

LIBERTAS

Timothy Njoya honoured on December 10th



Rev. Njoya with Warren Allmand and Kathleen Mahoney.

In a moving ceremony on December 10th, International Human Rights Day, Kathleen Mahoney, Chairperson of the Board of Rights & Democracy, presented the 2000 John Humphrey Freedom Award to Reverend Timothy Njoya.

Rev. Njoya, a courageous human rights defender who is at the forefront of the pro-democracy movement in Kenya, called on Canada to bolster support for the movement for true democracy in his country. He said that Canada had a moral

responsibility to show true leadership and "to support our struggle to transform Africa's centuries of dehumanization into respectable and sustainable international standards of human worth."

Reverend Njoya, a Presbyterian minister, is Chair of the Centre of Governance and Development in Kenya and this year's winner of the John Humphrey Freedom Award, presented each year by Rights & Democracy to a frontline human rights defender or organization. The prize, which includes a \$25,000 grant and a cross-Canada tour, is named in honour of the well-known Montreal human rights law

professor who wrote the first draft of the Universal Declaration on Human Rights.

"I want the world to share my dream that one day my country shall cease being prone to the vagaries of famines, ravages of corruption, threats of violence and State dominance. I believe that you have given me this award in recognition of my attempt to change Kenya from this trend in order to make it a liveable, viable and peaceful place," said Rev. Njoya in his acceptance speech.

Warren Allmand, President of Rights & Democracy, noted Rev. Njoya's courage and his willingness to put his life at risk in his struggle for democracy. On three occasions, Rev. Njoya has been the victim of attacks, and has had to seek hospital attention for his injuries.

"Rev. Njoya is working to allow Kenyans to have a voice in the governance of their own country and to wrest control from the corrupt autocratic regime of Daniel Arap Moi," said Kathleen Mahoney, as she presented the award to him at the ceremony held in Union United Church with the participation of the Montreal InterCultural Choir.

"Kenya, with its population of 29 million made up of some 70 different ethnic groups, is going through an identity crisis, experiencing conflicts between the concept of nation and that of ethnic communities," Rev. Njoya said. "We are undergoing personality transition, not able to distinguish who controls our destiny, ourselves as the people, the government or foreigners."

Rev. Njoya was scathing of globalization and its effects on developing countries, blaming the global integration of giant transnational corporations for the disintegration of economically dependent African nations. "We need Canada for the exchange of moral currency, in terms of the values of democracy, human rights and governance."

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Rights & Democracy

International Centre for Human Rights
and Democratic Development

Rights & Democracy is a Canadian organization with an international mandate. It works with civil society and governments in Canada and abroad to promote human rights and democratic development through dialogue, advocacy, capacity building and public education. It focuses on four themes: democratic development, women's rights, indigenous peoples' rights, and globalization and human rights.

Best Wishes for the New Year

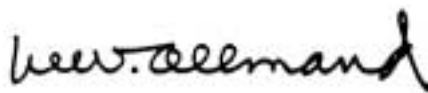
On behalf of Rights & Democracy, I would like to extend my best wishes to the readers of *Libertas* for a very happy new year and to thank you for the interest you have shown in our work. This year Rights & Democracy celebrated its 10th anniversary and is looking forward to another challenging year in 2001 working with its partners to defend and promote democracy and human rights.

We sadly bid farewell to long-standing board members Kamal Hossain and Thérèse Paquet-Sévigny. Their dedication and insight will be greatly missed. Kamal Hossain has just been named by the UN Human Rights Commission to a three-person team to investigate human rights violations in the Palestinian territories while continuing his work as UN Special Rapporteur for Afghanistan. Thérèse Paquet-Sévigny will continue on as a Senior Consultant at ORBICOM of

Unesco in Montreal and is a member of the Board of the UN Association in Canada.

I would also like to take this opportunity to extend a warm welcome to the newest member of our Board of Directors, Sophia Macher. Ms. Macher joins us from Peru, where she is the Secretary General of the Coordinadora Nacional de los Derechos Humanos del Peru, a network of 50 human rights organizations working to promote human rights and public education.

As we begin this new year, I wish you peace, joy and friendship.



