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Editorial Board

Mr Prakash Kaphley
Mr Sushil Pyakurel
Mr Krishna P Upadhyaya
Mr Thakur Dhakal
Miss Kabita Aryal

FROM THE DESK OF INSEC EDITORIAL BOARD

INFORMAL SECTOR RESEARCH CENTRE (INSEC) has decided to publish INSEC bulletin quarterly and the bulletin is now with you. Apart from throwing lights on INSEC activities, we have tried our best to bring to you the views of some renowned personalities -- the development workers, environment activists and human rights activists. Together with these all, we have included the contributions from the local activists who have experienced the realities of Nepal during their activities in the field of human rights, development and other social issues. We look for your contributions and suggestions at this infant stage of the bulletin. Thanks!

Address:

Informal Sector Research Centre
Kalimati, Kathmandu - 13, Nepal

Mail Tel: 2-70747
P.O. Box 2726 Fax: 977-1-226820
Kathmandu, Nepal.

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RELATIONSHIPS BETWEEN HUMAN RIGHTS NGOS IN THE THIRD WORLD

- Clarence J. Dias¹

Introduction

It seems useful, the very outset, to attempt to look a little more carefully at the social, economic and political climate in the countries in which Third World Human Rights NGOs operate and to thereby heed the wisdom contained in several oft-proclaimed truisms:



1. Human rights scholarship and action has emerged and developed very differently in the Third World and the First World.
2. "Nongovernmental organizations" or indeed the "nongovernmental sector" (within which most human rights organizations operate in the Third World) are not easily susceptible of definition. So large a variety of entities operate within the "nongovernmental sector" that all one can say about the sector is that it isn't the public sector and it isn't private sector either (at least not the private corporate sector).
3. Nongovernmental organization (NGOs) are the product of social action, history and culture.
4. There has been a growing perception (both managerial and political) among international organisations and among northern government that NGOs have the potential of being more effective agents of development than government agencies, at least when working with or attempting to reach the poor. This perception is increasingly being voiced also by several Third World governments.
5. Consequently, there has been a significant increase in the supply of funding available to support the work of NGOs.
6. There has also been, in many parts of the Third World, "the explosive emergence of NGOs as a major collective actor in development activities and on the public agenda in general. This is a significant political, social and economic trend. Within the traditional areas of encounter between the state and the people, a new action (the NGO) asserts itself with increasing forcefulness."
7. The NGO explosion in the Third World is both *quantitative* (in terms of the scale and pace with which new NGOs have been multiplying and expanding during the last decade) and *qualitative* (in terms of the concerns, functions and roles that the NGOs are either asserting for themselves or are being

¹ Secretary-General, Asian Coalition of Human Rights Organizations (Manila) and President, International Centre for Law in Development (New York).

called upon to play by governments and/or the international development assistance community).

8. Once particular kind of Third World NGO -- "poor people's organizations" -- have become internally more sophisticated and better organized); more aware of their power; and thus have increased their militancy and mobilization capabilities.
9. While most of the Third World NGOs have not started with an explicit human rights agenda, they have tended to come rather quickly to activities involving the promotion and assertion of human rights.

In order to further appreciate the significance of the above truisms, it is also necessary to debunk the myth of yet another truism represented by the notion that a single, unified Third World exists. Country and intra-country contexts vary a great deal in the Third World, indeed. But certain common trends and insights emerge when one focuses on the experience in the different *regions* of the Third World: Latin America, Asia, Africa. This paper will not attempt a comprehensive review of such regional experience. Instead, it seeks to provide, in an admittedly impressionistic fashion, three snapshots of such regional experience -- each provided by an NGO working in that region.

Latin America

We start with Latin America: the region of the Third World with the longest history of the colonial experience. The following excerpts from a paper prepared by the leader of a prominent Mexican NGO -- Promocion del Desarrollo Popular, A.C. -- speak eloquently of the Latin American historical experience and the societal context and crises presently confronting NGOs in Latin America:

I come from a sub-continent that 500 years ago was conquered by force. Ancient civilizations, like Aztecs, Mayas and Incas, were destroyed. Millions of natives died in the mines and land exploitations and in some places, specially islands, they totally disappeared. Three centuries of colonial rule took away every piece of gold and silver our lands could produce to be sent to Europe to finance first wars, and later the industrial revolution.

