supported the participation of five leading NGOs in the regular sessions of the National Council on Social Protection of People with Disabilities. Furthermore, more than 250 children took part in a National Arts Festival that UNDP and partners held for children with disabilities. Additionally, nutrition standards for vulnerable people living in public facilities have been upgraded, as have the general standards in early childhood intervention and day care centers. Finally, two pieces of legislation which support social assistance for people with disabilities were adopted in January 2009. One of these, a Law on Special Social Services, was supported with 30.5 billion KZT, allocated by the government.

COLLABORATION WITH THE UN SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

THE UN IN URUGUAY SUPPORTS THE SPECIAL RAPPORTEUR IN REFORMING THE PRISON SYSTEM

No country is immune to human rights abuses. They even occur in democratic, pluralistic societies. However, often in these cases, abuses are not in plain view but relegated to certain "hidden" segments of society. Such is the case of the penitentiary system in Uruguay. Overcrowded, lacking in rehabilitation programs and a breeding ground for violence, the state of the country's prisons has become a controversial issue among politicians and in public debate. The severity of the situation has resulted in large scale human rights violations that require urgent attention.

A visit by the United Nations Special Rapporteur on Torture, Prof. Manfred Nowak, helped to alleviate the situation. While prison reform in Uruguay was already a highly publicised issue, Prof. Nowak's visit helped create a politically neutral space to raise the debate to the next level and pave the way for a possible solution. The UNDP Resident Coordinator's Office (RCO) in Uruguay facilitated Prof. Nowak's visit by providing analysis and background information, setting up meetings with civil society organizations and arranging a successful press conference at the

mission's end. The RCO also assisted with visits to the country's main jails, a psychiatric unit for people in judicial custody and institutions for youth. Additional interviews were held with the staff and authorities of police precincts and brigades. Prof. Nowak's visit resulted in a number of positive outcomes. Firstly, it dominated newspaper headlines and was discussed extensively in the press. In response, the President of Uruguay asked the Cabinet to prepare to transfer inmates to facilities with more humane conditions within the next few months. Moreover, a number of partners, including the Resident Coordinator's Office, UNDP, UNICEF, UNIFEM and others, are now working toward developing a sustainable model for the penitentiary system. The main objective of this new model will align with the central recommendation presented by the Special Rapporteur: to create a criminal justice system that strives to rehabilitate prisoners instead of permanent incarceration. The program will include training for prison personnel, improved facilities for women, and more effective ways to address the needs of children in conflict with the law and prisoners with HIV. To prepare for implementing the new model, the project also foresees a series of roundtables: Human Rights, Violence Prevention and Penitentiary Reform. These discussions will be designed to facilitate linkages between political parties and various stakeholders.



Press Conference with the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

COLLABORATION WITH THE UN SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT



Special Rapporteur during his visit to the police station

MAKING HUMAN RIGHTS A NATIONAL PRIORITY IN MOLDOVA

In Moldova's constitution and national legislation, human rights are given a high priority; however, the ideals are not yet fully expressed as the norm in society and government. For that reason, UNDP Moldova has supported a number of the country's human rights initiatives such as the creation of the Moldovan Center for Human Rights in 1996 and the elaboration of the National Human Rights Action Plan (NHRAP) 2002.

Most recently, UNDP Moldova has collaborated with the government on a project designed to assist with implementing their national human rights plan. The project, Support to National Human Rights Action Plan Implementation 2004-2008, has been able to achieve a number of positive outcomes consistent with improving the human rights situation in Moldova. Firstly, a platform for dialogue on human rights between the government, parliament and civil society was established. Secondly, monitoring human rights has become common practice in the Parliament. There have already been twelve Parliamentary Hearings on human rights headed by the Parliamentary Committee. The project has furthermore provided human rights training to more than 3000 policemen, social workers, penitentiary staff, journalists and NGOs, as well as human rights education for judges, prosecutors, police, and penitentiary staff.

