



Brief Report

“Training Course on Constitution Building for Democracy”

in cooperation of the International IDEA and NAM CSSTC

I. Introduction

Constitutions do much more than establish government and regulate its relationship to citizens – for many states, they have become tools to manage crisis and conflict, build inclusive democracies and lay the foundation for a culture of human rights. Constitution building is a political process aimed at addressing the challenges that modern democracies are facing.

Constitutional reform has thus become a characteristic part of intrastate conflict resolution, peace building, democratic reform and equitable economic development. National stakeholders across many sectors must have a competent understanding of the process of constitution building, the challenges and constraints during these processes as well as the realistic opportunities for political and social transformation. This course will address what kind of practices will help citizens, leaders and their supporters build democratic, sustainable constitutions.

The International Institute for Democracy and Electoral Assistance (International IDEA) the Non-Aligned Movement Centre for South-South Technical Cooperation (NAM-CSSTC) are collaborating to offer a capacity-building training course on ‘Constitution Building for Democracy’ for practitioners for participants from ASEAN member countries, Chile, Cuba, South Africa and Timor Leste.

II. Overview

This five day course on *Constitution building for democracy* is aimed at professionals interested in developing their knowledge on the different stages and features of constitution building processes, and how constitution building practices influence the protection of political and other rights and liberties as a means to building democracies that resolve conflicts peacefully. The workshop will follow an experience-based and interactive learning format.

The workshop will revolve around norms, comparative practices and problem solving supported by resource materials from Constitution Building Training Programme:

- Module on constitution building practices and mechanisms
- Module on constitution building for a human rights culture

III. Objective

Participants of the training will be able to:

- o Improve their understanding of and engagement in constitution building processes
- o Be able to identify viable constitution building practices that are suited in their own contexts
- o Have broader options on how to bridge divisions on human rights issues
- o Use constitution building to solve some of the challenges of building a sustainable democracy

IV. Training Subjects

Overview

- o Introduction to constitution building practice
- o The 3-step approach of the Constitution Building Training Programme

Part 1:

- o Setting the stage for constitution building in different democratizing contexts
- o Selecting and establishing mechanisms and practices for constitution building
- o Negotiating and dialogue processes during constitution building
- o Approaches to constitutional drafting
- o Options for constitutional promulgation
- o The formal and substantive challenges and opportunities of constitutional implementation
- o Case studies
- o Problem solving exercises and feedback

Part 2:

- o Identifying human rights issues in contested constitution building processes
- o Building an inclusive and participatory human rights culture through a constitutional process
- o Group dynamics in human rights claims, including by women and marginalized groups
- o Case studies
- o Problem solving exercises and feedback

V. Training Agenda

Day 1, Monday, 2 July 2012:

- 08.40-08.55 Registration and distribution of materials
- 09.00-09.45 Inaugural Session
- 09.45-11.00 Briefing on the programme and logistics, rules and methodology
- 11.00-11.30 Break
- 11.30-12.00 Introduction to the Constitution Building Programme
- 12.00-13.30 Basic Concepts of Constitution Building
- 13.30-14.30 Lunch
- 14.30-15.30 Basic Concepts of Constitution Building (continued)
- 15.30-16.00 Case studies
- 16.00-16.30 Break
- 16.30-17.30 Case studies
- 17.30-17.45 Daily wrap-up
- 19.00-21.00 Welcoming Dinner

Day 2, Tuesday, 3 July 2012:

- 09.00-09.45 Recap session of Day 1 and issues for further discussion
- 09.45-10.45 Mechanism for Constitution Building
- 10.45-11.15 Break
- 11.15-13.00 Key Features of Negotiated Processes
- 13.00-14.00 Lunch
- 14.00-16.00 Key Features of Negotiated Processes (continued)
- 16.00-16.30 Break
- 16.30-17.15 Group interview with resource persons
- 17.15-17.45 Daily wrap-up

Day 3, Wednesday, 4 July 2012:

- 09.00-09.30 Recap session of Day 2 and issues for further discussion
- 09.30-10.30 Drafting Approaches and Techniques
- 10.30-11.00 Break
- 11.00-12.30 Constitution Building for a Human Rights Culture
- 12.30-12.40 Training mid-point recap
- 12.40-13.00 Daily wrap-up
- 13.00-14.00 Lunch
- 14.00 Free afternoon

Day 4, Thursday, 5 July 2012:

- 09.00-09.30 Recap session of Day 3 and issues for further discussion
- 09.30-10.30 Group exercises based on case studies
- 10.30-11.00 Break
- 11.00-12.30 Group exercise: Drafting
- 12.30-13.30 Lunch
- 13.30-16.00 Group exercise: Drafting (continued)
- 16.00-16.30 Break
- 16.30-17.15 Approaches to Constitutional Promulgation
- 17.15-17.45 Daily wrap-up

Day 5, Friday, 6 July 2012:

- 09.00-09.30 Recap session of Day 4 and issues for further discussion
- 09.30-10.45 Implementing Constitutions: Normative Elements
- 10.45-11.15 Break
- 11.15-12.00 Open forum advisory panel
- 12.00-13.00 Individual exercise
- 13.00-14.00 Lunch
- 14.00-15.00 Evaluation
- 15.00-15.30 Break
- 15.30-16.00 Closing formalities

VI. Methodology and the Training Team

The focus of the training course is the experience of the individual participants. The use of comparative options that are practice-oriented will assist participants to explore specific issues that they confront in their own work. A team of experienced trainers will lead the course and facilitate interactive exercises, discussions and case study analysis.