We are now a mixed sub-continent with indigenous people: blacks, majority of half breeds, and also with white creoles and immigrants that came from mediterranean countries (mainly from Spain and Portugal) including some saxon enclaves and even Japanese. The values, logic and structures of contrasted civilizations -- our imposed West, the forced Africa -- live together in a wide melting pot.

Our sub-continent is now in a deep crisis. We are now exporting capital thanks to an international debt that was established among irresponsible blanks, government and business leaders. Our people are deeply suffering the consequences. The East-West confrontation is being incorporated through our efforts to overcome the unfair North-South relationship.

War is present in many countries or the region (Central America, Columbia, Peru) and military intervention has been practised in the Malvinas and Grenada. Chile,

Haiti, Panama, Honduras, have open or concealed military regimes, dictatorships or manipulated civil "democracies". Cuba continues to be an isolated island.

We can see the renaissance of fragile democracies in the southern countries (Argentina, Uruguay, Brazil, Bolivia, Peru...) after decades of military dictatorships. Also, an old, but not any more revolutionary, regime (Mexico)

And we can also see the rise of a new awareness of the cultural, political and economic protagonism of the Latins ("Chicanos", "Hispanics", Cubans, Puerto Ricans, illegal middle American emigrants) in the southern regions of the USA.

In this convulsive region, the role of the so-called NGOs is extremely important. Specially those concerned with human rights and development issues, social emergencies, grassroots movements, revolutionary or reformist instances, and other social forces like churches, universities, international cooperation agencies, etc.

Latin America NGOs, during the last 40 years, appear to have passed through four main roles:

1. **Integration.** A lot of programs were developed in the '50s having as their target: training. The objective of these programs was to render assistance to the poor in order that they may be integrated into the rest of the society. At best, these programs sought to dignify the life of individuals and families.
2. **Reform.** After the triumph of the Cuban Revolution in 1959, awareness was heightened among Latin American NGOs regarding the deep-rooted social problems which called for fundamental social transformations. In order to counter such transformations and the replications of Cuba, the US created ALPRO (the Alliance for Progress) and provided support for trade unions, cooperatives, peasant leagues, enterprise associations, and liberal political parties: all with the ideology of the free market and representative democracy.
3. **Revolution.** Repression and dictatorships marked and '70s decade in many countries of Latin America (Argentina, Uruguay, Brazil, Chile, Paraguay, even Peru and Bolivia, after left-oriented military regimes). The NGOs learned that schemes of violent reaction should be considered in all social initiatives trying to reach causes and structures. The aim to accumulate power and to cooperate with political parties and movements was present in many NGOs.

New methods started being practised such as the Paulo Freire's "conscientization method" that combines alphabetization, structural analysis of actual marginalization causes and the people's role as subject of knowledge and transformation. The marxist analysis was adopted by younger intelligentsia.

4. **Civilization.** Many NGOs in the '80s are becoming aware that orthodox schemes for development and even for revolution bring heavy costs to our people. Many paradigms of our action in the last 30 years have been imported,

adopted, adapted, but not proper. To reach progress through development projects or to reach power through revolutionary processes are quite complex matters. We have learned that our own reality cannot be managed through another's concepts and interests. In the '50s we tried to be integrated to the system; in the '60s we tried to reform it from the bottom; in the '70s we tried to change it: conquering power from above. Now we start thinking that we must challenge it entirely if we want to generate a new civilization.

In this perspective, our NGOs are trapped in a dilemma: Are they introducing the values, mechanics, targets and policies of the industrialized and post industrialized societies with their own powerful NGOs channelling money in large amounts, creating centralized and pyramidal enclaves, coopting the "best" local human resources, multiplying dependency through projects? Or are they people-rooted underscoring the proper resources (material, cultural, intellectual, spiritual); mobilized by war or hunger suffered by people? This kind of NGOs put the accent more in participation than in representation and more on social productivity than concentration of economic or political power. They are based on voluntary work more than in remunerative work. They are generating a proper model of knowledge accumulation (like "Punta de Lanza" in Colombia) through the method of PAR (Participatory Action Research) awakening the people's memory and creating a generator perspective.

Among these models or extremes there are thousands of NGOs in Latin America trying to redefine their function and character.

