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SUSTAINING HUMAN RIGHTS: THE ROLE OF INTERNATIONAL HUMAN RIGHTS NGOS

ABSTRACT

An ideal human rights NGOs is one which is perceivably independent of both government as well as interest groups seeking direct political power and that does not itself seek such power. The characteristics that set human rights NGOs apart from other NGOs are the volatile and often unpleasant relationship with governments, given that most human rights violations are committed at their behest. The contentious relationship that exists between human rights NGOs and governments is critical in assessing the structure and operation of these organizations at both international and national contexts. Despite their structural differences the common mandate of these various human rights NGOs is to protect and promote human rights worldwide. This paper attempts to explore and examine the role played by human rights NGOs in their endeavours to achieve that goal. Since the field of human rights is indeed a broad one, most human rights NGOs prioritize the areas for intervention. Accordingly they constantly engage in a myriad of functions in differing political, social, economic and

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cultural contexts in their efforts to assist those whose rights are jeopardized by the state and others.

Introduction

There are a vast number of non-governmental organizations around the world the primary concern of which is the 'advancement of human rights' at both the national and international levels. While some of them are interest groups, for instance, industrial, religious, ethnic or political, who strive to protect the rights of their own members, there are others, who assume responsibility for protecting others from human rights violations and for promoting universal respect for human rights. The end of the second world war and in particular, the late 1970s witnessed a sudden surge of local, national and international voluntary organizations working for the protection and promotion of human rights. Pursuing common goals these non-governmental organizations have emerged in response to specific conditions and crises and are essentially the product of social actions, history and culture.¹ Working as positive catalysts in the progression of internationally recognized human rights, these non-governmental organizations vary in their membership, purpose and scope of their activities, which, in turn, influence the domestic, regional and international human rights scenario in varying degrees.

From the outset it is necessary to recognize that there are two distinct categories of NGOs that work towards protection and promotion of human rights. One is the international human rights NGO and the other is the national or local human rights NGO. Although the paper primarily focuses on the role of the international human rights NGO in the protection and promotion of human rights,

¹ Laurie S. Wiseberg, 'Human Rights Non-Governmental Organizations' in Claude, Richard Pierre and Weston, Burns H. (eds.), *Human Rights in the World Community. Issues and Action*, University of Pennsylvania Press, U.S.A.1992, pp. 372-383, at p. 372.

much of what transpires here also apply to national human rights NGOs.

Recognition of human rights NGOs at the international level

After the first world war the allies signed a peace treaty with the germans at versailles where the idea of setting up an international organization for the promotion of international cooperation and achievement of international peace and security first came up. There was a clear mandate to this effect in the preamble to the covenant of the League of Nations. Although the League's covenant did not contain specific provisions on human rights in its basic principles, issues of protection of minorities, women and children nevertheless provided the necessary framework for developing standards for the protection of human rights internationally. At a later stage, the founders of the united nations clearly envisioned that NGOs should play an active and meaningful role within the u.n. structure. One of the remarkable features of the United Nations conference at San Francisco in April-June 1945 was the attendance and participation of forty-two private organizations, acting as 'consultants' in the delegation from united states. This was perhaps the first time in history that citizens' groups participated actively in an inter-governmental conference.² For their part these NGO contributed significantly towards ensuring the inclusion of specific provisions of human rights and fundamental freedoms in the united nations charter. The representatives of these NGOs helped insert two major elements in the united nations charter regarding the protection of human rights that had escaped mention in the Dumburton Oaks proposals earlier and in the constitutions of other inter-governmental organizations. The first of these major breakthroughs was the inclusion in the charter of Article 71, which provided for the

² James Frederick Green, 'NGOs' in Abdul Aziz Said (ed.), *Human Rights and World Order*, Praeger Publishers, London et. al., 1978, pp.90-99, at p.90.

participation, on a consultative basis, of non-governmental organizations in the activities of the economic and social council, of which the commission on human rights is a subsidiary body. This provision legitimized the relationship between the united nations and NGOs by stressing on the issue of consultation, which on the one hand, enables governments to take advantage of the vast array of expertise that these NGOs can provide and on the other, helps reconcile between abstract deliberations of the governments and practical needs of their citizens.³ The provision therefore, gave practical expression to the desire of involving citizens in the United Nation's efforts to resolve international problems of diverse nature.⁴ The second intervention was the insertion into the charter of specific references to human rights and fundamental freedoms that were to have an enduring impact on the evolution of the human rights discourse in the years to come.

