

# **On the Right to Development, Human Security, and a Life in Dignity**

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*"This moment in history must be grasped. We can bring an end to bloodshed and human suffering. We can transcend the bitter legacy of distrust and destitution and form a future that is positive and ennobling. The journey will be a difficult one, and there would be inevitable setbacks. But if one's resolve is firm, we can ensure that the spirit of man can transcend the flaws of human nature."*

September 6, 1994

*"We can not glorify death, whether in the battlefield or otherwise. We, on the other hand, must celebrate life and are fiercely committed to protecting and securing the sanctity of life, which is the most fundamental value without which all other rights and freedoms become meaningless."*

June 15, 1999

From the inaugural address and the last speech in parliament of Dr. Neelan Tiruchelvam, visionary Sri Lankan Tamil leader, human rights and peace activist, member of parliament and friend, who was killed in a LTTE suicide bomb attack in Colombo on July 29, 1999

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## Introduction

This article on the Right to Development, Human Security and a life in dignity makes the case that at last the time has come to eradicate poverty worldwide. For the first time in history, the technological means and financial resources are available and the global security situation is conducive to allowing the international community to devote its full attention to global human security. Its intention to do so has been confirmed and reconfirmed in a series of international declarations and conferences since 1986 and concrete agreements have been signed with hard poverty reduction targets to be met by 2015. Poverty eradication has become more than a moral obligation, because in the era of rapid globalisation severe inequality, deprivation and insecurity *anywhere* will ultimately have implications *everywhere*.

However, the current economic globalisation process is increasing the income gap between rich and poor nations and intra-state conflicts in underdeveloped societies seem to be escalating dramatically in number and intensity, disproportionately affecting the world's poorest even more. At the same time, the nature of civil conflict around the world is changing and is targeting and affecting non-combatants, especially women, creating chaos, destruction and resulting in the emergence of a new phenomena: failed states. This raises the question of whether the situation is getting hopeless and what needs to be done to summon the political will to reinvigorate global leadership to counter these trends.

In this paper, through the analysis of six cases, an impressive variety of the most recent, groundbreaking work is presented, indicating that all has not been lost. On the contrary: new interpretations of declarations and global security paradigms provide concrete new approaches to address the problems. Strategic alliances between the international community, the UN, the civil society and the private sector are likely to emerge and a new impetus for global governance is expected to emerge.

While at Harvard I researched two key, but strongly interrelated questions. How can we get from a culture of reaction to a culture of prevention of conflict and deprivation? And how can we make the core global actors (governments, multilateral agencies, NGOs and the private sector) work together in new alliances to live up to the commitment to secure the right to development for all made in 1986. In short, this paper positively concludes that the converging trends in problem analysis and policy development among the different actors are much greater and more profound than generally assumed. The disappointing conclusion is that international political will and leadership still lags far behind, making the operationalisation of promising innovative visions and ideas into new international policies and practises a slow process that needs active stimulation.

This paper consists of three parts. In section I, I will introduce the Declaration on the Right to Development (RTD) and the four key factors that have been changing the global context for development work over the past two decades, prior to illustrating the global convergence in thinking on poverty eradication and security through the analysis of three recently initiated, pivotal debates. Faced with the unprecedented opportunities brought about by the end of the Cold War, globalisation, failing global free trade policies and growing popular expectations and frustration, different policy makers and think tanks recently set out to review prevailing global paradigms, reinterpret international covenants and re-invent instruments. To illustrate, I will review three cases, that have great merit in themselves and at the same time form a complementary set of groundbreaking thoughts and policy recommendations which provide valuable and interesting ways forward.

The first case deals with the work and proposals of the independent UN Rapporteur on the Right to Development, who has been working since 2000 on the operationalisation of the Declaration on the Right to Development, who has come up with an innovative, reciprocal ‘development compact’ model in which both the receiving developing country as well as the sponsoring international donor community commit themselves to structural change and hard output indicators. This work makes an invaluable contribution to creating a new global strategy to eradicate poverty.

The second case presents the recent work of the UN University’s think tank, which is one of the leaders in the debate on Human Security, a post-modern alternative to the Cold War “national security paradigm”. A human security paradigm would replace the state-based, military deterrence oriented perspective with a comprehensive proactive security approach that not only aims at physical security vis-à-vis external sources, but incorporates basic needs, development, other human rights and threats individuals face within nationstates. As such, it treats the right to life and security of the individual human being as the central objective to reaching its ultimate aim: a life in dignity for all.

The third case reviews Oxfam International’s first Global Strategic Plan 2001 - 2004, which was published in December 2000. This is the first attempt ever to formulate an output-oriented, global civil society development strategy with 12 autonomous, non-governmental international development organisations and their 3000 local NGO partners, using the Right to Development framework to formulate concrete, joint development strategies for the eleven poorest regions in the world. Furthermore, this case will assess how successful this Strategic Plan has been in coming up with appropriate responses to the global challenges posed to this relatively young and rapidly growing non-governmental sector’s service provision and policy advocacy work and in representing the interest of the world’s poor and marginalized in the international forums.

Section II is devoted to the impact of persistent poverty and the lack of human security on international development and conflict resolution efforts. An overview of academic research data on civil conflicts around the world and an analysis of the impact of globalisation on and the privatisation of civil conflict precedes the presentation and analysis of three more cases. This second set of cases deals with international and local responses to civil conflict and deprivation, identifies interesting trends in new bilateral, gender sensitive, conflict prevention approaches that show a renewed commitment of bilateral agencies and non-governmental organisations to prevent conflict in deeply divided societies.

The fourth case presents the new peacebuilding policy of the Canadian International Development Agency (CIDA) and the Japanese International Cooperation Agency (JICA). In its new peacebuilding programmes CIDA and JICA attempt to integrate the policy planning and programming of the three core businesses (diplomacy, military and development co-operation) of their Ministries of Foreign Affairs. Furthermore, a special fund for peacebuilding initiatives was set up, expertise fostered and international forums organised to improve the conflict prevention record as well as to make their international crisis prevention work more effective. Close collaboration with non-governmental organisations is a key factor in all these activities and capacity building of the civil society a central aspect of the peacebuilding approach.

The fifth case shows the impact of civil conflict on women and girls, through the presentation of the results of the ‘Study on Women and Women’s Organisations in Postconflict Societies’, commissioned by the United States Agency for International Development (USAID) and conducted in 1999/2000 in six postconflict countries around the world. Three main sets of

conclusions were found to be common for all six countries: the most traumatising factor for women in conflict is the lack of physical security, both during the conflict and the postconflict demobilisation of the militia. Next to the economic destruction and insecurity that hit women hardest and make rebuilding life for female-headed households a very cumbersome process. Only in one area, the political participation and the emergence of women's organisations, did the researchers conclude that conflicts might have a positive impact on the status of women.

Finally, we study the related case of the Komnas Perempuan, the Indonesian National Commission on Violence Against Women, which was established by presidential decree in late 1998 as a follow up to the May 1998 Jakarta riots, in which over 750 ethnic Chinese women among others, were sexually assaulted and raped by roaming mobs in the Glodok neighbourhood. The case examines how effective a presidential commission can be in changing the attitude of politicians, the military and civil servants towards the sensitive issue of targeted and often systematic violence against women, which is so interwoven in the religious and family traditions and practises of a society. This brings us full circle back to the issues of inequality, exclusion, deprivation and development, and the urgent need for a new worldwide poverty eradication strategy.

In the third and last section connections are made between the four main global trends and the six studied cases and conclusions are drawn up on lessons learned and areas of improvement. To conclude, a number of recommendations are made for new strategic alliances, and for key action research issues and areas.

## **Section I The Right to Development and the need for Human Security**

### **I.1 The slow process of the global recognition of the right to development**

The Declaration on the Right to Development was adopted by the United Nations in 1986 by an overwhelming majority. It came almost thirty-eight years after the adoption of the Universal Declaration of Human Rights, according to which human rights constituted both civil and political rights (Articles 1 to 21) and economic, social, and cultural rights (Articles 22 to 28). In fact, the Universal Declaration reflected the immediate post-war consensus about human rights based on what President Roosevelt described as the four freedoms—including the freedom from want—which he wanted to be incorporated in an International Bill of Rights. There was no ambiguity at that time about political and economic rights being interrelated and interdependent components of human rights, and no disagreement that “true individual freedom cannot exist without economic security and independence.” And the credit should rightfully go to Mrs. Eleanor Roosevelt, who was the head of the U.S. delegation during the drafting of the Universal Declaration, for having first identified and advocated for the right to development when she stated, “[W]e are writing a bill of rights for the world, and . . . one of the most important rights is the opportunity for development.” (Sengupta, working paper, page 1,2)

But the consensus over unity of civil and political rights and economic, social, and cultural rights was broken in the fifties with the start of the Cold War. Two separate covenants, one covering civil and political rights and the other covering economic, social, and cultural rights, were drafted and got the status of international treaties in the late sixties, and came into force in the late seventies. It then took the international community many years of deliberation to get back

to the original conception of integrated and indivisible human rights. The Declaration on the Right to Development was ultimately signed in 1986, with the United States casting the lone dissenting vote. The issues that were debated, dealt mainly with the legitimacy, justiciability and coherence of this right. This again set back the process by several years.

A new consensus emerged in Vienna at the Second UN World Conference on Human Rights in 1993. The Declaration adopted there reaffirmed “the right to development, as established in the fundamental human rights.” This Declaration, which was supported by the United States, went on to say that “Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of government.” It also committed the international community to the obligation of cooperation in order to realize these rights. With this the right to development has at last emerged as a human right that integrates economic, social, and cultural rights with civil and political rights, in the manner that was first envisaged at the beginning of the post–World War II human rights movement. (Sengupta I, page 2)

## **I.2 Key factors changing the global context for development work**

### **1.2.1 The end of the cold war**

With the collapse of the Soviet Union in the late eighties, the national security paradigm which is statecentric and deterrence oriented, was no longer essential for political survival of nation states. The new political space that emerged was directed to address global cross border issues like the environment, drugs, HIV/AIDS, while the focus within nations could shift to issues of welfare, equality and just representation. The end of the global dichotomy also create new room for civil society initiatives and enfranchised new non-state actors. Furthermore, old global security notions were challenged, resulting in broadening international peacekeeping mandates and changing diplomatic approaches to conflict management.

The reawakening of ethnic and national identity initially led to an increase in violent civil conflicts in the early nineties. Recent research by the Minorities at Risk project, however, provides evidence that the “window of opportunity” for new state formation closed in the mid nineties, while the democratisation process in developing countries and an increased international moral commitment to proactively accept duties beyond one’s own borders, reduced the number of conflicts around the world. On another note, given these post-Cold War opportunities, the UN University think tank is making a strong case for a fundamental shift from the ‘nation security paradigm’ that dominated international politics in the twentieth century, to an all-encompassing, new human security paradigm.

### **1.2.2 Globalisation**

The term Globalisation was introduced by the Organisation for Economic Co-operation and Development (OECD) in 1985 and referred to a process of global market integration through new economic and financial policies. But it is not a new phenomena. Countries have historically gone back and forth between seeking closer integration with the rest of the world (globalisation) and retreating into isolationism and protectionism, while local groups and regions have demanded greater autonomy and political voice, as result of reinforced local identity and dissatisfaction with the state (localisation). It is the dramatic acceleration of both globalisation and localisation over the past two decades, however, that has created the global ‘seismic change’ since the late

eighties. Three main events are commonly held responsible: the collapse of the Soviet Union and socialism as a viable socio-economic alternative to market capitalism; the end of the Cold War making way for, as some put it, “unaccountable unilateralism”, “corporate transnationalism” and an increase in “vulnerable illegitimate states”; and the information technology advances that have opened a new era of hitherto unknown global communication. (Steiner, p. 1309)

When speaking of globalisation, one generally refers to a) new national and international economic policies of liberalisation and privatisation; b) new international economic trade agreements that cover much broader areas than ever before, with means of enforcement that are more effective than ever before; c) new information and communications technologies that can link people in multiple locations simultaneously, and that allow decisions and action across the world in real time; and d) new marketing and production strategies that are creating global consumption trends. (Fukopar, p.4)

To manage these global processes, new international rules -new trade rules but also an increasing number of internationally applied standards in all areas from transport to human rights- and new and old institutions are taking on growing global roles, i.e. WTO, global corporations, international NGOs, Bretton Woods institutions, G-7. But most of these global institutions lack the legitimacy, transparency and accountability to perform their powerful new roles and responsibilities. While transnational companies remain unaccountable, except to their shareholders. Furthermore, even though globalisation clearly favours the already prosperous nations and strong corporations, official debates on the ethics of the trade offs between economic growth, consumerism, increasing income disparities and environmental sustainability have not been held. Global economic rules of trade are products of negotiations among governments that are primarily set to protect national interest, but these economic agreements have major implications for human welfare that go well beyond conventional trade agreements of the past. All this is leading to increasing inequality and growing uneasiness, resistance and -sometimes violent- international protests in the streets.