Africa

In 1983, the Economic Commission for Africa (in its silver jubilee report), analyzing recent history, warned that if present trends continue, the "scenario" after the next twenty-five years will be a "nightmare" of "poverty" and "degradation" of life. The nightmare has come to pass, not in 25 but in a scant five years. The Organization of African Unity attributed the African crises to historical legacies. Africa's dependence of foreign markets, and deteriorating terms of trade and sketched a general strategy to escape these constraints by building self-reliant, local and regional economies. Despite analyses of the crises and prescriptive solutions, however, the situation faced in most African countries is unrelentingly grim. Most African countries (notably the poorest) are confronted with:

- dependency on a few primary export commodities and deteriorating terms of trade;
- decline in agricultural production -- often of cash crops and almost everywhere of basic food crops (necessitating imports of food which seriously exacerbate foreign exchange crises);
- failure of import-substitution industrial development strategies (for a variety of reasons, e.g. rising import costs, inefficiencies, lack of markets);

- increasing rates of urban unemployment;
- deteriorating infrastructures for smallholder agriculture; and
- recurrent weaknesses in the design or administration of programs of rural and agricultural development.

A number of international reports of the World Bank, UNDP, UNICEF, FAO, etc., depict critical situations confronting most African countries: crises produced by a conjuncture of exogenous shocks, failures of national development strategies; and flaws and pathologies in development administration. Africa must confront a bewilderingly large number of deepening crisis;

1. The *apartheid crisis* overshadows most of the other crises. A lawless regime in Pretoria (with open as well as covert support of several Northern governments) continues to violate most shamelessly the most basic human rights of the people of South Africa. It also continues, through armed intervention as well as blatant economic intervention, to violate the sovereignty of neighbouring countries and the rights of their people. A pan-African human rights movement has mobilized against South Africa but it is a movement facing frustration at every turn.
2. The *food crisis* is constantly worsening as man-made famines combine with natural disasters to cause unparalleled human starvation and suffering.
3. The *ecological crisis* has reached chronic, almost non-resolvable proportions and exacerbates the already severe food crisis.
4. the *debt crisis* sees the poor in several countries of Africa reeling under austerity measures and cuts in social services" programs resulting from the imposition of severe structural adjustment policies by the international financial institutions.
5. The *health crisis*, reflected in dismal infant and child mortality rates and in malnutrition figures, has been further exacerbated by the scourge of the AIDS epidemic.
6. The *refugee crisis* remains severe, as wars rage unabated in several parts of the continent.

African NGOs have adopted their agendas for actions in response to such crises and the rural poor figure prominently in such agendas. There are many reasons why both developmental and human rights NGOs in Africa are focusing on strategies for the rural poor. In the first place, there now seems to be wide agreement that the productivity and well-being of peasant smallholder must be a central focus of concern in the countries which comprise this region. The need to boost deteriorating production of both food and other crops, and to arrest massive migrations to urban areas, and to create local markets, domestic industries and more quotable distribution of income and employment opportunity combine to produce this new emphasis. Secondly, for reasons grounded in both pragmatic assessments of the pathologies of development administration in rural areas and in human rights considerations, it seems vital that peasant smallholder must no

longer be perceived as the passive objects of state-directed efforts at rural development but rather as the active subjects of these efforts.

Since relatively little has been written by, or about, African human rights NGOs, a few comparative generalizations (even at the risk of oversimplification) may be offered:

- a. Although there has not yet been, in Africa, "the explosive emergence of NGOs as a collection actor" such as has occurred in Asia and Latin America, there has been a steady increase of NGO activity, proceeding usually in a more discreet manner.
- b. African NGOs have tended to adopt much less confrontational stances against power elites. While they have advocated the approach of mobilizing and organizing groups of victims for their own self-help, such approach has not been "vocalized" as having *empowerment* as its prime objective.
- c. African NGOs have tended to be less overtly ideological. Thus, while liberation theology and *dependencia* theories might indeed influence their thinking, they have tended to rely on more pragmatic justifications (e.g. provision of needed basic services) for their activities.
- d. African governments (both national and local) have tended to adopt a dualistic relationship towards their NGOs. On the one hand, they welcome NGO activity in service-providing areas to relieve pressure on (and criticism of) the governments own programs in this regard. But on the other hand, given the severely scarce resource constraints that most African bureaucracies operate under, they would be resentful NGOs seen to be operating under conditions of plentiful resources.
- e. African NGOs seem less distrustful of one another and more prone to link together than their Asian, and possibly-Latin American, counterparts.