Another positive outcome of the project has been the increased cooperation with the UN Special Rapporteur on Torture. As a result, two important national mechanisms have been put in place which originated from the NHRAP. The first is the establishment of a National Institute of Justice, an independent institution that was created as a result of advocacy by the Council of Europe and UNDP. The institute has provided legal training to 70 candidates competing for judge and prosecutor positions, and also launched a course which trained 60 certified mediators and 50 probation counselors specializing in juvenile justice. Secondly, as per the Optional Protocol to the Convention against Torture (OPCAT) a national preventative mechanism for monitoring and preventing torture was put in place. This body, which is composed of 11 ombudsmen and a consultative counsel of civil society members, was created to monitor detention facilities. This year, approximately 90 monitoring visits were carried out and 87 victims with physical injuries were identified. Also, as of 01 July 2009, citizens may make direct complaints related to potential human rights violations, especially cases of torture and other cruel, inhuman or degrading treatment or punishment by calling a free "green line" 0-8001-8001-2222 established within the Centre for Human Rights. 92 complaints of potential human rights infringements were registered within the first two months of the green line's activity, clearly demonstrating the impact such a 'hotline' can have. Persons who called the "green line" raised a variety of possible infringements ranging from issues related to the infringement of rights to social assistance and social protection to property disputes and access to information.

COLLABORATION WITH THE UN SPECIAL RAPPORTEUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

UN INTERAGENCY COLLABORATION IN THE FIELD OF HUMAN RIGHTS

The Action 2 Initiative stems from the 2002 report of the Secretary-General entitled "*Strengthening of the United Nations: an agenda for further change*" (A/57/387 of September 2002). In that report, the Secretary General stated that "*The promotion and protection of human rights is a bedrock requirement for the realization of the Charter's vision of a just and peaceful world*".

Among the 36 actions for reform identified by the Secretary-General was Action 2, which called for joint UN action to strengthen human rights related actions at the country level. It also called for enhanced support for the efforts of interested Member States in establishing and strengthening national human rights promotion and protection systems consistent with international human rights norms and standards.

In response to this call, a year-long collaborative process was launched, which culminated in the development and adoption, by twenty-one heads of UN departments and agencies, of the *Action 2 Plan of Action* and work plan. The underlying strategy was to build the capacity of UN country teams, which are crucial entry points and vehicles for implementation of the Plan. Country teams are also best placed to provide support tailored to national needs of Member States. The programme concluded its implementation in 2009.

MAINSTREAMING AND OTHER WATER METAPHORS: AN INTERVIEW WITH THE ACTION 2 CHAIRPERSON

There has been a flurry of interagency activity lately, as the system works with the High Commissioner for Human Rights to devise a follow-up arrangement to the now-concluded Action 2 programme. We caught up with the former Action 2 Chairman, Craig Mokhiber, to find out where this all came from, and where it might be going.

Q: "Action who?"

Mokhiber: [*Laughs*]. "Yes, 'Action 2' is an unusual name. But then, Action 2 was an unusual programme."

Q: "Where did the name come from?"

Mokhiber: "The programme grew out of the second proposed action of the Secretary General's second reform report released in 2002. There are a lot of "twos" in there, and, since "Bishop Tutu" and "Tupac" were already taken, we went with "Action 2."

Q: "So Action 2 was something half-way between a gangster rapper and a Nobel peace laureate?"

Mokhiber: "Actually, that's a pretty good description of the Task Force that ran the programme! A very tough, and very principled bunch."

Q: "I suppose they had to be. Human rights mainstreaming can be a tough business." **Mokhiber:** "Exactly right. The Task Force that I Chaired was made up of human rights specialists from agencies across the system- UNDP, UNICEF, UNFPA, UNIFEM, DOCO, and others, as well as OHCHR. These people had to carry the human rights mainstreaming banner inside their own agencies—where not everyone has yet embraced the human rights agenda-- and also be able to swim in the sometimes shark-infested waters of the 'interagency sea'. Not a job for the feint of heart."