But globalisation is not only about integrating markets and economic flows; it also creates a more integrated global civil society, with the spread of a shared concern for humanity, values and norms of social justice, upholding principles of human rights. Technology has enforced the rise of global NGO networks. The role of the fax machine in the 1980s, that helped many social movements gain support from the media and international civil society organisations, was taken over by the internet in the 1990s, which allows a much faster and wider mobilisation for global campaigns.

### **I.2.3 The rise of the Civil Society**

Over the last twenty years the civil society has emerged as a major and forceful actor in international development activities. The number of non-governmental organisations (NGOs), working at both national and international levels, rose dramatically. According to data from the Union of International Organisations, the number of international NGOs quadrupled from 9,500 in 1978 to 44,000 in 1999. Half of all NGOs operating in Europe were founded in the last decade; in the US 75 percent of the 2 million NGOs are less than 30 years old.

NGOs have long played an important role in the implementation of ‘service delivery’ development projects. The recent demand on NGOs to play an even bigger role is a direct result of the very characteristics of the NGO approach: cost effectiveness and grass roots participation. Since national governments everywhere are under pressure to reduce the size of the public



administration, they are moving away from service delivery in remote areas, and hence donors are expressing an increased interest in collaborating with NGOs to reach the poorest in the developing countries.

Furthermore, over the past decades, NGOs have professionalised their skills in the relatively new area of policy advocacy, both at national and international forums.<sup>1</sup> International NGO networks have become effective participants in setting and moving the agenda of international policy debates and effecting impressive shifts in policy changes, to the extent that NGOs committed to advocating social justice, have -according to Kofi Anan- become a new 'force in a new diplomacy'. Successful examples are the well known campaigns Jubilee 2000 (debt relief) and the Ban the Landmines, for which the coordinator received the Nobel Peace Prize in 1997. But major civil society contributions have also been made to the policy development and codification of extremely complicated processes. NGOs have for instance actively influenced the formulation of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, 1979), and the 1989 Convention on the Rights of the Child. Furthermore, NGOs have proposed new institutional arrangements to shape UN responses to human rights abuses, like the working groups on arbitrary detention and the establishment of Special Rapporteurs, of which there are now nine, covering different universal rights like torture, religious intolerance and violence against women. A last example is the creation of the World Bank inspection panel in 1993, a mechanism to investigate complaints made by local people affected by World Bank financed projects who allege that the bank has violated its own policies and procedures.

The legitimacy of the non-governmental sector is now beyond debate. Last year UN Secretary General Kofi Anan referred to the NGOs as the 'new superpower' when he stated that: the relationship between the United Nations and the civil society has "changed beyond all recognition". Likewise, Mark Brown, the UNDP Administrator, acknowledged civil society's growing voice when he addressed a meeting of UNDP representatives in 1999 explaining that "UNDP's partnerships with civil society organisations are going to be as important as our partnership with governments in shaping the future of development." (Fukuro Par, p.1- 2) In this context, global civil society can now try to fill the gaps in global governance. While the world is becoming increasingly interdependent and economic globalisation is advancing rapidly, the global institutions and rules to ensure that global justice prevails are still weak. Civil society can table issues of social concern and justice, with major impact on human well being and equity.

Furthermore a flourishing civil society could play a key role in holding governments accountable. Experience shows that famine is less likely to take place when there is a right to free speech, assembly, and association, and where there is a free media and inclusive democracy. A strong civil society is an engine of poverty eradication and sustainable growth; as such, it should be part and parcel of the new political scene, occupying and creating political space to demand social justice locally, nationally and globally. To close with the full quote from UN Secretary General Kofi Annan:

*Information technology has empowered civil society to be the true guardians of democracy and good governance everywhere. Oppressors cannot hide inside their borders any longer. A strong civil society, bound together across all borders with the help of modern*

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<sup>1</sup> These NGO policy advocacy movements share some key characteristics: -Social justice - they advocate for social justice, to protect peoples' rights, liberties and well being; Global networking - they are built on the mobilisation of civil society, through communications and information networks, around the world; -Global social movement - they build on the energy and commitment of people's concerns about society. In times of 'aid fatigue' and falling support for official international aid, these movements show that people do care about poverty and social justice beyond their local communities. -New leadership - the leadership in these movements is not from entrenched power structures

*communications, will not let them. In a sense, it has been the new superpower - the people determined to promote better standards of life in larger freedom.*

#### **I.2.4 The role of the state: impact of globalisation and good governance**

Combined with the process of democratisation, economic globalisation is thought to bring about unprecedented global wealth and international stability. But a decade later over two billion people still earn less than \$2 a day. The assumption that poorer countries would grow faster than rich ones in a free global market, because investment capital would flow to low income countries in search of cheap labour leading to economic convergence, has only worked in North America and Europe. Most developing countries have been unable to attract much foreign capital or take advantage of increased markets.

The traditional advantages of poor countries have been in primary commodities (agriculture and minerals), and these categories have shrunk from about 70% of the world trade in 1900 to about 20% at the end of the century. The total stock of foreign direct investment did rise almost sevenfold from 1980 to 1997, increasing from 4% to 12% of the world GDP during that period, but only a small portion went to developing countries. In 1997, about 70 % moved from one rich country to another, 8 developing countries received about 20%, the remainder went to over 100 poor countries. At the same time the unrestricted opening of capital markets give transnational corporations the opportunity to take-over the few profitable southern companies, in ways that are ‘reminiscent of colonialism’. As a result, the World Development Report of 2000 shows that the real per capita incomes for the richest one third countries rose by an annual 1.9 percent between 1970 and 1995, whereas the middle third went up by only 0.7% and the bottom third showed no increase at all. Scott<sup>2</sup> analyses in his article, “The great divide in the global village”, why poor countries continue to fall further behind.

*One key reason is that most rich countries have largely excluded the international flow of labour into their markets since the interwar period. Rich countries who laud liberalism and free markets, are rejecting those very principles when they restrict freedom of movement.... (and) the same goes for the high trade barriers in agriculture.... Since rich countries are unlikely to lower their agricultural and immigration barriers significantly, they must recognise that politics is the key cause of economic inequality. And since most developing countries receive little foreign investment, wealthy nation must admit that the “Washington consensus”, which assumes that free markets will bring about economic convergence, is mistaken... In turn they should allow poorer nations considerable freedom to tailor development strategies to their own circumstances.... (Furthermore) the rich countries’ political power in multilateral organisations makes it difficult for developing nations to challenge this self-serving world-view.... (Neo-classical) Economic theory has ignored the political issues at stake in modernising institutions, incorrectly assuming that market-based prices can allocate resources appropriately. (Scott, p.161-3)*

Through an analysis of the development of the modern nation state and of the crucial importance of free immigration and mercantilism in the economic development of rich nations over the past two centuries, Scott reaches a number of important conclusions: the state’s crucial role in the process of development must be recognised, especially in times of economic transition; the legacy of colonial systems tends to perpetuate unequal distribution of income, wealth and political power. But the powerful elites in many developing countries continue to protect the status quo—even if it means that their society as a whole will fall further behind. If the educated elite succeed to emigrate, while the poor masses remain trapped in a society that is short of

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<sup>2</sup> Bruce Scott is Professor of Business administration at Harvard Business School.

leaders, because the international migration ‘escape’ route has been cut off, the latter will face even more formidable odds as they try to create effective institutions and policies. (p.168-169)

The opening-up of economies, combined with the advances of information technology, has left many countries vulnerable to foreign currency/commodity speculation that wreak havoc on domestic prices and financial institutions. This can result in ‘social dislocation and dissatisfaction’ and poses severe challenges to the nation’s governance and stability -Indonesia is an obvious example. The increasing power imbalance between international organisations, multinational companies and rich trading states and the economically weaker states, raises further dilemma’s around economic intervention and on transfer of power and development decisions away from local communities. This weakens the democratic participation and accountability at local levels, especially in developing countries. And last but not least, economic globalisation is universalising a pressure to produce, grow and consume. This ethic is arguably contributing to environmental degradation and the unsustainability of development efforts in long run.

But the greatest disadvantage of most developing countries remains the poor quality of their government. “Poor nations must improve the effectiveness of their institutions and bureaucracies in spite of entrenched opposition and poorly paid civil servants.” These governments need both the pressure of the international community to reform their administration and institutions, as well as access to markets and the assistance to develop their economies first. Poor countries should be allowed to do what today’s rich countries did to get ahead: implement appropriate social and economic reform policies, and not be forced to adapt the free market laissez-faire approach.(Scott, p.174-176) In a world that is still governed by “state rights”, real progress in achieving accountable governments will require reforms beyond the mandates of multilateral institutions.

Meanwhile, while the rapid globalisation undercuts state-sovereignty and political decision making, expectations and standards for good governance are rising as result of the growing global civil society and increased communication and exchange of knowledge, news and ideas. Van Ginkel gives an overview in his article “On the Quest for Human Security”:

*The growing prominence of transnational forces – reflected in the growing body of international law and an increasing appeal to international tribunals and courts to have a humanitarian remit – is changing the balance of political discourse in favour of accountability, justice and the individual. There has been an internationalisation of standards of political morality and governance that have increasingly impinged upon “national” laws and norms. ... People’s expectations and attitudes towards governance and authority have evolved. Transparency, accountability, representation, justice now form the benchmark from which all forms of government are judged ... Legitimate governance is increasingly judged not as an end in itself, but as a means to an end, to be judged by its ability to serve the people. The balance of legitimacy is shifting from the procedural dimensions of democracy and governance – such as elections, freedom of speech, rule of law— to substantive outputs of democracy, measured in human welfare terms. (van Ginkel, p.66 – 68)*

### **I.3 Case 1: The Right to Development and the work of the UN Independent Expert**

#### **I.3.1 Introduction**

In 1998 the UN Economic and Social Council decided to set up an open-ended Working Group on the Right to Development (WGRtD) and to appoint an independent expert who would report on the progress in the implementation of the right to development.

The selection of Dr. Arjun Sengupta as the independent expert was an opportune choice, as he not only has a longstanding career in academia, the Indian foreign service and in the National Planning Commission, but he is also the former executive director of the IMF. Equipped with these diverse backgrounds and networks, Dr. Sengupta has made a personal commitment to coming up with a concrete set of policy and programme recommendations for both global institutions and national governments on the implementation of the right to development. Furthermore, in conjunction with the Harvard University and the Dutch government, he has launched a series of pilot projects in eight countries, in which new approaches to this process to development will be tested under academic supervision over the next two years.

The most important value of his work is that it tries to provide the international community with an innovative, but concrete and tested poverty eradication model; a model that is reciprocal, result oriented, and based on firm, monitorable commitments from both national governments and the international community. It not only challenges dysfunctional governments of developing countries to get their economic house in order, but also advocates for fundamental changes in unjust free market mechanisms and for less discriminatory regulations, to give poor nations a fairer chance to develop a sustainable economic basis. It aims to prove that the international community should allocate much larger sums to international aid to eradicate absolute poverty once and for all.