Asia

At its inaugural and subsequent meetings, the Asian Coalition of Human Rights Organization reached consensus as to the situation confronting Asia:

In virtually every country in Asia, to greater or lesser extent, we witness today several alarming and intolerable trends:

1. The growing impoverishment, exploitation and powerlessness of a majority of the rural and urban population: the poor.
2. The growing incidence of malnutrition, hunger and starvation and growing permanent degradation of the physical environment for the production of food and the meeting of survival needs.
3. The worsening of already intolerable conditions of those subject to multiple oppression and exploitation such as women, children and religious or ethnic minorities.

4. The routinization of the debasement of human beings leading to the very devaluation of human life itself.
5. The increasing adoption, by the elites in such countries, of a life-style (aping Western models of conspicuous consumption) whose affluence can only be sustained by the pauperization and exploitation of others.
6. the growth of fundamentalist trends in religious revivalism making religion a divisive rather than a cohesive force.
7. The increasing incidence of ethnic violence and cultural genocide.
8. The growth of material and moral corruption among the bureaucracy and their virtually total lack of accountability.
9. The increasingly authoritarian nature of political institutions despite their democratic facade and the growing trend towards governmental (especially executive) lawlessness and abuse of power, authority and position.
10. The growing militarization of developing countries achieved through governmental expenditure on arms at the expense of programs to alleviate poverty.
11. The imposition of hazards and harms upon powerless workers and communities through indiscriminate industrialization employing hazardous technologies.

The human rights movement in Asia has emerged in response to these intolerable trends and conditions. But the response has led to the emergence of three strands within the Asian human rights movement:

- a. Responding to extremely oppressive conditions and repressive regimes (in the Philippines and Korea, for example) a category of human rights NGOs emerged at local, grassroots level to mobilize local communities for protracted political struggles. Often inspired by liberation theology (or secular variants thereof as in the case of Bangladesh), these NGOs saw the human rights struggle as being, initially, a struggle against the present political regime.
- b. Responding to the ineffectual nature of government programs to deliver basic services to (and meet the basic needs of) the rural poor, a second set of NGOs attempted to deliver such services themselves while also embarking upon educational activities to develop the communities capacities to meet their own needs in the future. Such NGOs turned to human rights to assert entitlements of local impoverished communities to resources from the state to meet such needs.
- c. A third strand of the human rights movement in Asia arose out of the disillusionment of significant sections of the educated middle-classes (the bourgeois intelligentsia) with the results and the direction of the development model adopted by the country. Thus human rights organizations who were concerned about subjecting national development projects and

developmental decision takers to accountability under international human rights law began to emerge. A notable example of this is provided by NGOs working to assert rights of indigenous people and other poor communities displaced by development projects of the state.

Today, there is a real sense of urgency underlying human rights activism in Asia. Both NGOs and grassroots organizations of the rural poor are turning to human rights as a means to:

1. **Empowerment.** It is increasingly felt that human rights can play a significant role in the empowerment of the impoverished. The oppressed can become more self-reliant through an understanding of their rights. Indeed, the right to organize and rights of association are vital to impoverished groups seeking to mobilize and organize themselves and thus develop countervailing power.
2. **Securing Accountability.** Human rights can also play a significant role in securing the accountability of those who wield power and control resources essential to the satisfaction of basic human needs. Right to secure mandamus or prohibition are important checks on abuse of power. Rights of access to information, rights to a public hearing and freedom of speech and of the press are crucial in checking governmental lawlessness and abuse of discretion or powers by bureaucratic and government officials.
3. **Participation.** Human rights have an important role to play in combating exclusion as well as in asserting the right to participate in key decisions affecting resource allocation or relating to technology choice.
4. **Assert Values.** Human rights are also being increasingly viewed as a means to express and reinforce social values and ethical principles which should underlie the much-needed restructuring of social orders.

The above survey of the social and historical forces leading to the emergence of the current NGO "explosion" in the Third World suffers from money inadequacies resulting both from subjective biases of the author and the inevitably impressionistic nature of the survey. It is offered only to be suggestive of the richness of contexts and diversities that must inform and number attempts at analyzing and classifying Third World human rights organizations and their functions. And such analysis and classification, in turn, is an essential first step before attempts to assist, support or link such organizations are undertaken.