In order to appreciate the correlation between NGOs and human rights in the united nations it is deemed essential by certain scholars to distinguish between two groups of rights that are contained in international instruments, i.e. civil and political rights, and economic, social and cultural rights.⁵ In this context it is equally necessary to develop procedures for implementation of these two categories of rights and this is where NGOs play a vital role as they are compelled to undertake a wide variety of activities that essentially flow from the dichotomy between the two groups of rights. Green describes how throughout their pioneering efforts to codify, promote and protect human rights U.N. organs have had to deal with and take into account differing attitudes of governments in reconciling older civil

³ Cynthia Price Cohen, 'The Role of Non-Governmental Organizations in the Drafting of the Convention on the Rights of the Child', *Human Rights Quarterly*, Vol.12, 1990, p. 137.

⁴ C.M. Eya Nchama, 'The Role of the Non-Governmental Organizations in the Promotion and Protection of Human Rights' in *Bulletin of Human Rights* 90/1, United Nations, New York, 1991, pp.50-83, at p.71.

⁵ Green, *op.cit.*, 1978, p. 91.

in a myriad of functions in differing political, social, economic and cultural contexts. They seek to assist those whose rights are jeopardized by the state and others, such as the poor and the Marginalized and specific disadvantaged groups like women, children and minorities. The activities of these organizations span across a variety of areas ranging from disaster relief, public health, educational and vocational training and poverty alleviation to legal literacy. Many of these activities are interrelated and often overlap but they are nevertheless useful in designating alternative courses of action to NGOs in dealing with human rights violations. Some of the major functions of human rights NGOs are discussed below.

Information gathering and dissemination

Fact-finding is by far the most important function of human rights NGOs. Information gathering takes up a significant proportion of the time and resources of NGOs engaged in the protection and promotion of human rights. Monitoring state behaviour is indeed a prerequisite in the field of human rights as such information is essential for developing effective strategies for stopping human rights abuses. Few governments undertake the responsibility of creating a database on human rights violations, as they themselves are more often than not the principal transgressors. As such it is common for governments to deny, if not actively conceal, such behaviour. Accordingly, NGOs have to devise means of accessing the information with which they can hold governments accountable. It is equally important to recognize that NGOs are often in a better position than government agencies to collect and assess the condition of human rights in relevant contexts. Having greater access to those at the grassroots they gain the confidence of the target beneficiaries fairly quickly and are able to develop mechanisms that function more efficiently than any government organ.

in their respective countries and work under an elected International board. Amnesty International fits into the third category having national sections that elect an international executive and work against human rights violations in any country but their own. There are other organizations that operate on the basis of a combination of the aforesaid models. For instance, the International Commission of Jurists (ICJ) and the International League for Human Rights (ILHR) follow the first two models discussed above. The ICJ is composed of lawyers of international repute but nonetheless recognizes national sections that work for human rights in their own countries but do not control the organization. The ILHR on the other hand, is governed by an executive based in the United States but has affiliations with national associations working for human rights at home.⁹ Despite their structural differences the common mandate of these various human rights NGOs is to protect and promote human rights worldwide. In this regard since the field of human rights is indeed a broad one most human rights NGOs have to prioritise the areas in which they choose to intervene.

Functions of international human rights NGOs

Admittedly, a human rights NGO, despite the drama of the acronym, is simply a voluntary organization that is devoid of the power that is generally available to governments.¹⁰ As such, the implementation of human rights by NGOs has often proved to be harder than formulating them on paper. The situation is made more complicated by the fact that governments which infringe the rights of the people, hardly welcome the exposure and criticism of their roles by these organizations. In order to operate effectively in such adverse circumstances, human rights organizations constantly engage

⁹ Rodley, *ibid.*, pp.85-86.

