



Workshop: Constitution Building for Civil Society

Call for Applications:

Overview:

Open Society Foundation works to build vibrant and tolerant democracies whose governments are accountable to their citizens. The International Institute for Democracy and Electoral Assistance (International IDEA) is a leading expert organization in sustainable democratic transitions and in democratic constitution building.

International IDEA is an intergovernmental organization established in 1995, with 29 member states across all continents, which aims to support sustainable democracy world-wide and assist in the development of institutions and the culture of democracy. At the interface between research, fieldwork and the donor community, IDEA provides a forum for dialogue, builds networks of experts, develops training materials and provides strategic advice at the international, regional and national level, cooperating with a range of organizations. Since its establishment in 2005, the International IDEA Constitution Building Programme has been a global thought leader in providing comparative knowledge on constitution building processes and constitutional design, and IDEA has provided direct assistance in several different country contexts including Nepal, Myanmar, Sri Lanka, Yemen, Tunisia, Libya, Ukraine, South Sudan, Bolivia, Ecuador, Chile,

The Open Society Foundation – Afghanistan and International IDEA invite qualified and interested applicants for a 20-day interactive training workshop to help prepare Afghan civil society organizations to participate in protecting and strengthening the democratic guarantees in the Afghanistan Constitution.

The training will be delivered by International IDEA staff and expert advisors, as well as civil society practitioners from the region and comparative contexts.

Course costs, travel, food and accommodation for successful applicants will be covered by the organizers. The number of participants is limited to fifteen.

Background:

The current Constitution of Afghanistan, promulgated in 2004, is supposed to be amended following the disputed presidential election of September 2014. A national unity government was formed including Ashraf Ghani as President, and Abdullah Abdullah in the newly created position of “Chief Executive”. As there is no position of Chief Executive in the Constitution of Afghanistan, this political exigency has created a need to reform the Constitution. The reform process is likely to open other areas of the political and human rights framework to discussions, which may result in positive amendments based on the past eleven years of experience, but may also risk regressive reforms which weaken the equality and rights protections in the current text.

Active civil society engagement in the constitutional reform process will be critical to its success and sustainability. Not only will such engagement encourage truly inclusive debate, giving a voice to Afghanistan's broad and diverse society beyond the narrow political elites, but it will also be critical in advocating for strong democratic values and rights protections, which may come under attack from powerful conservative political groups and individuals during the reform process.

Constitution reform is becoming an increasingly broad-based process in terms of the scope of stakeholders looking to engage in one form or another. Whereas the negotiating and drafting of constitutional change, for the great majority of the past 250 years of written national constitutions has primarily involved small groups of elites in a closed process, modern constitution reform looks very different – with large-scale involvement of different societal groups as well as the public at large.

Whilst engagement at the level of the individual citizen is increasingly possible through participation in public consultation meetings, submission of comments and proposals and interaction through social and other media, effective public participation for the most part depends on well-organized and informed civil society organizations.

Participation of civil society organizations thus represents a crucial channel for democratic constitutional reform. This occurs in several ways, including:

Representation of societal interests: Civil society organizations are able to communicate societal interests to those responsible for negotiating and drafting the content of the Constitution. This may include advocating for special interests, or more broadly consulting with the public and submitting the inputs to the constitution making body.

Providing specialized or technical expertise: Some civil society organizations may possess particular expertise which can improve the quality of the constitution.

Monitoring: Civil society can play a key role in monitoring the activities of the constitution making body, and communicating progress to the broader public. In addition to media outlets, there is an emerging trend of other types of civil society organizations who act as an interface between the public and the constitution making body (e.g. Al Bawsala in Tunisia)

Mobilization: Civil society organizations can mobilize individuals, the media and international actors.

Awareness: Civil society can play a significant role in the vast task of educating the population on the content of the Constitution, the process of constitution making, as well as fundamental issues and basic concepts.

In order for CSOs to take full advantage of these opportunities, they should be equipped with appropriate knowledge and skills in advocacy, lobbying, communications and mobilization. Further, whilst all constitution building processes are different and each approach must be tailored to the unique context at hand, there are a number of innovative practices and methods which civil society organizations can learn from comparative experiences.

While the timing of the eventual constitutional amendments remain uncertain, it is important for civil society to be proactive and begin as early as possible advocacy efforts with politicians, media, the international community and the public.