Warren Allmand, President
Rights & Democracy

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This was the recurring theme of all his public statements as he toured six Canadian cities meeting Canadians, Kenyans living abroad, politicians and community leaders. In Ottawa, he met with Canadian Secretary of State for Latin America and Africa and told him that Canada should trade in human values. He said that too often Canada behaves like a junior partner of Britain and the USA, a junior imperial power.

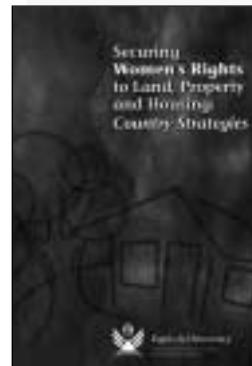
He also condemned Canada's High Commissioner in Nairobi who told him that Ottawa's position was to promote stability within Kenya. "I'm asking Canada to trade in human values. Why not tell African dictators: We need you to acquire human rights?"

Reverend Njoya preached peace and used humour to denounce the human rights situation in Kenya and its endemic corruption, during his 10-day tour which took him from Montreal to Ottawa, Edmonton, Winnipeg, Toronto and Halifax.

Rev. Njoya has mobilized Kenyans opposed to Kenyan President Daniel Arap Moi and pushed for fundamental constitutional reforms in his country at great personal cost. Since conducting its first democratic development study in Kenya in 1992, Rights & Democracy has supported many Kenyan NGOs working for human rights, social justice and democracy.

Previous John Humphrey Freedom Award winners are: 1999 — Dr. Cynthia Maung and Min Ko Naing (Burma); 1998 — Palden Gyatso (Tibet); 1997 — Father Javier Giraldo (Colombia); 1996 — Sultana Kamal (Bangladesh); 1995 — Bishop Carlos F. X. Belo (East Timor); 1994 — Campaign for Democracy (Nigeria) and Egyptian Organization for Human Rights; 1993 — La Plate-forme des organismes haïtiens de défense des droits humains (Haiti) and in 1992 — Instituto de Defensa Legal (Peru).

NEW PUBLICATIONS



Securing Women's Rights to Land, Property and Housing: Country Strategies was launched by Rights & Democracy at the end of November during the 16 days of activism against gender violence. The collection of articles was researched by the NGO

Coalition on Women's Rights in Conflict Situations and follows UN Resolution 2000/13, adopted earlier this year by the UN Commission on Human Rights according equal land and property rights to women and men, which has been called a milestone in the promotion of human rights. The publication examines a number of world situations in which women's fundamental rights are threatened by lack of access to land and property rights: in Sudan, for example, the denial of women's rights to land and property is linked to violence against women; in Zimbabwe, certain traditional inheritance practices that favour men are in contradiction with laws that protect women's rights, and in Latin America, land titling systems fail to uphold women's rights to be recognized as co-owners of property with their spouses. The book, published in French and English, can be ordered from Rights & Democracy at publications@ichrdd.ca.



David Matas, a well-known Canadian lawyer, member of Rights & Democracy's Board of Directors and coordinator of the legal network of Amnesty International Canada, has just

published a new book entitled *Bloody Words: Hate and Free Speech*, which is published by Winnipeg-based Bain and Cox Publishers. The book provides fresh ideas on the question of freedom of speech versus incitement to hate. To order: www.mcnallayrobinson.com.

Wall of Honour

"In the spirit of John Humphrey, a Canadian who facilitated the emergence of the Universal Declaration of Human Rights, the Rights & Democracy Wall of Honour is dedicated to those who add grace to their nation by inspiring their fellow citizens to ever greater understanding and support for human rights and the democratic development of the human family."

VÉRO BONCOMPAGNI



The former president of Rights & Democracy Ed Broadbent (at the podium) reminisces about the first years of the organization as Mrs. Margaret Kunstler Humphrey and Rev. Timothy Njoya look on.

Friends, long-time partners, staff and board members joined in celebrating Rights & Democracy's 10th anniversary in our offices on December 10th, following the awarding of the 2000 John Humphrey Freedom Award to Rev. Timothy Njoya of Kenya.

