

APPENDIX 1

SAMPLE ADVOCACY LETTER

AN APPEAL BY INTERNATIONAL NGOS (INGOS) WORKING IN NEPAL TO HIS MAJESTY'S GOVERNMENT TO RESOLVE THE ISSUE OF BONDED KAMAIYAS

We, the undersigned, wish to express our sincere concern regarding the continuing plight of the Bonded Kamaiya in Nepal. These citizens of Nepal continue to work in an environment of servitude and bonded labor, 70 years after the abolition of slavery and ten years after the restoration of democracy in Nepal. Such practices are outlawed by the international conventions that HMG has ratified such as the Slavery Convention (1962) and the UN Declaration on Human Rights (1948, agreed in 1963). The constitution of Nepal, 1990, prohibits slavery, serfdom and forced labor in any form. We have also observed that the existing National Civil Code details the penalty of the breach of such a prohibition.

We write now to specifically express our support for the 19 bonded laborers from Kailali District who filed a petition on 1st May 2000 with the Chief District Officer of that province. In their letter they sought freedom from their landlord, compensation for unpaid labor based on minimum wage, protection from the landlords and demanded land to cultivate as landless people. This is the first time in Nepal's history that bonded Kamaiya have filed such a petition. For individuals whose lives are wholly controlled by their landlords, this is an act of acute courage and inspiration. This deserves the support of all individuals and agencies working on behalf of the people of Nepal.

We strongly urge His Majesty's Government to take action on this petition and address not only these specific 19 cases but the substantial human rights issues underpinning it. Clearly, the legal protections enshrined in the Nepali Constitution against slavery, serfdom, or forced labor in any form have not been accessible to people working under conditions of bonded labor.

It is estimated that there are still over 25,000 Nepali citizens in Nepal enslaved by their owners in bonded labor. Not only do these practices trap them into a life of unrelieved poverty, but the continued existence of these illegal and inhumane practices would undermine Nepal's standing in the international community.

Women have suffered miserably in this exploitative system of bondage. We are equally concerned with the children of bonded laborers, 75% of who inherit subservient status even before their birth. An opportune moment has come to break this cycle. As a signatory to the Convention on the Rights of the Child, every effort should be made to ensure the well being of the children of bonded Kamaiya.

Therefore, with all due respect to the wisdom, values, and authority of His Majesty's Government, we urge you to act positively and immediately to eliminate the existence of bonded laborers as authorized by the Constitution of Nepal. Specifically, we request HMG to immediately issue a written release from all the debts and obligation to their alleged landlords, facilitate compensation of the laborers for the unpaid wages, provide land for cultivation, as well as establish a commission to draw a rehabilitation plan after the implementation of the aforementioned actions. We assure you of our fullest cooperation in the integration process of the bonded laborers into Nepalese society, within scope and provisions of our organizations.

Respectfully,

ASSISTANT DIRECTOR, CARE NEPAL
COUNTRY DIRECTOR, ACTION AID ABROAD

From 10.1 Communicate Effectively

APPENDIX 2		
EFFECTIVE NEGOTIATION STRATEGIES		
PLANNING	NEGOTIATING	CLOSING THE DEAL
<ul style="list-style-type: none"> • Do your homework. Understand the protocols and facts before you negotiate. • Identify win-win solutions. Agreements where only one side "wins" often fail. • Establish maximum (the best deal you can hope to get) and minimum (the least you can accept) negotiation positions. • Decide if aspects of your position are non-negotiable. Identify any concessions you can make as a gesture of good will. • Focus on a few key arguments that you will share before stating your position. 	<ul style="list-style-type: none"> • Show respect for the other side's point of view. Always seek common ground and shared interests. • Negotiate in good faith. Find ways to show the other side you are sincere about reaching an agreement. • Clearly communicate your position. Make sure you fully understand the position and issues of the other side. • Never argue or disagree within your negotiation team in front of the other side. • Steer the negotiations toward the issues you want to talk about. Call a recess if discussions go off track, and use humor if things become tense. 	<ul style="list-style-type: none"> • Restate the agreement you have reached. Put it in writing. • Establish clear terms for implementing the agreement on both sides. • Decide on immediate next steps. Agree on how you will troubleshoot problems. • Ensure that your team is in agreement before you conclude. • No matter what the outcome, always walk away with something, even if it's another meeting.