¹⁰ Jerome J. Shestack, 'Sisyphus Endures: The International Human Rights NGO' in *New York Law School Review*, Vol.24, 1978-79, pp.89-123, at p. 95.

different for human rights NGOs. Since human rights violations are committed primarily at the behest of governments and their agencies, the relationship between human rights NGOs and governments is far from congenial as the former are constantly questioning government action or inaction as the case may be. This results in governments regarding human rights NGOs as dissidents and a complete nuisance. As such, human rights NGOs are frequently accused of subversion and anti-state activities and of committing all manner of sins. NGOs, on the other hand, hold governments accountable for transgressions of human rights and generally maintain that it is governments and other entities exercising executive power that breach human rights because it is precisely these rights that limit their authoritarian power.⁸ The contentious relationship that exists between human rights NGOs and governments is critical in assessing the structure and operation of these organizations at both international and national contexts.

Human rights NGOs may have varying structures depending upon the nature and locale of their operations. Rodley identifies three general models on the basis of which a human rights organization may be set up: (a) a group of individuals which forms and controls the organization with provisions for self renewal; (b) a number of organizations that coalesce to combine their activities; and (c) a centralised structure that controls and conducts business through its constituent units. To take a few examples, the ICRC and the Anti-slavery Society belong to the first category having their controlling membership from amongst nationals of one country, namely Switzerland and the United Kingdom respectively. The International Federation of Human Rights falls into the second category as it is composed of national leagues committed to protecting human rights

⁸ Nigel S. Rodley, 'The Work of Non-Governmental Organizations in the World-Wide Promotion and Protection of Human Rights' in the *Bulletin of Human Rights*, 90/1, United Nations, New York, 1991, pp. 84-93, at p. 85.

and political rights with the newer economic, social and cultural rights. During the drafting of the universal declaration of human rights in 1946-1948 while the western nations stressed more on the traditional concept of the 'rights of man', the communist and non-aligned countries argued that to the hungry slum-dweller or peasant the right to eat was more important than the right to due process of law; therefore, economic, social and cultural rights were of more immediate significance. The debate continued as the west insisted that such rights could not be guaranteed either by international legislation or by national laws and being thus unenforceable in the courts of law they were practically redundant and quite unjustifiable. These arguments were met with opposition from the newly independent developing states, which maintained that these rights were equally capable of codification. The continuing dichotomy ultimately culminated in the synthesis of the two sets of rights in the form of two separate conventions, namely the international covenant on civil and political rights and the international covenant on economic, social and cultural rights. Each of these instruments set forth provisions of the universal declaration of human rights in greater detail and in more precise legal terms.⁶

Nature and characteristics of international human rights NGOs

The ideal human rights NGO is one which is perceivably independent of both government as well as groups seeking direct political power, and that does not itself seek such power.⁷ The characteristics that set human rights NGOs apart from other NGOs are the volatile and often unpleasant relationship with governments. While NGOs engaged in other specialized fields often complement the activities of governments in ways that help foster greater cooperation and consultation between them, the situation is quite

⁶ Green, *ibid.*, p.91.

⁷ Wiseberg, *op.cit.*, 1992, p. 372.

It is said that fact-finding is a cat and mouse game where NGOs seek to uncover what governments wish to conceal.¹¹ In so doing, however, NGOs must ensure that they do not breach legitimate official secrecy. Instead they have to play the role of investigative journalists and adopt techniques that reveal unbiased, accurate and reliable information. Integrity and impartiality being of paramount consideration in the fact-finding initiatives, most NGOs, at the first instance, strive to tap direct sources of information, for instance the victims, their families, communities in which they live or in which the violations occurred. At the next level, NGOs concentrate on the victims' advocates, if any, local human rights organizations, professional and civil society groups and the media for gathering relevant information. There are also instances where NGOs approach concerned government agencies and consult relevant official documents to grasp the details of the problem. It is also common for human rights NGOs to undertake formal visits to the places under scrutiny and liaise with local counterparts in collecting, corroborating and evaluating existing information.