To mark the event, Warren Allmand, President of Rights & Democracy, and Kathleen Mahoney, Chairperson of the Board of Directors, inaugurated a special Wall of Honour in our boardroom dedicated to the memory of John Humphrey.

The wall features photos and descriptions of the work of the winners of the John Humphrey Freedom Award, including that of Rev. Njoya who was present at the celebration with Mrs. Margaret Kunstler Humphrey, the widow of John Humphrey, and many others who knew the former McGill law professor who drafted the first version of the Universal Declaration of Human Rights. Among the guests were the first president of the International Centre for Human Rights and Democratic Development Ed Broadbent and his wife Lucille, the former vice-president Clovis Demers and many past members of the Board of Directors, including Kamal Hossain,

Thérèse Paquet-Séigny, Norma Walmsley and Irwin Cotler, now an MP in Canada's House of Commons.

Ms. Mahoney said that the unveiling of the Wall of Honour marks an important stage in our institutional development: "As we look forward to our future work, at the same time we look back to the history contained in every photograph. It is like embarking on a journey. We hope that the determination, the courage, the persistence, the faith in the struggles that each laureate represents will be our guide for many years to come, providing us with strength and inspiration to continue our work."



VÉRO BONCOMPAGNI

Rev. Njoya, with members of his family, accepts the 2000 John Humphrey Freedom Award and thanks his family for their support and inspiration: his wife Leah (holding the medal), his daughter Wandia and son Kena.

Focus on Burma

President Warren Allmand and Regional Officer for Asia Mika Lévesque travelled to Thailand in November to visit several partner organizations, and many members of the pro-democracy movement working on the Burmese border.

They also used the opportunity to visit Dr. Cynthia Maung, a doctor who fled Burma more than 10 years ago and now operates a medical clinic in Mae Sot. Dr. Maung shared the 1999 John Humphrey Freedom Award with political prisoner Min Ko Naing.

During their travels, they also met former political prisoners, one of whom had been arrested during the pro-democracy rallies in Rangoon at the same time as Min Ko Naing.

At the Federation of Trade Unions of Burma

offices on the border, they heard of the plight of victims of forced labour. They also met another former prisoner who had managed to escape from Burma where he was forced to work as a porter carrying munitions equipment for the army.

The visit coincided with the adoption of an International Labour Organization resolution which in an unprecedented move called for tougher action after several years of pressure on the Burmese junta to end the widespread and systematic practice of forced labour. Throughout



MIKA LÉVESQUE

Dr. Cynthia Maung gives Warren Allmand a tour of her clinic in Mae Sot.

the country, villagers and prisoners are drafted to hard labour on the junta's development projects, often with the collusion of foreign companies. The military rulers have failed to take concrete actions to end this practice.

In addition, the military have never permitted Rajsoomer Lallah, UN Special Rapporteur on Burma, to visit the country. He recently resigned from his position due to a lack of support and resources.



Ariane Brunet, Coordinator of the Women's Rights Programme, attended from December 8 to 12 the International Women's Tribunal on War Crimes in **Tokyo**. Willy Mutunga, a lawyer who is executive director of the Kenyan Human Rights Commission and a member of Rights & Democracy's Board of Directors, was on the panel of international judges at this Tribunal chaired by Madam Justice Gabrielle Kirk-McDonald, former President of the ICTY (International Criminal Tribunal for the former Yugoslavia). They heard testimony from representatives of the estimated 200,000 "comfort women" victims of sexual slavery at the hands of the Imperial Japanese Army during the Second World War. Following the tribunal hearings, women from **Rwanda** to **Afghanistan** participated in a special day long hearing to testify about more recent and current experiences of sexual slavery.

Marie St-Louis, Assistant Coordinator of the Indigenous Peoples' Programme, travelled to Santiago in **Chile** to attend from December 3 to 7 the NGO Forum and the UN Latin American Preparatory Commission on the forthcoming Conference on Racism which will be held in **South Africa** from August 31 to September 7, 2001. Rights & Democracy will participate in this process through its Indigenous Peoples' Rights Programme and Mr. Allmand will attend the Durban Conference.