Q: "And how did that work out?"

Mokhiber: "Well, to extend the metaphor, 'swimmingly.' You have to remember that these people still had their day jobs. And yet, somehow – through sheer dedication to the cause, I suppose—they found the time and energy to serve actively on what was, in effect, the management board of a five-year, multi-agency, global programme with a budget of some ten million dollars serving a constituency of sixty country teams world-wide. They, together with staff of a tiny secretariat, a Reference Group, and a family of country teams, just dug in and got the job done. It really was their commitment to the common mission of Action 2 that kept it moving forward."

Q: "What exactly was that mission?"

Mokhiber: "Put simply, to build the capacity of United Nations Country Teams (UNCTs) to integrate human rights-based approaches in their work, and to support the building of national protection systems. This was the third phase of the human rights mainstreaming exercise that began in earnest in late 1997."

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Q: "What were the first two phases?"

Mokhiber: "The first started with the launch of the SG's 1997 reform report, mandating the integration of human rights in all work areas of the United Nations. This led to the adoption -- at *policy* level-- of a commitment to human rights-based approaches by agencies across the system. That was a major breakthrough, albeit a full fifty years after the UN adopted the Universal Declaration. The second phase was marked by conceptual agreement on the meaning of a rights-based approach, and culminated in the adoption of the UN Common Understanding on a Human Rights Based Approach to Programming. And, as I said, Action 2, designed to equip UNCTs to implement these concepts and approaches at the country level, was the third phase. And at each of the three phases, the system convened in an extraordinary meeting - in Princeton in 2001, in Stamford in 2002, and in Tarrytown in 2008-- to take stock of progress and challenges and plan the way ahead.

Q: "Of course, the country teams are on the front lines, so the UNCT focus on Action 2 made good sense. How exactly did Action 2 support them?"

Mokhiber: "We provided support packages to country teams that included advisory services, seed funding for capacity building and joint programming, and learning resources. We deployed human rights advisors to work with them. We generated a set of guidance notes on common issues confronting them, such as national protection systems, interaction with treaty bodies and special procedures, and modalities for human rights "theme groups" and related mechanisms at country level. We launched an electronic knowledge network initiative through HURITALK. We supplemented our regular Action 2 activities with targeted support to Delivering as One pilots, and set up a Great Lakes Regional Initiative to support the particular needs of country teams in that region. And we not only developed a UN system-wide Common Learning Package on the Human Rights Based Approach, but we made sure that more than one-thousand UN staff benefited from Action 2 training in this area. And, while we were at it, we expanded the corps of qualified UN system trainers with expertise in this field, and integrated the training approach and materials into the UN's regular support structures for country teams. Finally, before concluding, we secured system-wide agreement on the parameters for a post-Action 2 mechanism and established a follow-up process."

Q: So the parameters for "phase 4" of the mainstreaming exercise are already set?

Mokhiber: "In its 2008 retreat, the Action 2 Task Force worked out a set of proposals for the post-Action 2 dispensation that came to be known as the "parameters document". It called for the establishment, after Action 2, of a standing interagency arrangement that will sustain the gains of Action 2 and serve as a system-wide forum for policy, strategy, operational support to country teams, advice and guidance to Resident Coordinators, knowledge management, training, fund management, monitoring, coordination and coherence. That proposal was subsequently endorsed by the system at the Tarrytown meeting, and was included among the outputs that were transmitted to the High Commissioner and the various agency principals."

Q: And have the High Commissioner and the principals made a final decision?

Mokhiber: "We haven't seen any puffs of white smoke yet, but it is clear that they are getting close. Already in the final months of Action 2, a series of policy discussions were underway at the highest level. At their conclusion, the Secretary-General asked the High Commissioner, in consultation with the United Nations Development Group Chair, to initiate an interagency process to continue and expand this work. That process is in full swing, and I expect that we will see the unveiling of the new arrangements very soon.

Q: "Action 3?