Goals

- To create a network of individuals and organizations capable of developing activities to protect and strengthen the democratic nature of the Afghanistan Constitution
- To identify a cadre of civil society leaders capable of delivering similar workshops in the future
- To develop campaign strategies for the civil society organizations participating.

Those who successfully complete the course will be encouraged to apply for further Open Society Afghanistan funding for programmes intended to put their training into practice.

Participants Profile:

Leaders of advocacy organizations, interest groups, professional associations and other civil society organizations likely to be engaged in constitution reform in Afghanistan. No prior knowledge of the Afghanistan Constitution, or comparative constitutions, is necessary but participants should have a keen understanding of the workings of Afghan politics.

To Apply:

Applicants must be Afghan nationals and available to travel to India during the dates of the training (visa applications will be supported by International IDEA and a local partner in India). Applications should be submitted via email to s.bisarya@idea.int

Applications should contain:

- Resume including institutional affiliation.
- Cover letter explaining your interest and motivation in applying for the course and how you expect to use the training in practice.

English language applications are preferred by not necessary.

The deadline for applications has been extended to 7 July 2016.

Location:

New Delhi, India.

Duration:

Three and a half weeks (20 training days)

Date of Training:

5 September 2016 to 27 September 2016.

Course Content and Training Methods:

The training will encompass both knowledge and skills transfer. Comparative constitutional design knowledge will be imparted by a faculty led by International IDEA staff, and including leading experts as guest lecturers on specific topics. Participants will then be asked to apply and discuss comparative approaches in the Afghanistan context. Skills work will be led by civil society actors who have led campaigns in constitution building processes in similar contexts.

During the latter half of the training, participants will be guided through the development of their own campaign strategies, materials and messages in the form of practical exercises.

The training will employ an interactive, participant-driven methodology and active involvement in the course is expected of participants. The course will be delivered predominantly in English with Dari interpretation.

The proposed course outline is shown below. Be aware that this outline is not final and is subject to change.

1/1	Introduction (i) IDEA / opening / house rules. (ii) What, why and how of Constitutions
1/2	Const. amends and participatory CBP (i) How are constitutions made? Comparative context. (ii) Does participation matter? Popular legitimacy / elite bargains?
1/3	CBP in conflict settings: (i) The conflict-management function of constitutions. (ii) Constitutions and peace agreements?
1/4	Local Context (i) Constitutional history and constitutional culture of Afghanistan (ii) Unique challenges?
2/1	Analysing Afghanistan's Const. in comparative perspective: 1. Structure of Government: Understanding the structure of government, the relationship between the three branches of government; legal institutions and political realities.
2/2	Analysing Afghanistan's Const. in comparative perspective: 2. Power-sharing models – consociational theory and practice; divided executives.
2/3	Analysing Afghanistan's Const. in comparative perspective: 3. Religion: the relationship between religion and state and specific constitutional considerations in Islamic states
2/4	Analysing Afghanistan's Const. in comparative perspective: 4. Rights: the structure and functioning of constitutional rights. The role of an independent judiciary.
2/5	Gender Audit Using IDEA's "Constitutional Assessment for Women's Equality" tool, participants conduct an assessment of women's equality in the 2004 Constitution, identifying comparative strengths and weaknesses to inform their advocacy strategies
2/6	State of Democracy Assessment 1

	A model for channeling public interest into the constitution building process, conducting a constitutional democracy assessment.
3/1	State of Democracy Assessment 2 – Continued.
3/2	Recommend Reforms? / (i) What are priorities for reform? (ii) Making constitutional reform relevant.
3/3	Roles for CSOs in constitutional reform Understanding the different roles civil society organizations play in constitutional reform processes, and the challenges and opportunities for each role in Afghanistan
3/4	Roles for CSOs in constitutional reform – continued (case studies)
3/5	Advocacy – Nepal Case Study
3/6	Engaging with the Media How to use media, and new media, to communicate messages, mobilize constituents and collect public inputs.
4/1	Engaging the international community
4/2	Stakeholder Analysis and Preference Mapping Who are the likely actors who can influence changes to the Constitution? What are their likely preferences and how do these interact?
4/3	Designing and planning a campaign strategy
4/4	Conclusion, feedback and future follow-up.