Marie Léger, Coordinator of the Indigenous Peoples' Rights Programme, attended the fifth session of the UN Working Group on the Draft Declaration on Indigenous Peoples' Rights from November 18 to December 2 and met with several partner groups based in **Geneva**. No articles were adopted again this year and she reported there is growing impatience at the slow pace of work, since only two articles have been adopted since the process began five years ago.

Back from his trip to meet pro-democracy activists on the **Thai-Burma** border, Warren Allmand was a keynote speaker in Toronto on December 9th at an award ceremony hosted by the Canadian Auto Workers honouring Daw Aung San Suu Kyi, the leader of the National League for Democracy in Burma, who is still under house arrest in Rangoon. Dr. Sein Win, the Prime

Minister in exile and head of the National Coalition Government of the Union of Burma, accepted the prize for Aung San Suu Kyi. Rights & Democracy has been funding and supporting the NCGUB since its inception.

Warren Allmand participated at the **New York** Preparatory Commission on the Rome Statute creating the International Criminal Court at the UN from December 4 to 8.

Akouété Akakpo-Vidah, Regional Officer for Africa, was an observer at the Fourth International Conference on New or Re-established Democracies organized by the Government of **Bénin** with the United Nations Development Programme where delegates from more than 100 countries and 50 NGOs discussed recent developments in the area of democracy, state security

and sustainable development in **Cotonou** from December 4 to 6. On Dec. 1st Rights & Democracy with several other human rights group, including Amnesty International and the Ligue pour les droits et libertés, demonstrated in front of the offices of the **Tunisia** consulate in **Montreal** to protest the conditions in prison and systematic torture of prisoners in that country.

Madeleine Desnoyers, Regional Officer for the Americas, travelled to **Guatemala** and **Peru**. Her visit to Lima coincided with the establishment of the transition cabinet after former president Alberto Fujimori fled to Japan. "Rights & Democracy advised Canada to play a significant role in the OAS mission to Peru to strengthen and support democracy in the region, and our efforts were much appreciated by our partners," she said.

Canadian mining project threatens indigenous Kenyans

Kenyan human rights activists Dr. Willy Mutunga and Haron Ndubi spent a week in Canada in October lobbying for a better compensation package and environmental safeguards from Toronto-based Tiomin Resources Inc., which is planning a multimillion dollar mining project on the South Coast of their country.

With an investment of \$225 million the company's project will be the biggest mining venture in Kenya since independence, but it raises serious human rights and environmental concerns, since it will displace indigenous Digo and Kamba people from their lands in the Kwale district and cause widespread environmental degradation.

Dr. Mutunga, the executive director of the Kenyan Human Rights Commission, and Mr. Ndubi, director of Kituo Cha Sheria (Legal Advice Centre), met with Canadian government officials in Ottawa and with the president of Tiomin, Jean-Charles Potvin, in Toronto to press for a better deal for the people of Kenya.

Dr. Mutunga and Mr. Ndubi were invited to travel to Canada by Rights & Democracy and

Mining Watch Canada to explain their concerns about the mining project and to meet the president of the company.

During the meeting in Toronto, Mr. Potvin played down the concerns about the environmental degradation posed by the project and said that the compensation package offered to the Kwale residents and squatters was significantly higher than what had been reported in Kenya. Mr. Ndubi said he had seen documents showing that farmers would receive only \$120 per acre for their farms while Mr. Potvin said the average amount was more than US\$500 per acre.

A meeting is planned in the Kwale district between Tiomin and stakeholders in the region, including land owners and human rights activists, later in January. However, the project appears to have suffered a setback as the High Court of Kenya, sitting in Nairobi, ruled in late December that it will hear arguments about environmental impact and compensation before a development license is issued.

Libertas is the quarterly newsletter of Rights & Democracy. It is available free of charge and is accessible electronically at www.ichrdd.ca. Articles may be freely excerpted, provided credit is given and a copy of the publication in which the material appears is sent to Rights & Democracy. Legal Deposit, 1st quarter 2001. ISSN 1027-0884.

Rights & Democracy's Documentation Centre is open to the public. Call (514) 283-6073 for an appointment.

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