Mokhiber: Not bad. Or maybe some catchy software version, like "Action 2.1." The most important thing is that it be more than a talk shop, and provide real support to the work on the ground. Call it "Action Jackson" for all I care. So long as there is action.



Craig Mokhiber, Deputy Director of the New York Office of the High Commissioner for Human Rights

The guarantee of the human rights and human dignity of all people is core to my being. The Freedom Charter reflects these values and hence its preamble is so powerful, which states:

" We, the people of South Africa declare for our country and all the world to know:

That South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of the people;

That our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality;

That our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;

That only a democratic state, based on the will of the people, can secure to all their birthright without distinction of colour, race or belief...." (adopted in Kliptown by the people of South Africa, 1955)

This charter gives expression to my beliefs.

My humble story is one which reflects a small part of what so many in my country have striven for, and that is and was to build a society where all people are equal irrespective of race, gender, sex or religion. The attainment of the human rights of all people irrespective of race, colour, creed or sex is not an alien concept but has been and is an indivisible part of the struggles for freedom and justice of the peoples of the world. The Freedom Charter which was adopted in Kliptown, resonates in the South African Constitution which was adopted by the Constituent Assembly in 1996.

I grew up in a very politically and socially conscious family influenced by a number of factors. I was born in 1960, the year that a state of emergency was declared to crack down on opponents of the then Apartheid government. This was also the year when the "Sharpeville" massacre took place where sixtynine people were shot dead as part of an "anti-pass campaign." The "pass" laws were essentially to control the movement of "African" people, and all Africans over the age of sixteen years had to produce a pass which reflected where the person lived, whom his chief was and whether he paid an annual poll tax (a tax only levied on Africans). Apartheid institutionalized racial discrimination in all aspects of life, and for my family, there were very direct implications. My father's side of the family straddled the racial divide. They were directly impacted by the race laws according to which family members were classified as part of different racial groups. This impacted on where they studied, where they worked, and their movement in the country of their birth.

My mother is from a lineage of matriarchs. My grandmother was politically active, forming the first fireworks trade union in the factory where she worked. This exposed my mother and her siblings both to trade unionism and to the distribution and sale of newspapers within their community, such as the New Age and others. These newspapers were banned and as one was banned, another would emerge under a different name.

One issue that contributed to our/my social and political consciousness, I would argue, is the fact that the "kitchen table" was generally the gathering point for the family. This is where stories were told, discussion and debates took place; but also where card games and dominoes were played. It was akin to a "Community of Practice" within the extended family, whether it was the table in my grandmother's kitchen or our own kitchen! This is where we heard the stories about the exit permit that my Uncle, by marriage, received when he decided to pursue a PhD in Holland in 1967. And in turn, my Aunt (my mother's younger sister) who followed him was not allowed to return to attend the funeral of her younger brother who died in a car accident in the late sixties....due to the fact that she was considered "undesirable!". These seemingly small matters in the larger scheme of things leave an indelible mark ... one that contributes to the thirst for justice!

When we drove on De Waal drive to the city of Cape Town my father would point out Robben Island in the distance. It was where brave men like Nelson Mandela, Walter Sisulu, Govan Mbeki and others were incarcerated. He would also inform us that unjust laws made cape Town "white by night!" All these contributed to this sense of injustice and kindled the desire for justice.

During apartheid, all public amenities - schools, hospitals, beaches - were divided/separated according to race. This was also the case with public transportation. My first small act of civil disobedience took place at the age of fourteen years in 1974. At this time, I was living with my maternal grandmother (the trade unionist) during the week, as my father was a principal at a school for "Children in Need of Care" and this was rather far out of town. My sister and I went to school by bus and we embarked on the bus where it started the journey and disembarked close to the end.