While fact-finding and analyses are critical preconditions for efficacious action in the field of human rights, it needs to be disseminated as widely as possible in order to have an equally effective policy impact.¹² The information gathered by NGOs is disseminated not only amongst the coalition of human rights organizations that are committed to upholding human rights but is also shared with respective governments, the mass media and intergovernmental organizations that are vested with the responsibility of ensuring human rights. The means of disseminating such information are numerous and varied. NGOs have an array of choices through they can disseminate their findings. The most common forms in which information is shared include newspaper

11 Rodley, *op.cit.*, 1991, p.87.

12 Wiseberg, *op.cit.*, 1992, p. 374.

coverage, research publications, reports, documentaries, discussions and seminars. However, most NGO action is aimed at disseminating information through publication of their documentation. This offers governments and other concerned agencies the opportunity of clarifying and where necessary, amending the facts reported and giving their own viewpoints in that regard.

Advocacy and lobbying

While report writing is an essential function of human rights NGOs, ensuring that it gets into the hands of policy makers and community leaders is just as critical. Where governments have signed international human rights instruments and incurred consequent obligations to respect and uphold the rights of the people, it is their accountability and commitment that become the principal focus of attention. For a human rights NGO advocacy is often a primary tool for challenging government inertia and orthodox interpretations, breaking new grounds, focusing public attention on an issue hitherto ignored and generally lending the voiceless with a voice and the invisible with visibility.¹³ Advocacy by NGOs thus entails lobbying with relevant actors and forums, government and otherwise, for initiating social change. This is not only in terms of creating pressure in the catalytic sense, but the broader, more intellectual sense of evolving creative concepts, ideas and directions.¹⁴ Although it is by no means easy to act as a catalyst for bringing about significant change, human rights NGOs are nevertheless engaged in consistent advocacy to compel governments to review their activities in respect of human rights of the people and to take appropriate measures.

Lobbying for change is an essential component of advocacy, which involves the communication of informed opinion from private

¹³ *Ibid.*

¹⁴ *Shestack, op.cit.*, 1978-79, p. 103.

individuals and groups to public decision-makers, generally in support or in opposition to some pending policy decision.¹⁵ lobbying is a means of invoking specific responses from policy makers, a practice often viewed with great suspicion by governments that tend to regard such activities as being politically motivated. Although lobbying is closely related to advocacy, the latter is primarily educational whereas the former is designed to evoke particular policy responses by approaching decision-makers who are able to influence and change policies in ways that would effectively remedy human rights violations.¹⁶ More and more human rights NGOs resort to lobbying as a democratic strategy for airing their demands and pressing for people's rights. While lobbying within domestic jurisdictions is a common feature of human rights advocacy, cases may also be taken up with international forums, for example, the un commission on human rights, or even regional ones like the European Commission or the African Commission on human and people's rights in case home remedies prove to be ineffectual or unavailable.

Consultation and participation

The consultative role of NGOs is explicitly set out in article 71 of the un charter, which states that:

The economic and social council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its own competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the member of the united nations concerned.

¹⁵ Wiseberg, *op.cit.*, 1992, p. 375.

¹⁶ See, Pierre Claude, Richard and Weston, H. Burns, (eds.) *Human Rights in the World Community*, University of Pennsylvania Press, (2nd edition) 1992, p.367.