### **I.3.2 The core elements of the Declaration on the Right to Development, the UN Working Group on the Right to Development and the independent expert**

*Article 1, paragraph 1, of the declaration on the right to development (1986) states: “the right to development is an inalienable human right by virtues 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 realised” (Sengupta I, p.1)*

There are four essential principles embedded in the declaration’s opening articles. Firstly, development is a human right and that right is inalienable, meaning it can not be bargained away, even though the justiciability of some rights seems harder to envision. Secondly, development refers to a particular process of development, “Article 2, clause 3, 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 there from... article 8 elaborates by stating that the measures for realising the right to development shall ensure equal opportunity for all in their access to basic resources, health services, food, housing, employment and in the fair distribution of income. The realisation of right would also require that women have an active role in development process and that appropriate economic and social reforms should be carried out with a view to eradicating all social injustices”(Sengupta, p.3). Thirdly, development is a process in which “every human person and all peoples” are entitled to participate, which clearly underscores the importance of individual over state or collective interests. And fourthly, development is the prime responsibility of the state (‘the prime duty holder’), and that action is required on national as well as international levels. As such the states have the duty, both individually and collectively, to formulate international development policies and to provide poorer countries with appropriate means and facilities to promote rapid poverty eradication.

The WGRD held its first session last September 2000, in which the rapporteur presented his first two reports. The second session was convened in February, at which the WGRD began to formulate recommendations to the UN Commission on Human Rights (UNCHR). The

rapporteur was appointed in 1999 for a period of three years. His first two reports focussed on detailed legal analysis of the Declaration and its policy implications, and on the introduction of the national “compact” model. His third report of January 2001 aimed at contributing to the ongoing debates in the WGRTD by substantiating discussions on the characteristics and added value of the RTD “process of development”, on the interdependence of rights (vector approach), on monitoring mechanisms, and on the operationalisation of the RTD through national action and international co-operation.

### **I.3.3 Operationalising the right to development in national and international action**

Sengupta advocates a step by step model to operationalise the RTD, an approach which does justice to the notion of the progressive realisation of rights, which is inherent to the RTD. Developing countries need to adapt their poverty eradication programmes in a sequential manner within a specific target period. The prime focus on poverty is justified, since in “many senses [it] is the most abject violation of human rights, denying practically all the freedoms to the people affected. The eradication of poverty would therefore be a first step towards the progressive realisation of the human right to development.” Furthermore “the theory of justice and equity demands that the most vulnerable and least privileged groups be cared for, and equity is the essence to the HR approach.” (Sengupta II, p.13)

Sengupta also advises countries to focus initially on a few rights only, so as not to overload poverty eradication programmes, thereby increasing the chances for success. His recommendation is to choose food, health care and primary education, because they are most directly related to the right to life, and most countries have experience and many UN organisations have well developed programmes in these fields. If implemented well, with effective equity and non-discrimination objectives in place, this focus will provide “the most important method of alleviating capability-poverty, which would make any programme for eradication of income-poverty sustainable”(p.14).

In their efforts to eradicate poverty, developing countries must not only ensure a reasonable rate of economic growth, but must make growth sustainable, while not allowing any human rights to be violated. The national development plans must therefore also highlight the existing resource constraints and the required technological and institutional development, for which a proper assessment of nation capacities, domestic savings, trade prospects, access to markets for export and technology transfer should be carried out. Sengupta advocates that country-specific international co-operation could be conducted through so called “development compacts”, in which reciprocal obligations are spelled out.

*Developing countries must accept the primary responsibility of implementing programmes for realising the RTD, covered by the compact, with all necessary policies and public actions. [I]t is particularly important to ensure equality of treatment. In a development compact, the developing countries will have to take up obligations regarding fulfilling and protecting human rights,... through establishment of national human rights commissions,... which will investigate and adjudicate on violations of human rights. If a developing country carries out its obligations, donor countries and international agencies must ensure that all discriminatory policies and obstacles to access trade and finance are removed and that the additional costs of implementing those rights is properly shared... What is necessary is political will, the determination on part of all countries, to implement the RTD in a time bound manner through obligations of national action and international co-operation. (p.15)*

### **I.3.4 Conclusions**

The civil society organisations have been advocating for poverty eradication through equal opportunity and social justice for decades, with not insignificant results. But this alternative UN RTD approach, directed to all UN member states as well as to the major global financial institutions, can mark the beginning of a new era in international development cooperation. It can also give new impetus to the poverty reduction commitments made by the international community during the UN Social Summit in 1995 and the World Food Summit in 1996, as at the present rate none of the commitments will be met by the target date of 2015. Furthermore, it should reverse the negative Official Development Assistance (ODA) trend of the past decade, when the already limited generosity of the rich world has been shirking further. “ODA to the Least Developed Countries declined from 24% to 21% of the total aid between 1987/88 and 1998. Total ODA (net expenditure) declined from US\$ 53 billion in 1992 to US\$ 41 billion in 1998.” (Oxfam International, 2.1)

Debates on the compact model and the selection of initial-stage rights (food, health, education) continue. It is, for instance, vital to address land and labour rights, because large-scale deforestation and evictions and the closing down of state enterprises resulting in massive lay-offs of especially female workers, deeply impact on the lives of the poorest, with urbanisation and illegal migration as virtually irreversible consequences. Once displaced or dismissed, it is impossible for the poor to exercise their cultural and economic rights and regain their lost resources. Furthermore, it would also be more strategic to choose one of the most sensitive, power shifting rights in the first step to monitor how serious local governments and elites are in living up to fulfilling the “compacts” and to enforcing unpopular measures. Moreover, the sustainability of the compact model remains a concern. To guarantee the daily food intake of the population at large in the long run, nations need to boost the poor’s structural income-generation capacity.

A second debate revolves around the new alliances required to meet the compacts’ objectives. If NGOs are to play an important role in service delivery, then how should they be involved in the compact negotiations? And should they be legally co-responsible for the planned results or should only governments bear prime responsibility? Most NGOs have problems themselves with accountability and transparency; signing a compact would therefore require an improvement of the capability and management of NGOs as well.

In sum, this RTD model provides a alternative, dare I say revolutionary basis for a new global, reciprocal development model to eradicate poverty worldwide. But because development aid has for decades been driven by geo-political, strategic and economic concerns and increasing civil conflicts around the world need a more proactive international response of the international community to conflict prevention, a closer look into international affairs is required next. The world has to become a safer and fairer place to live or persistent poverty eradication efforts are doomed to fail in the long run. Therefore, I will next present the recent debate in the UN to come to a new global security paradigm.

## **I.4. Case 2: the Quest for Human Security**

### **1.4.1 Introduction**

The Human Security concept is an attempt to formulate a new global security paradigm that is not longer based on nation states, military deterrence and defence against external threats,

but on human dignity and the fulfilment of economic, social and political rights of individuals. It furthermore makes an effort to redefine and conceptually integrate the three core international affairs tasks of diplomacy, military co-operation and development assistance and to set new parameters for the development of a genuine global governance, that should be based on a “human dignity regime”. As such it provides a deeper geo-political context to the work of the UN independent expert on the right to development and his ideas for development compacts.

A strong case is being made here too, to put the responsibility for development efforts where it originated: at local level, with accountable and transparent governments in collaboration with a multitude of actors and with an active commitment from the international community to provide the economic space and to put their money where its mouth is. As such it elaborates the Red debate and provides strong recommendations to guide the global debate on the future direction of globalisation process and the desired levels of multilateral and state regulation and intervention

#### **I.4.1 Towards a culture of prevention**

In December 1999, the United Nations University (UNU) and the Japan Institute of International Affairs co-hosted a conference, “In Quest of Human Security”, which set out to review and re-assess the values, institutions and strategies being used to achieve security within and between communities. Inspired by UN Secretary General, Kofi Annan, who continuously tables the security issue; for instance in his speech to the UN General Assembly in September 1999, where he stated that “we live in century of unparalleled suffering and violence” and urged the international community to “move from a culture of reaction to a culture of prevention in the manner in which it collectively addresses common problems”.

In a concluding article, published in April 2000, UNU rector van Ginkel presents the major conference findings and gives concrete suggestions on how to further the debate on defining human security; applying the human security model to development and conflict prevention, and how the international community should shift from the national security paradigm and adopt a political culture of prevention. He concludes that the ‘overarching objective of promoting human dignity’ is both a moral imperative and sensible politics, because “in this interdependent era, severe inequality, deprivation and insecurity *anywhere* will ultimately have implications *everywhere*” (van Ginkel, p.60).

#### **I.4.2 Defining Human Security and the lack of global consensus on the ethical obligation**

*The concept of human security seeks to define the bases of security as a comprehensive and integrated matrix of needs and rights, from which all individual and social values can flourish and be optimised. Thus, it sees individual security as the objective and focus of other definitions of security, such as economic, food, health, personal, environmental, community and cultural, and political security. ... Human security also embraces a broad scope of moral and policy-oriented prescriptions and obligations. (p.60)*

The issues of security was traditionally defined as state-oriented and military in nature; national security therefore was the justification of the strengthening of military capacity, in defence against ‘external’ threats. Yet for most people in the world, the greatest threats to security come from internal adversaries, resulting in disease, hunger, environmental contamination, or even domestic violence. Hence, while it is tempting to bring all injustices under this scope, the

real challenge is to define only the major dimensions and design an international framework in which these can be addressed. Van Ginkel writes “The human security model seeks to identify the core elements of human needs upon which intra- and intersocietal security are based, and upon which individual and collective aspirations are articulated and realised” (p.62). Unfortunately, there is little international consensus on the ethical obligation that come with the idea of human security.

*Indeed, the implications of the human security paradigm may be unsettling to many, especially insofar as they suggest policies of equity and distribution that may run contrary to mainstream political economics, at both the national and international levels. Similarly there is little agreement on what politics will realise this conceptual paradigm. Where there is agreement, there is rarely the political will to bring the necessary leadership or resources to bear upon the challenge.”(p.60)*

### **I.4.3 Human security, globalisation and development**

The internationalisation of standards for good governance legitimised some core civil society issues, like forms of accountable governance, human rights and gender equality, and the right to development and education. Development has become a means to achieve equity and human well-being next to material advancement, and no longer an end in itself. Van Ginkel argues that:

*The cumulative effect is that the human needs and rights that form the matrix of human security, take on an increasing central role in political decision making at all levels. Transparency, accountability, representation, justice —the central tenets of democracy— now form the benchmark from which all forms of governance are judged. In the realm of international politics, the traditional key characteristic, state sovereignty, has likewise undergone change... This changing context .. holds great implications for state power, statecraft, national interest and normative implications attached to being member of the international community. In terms of national interest, the realist emphasis upon securing territory and military deterrence has been complemented by an acknowledgement that transnational issues are critical to the security of all states (p.67-68).*

Still, the conference concluded that were globalisation managed properly, major gains could be achieved. Sustainable, equitable development is founded on a number of policy bases: e.g. local ownership, focus on education and capacity building, participation of people, partnership among various actors (government, NGOs, private sector). International institutions must embrace a broad definition of development beyond economic growth; international official development assistance should set clear poverty eradication targets; developing countries need opportunities to develop an independent and sustainable economic base, including market access and where necessary, preferential treatment to enable them to compete. The effect of globalisation can not be left to the forces of the free market alone; thus the ethics of globalisation must be examined anew.

### **I.4.4 Human security and conflict prevention**

While there is a strong moral case for assisting in the prevention of conflicts when the suffering of innocent people is at stake, and while the technological means and resources now exist to identify ‘vulnerabilities of conflict’ and act, the political will and international consensus for taking collective action is lacking. Traditional conceptions of international security –interstate and military-- and conflict management were based on the concept of deterrence. But Boutros-Ghali already stated in 1992 that absence of war and military conflicts among states does not in



itself ensure international peace and security.