The first four seats in the front of all buses were reserved for white people. On this route, these seats were generally unoccupied whilst the rest of the bus was full, including the standing space. One fine day, I decided this was enough and felt angry that the adults were accepting this. So of my own volition, I went to one of the vacant seats in the front and sat down. The bus driver said, "Get up. You can't sit there." And fully knowing, my retort was, "why not?" And he said, "You know these seats are reserved for whites." And I responded, "Firstly, there are no whites on this bus. Everyday we drive on this road with these seats being vacant and no one sitting in these seats and you have everyone else here standing. That's a problem. So just for practical reasons, I think it's wrong. But secondly, it is discriminatory to reserve seats for people according to race." He stopped the bus and said, "Unless you get up, I'm not going to drive." The adults on the bus were quite agitated because they needed to get to work and I was holding the bus up. So they admonished me, "Get up, get up." And I said, "No, I won't." And the driver got out of the driver's seat, came around, and physically took me out of my seat and put me on the sidewalk. This was my first practical lesson that taking a stand comes at a price, albeit small! So there I was having engaged in my first public act of disobedience, standing alone on the sidewalk without a bus ticket to continue my journey to school...!

Throughout my high school years, there were other small acts of civil disobedience. The 1976 student SOWETO uprising marked a turning point as students throughout the country joined the students in SOWETO in their rejection of Afrikaans as a medium of education. This was a national action of solidarity by students [of African, coloured and Indian origin]. With a group of fellow students we obtained a copy of the riveting *I am prepared to die* treason trial dock speech of Nelson Mandela. In spite of the risk of possible arrest we made copies of this speech and circulated it at our high school. This year also marked a turning point for many young South Africans.

This was the same year when I, as part of a small group of ten students from three different high schools, met on the roof of Cape Town station [which is a parking area for cars] and planned ways of ending an unjust system. We were idealistic sixteen year olds who studied the struggles of different peoples, and countries, strategizing on how we could end an oppressive system of government. The injustices we experienced simply nurtured the seeds within us to build a just and democratic society! After attending university for just over a year, I decided to go into exile voluntarily. My decisions were influenced by reading about the struggles on the African continent which included Guinea Bissau, the independence of Mozambique in 1975, and much closer to home, the Zimbabwean struggle for liberation and its eventual independence through the "Lancaster House agreement." We read the works of Paulo Freire and of many African leaders, writers and scholars. We avidly followed the articulations of those we considered as the "founding fathers of Pan Africanism."

This decision was triggered by the fact that in June of 1980, my aunt came back to Southern Africa for the first time in more than a decade. In this instance she served as a consultant for a Dutch NGO, NOVIB, and was on assignment to Zimbabwe. This provided me with an opportunity to meet her and to be exposed through her work to the changes in the then Rhodesia which among others allowed me exposure to "demobilized combatants" in "Assembly points" and to a range of development programmes and projects that were being rolled out for displaced women and children; as well as development programmes within communal areas. The energy and vibrancy of the newly independent country was contagious.

It was clear that civil disobedience, or rather mass political struggle/opposition, alone would not change South Africa and at a personal level I decided to take the next big step. So, after returning to South Africa, I decided of my own volition, at age 20, to go into exile to join the liberation movement. I wanted to obtain the appropriate training to engage in various forms of struggle with the intention to be reinfiltrated back into South Africa.

For my parents, this must have been very difficult because I never informed them of my decision. I left a letter with my mother's youngest sister, and I asked her to take it to them on the evening I left. The letter explained my actions and the reasons for leaving the country. I believe my youngest sister and brother (twins), who were eight years old at the time, would include the following message in their prayers as night "God, please let liberation come soon so that our sister can come back!".

In Zimbabwe I worked with Joe Gqabi, a leader of the African National Congress (ANC) who had served twelve years (in total) on Robben Island and who on his release continued to play an active role in building underground structures in South Africa. He was relentlessly pursued by the Apartheid regime even beyond the borders of South Africa. He was the

first Chief Representative of the ANC in Zimbabwe and there were numerous attempts on this life.