It is therefore, evident that from the very beginning NGOs were endowed with a consultative status *albeit* in a limited way. Although the charter did not elaborate on the broader elements of structure and organization of NGOs within the un system, NGOs nevertheless played a significant role on different occasions by assisting un agencies in activities that ranged from drafting conventions, resolutions, covenants and protocols to aiding them in the field of science, health and labour.¹⁷ NGOs have contributed significantly to programmes and policies of the un particularly in the area of standards setting. The consultative status of NGOs has enabled them to participate in drafting processes of international legislation on the basis of their experience and skills. They are at liberty to propose ideas for inclusion and explain why certain ideas need to be incorporated in the text.¹⁸ Similarly they may assist governments in developing human rights standards within their respective territories and persuade governments to actually conform to such norms. While NGO participation was noteworthy during the drafting of the universal declaration of human rights of 1948, a more recent example of NGO participation in legislative drafting is the convention on the rights of the child of 1989.

However, the consultative role of NGOs is increasingly being perceived as a ritualistic exercise rather than involving any concrete contribution. Many human rights NGOs believe that their opinions, though politely received, are not translated into action. This is believed to be the result of growing politicization of human rights by the United Nations that compel NGOs to deviate from their moral commitment to the principles of the charter and bow to the political resolutions of the UN.¹⁹

¹⁷ Shestack, *op.cit.*, 1978-79, p. 97.

¹⁸ Rodley, *op.cit.*, 1991, p.90.

¹⁹ Shestack, *op.cit.*, 1978-79. p.99.

There are occasions when NGOs have the opportunity of participating in governmental functions and decision-making. Although essentially a western practice this trend is progressively gaining popularity amongst NGOs of developing nations as well. Some scholars view this process as a unique feature of a democratic, and in particular, a pluralistic social system under which governments have an obligation to provide citizens with the opportunity of taking part in planning, decision-making, and implementation of policies affecting them.²⁰ For human rights NGOs the process provides a platform from which they can communicate the needs of the people to the government and represent communities and groups in policy formulation. It is often alleged that governments frequently frame policies without taking the needs and the views of the people into consideration. Participation in dialogues and consultations with government agencies enable human rights NGOs to acquaint the government with the actual scenario on the ground and assist in the development of meaningful, effective and realistic policies that essentially safeguard the rights of the people instead of jeopardizing them. As such, human rights NGOs that advocate for legal and policy reforms often participate in the drafting of legislation, preparing policy papers and generally identifying areas for intervention.

It should be borne in mind, however, that participation in decision-making by human rights NGOs could have far reaching implications, not all of which may be favourable to the people, unless exercised with care and prudence. For example, a government may acquiesce to NGO participation in matters of governance on the tacit understanding that those NGOs would render silent support in respect of other governmental matters. Therefore, since the process

²⁰ *Ibid.*, p.101 citing E. Schindler-Rainman and R. Lippit in *The Volunteer Community*, 1971.

may involve some kind of trade off between NGOs and governments. NGOs would do well to proceed with caution.

Education and awareness raising

More and more human rights NGOs are engaged in providing technical assistance in terms of education, training and sensitization programmes on human rights. NGOs have long acknowledged the need for promoting public awareness of human rights and to this end have undertaken various activities to acquaint the public with their rights. It is universally recognized that people cannot defend their rights unless they know their rights. This stems from the assumption that knowledge is power that enables particular disadvantaged groups to organize themselves and mobilize for change. The right to know has been described by some scholars as

Individual's freedom to seek, receive, impart, publish and distribute information and ideas about civil, political, economic, social and cultural rights, both those guaranteed by national constitutions and laws, and those proclaimed in the universal declaration of human rights and other pertinent international instruments.²¹

In order for an individual to realize such a right, he has to be able to seek assistance from relevant actors and experts who can expound on the exact meaning of various human rights instruments. Human rights NGOs plays a major part in this process. Human rights education by NGOs is often perceived as an empowering tool whereby the *status quo* that excludes disadvantaged people from participating in making decisions that affect them may be challenged.

²¹ Vratislav Pechota, *The Right to Know One's Human Rights: A Road Toward Individual Freedom*. Jakob Blaustein Institute for the Advancement of Human Rights, New York, 1983, p.6.