Conflict prevention should follow from a broad understanding of the continuum of conflict and responses that can be applied. The underlying foundations of security are social/economic security, resources security, inclusive and representative governments, local authorities, and the absence of gross inequality, especially in diverse societies. The traditional ways of conflict prevention, through early warning and prevention of violence through diplomacy and deterrence, are now being challenged by the new approach of “foundational prevention” (p.74-76). Horizontal inequalities, which are systematic and paralleled with social, religious, cultural and ethnic identities, are often a breeding ground for conflict. Being “deprived of hope” for a fair chance in life, provides the most immediate cause for violence and conflict. New long-term programmes on foundational prevention within and between communities should focus on root causes, and social and economic disparities and new partnerships between governments, local authorities, international organisations and civil society should be developed.

Crisis prevention encompasses four fields of international action: preventive diplomacy, preventive deployment, humanitarian intervention, and peace enforcement. Previous and current UN Secretary Generals have often been confronted by member states in their diplomacy efforts. Points of contention related to the potential intrusiveness of the investigatory capability in sovereign affairs. An inherent sensitivity relates to the state sovereignty and the commitment of financial resources. Many governments prefer a discreet approach. While Kofi Annan has repeatedly advocated for a more proactive and consistent attitude, the international community is still not ready to accept and act on the logic of prevention, in view of these political sensitivities. Rather, it reacts only when crises have broken out; building the political will and leadership to change this tendency is one of the greatest challenges the UN faces today. Consistency in humanitarian intervention is even more elusive; they should be applied fairly and consistently, irrespective of region or nation. But the current global political reality is different. (p.77-78).

In sum, the human security paradigm provides an interesting new framework for addressing conflict prevention in its most proactive form: the eradication of poverty and injustice. The “foundational conflict prevention” needs further work and conceptualisation, but in essence it is the most structural way forward. Whether changing to a new global security paradigm will succeed in transforming the political will and make the international community take on new conflict and crisis prevention responsibilities remains to be seen. The current status of civil conflicts around the world is a cause for grave concern, as we will see in the next section.

But unless systematic, widespread and violent conflicts again end up at the threshold of the western world or unless civil conflicts gravely undermine the political and economic stability of important regions like East Asia, it is unlikely that the international community’s attitude will change in the short run. Having said that, there are a number of promising bilateral peace building initiatives that could make a head start in this field. Case # 4 therefore will look into the innovative work in this field undertaken by CIDA and JICA. However, first we will continue with the third and last main actor of the international arena, the international and local NGOs, by presenting Oxfam International’s work and new strategic plan.

## **I.5 Case 3: Towards a broad movement of global citizens for economic and social justice**

### **I.5.1 Introducing Oxfam International and its Global Strategic Plan 2001 – 2004**

Oxfam International (OI) is an international confederation of eleven independent non-

governmental organisations dedicated to fighting poverty and related injustices around the world. Their work is based on four assumptions: poverty is avoidable and can be eliminated by human action and political will; basic human needs and rights can be met; inequalities between rich and poor nations and within nations can be significantly reduced and peace and substantial arms reduction are essential conditions for development.

*Oxfams understand that poverty is a state of powerlessness in which people are unable to exercise their basic human rights or control virtually any aspect of their lives. Poverty manifests itself in the inadequacy of material goods and the lack of access to basic services and opportunities leading to a condition of insecurity. All poverty is almost always rooted in human action or inaction. It can be made worse by natural calamities, and human violence, oppression and environmental destruction. It is maintained by entrenched inequalities and institutional and economic mechanisms (from Oxfam International's mission).*

The autonomous national Oxfams<sup>3</sup> engage in four activities: making grants to development projects of local NGO partners in developing countries; humanitarian responses to emergency situations; advocacy to change policies and practices at both the national and international levels; and development education, membership mobilisation and fund raising. None of these four approaches are unique; many NGOs share similar principles and ways of working. But the distinct character of OI is that it combines these four approaches, and practices them on a significant global scale, and under one banner that unites eleven national organisations.

Oxfam International's new Strategic Plan 2001 - 2004 intends to make a greater impact on the problem of the growing gap between rich and poor in our globalising world. While a fundamental shift in public opinion is required to come to global equity, OI sees an inspiring trend in the growing concern for international justice and an encouraging revival of internationalism. Hence OI's fundamental aim is to 'foster a greater public engagement' and 'build a broad movement of global citizens for economic and social justice'. It aims to operate in close alliance with other networks and organisations, and to working constructively and critically with governments, the corporate sector and the international financial institutions.

The OI Plan nicely illustrates how the civil society tries to respond to the globalising world and the new challenges. It chooses to focus on economic justice, professionalisation of its advocacy work and on the building of a movement of global citizens. Oxfam International adopted the right to development approach, it had been advocating for years, as the basis for its global strategic plan. Applying the RTD approach helped the OI confederation to place the existing work of its eleven international member-organisations into one overarching framework and facilitated the detection of the crosslinkages between rights and mutual supportive strategies.

### **I.5.2 Defining Oxfam's five core rights to development and objectives for 2005**

The Oxfams focus their work on the realisation of economic and social rights within the wider human rights continuum. Equity is key in the realisation of these rights. After extensive internal debates five core rights were chosen from the international covenants and agreements to form the five foundational aims of the Strategic Plan. Subsequently, under each aim two global strategic change objectives (=SCOs) were formulated and concrete programme strategies were set out. The five core rights can be summarised as follows:

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<sup>3</sup> In November 2000 there were eleven members: in Europe: UK, Netherlands, Belgium, Spain, Ireland; in North America: US, Canada and Quebec; in Asia: Hong Kong; in Australia: Australia and New Zealand

*The right to sustainable livelihood* aims at economic and environmental equity, and sustainable livelihoods for future generations. The SCOs highlight a few core elements: food and income security; protection and control over resources; and improved access to secure, paid and dignified employment and participation in the markets. As such, it reflects concerns on the negative impact of economic globalisation, growing urbanisation and need for non-agriculture based income. OI therefore made the commitment to shift its focus from sustainable production towards empowering poor people to participate in and benefit from a wider range of economic opportunities. Another shift entails the increasing participation of women in the labour force and the need to get rid of gender-biased barriers and to promote the rights of workers. Finally, to reduce the economic vulnerability, renewed commitments has been made to environmental disaster preparedness and to working at the community level to address the impact of HIV/AIDS on the livelihoods.

*The right to basic social services* should guarantee equitable access to education and health services. The SCOs aim at achieving tangible improvements in the health condition through affordable access to services, clean water and sanitation and in good quality basic education, especially for girls. While NGO project funding in these fields will continue, OI believes that guaranteeing this right is a core responsibility of governments. Therefore, OI's programme priority has been put on advocacy and campaigning for increased public financing, girls education, HIV/Aids prevention and reproductive health care.

*The right to life and security* should provide equitable protection, relief and rehabilitation in times of crisis. The SCOs focus on reducing the number of people suffering and dying from armed conflict and natural disasters, as well as reducing suffering from communal violence and displacement. The core strategies aim at improving the quality and effectiveness of OI humanitarian responses, increased investment in disaster preparedness, better use of the media and enhanced appreciation for the role of women as actors in conflict resolution and peace building. Through its participation in the Steering Committee for Humanitarian Response (in which international humanitarian-aid NGOs, the Red Cross and the UN participate), OI will also step up its advocacy role, promoting quality humanitarian response, conflict prevention capacities, as well as addressing intolerance, and confronting actors benefiting from conflicts.

*The right to be heard* indicates the importance of equitable participation in political, economic and social policy formulation and decision-making. The SCO promotes fulfilment of political and civil rights and participatory political decision-making. The programme strategies focus on capacitybuilding for empowerment of local groups; promoting active global citizenship; campaigning for genuine accountability and ratification of conventions related to economic, social, cultural, civil and political rights; as well as the UN resolution on the self-determination of indigenous peoples.

*The right to an identity* runs through all other rights and stands alone as the right to equity in gender and diversity. The SCO promotes equal rights and status for women, ethnic and cultural minorities. Securing gender equity is the central programmatic priority, focussing on participation, enforcing legal frameworks (like CEDAW) and pursuing a twin track approach towards gender violence (providing legal and physical protection while trying to make legal and cultural changes to prevent future gender violence). Through education and campaigning, Oxfam intends to contribute to increased understanding and respect for the uniqueness of minority groups, especially indigenous peoples in the South and "first nation" peoples in some Oxfam home countries.

### **I.5.3 On the capacity building of NGOs to perform their new role in the global society**

Jointly, the Oxfams are supporting the grassroots development initiatives of 3000 local NGOs in over 100 countries, with a total budget in 2000 of just under US \$500 million . The quality, scale of operation and impact of the NGOs vary widely. The Strategic Plan identifies the following main factors that determine the success rate: the availability of local partner organisations; the effects of political and security conditions on Oxfams' own and their partners' ability to work on the required scale; the financial and human resources available to achieve our goals; and the quality of Oxfam's work at head offices and of its partners in the field. The strength and weakness analysis stresses commitment, principles, partner network, strong advocacy reputation and quick and flexible response capacity on the positive side, but acknowledges the relative small and northern orientation of its membership base, while the threshold to join the Oxfam confederation is very high (OI, 3.1).

To strengthen the quality and effectiveness of its project work, and to increase its transparency, legitimacy and accountability, the OI self-assessment came up with a number of challenges grouped in three 'overarching areas' for further capacity improvement, which will be addressed in the plan phase.

*Alignment to promote leverage.* Because the core of Oxfam's work is the grant-making to partner NGOs in the South, the in-house capacity that was built over the years primarily focussed on meeting local and project-oriented challenges rather than strategic ones. It is anticipated that the planning according to the five core aims and 10 SCOs, with subsequent alignment of the resource allocation and setting of the advocacy agenda, will improve the quality, effectiveness and coherence of OI's programming, advocacy and campaign work.

*Knowledge, analysis and strategic competencies.* OI's competence likewise lies in "breadth, rather than depth", with a concentration of capacities at the grassroots, local and sub-national levels, and on programme content and horizontal links among community groups and partners. As a result, its strategic management and vertical linking need strengthening, e.g. through development of management tools, like information systems; improved monitoring and evaluation skills; and "demonstrating the benefits in terms of impact, cost-effectiveness, combined with fund-raising and shared learning".

*Working with others.* Oxfam's strongest experience of co-operation is with partner NGOs that receive Oxfam's funding, which is both an asset and has obvious limitations. Oxfams have been less successful in developing 'non-funding' relationships with other NGOs to pursue shared goals. This is partly because of limited public funding to support activities outside the traditional "grant for projects" framework". (OI, 3.2) Furthermore, because OI tends to forge long- term partnerships (funding relationships for ten years or more are the rule rather than the exception), flexibility for other forms of co-operation is further limited, so that Oxfam partnerships are often perceived as a 'closed-system'. There is also an inherent risk in pursuing a more global strategic approach that requires partnership with NGOs with strong advocacy capacities, thereby excluding the majority of grassroots NGOs, whose focus is limited and local. Lastly, as trade and the role of business in economic development play an increasingly important role in OI's work, the staff's understanding of the corporate sector needs to be enhanced considerably. Despite these limitations, OI will live up to its global citizens' movement dream and will "open the window" to engage in new forms of partnerships with wider group of actors. It will also step up its partner consultations and its participation in campaigns with like-minded organisations.

#### **I. 5.4 Conclusions on the key challenges for the civil society in the globalisation era**

For the civil society in the globalisation era, the key question remains whether the NGOs can live up to their commitment to “represent the people” in the global forums and apply the same principles they advocate: legitimacy, transparency and accountability to their own work. Section one highlighted three roles with related responsibilities: NGOs as service providers, NGOs as professional lobbyists in policy formulation, and NGOs as the ‘global conscience’, holding governments and new global institutions accountable and monitoring the globalisation process. Let’s review these roles separately.

The current, dominant global principle to minimise state intervention and transfer traditional government services, especially in education and health, to private organisations has been rapidly expanding NGOs’ role in social service provision. Since NGOs have more organic relationships at community levels and would like to tap more official donor funds for their specific target groups, they seem to be the appropriate partners for undertaking these programmes. But there are a few problems. Most NGOs are mandated to focus on specific marginalized groups only, while public service is meant for all. NGO organisational structures do not have the size, quality and outreach to take over permanent public service delivery tasks and the accountability systems do not match caring public responsibilities. Hence, NGOs could end up in difficult political situations clashing both with governments and the populations they serve.