From 10.2 Negotiate

APPENDIX 3 COUNTERING UNFAIR NEGOTIATION TACTICS		
TACTIC:	YOU MIGHT OBSERVE:	COUNTERING APPROACHES:
Good Guy, Bad Guy	A negotiating pair where one person is sympathetic to your cause and the other is uncom-promising. One person may also employ this tactic by referring to the absent "bad guy": "I would help you, but I don't think my boss will go for it."	<ul style="list-style-type: none"> ■ Show through silence or by withdrawing that you are willing to discuss when they are serious. ■ Refocus on an issue that you all support. ■ If a key stakeholder in the negotiation is absent, propose that another meeting be set to include all involved.
Delay or Forbearance	The other side puts off a decision or evades agreement. This tactic may be used to unnerve you or gain more information about your level of urgency.	<ul style="list-style-type: none"> ■ Ask about the source of the delay and work together to solve the problem. ■ Navigate the length of the delay by stating, "We will get back to you..." with a specific timeline for response. ■ Use "what if," hypothetical questions to stimulate new options.
What You See Isn't What You Get	The other party makes a concession that on the surface appears to be substantive, but is actually of little value. This may be a surprise concession or an inflated opening position with exaggerated starting offers.	<ul style="list-style-type: none"> ■ Ask yourself if they are giving something of value, what they are asking in return, and what their commitment is to carry it out. ■ Do not feel pressured to also make a concession, which may be more valuable. ■ In planning, you can look for agreements that might be easy for you to offer in response.

From 10.2 Negotiate

APPENDIX 9**SAMPLE POSITION STATEMENT**

A Joint Statement on Sudan by MSF International, Care International,
Save the Children Fund and Oxfam GB

22 October 1998

In the Sudan today, millions of people are at risk from hunger and starvation, millions more have been forced to leave their homes, and families have been torn apart by violence and death. Epidemics and hunger have once again thrown Sudanese society into turmoil. The ongoing humanitarian crisis has now reached an unimaginable and extraordinary level of tragedy. The international humanitarian response over the years has failed to effectively address the crisis. It is imperative that the international community act now to improve the humanitarian response, acting to guarantee:

- ◆ Unrestricted access to all populations in need;
- ◆ Increased commitment of resources; and
- ◆ Increased respect for humanitarian principles and increased accountability for the flow of aid.

The current civil war is only the latest phase of ongoing conflicts over the past forty years. The war has caused millions of civilian deaths, massive displacement, the de-population of the south of Sudan, the collapse of the rural economy, the collapse of local governance, increasing local instability and ethnic hostilities and the collapse of political accountability of the government and rebel movements of the Sudan to their own citizens. The majority of Sudanese are impoverished and deprived of any future opportunity by the continuing crisis. The parties to the war are all responsible for massive human rights abuses and the dispossession and looting of the Sudanese people. Sudanese society is now so weakened, that if the conflict continues, further humanitarian disasters are inevitable. Famine, death and despair are becoming constant specters, haunting the Sudan. Peace is the only hope for progress and to prevent further humanitarian catastrophe. The international community must unite to:

- ◆ Recognize their responsibilities for the support of the development of peace in the Sudan;
- ◆ Collaborate to build sufficient international consensus to generate a forceful and positive lobby for peace - as there is no possible military solution;
- ◆ Support a local solution to the conflict (fully incorporating all members of Sudanese society and the regional powers/states);
- ◆ Commit to supporting the implementation of a peace agreement; and
- ◆ Commit to longer-term assistance to ensure equitable re-construction of the basis of Sudanese society, in order to increase the motivation of local leaders to seek peace.

From 10.3 Use the Media