Human rights NGOs provide education not only to target beneficiaries but also make it available to government agencies and officials. Governments often seek NGO assistance in imparting human rights training to their personnel as part of their capacity building endeavours. This essentially provides a platform for both the government and the NGOs to share experiences and engage in a discourse on different dimensions of human rights. Since the government is the chief implementer of legal standards it is essential that relevant functionaries of the government are equipped with the basic knowledge of existing legal and human rights standards in both the domestic and international contexts. In this regard it is vital for human rights NGOs to liaise closely with the government in order to ensure that the government plays its role adequately in protecting the human rights of the citizens.

NGOs also recognize the need to raise public awareness of human rights. While fact-finding and documentation are indeed important steps in the process, dissemination of general material on human rights is a pre-requisite for effective implementation. The educational and awareness raising campaigns are carried out in more informal ways that include dialogues, consultations, workshops and seminars with relevant focus groups. Awareness of human rights is particularly pertinent for the illiterate, disadvantaged and the marginalized segments of the population, which are generally devoid of any knowledge of their rights. NGOs apply different strategies for reaching these various target groups, a great deal of which is geared towards developing skills, leadership and self-reliance. In this context, the most frequently used strategies include pamphlets, posters, street theatre, folk culture, and so on.

Humanitarian assistance and legal aid

Rendering humanitarian assistance to victims of human rights violations is often a crucial aspect of NGO interventions. Human

rights NGOs are playing an increasingly important role in providing material and moral support to citizens in crises whether in prisons, or war-torn regions or other adverse situations. Assistance of this nature may involve representations not only to the transgressing government but also to other governments and organizations in an attempt to mobilize international support in this regard.

Providing legal aid and delivering services are yet other ways in which human rights NGOs may assist in redressing victims of human rights violations. Apart from securing legal redress to victims of human rights violations the practice of providing legal representation by NGOs also serves collateral functions, for example, the mobilization of shame against the violator state; preparing documented testimonials to the innocence of the accused; organizing a critical mass human rights advocacy and so on. Although difficult and somewhat complex a procedure this is an effective mechanism whereby disempowered and vulnerable citizens can enforce their rights. Legal aid is frequently an essential tool that provides economically disabled people the opportunity of securing justice and enforcing their rights bestowed upon them by law. Human rights NGOs engage lawyers who provide poor clients with legal information, arrange mediations and other alternative mechanisms for resolving disputes. These are in essence the primary steps to legal aid. When these initiatives fail NGOs help clients take their cases to courts by covering court expenses and lawyers fees. Thus, the ideology with which legal aid work is carried out by human rights NGOs basically relies on the principle of the rule of law and its significance in establishing a strong democratic system.

Service delivery by NGOs is a common phenomenon in most developing nations. This function enables NGOs to go beyond rendering legal assistance to victims of human rights abuses and help them realize a broad spectrum of economic, social and cultural

rights, as well as civil and political rights.²² This is of particular pertinence in the context of developing states where NGOs are often in a better position to deliver services to the people than the government. A host of activities is conducted within the ambit of service delivery. These include assistance to victims in a disaster situation like floods or famine, assistance to refugee and displaced populations, skill training to underprivileged groups, providing health care and so on.

Concluding observations

It is evident from the above discussion that human rights NGOs essentially play a crucial and, often indispensable role in the promotion and protection of human rights. Functioning as watchdogs they carefully document and closely monitor actions of states in respect of their citizens and where necessary, expose the transgressions and denounce the governments responsible for such violations. It is important however, for NGOs to get the facts straight and analyse them properly and in context as the lives of citizens, the integrity of governments and the legitimacy of states are all at stake.²³ International human rights NGOs similarly exercise a creative role in both shaping the public agenda and guiding the rights discourse, by identifying key areas and issues requiring international attention. Accordingly, whether it is the exposing of the plight of indigenous people, or the horrors of involuntary disappearances, or insisting on the minimum standards for detainees, NGOs have successfully placed these claims and the claimants on both the domestic and international agenda.²⁴ They engage in political movements not so much as to acquire political power themselves but

²² Irwin Cotler, 'Human Rights as the Modern Tool of Revolution' in Kathleen E. Mahoney and Paul Mahoney, *Human Rights in the Twenty-First Century: A Global Challenge*, Martinus Nijhoff Publishers, Dordrecht et al., 1993, pp.7-20, at p. 16.