Furthermore, a certain degree of bureaucratisation is required to implement permanent public services, which suits only government structures. Low overhead and grassroots orientation, the two core NGO characteristics that make them desirable, alternative funding channels, put serious limitations on capabilities. The small overhead margins of NGOs ensure that salaries are well below commercial levels and no long-term job security can be guaranteed. This prevents NGOs from recruiting experienced managers and/or professional training staff or reduce the generally high staff turn-over. It is therefore more desirable to have NGOs continue to focus on their core grassroots role of mobilising the poor, increasing awareness and develop alternative approaches and to leave the provision of basic services with governments.

To advocate for alternative policy development and improved global accountability is a role that naturally fits NGOs. The NGOs’ grassroots experience and networks are unique. Because of the nature and orientation of their work, NGOs have more room to experiment and draw from a wider variety of views than governments, especially of those who are overlooked or negatively affected by development efforts. Their excellent advocacy work has already been mentioned. Given their activist origins, NGOs are often event or campaign oriented and the flexibility in forming different advocacy alliance further strengthens the process of developing more effective, alternative approaches. The next step, NGOs as the ‘global conscience’ to monitor the transparency and accountability of governments and international institutions, is harder to visualise. NGOs urgently need to improve the consistent quality of their work and increase their own accountability to the people they serve. Also, the orientation and quality among NGOs still varies too much, to speak of a strong global civil society.

Lastly, there is the problem of restriction of the political space for NGOs to carry out their work. Three ‘fundamental freedoms’ need to be guaranteed in the national constitutions for NGOs to do their work well: the freedom of association (the right to set up, register and receive external funding as an NGO), the freedom of assembly (the right to meet, train and organise rallies and community events) and the freedom of speech (the right to share and publish ideas

freely). The response of governments in dealing with the increasing influence of NGOs tends to have a domestic, defensive focus. While NGOs try to persuade governments to do the “right thing” (e.g. set up an independent judiciary, secure budgets for social services, enforce labour law and uphold environmental standards), governments need to determine the space they allow for the civil society to express their concerns. In many countries this results in heated debates over desired forms of NGO specific registration and regulation.

International organisations also contribute to this debate, since official development assistance is increasingly channelled through NGOs. E.g. the draft ‘World Bank Handbook on NGO Law and Regulations’ exemplifies the confusion that has arisen over the attempts to define the NGO role in global governance. Since 1996 the World Bank (WB) has been trying to produce a handbook for governments on required NGO regulation, without initially consulting with the NGOs. Hence the NGOs severely criticise the WB for promoting excessive regulatory control and intrusion in the freedom of association and questioned the WB’s mandate in engaging in such highly political, bank branch alien activity.<sup>4</sup> In the past few years new restrictive NGO laws have been passed in Albania, Egypt, Pakistan, Uganda, Brazil.<sup>5</sup> Given the political reality that lawmakers have and regularly exercise their authority to close down too critical NGOs or arrest staff if its work does not appeal to them (human rights organisation are especially prone to these official attacks), combined with the wide variety in mandate and scope within the NGO sector, it remains to be seen whether the NGOs can ever develop into the new, autonomous, international superpower that will act as the global conscience.

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<sup>4</sup> See the Three Freedoms Report, 1999, research by Novib partner NGOs in six East and South East Asian countries into respect for these three freedoms, which concludes with main recommendation to World bank to replace the Handbook by simple list of 12 minimum requirements.

<sup>5</sup> See Scheper, 2000

## **Section II Intra-state conflict, prevention and development**

### **II.1 Poverty eradication and conflict prevention as mutually reinforcing processes**

It is widely acknowledged that conflict and development are closely interlinked. On the one hand, most conflicts stem from deeply rooted social and economic injustices, often related to identity politics and extended periods of targeted deprivation. Long-term, sustained development programmes, accompanied by structural political and social change, are needed to eradicate the real causes of poverty. The UNDP identifies three current trends aggravating extreme poverty: a) social fragmentation – the widening disparities in income, job and income insecurity and financial volatility; b) global “uncivil” society – organized crime, the spread of HIV/Aids, environmental degradation; and c) the privatisation of civil conflict (UNDP, 36-43).

On the other hand, years of long and systematic development efforts are jeopardised or virtually nullified overnight, when intra-state conflict erupts in severe communal violence. I can give numerous examples from my work experience in Asia over the past fifteen years: Cambodia and Bangladesh in the seventies, Philippines in the eighties, and over the last decade Sri Lanka, Burma/Golden Triangle and various part of Indonesia. It is not only the short-term destruction, displacement and loss of life, but the deep impact of violence affecting the social tissue of the society that leaves lasting scars of anger, hate and despair, which heal only slowly.

To make the picture even more dramatic, the privatisation of conflict has changed the face of intra-state conflicts over the past two decades. Modern civil conflict results in disproportional high rates of victimisation and displacement of non-combatants. As internal conflicts are commonly fought with conventional weapons and rely on strategies of ethnic expulsion and annihilation, many more civilians are killed than soldiers. Furthermore, perpetrators use tactics that deliberately target women, children, the poor and the weak. In some wars today, 90 percent of those killed in conflict are non-combatants, compared with less than 15 percent at the start of the twentieth century (van Ginkel, p.76). Wars and civil conflict in the 1990s forced 50 million people to flee their homes and become internally displaced persons for prolonged periods– 1 person of every 120 in the world.

### **II.2 Civil conflicts around the world**

#### **II.2.1 Academic research data on civil wars since 1945**

Ongoing academic research into civil wars provides disheartening data on civil conflicts, even though there is much debate among practitioners about the criteria applied<sup>6</sup>. In the decade 1985 – 95, 102 wars were thus identified, of which only 12 were interstate conflicts. Of the 90 (or 87%) intrastate conflicts, 75 had an ethnic background, whose causes can be divided into two categories: postcolonial, or territorial and intergroup fights (homeland aspirations, economic deprivation, religious strife or elite driven). In 1996, data provided on 84 of the 102 wars, showed that 57 (or 68%) had ended, while 27 (32%) were still ongoing or were stalemated. (Toft, from Fall 2000 Academic Course on Civil Wars, Kennedy School of Government, Harvard University)

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<sup>6</sup> E.g. at least 1000 battle deaths a year, parties should be organised for armed combat, and ethnic constituencies should number at least 100.000, which effectively rules out all low intensity conflicts, as well as the self determination struggle of most indigenous peoples. The Minorities at Risk project identified 233 ethno-political group, or 17.3% of the world's population.

The following overview gives an insight of the geographic dispersion of conflicts over time,

Continent	1984 - 1995	1995 - 1996
Latin America	14%	14%
Europe	13%	08%
Africa	31%	45%
Asia	42%	32%

The figures become even more dramatic when one analyses the settlement and the recurrence rates. Only 14 conflicts (25%) ended through negotiated settlement, while military victory provided a solution in 43 cases (75%). Moreover, the latter seems to provide more lasting solutions too, because in case of military victory, only 15% of the conflicts resumed, while for negotiated settlements, the figure shows a staggering 50%. Other data over the period 1945 –91 show similar results; of the 85 conflicts studied, 51% ended through military victory, 16% in a negotiated settlement and 33% are ongoing, or in stalemate. (Toft, idem)

These findings lead some academics to challenge the international community to face its unintended, but instrumental role in perpetuating conflicts and to seriously reconsider “giving war a chance”, as negotiated settlements often provide only half-hearted solutions; international humanitarian assistance lengthens the “life” of ongoing conflicts; and military victory provides the most lasting peace situations (see Licklider, 1998). While trends indicate an increased commitment and involvement of the international community in conflict intervention and settlement in the post-Cold War era, civil war data show that effective international conflict resolution is not a realistic expectation in the short run.

### II.3.2 The Minorities at Risk project and its cautiously optimistic outlook

There are also some cautiously optimistic research publications, which should be presented here as well. Comparing Cold War and post-Cold War data and trends in conflicts around the world, the longstanding, respected “Minorities at Risk” research project at the University of Maryland came up with a conditionally positive outlook in its second major book, which was published in 2000.

*Comparative evidence shows that the intensity of ethno political conflict subsided in most world regions from the mid- to the late 1990s and that relatively few new contenders have emerged since the early 1990s. The exceptions to this generalisation are found mainly in Central and West Africa and in south and South East Asia.... Three reasons can be suggested for the general decline in ethnic wars. First the shocks of state reformation in the former Soviet sphere and Eastern Europe have largely passed. The break-up of old states and the formation of new states and regimes in these regions opened the opportunities for ethno political activism; now the windows of opportunity in postcommunist states have closed. Second, civil capacities for responding to ethnopolitical challenges have increased, especially in democratic societies. Democratic elites are less likely to rely on strategies of assimilation and repression, more likely to follow policies of recognition, pluralism, and group autonomy. Third, international efforts at publicizing and preventing violations of group rights increased markedly after the Cold War. States and international organizations, prompted by the intense media attention and the activism of non-governmental organizations, as well as their own security concerns, have been more willing to initiate preventive and remedial action. (Gurr, II, p. xiiv -xiv)*



The research closes with several notes of caution:

*The outlook suggested by this study is conditionally positive. Deadly rounds of ethno-political conflict are likely to occur or reoccur in new, impoverished states with ineffective governments and sharp communal polarities. Where they erupt they will pose severe humanitarian problems. However, most such conflicts are foreseeable, they are likely to be concentrated in a few regions—the middle belt of Africa, and parts of Asia and the Middle East—and in principle they can be contained and transformed through constructive and sustained regional and international action. The grave risk is that powerful global and regional actors will become so weary of remedial action, and so preoccupied with other issues, that they will give only marginal attention and resources to the management of local conflicts in peripheral regions.... Despite the short-term decline in conflict and the ascendance of efforts at reform and accommodation, many conditions of future ethno-political conflict persist. ... [t]he results of comparative analysis to identify some ninety groups<sup>7</sup> that are at medium to high risk of conflict and repression at the beginning of the 21<sup>st</sup> century (Gurr, II p.xvi).*

### **II.3.3 Civil conflict, globalisation and the impact of democratisation**

In reviewing the conflict data and comparing them with the trends described in section I, a few remarks are appropriate here that counter the positive trends described in some research. First, the new global governance in the twentyfirst century and the impact of free trade and open market policies and mechanisms on developing countries does not support the conclusion on the remedial power of democratisation in the developing world. The political mindset of the local elites in most poor countries is not geared towards a voluntary shift to a more just sharing of power and resources. On the contrary; increasing global economic insecurity will incline local elites to cling to power and resist new contestants claiming equal rights under renewed invigorated international covenants.

Secondly, it should be indeed be harder for “oppressors to hide safely within their borders”, in the post Cold War era with international human rights codification and advocacy pressure through internet, media, and the civil society. But in reality there is very little the international community can or is prepared to do to enforce corrective decisions made by new global institutions like the UNCHR, UN Security Council and the International Criminal Court (ICC) to be. Of the four actions to avail of -- international diplomatic pressure, economic boycott, humanitarian intervention, and peace enforcement-- the international community is inclined to resort to economic measures, which by definition do more harm to the population at large and have usually little effect on the targeted regimes (e.g. Iraq, Cuba, Burma).

Thirdly, international policies and programmes that aim at prevention of conflict at the local level are more sustainable and thus grassroots organisations’ and local governments’ capacity should be strengthened and equipped with the knowledge and resources to resolve their own conflicts and not depend on the international community. Even if the international community were to have a major attitude shift with regards to conflict prevention, then there will never be sufficient resources to address all conflicts on time.