In February, 1981, seven kilograms of explosives were placed under the Toyota Cressida that Joe Gqabi drove. The explosive device, a car bomb, was detected and was defused by the Zimbabwean bomb detection squad. Had the device not been detected its impact would have been fatal for for occupants of the "safe house" we were living in, in Ashdowne Park in Harare and it would have injured neighbours as well as damaged property. The then South African government did not have much consideration for the loss of innocent civilian lives. This was one of the thwarted attempts on his life!

Some months later, on 31 July, four of us, two academics from the University of Zimbabwe who had lent us their car for use earlier that evening and who were now dropping us off and two occupants of the house, returned home around midnight. As we stopped at the gate, at the entrance to Ashdowne Park house, we immediately realized that there was a problem as the gate to the house was open and the Toyota Cressida was in the driveway and partially in the Canopy garage [we were later to determine that the car had rolled back down the driveway as Joe Gqabi had been fatally shot as he had reversed out of the driveway]. We had a protocol that the gate should never be left open, about lighting at night and other measures that should be taken around the security of the premises and our personal security. Two of us got out of the car when the young man who had gone to the front door and was about to unlock the door shouted "Geraldine, run". When he returned to the car, he told us that the driver side window of the Toyota Cressida had been shattered, that is of the car that Joe Gqabi drove.

We, together with the two other occupants in the car drove to the then house of Zimbabwean Minister of State Security [as we had an arrangement to contact him directly on security matters] and we informed him of what we had seen which was extremely sketchy. The Minister made a number of calls alerting the police and the then head of the Intelligence Service. The Minister informed the three other members of our party to await the Head of Intelligence at his home whilst he left with me to the Ashdowne Park house.

A difficult evening was a further turning point in my life.

The body of Joe Gqabi was eventually removed from his car at around 4h00 on 1 August 1981. Joe Gqabi had been assassinated!

Joe Gqabi had been shot 19 times by then unknown assassins, who were part of an apartheid death squad. Much as the Apartheid regime's involvement was clear the actual identity of members of the death squad was to emerge decades later. Even the Truth and Reconciliation Commission before whom Ma Gqabi, Joe Gqabi's widow, brought this matter, on 25 July 1996, were unable to unravel the details of those specifically involved.

On 18 April 2004, the Sunday Times newspaper, unveiled the identity of Gray Branfield as a member of "the death squad who assassinated Joe Gqabi on 31 July 1981". According to the article, there were three assassins on the scene that fatal evening, who ambushed him as he reversed down the driveway of his Harare home...". This revelation came at this moment because Branfield, a security contractor in Iraq, was killed there the previous week.

A series of events had unfolded that fateful night, and thereafter could merit an article on their own! These are but snapshots of a period of my life and the events that took place which informed my future, my career choices based on my value system, and my desire to "serve"

Many years later, I have had the privilege to serve three consecutive democratic governments under the leadership of the first two Presidents respectively, President Mandela and President Mbeki. It was a great honour to make a contribution towards building South Africa's democracy as a Member of Parliament, a member of the Executive as Deputy Minister of Welfare and Population Development and later as Minister of Welfare and Population Development. In 1999, I was appointed as Minister for Public Service and Administration and served until 25 September 2008.

I have always had a great commitment to multilateralism, and my experiences in the Cabinet of a member state, on international committees and in the Africa region have stood me in good stead for my position as Director of Democratic Governance with the United Nations Development Programme.

The democratic governance practice deals very directly with some of the most fundamental challenges we confront globally. Its mandate is legitimized by national governments commitments to internationally agreed norms, frameworks and agendas enshrined in the international human rights instruments and General Assembly resolutions such as the

1986 Declaration on the Right to Development and the Millennium Declaration. We must ensure that the normative values that have been hard fought for, such as equality, human dignity and the rule of law are realized for all. These issues have not yet, I would argue, been fully resolved in any one country. Our challenge continues to build a world free of the scourges of racism, sexism and any other form of discrimination.

I still see my role as that of being in service in this instance as a Global Public Servant!!!



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