²³ See, Pierre Claude and Weston, Burns (eds.), *op.cit.*, p. 365.

²⁴ Cotler, *op.cit.*, 1993, p. 15.

to promote democratic exercise of political power by relevant groups. The activities of NGOs in this regard include *inter alia* the monitoring of electoral processes of states in an attempt to advance the process of democratization and generally assisting citizens in the exercise of their constitutional rights.

Although human rights NGOs are engaged in diverse activities in radically different situations the problems they encounter during the process are more or less similar. One of the fundamental difficulties that NGOs face in carrying out their work is the hostility of governments that generally view NGO activities with a great deal of mistrust and contempt. Since human rights NGOs by their very nature and mandate are prone to criticize government action and policy, if they appear to be unjust and opposed to public interest, governments frequently attempt to ban their operations on the pretext that they are engaged in subversive and anti-state activities. Many a time human rights NGOs have come under fire where their integrity was questioned. It is common for governments seeking to cover up human rights violations to cast a doubt on the validity and reliability of NGO interventions in various ways. There are instances where even the citizens whose rights NGOs seek to promote and protect are persuaded by government propaganda to believe that these NGOs do not actually want good of the people but are driven by some hidden agenda. Again for example, where a state progresses from an authoritarian rule to a more democratic system of governance, and human rights NGOs demand punishment for human rights abuses their activities may be stalled on the ground that since the nation is still healing and such measures would only undermine the new democracy. In such situations, the very legitimacy of the NGOs come under scrutiny and their activities are censored and marginalised.

In order for international human rights NGOs to function effectively there must be an enabling environment that, at the very least, allows NGOs to operate freely and without fear of reprisal. Since fact finding is a crucial aspect of any human rights movement it is imperative that NGOs are engaged in objective investigation. On many occasions NGOs have been accused of producing biased and unsubstantiated reports on human rights violations. In order to avoid being negatively labeled NGOs need to import professionalism in their investigations by developing standardised techniques and applying appropriate methodologies for gathering information.

While traditionally most international human rights NGOs address flagrant human rights violations like extralegal executions and torture they rarely look at the structural causes of such violations. This is particularly relevant in the case of developing nations where conventional democratic and legislative strategies produce negligible effect. As such people experience very little change in their lives. This is augmented by the fact that in developing nations legislation on the books bears little relationship with legislation in fact, so that even where laws are changed, it has very little impact on people's lives; even where a case is won in court, little is done to enforce the verdict.²⁵ Hence, human rights NGOs need to address the structural causes of rights violation for enduring solutions.

International human rights NGOs need to expand their outreach capacity by liaising with local human rights organizations across the world. This would facilitate experience and knowledge sharing in ways that would help human rights NGOs to assess the value system of given societies. There is a tendency amongst international human rights NGOs to apply the philosophy of universality of human rights without taking the local context into account. NGOs using the

²⁵ Wiseberg, *op.cit.*, 1992, p. 380.

universalist approach essentially suffer from a lack of perspective. Interaction between international and local human rights NGOs would broaden their capacity to learn from each other's experience and borrow from each other's skills and expertise in the area of human rights.

The peoples of the world, irrespective of culture, language and religion, dream of a world free from evil and injustice. Whatever may be the criteria for achieving this state of affairs and whatever the difficulties, it can be safely stated that the contemporary global human rights movement will continue to gain in strength, much of which will be derived from the activities of human rights NGOs and citizens at home and abroad. As shestack assures:

For [human rights NGOs] the pinnacle may never be reached. Still, while traveling the upward road, obstructions are overcome; the path is made smoother for others. And every now and then, above the ugly glare of abuse, one can catch a glimpse of the stars.²⁶

²⁶ Shestack, *op.cit.*, 1992, p. 123.