Finally, largely reactive, North-South oriented conflict intervention strategies can never effectively deal with the most dramatic situation of all: the case of the ‘failed states’. Ignatieff has been researching what he calls the “fourth phase of state development”. He points out that after the Treaty of Versailles, the decolonisation process and the break-up of the former communist

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<sup>7</sup> Some ninety ethno-political groups at medium or high risk: that is 40 percent of all groups identified.

empires, there is now a new phase emerging that is still hard to define. It includes former strong nations in disarray and at the verge of partition (e.g. Indonesia and Pakistan), as well as “Black hole” states in which nobody seems to take an interest anymore and where intervention by external forces is unthinkable (e.g. the African Great Lakes region, Afghanistan). International strategies developed for these situations are only stopgap: create military safe havens and corridors for refugees, while all hope is cast on a small number of NGOs that might manage to lay some groundwork for future civil society building. (Ignatieff, PICAR lecture, February 12, 2001)

### **II.3 The changing face of intrastate conflicts: non-combatant victimisation and women**

In an article on the future of civil conflict Shashi Tharoor<sup>8</sup> concludes that we live in an era of blazing conflict and that there is no reason to assume that the foreseeable future will be any different. Though most conflicts have an ethnic dimension, he argues that ethnicity alone never provides a sufficient explanation. While conflicts in Rwanda and Yugoslavia occurred along ethnic lines, other examples of extremely violent civil conflicts, Cambodia and Guatemala, clearly did not. “There are always more prosaic motives of ethnic leaders to be considered... Indeed it would be safer to proceed from the assumption that politics is at the root of most contemporary conflicts”. Ethnic conflict can be used by “opportunistic political leaders who find in it the ideal vehicle to preserve or enhance power, or to distract their citizens from other domestic failures, often when ethnic division is nowhere as profound as it is being claimed” (Tharoor, p.2).

Tharoor gives four major causes that can trigger future conflict: 1) residual problems from the end of the era of colonisation (border disputes, conflicts between groups which were materially favoured and the disadvantaged, or overcoming mixed colonial histories); 2) state fragmentation and re-formation; 3) failed states (enduring state of underdevelopment combined with crisis in governance); and 4) states in economic transformation towards open market capitalism. Civil conflict is usually the result of failing political leadership, but Tharoor also identifies a number of “circumstantial factors” that are often overlooked. The mere proliferation of weapons can also cause conflict (e.g. Afghanistan). Furthermore, the role of external incitement, and especially the impact of ethnic diaspora, in intellectually and financially underpinning civil war and in nurturing political extremism is not to be underestimated (e.g. Sri Lanka, Middle East, Cuba).<sup>9</sup> (p.3-6)

And last but not least, the economics of ethnic conflict in poor societies should be considered. “Conflicts may be kept alive by the opportunities for profit and the issue of who actually benefits becomes key”. Armed conflict can be extremely lucrative for the warring elites. “Precious commodities and natural resources have played decisive roles in a number of recent civil conflicts: diamonds in Sierra Leone, Liberia and Angola; drugs in Colombia, Afghanistan and Myanmar; oil in the Democratic republic of Congo”(p.7). The constant influx of humanitarian relief goods provides important assets too. “The fighters are often a divided lot, poorly disciplined with little by way of coherent chain of command or supply. They may owe allegiance to an immediate leader rather than to the larger cause on whose side they profess to be fighting. The

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<sup>8</sup> Mr Tharoor is the Director of Communications and Special Projects in the office of the Secretary General of the UN.

<sup>9</sup> With the growing ‘displacement’ “the movement of populations across frontiers everywhere means the expatriation is a central feature of the Zeitgeist. .. Perhaps 5% of the earth’s people today live in countries other than those in which they were born.” In other words: the ethnic diaspora impact will only increase.

political economy of civil conflict often makes warfare a rational choice” (p.8-9). This private initiative in civil conflicts makes them harder to settle. In the twentieth century, the average duration of an interstate war was twenty months, as opposed to 120 months for civil wars. The destructive capacity is very alarming as well. Damage to civilians is often intentional, not simply a by-product, to intimidate and terrorize the population. Three related trends have acquired greater importance in the 1990s: the role of television in whipping up passions and hatred; the lack of successful negotiated solutions to civil wars, and the few peace settlements are very fragile; and the “involvement of professional combatants in civil conflicts—with “private armies” and “military companies” providing expert military services to their combatant clients.”(p.8-10)

In sum, while the trend from the major academic research on conflict suggests that fewer conflicts might erupt in the future, other institutions are less optimistic. One can at least assume that, given the nature of privatisation of civil conflicts, ongoing civil conflicts will last longer, will be more vicious and detrimental to the civilian population, and that more smaller intra-regional conflicts that do not meet the academic criteria will erupt and will therefore not appear in any research data.

Sustainable development and global poverty eradication are efforts doomed to fail, if the root causes of poverty and conflict are not addressed. From a justice perspective, it is unacceptable to abandon the suffering population in failing states; this is also true from an international security perspective, because it will affect global stability in the long run. The international community should give peacebuilding a central priority in its global agenda. It is also desirable to give systematic attention to gender perspectives in conflict in academic and policy research. I therefore will present three more cases that reflect recent innovative policy research and programming in the field of peacebuilding, gender impact of civil conflict, and the role of women organisations and special commissions in conflict prevention, resolution and reconciliation.

#### **II.4 Case 4: peacebuilding: CIDA and JICA efforts to integrated new conflict prevention strategies in foreign affairs and development co-operation**

In 1996, Canada launched the Canadian Peacebuilding Initiative, a joint initiative of the Department of Foreign Affairs and the Canadian International Development Agency (CIDA), with dual objectives: to assist countries in conflict in their efforts towards peace and stability; and to promote the Canadian peacebuilding capacity and participation in international peacebuilding initiatives.

*Peacebuilding is the effort to strengthen the prospects for internal peace and decrease the likelihood of violent conflicts. The overarching goal of peacebuilding is to enhance the indigenous capacity of a society to manage conflict without violence. Ultimately peacebuilding aims at building human security, a concept which includes democratic governance, human rights, rule of law, sustainable development. Equitable access to resources, and environmental security... Peacebuilding may involve conflict prevention, conflict resolution, as well as various kinds of postconflict activities. It focuses on the political and socio-economic context of conflict, rather than on the military or humanitarian aspects.”(CIDA, peacebuilding Initiative Strategic Framework)*

The Peacebuilding Initiative brings together government departments, academia and the NGO community. Because it aims at achieving more coherence in the international community’s peacebuilding responses, it also fosters co-ordination with other bilateral donors, the UN and regional organisations. The Initiative has three main elements: ‘preparedness, partnership and implementation’. Its expected results are formulated in terms of increased ability to resolve

internal conflicts, strengthened local institutions, new leadership, rapid response capacity and international action. A special Fund was created to foster local NGO peace initiatives.

Furthermore four sets of 'programming priorities' and related activities were formulated to be included in DFA and CIDA's general work, covering the situations of conflict prevention, stabilisation, resolution, and reabsorption. (see CIDA, Peacebuilding and Canada's role, p.1) A 1999 report on the Canadian Peacebuilding experience gives a broad overview of peace initiatives that have been supported over the past decade, including Former Yugoslavia, the Great Lakes region of Central Africa, Cambodia, Sri Lanka, Haiti, El Salvador, and the Middle East peace process. Furthermore, the report gives data on support to multilateral mechanisms for peacebuilding, through the UN, the UK Commonwealth, La Francophonie (the French speaking nations around the world), the Economic Summit G8, as well as to the International Criminal Tribunals for Former Yugoslavia and Rwanda and the International Criminal Court to be. Unfortunately, the three reports that are available through the internet do not give any indication or interim assessment on the realised results thus far.

A commendable offshoot of the Peacebuilding Initiative is the joint work of the CIDA Gender Equality Unit and the CIDA Peacebuilding Unit, who came up with a simple and most practical document called "An Operational Framework for Gender Equality and Peacebuilding". It gives an excellent overview of "elements of conflict situations and possible gender dimension", a simple questionnaire for gender analysis in conflict situations, a set of potential indicators to measure the impacts of peace initiatives on men and women, and finally a short list of "entry points for support gender equity in peacebuilding" which has strong resemblance to the outcome of the grassroots study on women in postconflict situation, see the next case. (CIDA, Gender equity and peacebuilding, an operational framework, 1999)

In the context of this initiative a high-level ministerial mission visited Japan in 1997, to discuss the possibilities for a joint bilateral Peacebuilding Programme. The Canada – Japan Initiative was launched in 1998 and focuses its research on two case countries, Guatemala and Cambodia, and issues like ethnic groups, peace education, media and women organisations. This brings us to a second set of interesting policy developments in Japan.

Since WWII, three main elements have been determining Japan's foreign diplomacy: its growing economic position in the world; the Asian "universality of rights" debate, in which Japan acknowledges the importance of the recognition of East Asian values, but is also committed to the human rights agenda and hence plays an important mediating role in Asia; and the impact of the Cold War on East Asia, which limited Japan's diplomatic options. Japan therefore made a concerted effort to foster global recognition for the important role of the UN as 'global balancer of power'. However, since the late eighties, Japan has taken a more direct, independent diplomatic approach and became active in conflict zones in the Middle East, Eastern Europe and Africa. It advocates a non-confrontational international conflict mediation approach, through preventive and silent diplomacy, avoiding confrontational public negotiation as well as military intervention (e.g. Japan firmly disagreed with US Kosovo-Serbia intervention).

Japan faces constraints in furthering its international role, due to the new security reality in East Asia, Article 9<sup>10</sup>, and the flaws in its own democratic system, especially the weakness of the

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<sup>10</sup> Article 9 of the Japanese constitution, drafted by American lawyers in 1947, prevents Japan from having an army, other than a limited selfdefence force. This prevents Japan from participating in UN peace keeping operations. Furthermore, despite its economic and geopolitical importance and massive support to the UN system, Japan has never been considered to become a permanent member of the Security Council.

political party system and the lack of young leaders. These make it hard for Japan to respond to the current diplomatic challenges: to develop an appropriate Japanese response to the spreading civil unrest in East Asia (e.g. Korea, Russia, Indonesia, Philippines); to strengthen the role of Japan in the globalising world and in the global governance in general; and to strengthen its domestic political foundation and civil society. (From Ambassador Hashi Owada's lunch presentation to the Harvard WCFIA Fellows, Tokyo, March 26, 2001)

In the early nineties, two trends collided. Japan changed its foreign policy and became more aware of the role of the civil society. As a result it became an active participant in several global conflict prevention commissions (e.g. the G8 initiative on peace building). It integrated issues like small arms, land mines, child soldiers and disarmament into its programmes. Now, another major adjustment in the Japan foreign policy seems to be in the works. An interdepartmental study group, initiated in October 1999, is currently finalising a two-year assignment and has formulated a policy proposal to integrate the policymaking of the three core tasks of its Ministry of Foreign Affairs: military (UN), political (diplomatic) and development co-operation. This is called a 'Framework for Peacebuilding'.

*"The (Japanese) concept of peacebuilding involves minimising the possibility of the outbreak of conflict, preventing conflict that has occurred from increasing, and rectifying damage occurring from conflict.. At JICA the ultimate goal of peacebuilding is defined as strengthening the capacities of developing countries to achieve permanent sustainable development... In addition to the military and political frameworks conventionally considered important in order to achieve peace, support for peacebuilding includes a third pillar, development co-operation, which makes for inclusive efforts.. Thus the role that development co-operation can play has been given new emphasis." (From: JICA's Efforts Pertaining to Peacebuilding)*

It is interesting to note here the difference with the CIDA approach, in which the target audience is the community and the aim is to enhance the indigenous capacity. JICA keeps 'permanent sustainable development' and its relationship with governments central in their new approach. However, JICA's continued bilateral ODA-emphasis is being somewhat balanced by another initiative JICA took as a follow up to the 1997 OECD DAC guidelines on Conflict, Peace and Development Co-operation, which recognise the importance of good governance and the strengthening of the civil society as the foundation for peacebuilding.