To enrich discussions, provide feedback to participants and to ensure that technical aspects, especially from a legal perspective, are thoroughly addressed, the training team will be complemented by resource persons who are constitutional and human rights experts.

The language used in the Training Course is English.

The Training Team comprises of Dr. Elena Diez Pinto (Guatemala, lead facilitator), Dr. Mareska Mantik (Indonesia, facilitator), Dr. Jayampathy Wickramaratne (Sri Lanka, resource person), Dr. Christie Warren (United States, resource person and Curriculum Developer), Dr. Winluck Wahi (Kenya, resource person and IDEA's CBP Manager), Ms. Melanie Allen (United States, Training Modules and Methodology), and Ms. Jenny Isberg (administration and logistics).

Supporting Team of NAM CSSTC comprises of Ms. Linggawaty Hakim (Director), Mr. Achmad Rofi'ie (Assistant Director for Programme), Mr. Subandiyo (Assistant Director for Administration and Finance), Ms. Christina Sudiro (Executive Secretary), Mr. Suroso (Information Technology Specialist), Mr. Ramdhani Tahitu (Documentation), and Mr. Syahroni (General Support).

VII. Participants

Total participant is 24 persons having a variety of disciplinary backgrounds and skills. They are individuals working in political and technical aspects of democratic reform and conflict management within a range institutions.

Following is participant's names, organizations and countries

1. Ms. Zeenat Adam, Department of International Relations and Cooperation (DIRCO), South Africa.
2. Mr. Riaan de Jager, Department of International Relations and Cooperation (DIRCO), South Africa.
3. Mr. Aleixo Alves Gusmao, Ministry of Foreign Affairs (DRTL), Timor Leste.
4. Mr. Joao Da Costa Braz, Ministry of Foreign Affairs (DRTL), Timor Leste.
5. Mr. Feri Amsari, Constitutional Studies, Andalas University, Indonesia.
6. Mr. Ratno Lukito, State University of Surakarta, Indonesia.
7. Ms. Sri Nuryanti, Research Center for Political Studies (LIPI), Indonesia.

8. Mr. Mada Sukmajati, Gadjah Mada Univeristy, Indonesia.
9. Mr. Fernando Atria, Universidad Adolfo Ibanes, Chile.
10. Mr. Edilwasid Baddiri, National Commission on Muslim Filipinos, Philippines.
11. Mr. Virgilio Castro, Department of the Interior and Local Government, Philippines.
12. Ms. Muchashim Quiling-Arquiza, Lumah Ma Dilaut Center for Living Traditions, Philippines.
13. Mr. Lasonexay Chanthavong, DFDL Legal and Tax, Laos.
14. Mr. Jose F Garcia, Libertad y Desarrollo, Chile.
15. Ms. Dinh Ha An, Centre for Development and Integration, Vietnam.
16. Ms. Ha Nguyen Thi Ngoc, Ministry of Foreign Affairs, Vietnam.
17. Mr. Tien Nam Vu, Ministry of Foreign Affairs, Vietnam.
18. Mr. Maszlee Malik, International Islamic University Malaysia, Malaysia.
19. Mr. Ouk Minea, National Assembly of Cambodia, Cambodia.
20. Mr. Vanrith Pich, Cambodian Human Rights Committee, Cambodia.
21. Mr. Seth Suon Visal, National Assembly of Cambodia, Cambodia.
22. Mr. Tirasest Suvanee, Office of the Election Commission, Thailand.
23. Mr. Benjapol Udomsuwon, Office of the Election Commission, Thailand.
24. Mr. Win Myint Oo, Constitutional Tribunal of the Union, Myanmar.

VIII. Selected Photos



Welcoming remarks by H.E. Ambassador Linggawaty Hakim,
the Director of NAM CSSTC



Winluck Wahi, the CBP Manager of International IDEA reading written remarks of the ASEAN Secretary General



Andrew Ellis, the Director of Asia and Pacific Programme of International IDEA officially addressing the Opening Session



Group Photo



Plenary Session



Plenary Session



Welcoming Dinner



Watching Balinese Dancing



Wahiu dancing with the Balinese Dancer



Group Photo with the Dancers



Group Discussion



Group Discussion



Visiting at a Balinese Small Temple



Visiting at Uluwatu



Certificate Awarding



Certificate Awarding



Vote of Thanks to the Facilitators



Closing Remarks by Winluck Wahiu