*Successful conflict prevention requires collaboration among the actors such as the United Nations, international and regional organisations, states and civil societies including NGOs and individuals, with each actor making its own contribution. In today's world, we frequently witness ethnic hatred developing into armed conflicts, and many NGOs are playing a vital role on grassroots level, by going to the spots of potential conflicts with a view to promoting mutual understanding and reconciliation among the parties concerned... Today, further collaboration between the civil societies and state governments is urgently required, which will make NGOs' steady and significant efforts even more fruitful" (From Mr. Yohei Kono, Minister of Foreign Affairs' keynote address to the International Symposium on the Role of NGOs in Conflict Prevention, Tokyo, June 2000)*

This Symposium on the Role of NGOs in Conflict Prevention was one in a series of efforts by JICA to strengthen the NGO capacity, mainly Japanese NGOs, in conflict prevention. Two new institutions were recently established: in 2000 the Japan Conflict Prevention Center, which trains NGOs to work in conflict zones and in 2001 the Japan Platform, a collaborated effort of the business sector, government, NGOs and media, which will fund raise and engage in national peace education. Much of this peacebuilding work is still on the drawing table, but it clearly indicates a shift in the Japanese context and could have a major impact on the future direction and quality of the Japanese ODA .

## **II. 5 Case 5: USAID study on women and women's organisations in postconflict societies**

Last December 2000, USAID organised an international conference on intrastate conflict and women to present the results of two years research in six postconflict societies. The aim of the study was threefold: to assess the impact of intrastate conflict on women; to analyse the types of women NGOs that emerged during the conflict; and to identify the problem areas and the need for future donor assistance. The study is quite unique in various respects: a bilateral donor (not generally known for a progressive attitude towards the civil society) who systematically studies gender, conflict and civil society; the two-year timeframe, which allowed for elaborate field study at grassroots level as well as academic feedback; and the open mindedness of the researchers - both male and female - straightforwardly addressing the most sensitive of issues surrounding women and conflict, the sexual violence. While one can criticise, especially from NGO perspective, some of the civil society analyses, and while it remains to be seen how many of the recommendations will be adopted in future USAID policies, the study is impressive and provides a good model, as well as interesting starting points for further research and policy formulation.

Based on findings from Rwanda, Cambodia, Guatemala, El Salvador, Georgia, and Bosnia and Herzegovina, the study concludes that there are five major impacts of intrastate conflict on women and gender relations: 1) violence against civilians, of which 95% is female; 2) internal displacement, of which 90% is women and children; 3) redefinition of female identities in the society, both as victims and as perpetrators; 4) targeted destruction of civilian property leading to increased poverty and starvation; and 5) communal violence leading to lasting bitterness, anger and hatred. The findings are further analysed under three headings: the socio- and psychological impact, the economic impact and the political impact.

The most traumatising factor for women in conflict is the lack of physical security, both during the conflict and the postconflict demobilisation of the militia. This keeps women trapped in their homes, not being able to move around freely. Rape was used as tool of warfare in all six case countries. Moreover, many women saw themselves forced to engage in prostitution in the postconflict era, as only available means of income. Family structures were damaged through death and trauma, with women becoming heads of households and/or increasing incidence of domestic violence. Trauma in women manifests itself in depression, chronic fatigue, stress, anguish and listlessness.

During, but especially after the conflict, women are also confronted with economic restrictions leading in two countries to a decline in the status of women. Lack of property rights for women in many societies make female-headed households lose their land, nor do they have access to bank loans. In all case countries, the number of women entering the labour market increased, though many lost their jobs in the formal sector once the ex-combatants returned to civilian life. Increased poverty hit the female population hardest: they are most malnourished and often deprived of basic education and health services.

At the same time, the political impact of war on women seems to be positive. Women expanded their public roles and ran local political institutions during the war. Initially women organised themselves to support the war. Later some women founded organisation to promote peaceful solutions and became powerful voices in peace-accords. Although in the postconflict era some disenfranchisement occurred, overall lasting political headway was made and more women participate in politics since.

The researchers noted a marked increase in women's NGOs for which they give four

reasons: increased female political participation; disillusionment with existing organisations that lack a gender agenda; postconflict democratisation that provided more political space for NGO work; and large sums of international donor assistance that streamed in. The women NGOs are mostly active in trauma counselling, micro-credit, voter education, gender awareness and political advocacy. Institutionally, they exhibit the weaknesses that are common in young civil societies: lack of management experience and accountable leadership, and the lack of communication and cooperation among NGOs. But the Study also concluded that cultural and social factors held women back at first, which led to unnecessary delays at the start of the post conflict transition process. The sustainability of the women organisations needs further work, especially with regards to their dependence on donor assistance and the lack of appropriate management skills.

The USAID study concludes with eight overall recommendations for improving women's lives in postconflict societies:

1. Build on women's economic and political gains;
2. Pay greater attention to civilian security, e.g. through security sector reforms and greater participation of women in police forces, judiciary system and in peace committees;
3. Emphasize cost-effective indigenous approaches to treat traumatized women and children;
4. Make concerted efforts with the international community to prevent sexual abuse of women;
5. Promote micro-credit for women;
6. Support the implementation of property rights reforms for women;
7. Promote greater women's participation (as candidates) in postconflict elections;
8. Promote women's political participation and advocacy.

In sum, this study provided a vast amount of data on the status of women during and in postconflict reconstruction and proposes a clear policy framework for action. It divides the impact of armed civil conflict on women into three main categories: physical insecurity and social and psychological consequences, economic insecurity and political participation. While most postconflict societies do provide women with greater opportunities for political participation, the impacts of continued economic and physical insecurity result in an overall deterioration of the women's status. The strong case this study makes to the international community in acknowledging and working on prevention of sexual abuse of women is convincing and requires follow-up.

It is also important to continue the research on how trauma affects the reconstruction of a nation and on the effectiveness of western trauma counselling methods in impoverished countries. These are often very costly, available for short time only and culturally inappropriate, because overcoming hate and anger is an important step in preventing conflicts from re-emerging in the near future.

Finally, it is interesting to note that the study makes a strong plea for law reform re property rights for women. These six case countries provide a good example of situation where working on the right to development through development compacts would require a selection of other rights than health, education and food alone, to provide marginalized women with secured minimal access to productive resources and thereby the opportunity to rebuild their family life with a longer term perspective and with dignity.

## **II.6 Case 6: Conflict prevention and women in Indonesia: Komnas Perempuan**

Komnas Perempuan (Indonesian National Commission on Violence against Women) was set up in October 1998 in response to the outcry of Indonesian women's organisations against the

sexual assault and violence during the May 1998 riots in Jakarta<sup>11</sup>. The independent investigation that followed was endorsed by a presidential decree to set up this Commission. It is an independent body with the authority to publish and disseminate reports to the general public and raise funding. It maintains close relations with the respected National Commission on Human Rights, based on joint interests in promoting a gender-sensitive approach to basic human rights protection. As significant gaps between government and the society exists Komnas Perempuan set three main objectives for itself: increase public understanding on all forms of violence against women (=VAW); create a conducive environment for the elimination of violence by legal and policy reform; and strengthen the capacities for prevention of violence and in dealing with the consequences of VAW through national, regional and international networks.

The Komnas Perempuan focuses its efforts in five areas: mapping violence (co-ordinating the documentation, done mainly by local NGOs around the country); service to survivors (building expertise on trauma counselling and reconciliation); witness protection; responding to conflict (including the development of training programmes for personnel from government, army and civil society to learn how to deal with and prevent VAW in future); and institution building.

The Komnas Perempuan 2000 report on the impact of communal violence on women,<sup>12</sup> provides a sad but clear example of the complexity of modern civil conflict. The report documents six cases that represent the different types of violence currently raging in Indonesia:

- 1) Separatist movements (Aceh and West Papua);
- 2) Inter-religious and interethnic conflicts between indigenous people and immigrants, as result of years of strive over control and access to resources (Kalimantan, Moluccas, Sulawesi);
- 3) Religion manipulated to become a tool of violence (Aceh, Moluccas, East Java);
- 4) Militarism, orchestrated violence in “military zones” (Timor, Aceh, West Papua);
- 5) Arbitrary arrests and executions, especially between late 1998 and mid 1999, as one of the last acts of the New Order regime<sup>13</sup> (everywhere);
- 6) Racism towards the ethnic Chinese population (Java).

Women have been suffering disproportionately in these ongoing conflicts. Large numbers of civilians have been uprooted, women and children comprising 90% of the internally displaced. Women suffer individually or attacked as group from various forms of armed conflict related sexual violence (rape, harassment, sexual slavery), without protection or legal recourse. Sexual violence seems to occur systematically in military zones, where it has been used as an organised tool of terror and control by the armed forces for decades. The overall rape rates increased in Jakarta since the May 1998 riots, while domestic violence has been increasing dramatically since 1997. There has also been an increase in ‘acts of terror’, using religious laws and norms that effectively exclude women from protection, recourse and representation.

In response, Indonesian women’s organisations have undertaken many initiatives to deal with the consequences of armed conflict. They have provided emergency assistance, set up trauma teams, documented atrocities, campaigned for peace, organised women in conflict areas, influenced national policies and mechanisms to end the impunity and build capacity to prevent

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<sup>11</sup> During the civilian but military supported attack on a Chinese neighbourhood in Jakarta, app. 750 rapes took place, including gang rapes. The independent investigation lawyers’ team assembled sufficient proof to bring 193 cases to court, but no law suits were filed. The government and military dismissed the report instantly, while many of the rape victims, mostly young women and girls, were sent abroad to family in Malaysia and Philippines, to cast away the ‘shame’ they brought on the family

<sup>12</sup> Presented to the Beijing +5 conference in June 2000 in New York.

5) <sup>13</sup> The New Order Regime refers to the thirty years rule of former President Suharto.



VAW and/or remedy the consequences.

While many areas and issues need to be addressed, the Komnas Perempuan report highlights two: the victimisation of women and the absence of women at the negotiation table. The detailed documentation on female victimisation and sexual violence in armed conflict collected over the past three years, shows that the impact on women of military attacks on civilian populations is far greater than the impact of cross-communal violence. In these so called military zones rape has been used as a systematic tool of torture to intimidate population. Furthermore, there is strong evidence that the sexual violence women face in situations of armed conflict is connected to patterns of domestic violence that women face in everyday life during peace time. “The power of religion and culture as tools of violence demonstrates how women’s victimisation during armed conflict is rooted in the norms and values developed in peace times.” (Indonesian Approach to the Consequence of Armed Conflict, p.4)

Secondly, the Report highlights the absence of women at the negotiation table:

*Indonesia is still a distance away from a final reconciliation with past human rights abuses and gross injustices.. in spite of this, steps have been taken to begin the long journey towards reconciliation... Unfortunately all the above measures have been implemented with only marginal participation of women.. This, in spite of the multitude of initiatives which women have been making all along since the beginning. When participation happens, it is only because women’s groups push themselves upon the decision makers and insist on their voices being heard. Every single progress in women’s involvement is a product of a conscious and targeted struggle against the dominant current” (p.7)*

It is unfortunate though not surprising to have to conclude that even a presidential decree and a National Commission cannot convince politicians, military and civil servants to begin to take gross genderbiased human rights violations seriously. While the very existence of the Commission is a political acknowledgement that the Indonesian society has a serious VAW problem, its lack of political clout makes that their excellent data collection and training programmes development do not fall on fertile soil. As the USAID study concluded, the political representation of women need serious boosting, only then lasting political solutions can be expected. As Kofi Annan, Tharoor and van Ginkel stated earlier, concerted international pressure and a closer collaboration with the civil society could speed up this process. The Komnas Perempuan Report thus ends with a strong appeal to the international community:

*Indonesian women urge the international community to continue its pressure on Indonesia so that what ever gains and progresses are achieved in these difficult years of transition continue to build up to a real social, political and economic transformation in the nation. Indonesian decision makers need to be continuously reminded and pressured that peace, democracy and justice can never be achieved without women’s involvement from the very beginning.*

## **Section III Summary, conclusions and recommendations**

### **III.I Summary and conclusions**

This paper has assessed the impact of the dramatic global changes since the late eighties on poverty eradication and conflict prevention. The end of the Cold War, rapidly progressing globalisation, the vast growth of the NGO sector and changing expectations for good governance, provide new opportunities, as well as challenges, that require urgent action.

This paper is predicated on the fact that for the first time in history it is possible to eradicate poverty worldwide, because the resources and the technology are available and the global political setting in the post- Cold War era now allows for such a concerted effort by the international community. However, actual global economic trends show a continued increase in income disparities between the rich and poor nations, as free market mechanisms strongly favour the industrialised nations. Furthermore, there as yet seems to be no genuine political will to make global economic growth more equitable and sustainable. But there is hope too.

Respected research institutes and academics are now publicly questioning the correctness of the “Washington consensus”, that free market mechanisms will ultimately bring equal prosperity to all nations once their economies and national institutions have been effectively restructured. One of the main factors distorting this vision of a natural global balancing process of economic growth are the barriers against the free movement of labour and agricultural commodities from poor nations, which the rich nations keep up to protect their own economies. Another is the need of developing nations to be allowed some level of economic protection against transactional companies and private foreign direct investment, to restructure and beef up their national economies first, before they open up to the international market.

This message has been strongly advocated for years by an increasingly vocal and powerful civil society at national and international levels. Over the past two decades, the non-governmental organisations have not only doubled or tripled in number, but their work has become more professional, and through the smart use of new technology like the internet, their ability to reach out and mobilise public opinion has totally changed the face of international cooperation, to the extent that the NGOs are now referred to as the new superpower in the world.

The second major conclusion of this article is that the privatisation of civil conflict and the increasing “uncivil society” trends, like the trade in women, drugs and small arms, are causes for grave concern, that will ultimately affect world peace and prosperity. Prolonged deprivation, severe inequality, and insecurity leave the population of impoverished nations with little hope for a better future. Under these extreme circumstances it is very difficult to prevent or come to negotiated settlements between parties that fight civil conflicts for survival or as alternative way of living. Not only in the extreme case of the ‘failed states’, but also in until recently prosperous nations like Indonesia, the privatisation of conflict leads to increased victimisation of non-combatants, in which women especially are singled out. In an ever globalising world, civil conflicts anywhere will ultimately have implications everywhere.

The international community’s efforts in the field of conflict and crisis prevention, which have been stepped up since the end of the Cold War, have not been successful in developing countries. The international conflict response is reactive in nature, biased towards interventions in conflicts closer to home and favours economic boycotts over other forms of involvement; that it has proven to be ineffective when it comes to overthrowing corrupt and/or dictatorial and violent

regimes. Hence a strong plea is made to step up conflict prevention or peacebuilding efforts and to develop alternative approaches that focus on the root causes of conflicts, and to come up with structural solutions.

Which brings us to the third main conclusion. The only effective strategy to prevent violent conflict in deeply divided societies is to eradicate absolute poverty and gross injustice and human rights violations around the world. Since the first conclusion is that it can be done, the question here remains: how?

This article used six current cases to present an overview of innovative policy thinking, research, re-interpretation and operationalisation of covenants, strategies and policy changes among the three major global actors: the multilateral institutions, the governments and the NGOs. Two cases reflected work undertaken by the UN, under the auspices of the UN High Commission for Human Rights and the UN University think tank on the Right to Development and the need for Human Security. Two other cases presented new poverty eradication and conflict prevention strategies recently adopted by prominent NGOs, in the form of the new Global Strategic Plan of Oxfam International and the National Commission on Violence against Women in Indonesia. And lastly, two cases introduced new bilateral donor policies and strategies in the field of peacebuilding and women and conflict, through the most recent work of CIDA, JICA and USAID.

The analysis of the work of multilaterals, governments and NGOs demonstrates that there is substantial congruence in policy development and different strategies which could be mutually reinforcing. The work of the independent UN rapporteur on the right to development, Dr Sengupta, has a dual focus: from an international law perspective, he interprets the 1986 Declaration and 'translates' commitments into concrete action to have the right to development for all individuals guaranteed. At the same time he works on a concrete set of development cooperation strategies to implement the Declaration. The proposed 'development compact' model promotes a step by step approach, with a first focus on absolute poverty eradication for the most marginalized, taking on a few rights at a time (food, health care and primary education), and spelling out the reciprocal obligations of both the receiving nations as well as the international donor community. Developing countries need to work on a sustainable economic growth basis, and the compact should also include agreements on trade and access to international markets, so as to enable the poor nations to sustain these poverty eradication efforts. Hence, this economically focussed approach also makes a strong case for adjusting the economic globalisation process and for taking measures to guarantee a more equitable access and share of the world economy for poor nations.

The UN University's quest for human security puts the right to development debate in a broader global strategic context. It argues that in the post-Cold War era, the international community can now make the shift from a national security paradigm, based on military deterrence and the enemy outside, to a human security paradigm, where the well-being of the individual not of the nation state is key and the focus is put on human dignity and the fulfilment of the economic, social and political rights of individuals. This would require a redefinition and joint policy planning of three core international affairs tasks, of diplomacy, military co-operation and development assistance and the setting of new parameters for the development of a genuine global governance, that would be based on a "human dignity regime". Hence, the human security paradigm is making the explicit link between poverty eradication and conflict prevention, which is missing in the RTD.

The third case dealt with the response of one of the largest global non-governmental

networks, Oxfam International, to the new challenges the globalising world puts to the civil society. Comparing the work of Sengupta and the UNU with the aims, policy choices and objectives in OI's new Global Strategic Plan, one notes a series of striking similarities. The Plan has adopted the right to development approach and gives similar priority education and health, as well as to livelihoods. The OI approach advocates focussing on food security through income security; not surprisingly, it makes a strong case for working on the other rights, especially labour and land rights, as they are most instrumental in securing equitable access and the right political context. It is therefore surprising that the work of the UN working group and Dr. Sengupta's compact approach is not addressed in the OI Plan. Similarly, the Plan appears to be geared towards pro-active conflict prevention, as proposed in the human security paradigm, but the new strategic objectives for the right to life and security remain directed towards improved humanitarian assistance, which are by definition reactive, (post)conflict responses.

Which raises the legitimate question of whether the civil society can live up to the expectations it has raised for being a more effective service provider to the poorest, the advocacy think tank, and the accountable and responsive "global conscience". The case comes to an ambivalent conclusion. The inherent weaknesses of the NGO sector makes it hard to either take on longterm public service delivery responsibilities or to be "the global civil society superpower". But the ongoing innovative roles NGOs play at national and international levels in the field of policy advocacy and of mobilising the poor and developing alternative grassroots poverty eradication model, remain of paramount importance. Many of the strategies required to implement the compacts or to come to a new human development paradigm, will be thought out and developed by NGOs. Furthermore, it should continue to perform the important watchdog function, through monitoring of the human rights situation, so that they can counterbalance the power of governments, local elites and the private sector and make unique contributions to bringing about a fairer world.

In section two examples on the edge of development and conflict and crisis prevention were analysed. It is interesting, but perhaps not surprising, to note that a strong link, both conceptually and in the implementation, exists between the bilateral development agencies and NGOs, that is lacking in the RTD and human security frameworks. The state is often a party in civil conflicts, which makes it hard for bilateral donor agencies to work directly with the affected people, because political considerations of diplomacy and undesired intervention into internal matters prevail. Bilateral peacebuilding strategies have therefore advocated a strong collaboration with the NGO sector from the beginning. The new JICA and CIDA peacebuilding programmes are also interesting, because they experiment with the human security paradigm recommendation of joint planning of strategies for diplomacy, military cooperation and development assistance. While the central actor focus remains in line with the spirit of the overall international cooperation (CIDA: empowering people, JICA: empowering nations), the impact of this new approach on the overall outlook of development cooperation can be farreaching. A start will be made to integrate pro-active conflict prevention in regular development work. While diplomatic and military peacebuilding efforts can be sensitised to problems in deeply divided societies before violent conflicts erupt.

Finally, attention was focussed on the impact of conflict and deprivation on women in poor societies. Of the over one billion people living below the poverty line, seventy percent are women; of the victims of violence against civilians, ninety-five percent; of the internally displaced, ninety percent women and children. Such sharp gender imbalances demonstrates that conflict, poverty, deprivation and disasters are man-made, not unavoidable natural phenomena. The USAID Study into Women and Women's Organisations in Postconflict Societies concluded that lack of physical security is the main debilitating and traumatising factor for women in

conflict situations. It keeps women trapped in their homes, unable to move around freely, which restricts their ability to work, get educated, participate in decision making, and to be part of the process to end the war.

Trauma in women manifests itself in depression, chronic fatigue, stress, anguish and listlessness. How deeply women are affected by sexual abuse, which is generally used as a systematic tool of warfare, was underlined in the last case through the work of the National Commission on Violence Against Women in Indonesia, which concluded that “The power of religion and culture as tools of violence demonstrates how women’s victimisation during armed conflict is rooted in the norms and values developed in peace times.” The same norms and values prevent women from being represented at the negotiation table. Hence the USAID study rightfully puts strong emphasis in its recommendations on strengthening the political participation of women, along with structural action and concerted effort by the international community to increase the physical and economic security of women, among others, through law reform and punitive action.

#### **IV.1 Recommendations**

This paper looked mainly at three of the four main actors in the global arena: the UN, governments and NGOs. A clear convergence in visioning and alliance building is taking place. This acknowledgement of an increased actor interdependence is promising for future action. At the same time, some confusing and undesirable blurring of borders is occurring. This includes governments transferring core responsibilities of servicing the poorest population to NGOs; NGOs as public service providers running into problems with their own internal accountability; international institutions and private capital infringing on the state sovereignty and democratic processes of underdeveloped countries; and poorly performing governments legally restricting NGO freedom to avoid public accountability drives. In the rapidly changing global society, it seems important to uphold the intrinsic roles and responsibilities of the key actors firmly, as this would provide the best guarantees for a sound system of checks and balances.

The UN is taking the lead in debates on the right to development and conflict prevention. Its interaction with and recognition of the civil society has improved and deepened beyond recognition. But the analysis of the RTD and human security cases show that the UN has not yet moved beyond recognition and needs to step up its effort to integrate NGOs in their strategy development. Another problem the UN is facing is convincing governments to make the required paradigm shifts on development and conflict; the UN urgently needs enlightened heads of state from nations that are willing to carry in the international debate forward among governments on issues of human security and global inequality. There is a similar great need for more direction in the economic and social globalisation process, that reflects statesmanship, commitment, equity and inclusion.

The UNDP Human Development Report 2000 proposed an international agenda for nationstates to come to “a global inclusive democracy” that would advance human rights and human development and which will lead to interconnected institutional reforms. The main agenda points are: 1. Promoting rights of minorities and women, and addressing horizontal inequalities; 2. Widening participation and expression; 3. Implementing the separation of powers (military, political, judicial); and 4. Incorporating human rights into economy policy. (UNDP, p.63 - 71). The role of the different actors and required strategic alliances, especially in the field of poverty eradication and in the desperate situations of the failed states, urgently need further thinking, especially how the cooperation with NGOs can be improved in practise.

The right to development, human security and peacebuilding are relatively new concepts. Before widespread implementation can occur, more action research and pilot projects need to be carried out. The highest priorities in the field of conflict prevention would be on foundational conflict prevention, on the development of mapping and training modules for grassroots leaders; on alternative ways to increase effective follow-up to ICC/tribunal decisions; on women as peace makers: myths, realities and missed opportunities; on accountability of nonstate actors in civil conflict; on the impact of child warfare on the future of failed states.

In the field of persistent poverty eradication and development, the priorities would be: research on the private sector and human security, on ethic entrepreneurs and global taxation, on NGO regulation and three freedoms: how to facilitate effective civil society, on sustainability in rights to development: food and income security vs. property rights, on global inclusive democracy (e.g. global parliament) and global development education.

In this respect, there is an important role to play for the academic world. Universities could back up civil society efforts more, through facilitation of professional and objective information collection and dissemination to wider audiences. The university could provide an important, independent bridge function between local activists and official decision makers. Furthermore, universities can support NGOs in their research and documentation of alternative, innovative approaches, because the activist nature of most NGO work leaves little time for reflection and linking and learning with others. And last but not least, the academic core business is a crucial component in promoting “global citizenship”: the training of young cadre to work in public service with a clear justice perspective.

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