II

Third World Human Rights Organizations: the Dramatis Personae

In order to understand human rights activism in the Third World, one needs to take a closer look at the people involved in human rights organizations. Three main categories have been involved: intellectuals, professionals, and activists. Prominent among the professionals have been members of the legal elite -- leaders of the legal profession, former members of the judiciary and prominent legal

academics. Their involvement has been of a more conventional kind, helping provide legal services and legal representation to indigents, or to those whose civil and political rights have been violated, or in "test cases" and "public interest litigation". Their approach has been mainly to work within the existing law, using existing legal processes to enforce human rights or to help bring about incremental development of the content of specific human rights. Their's has been the conventional liberal approach to human rights which presumes that compliance with rights is the societal norm and rights enforcement is only necessary in a few deviant cases. But in most Third World societies, this presumption does not hold true and an alternative breed of human rights activist emerges seeking to arouse public awareness of gross and widespread violations of human rights (especially, but not exclusively, economic, social and cultural rights) and seeking assertion of those rights through both legal and extra-legal methods, including protests and direct action. This category of activist is not content with working within the existing legal order but it intent on helping reform such order as part of process of securing social change and structural transformations. The influence of these human rights activists upon the professionals and intellectuals has led to their gradual reorientation of professional resocialization.

Thus, professionals and intellectuals in the Third World have attempted to reach out to human rights activists through a variety of intellectual and professional movements:

1. *The Regional Studies and Development Studies Movement* in many Third World countries has helped reorient lawyers and social scientists to special problems of development and underdevelopment and to the human rights implications of such process. This has helped forge a new sense of identity and solidarity around "Third World Issues" and helped sensitize them to processes of impoverishment, exploitation, exclusion, and dependency and to the roles of human rights theory and activism in fighting against such processes. Concepts of dependencia, integration into the global capitalist system, and transnationalization have been thus brought into human rights thought and action.

2. *The Critical Studies Movement* has called attention to deep-rooted pathologies that exist in law and the legal profession in most Third World countries.

The movement has been iconoclastic: debunking legal sacred cows and myths by calling attention to the wide gap that exists between the law on the books and the law in action; between law and justice. The movement has worked towards securing fundamental changes in the legal system to make it more accessible, more indigenous, more just (by fostering notions of redistributive justice) and more supportive of social change.

3. *The Alternatives Movement* has challenged the "development models" adopted by Third World countries -- models emphasizing modernization, industrialization, economic growth (without conscious policies of redistribution), and integration into the global capitalist system. The movement stimulated human rights activism in support of the victims (e.g, indigenous people, displaced people) of development policies and projects

and has also stimulated activism centred around formulating and implementing policies and programs of "alternative development" which are built upon concepts of community mobilization and organization, participation, self-reliance and the adopting of alternatives to Western consumer-oriented life-styles. This movement has brought interdisciplinary perspectives and skills into human rights though and activism in the Third world and a fresh "alternative" set of values. It has helped foster the perception that, "law is too serious a matter to be left entirely to lawyers; for the issue of human rights is not merely a legal one but a potent political and social issue". It has also helped stimulate the process of deprofessionalization of law through "bare-foot lawyers" and "community dispute-settlement mechanisms."

4. **Participatory Action Research.** By far the greatest impact of an intellectual movement on human rights in the Third World has been the movement towards participatory action research. The concept of participatory action research (PAR) originated in Latin America but soon gained acceptance in Asia and Africa. PAR emphasizes the importance of participatory development of knowledge, action strategies and human rights through close interaction with grassroots communities. PAR has fundamentally changed human rights thinking and activism in the Third World by broadening the base of human rights actors to include those who are victims of human rights violations.

Human rights activists in the Third World have also increasingly reached out to intellectuals and professionals as a result of a number of action strategies they have adopted. Originally, most social activists adopted an attitude of "legal nihilism": the less contact with law and lawyers, the better. But they found themselves being dragged into contact with the legal system (particularly the criminal justice system) as their work on grassroots conscientization and organization gathered momentum. They soon began to shed such an attitude. Contact between activists and intellectuals and professionals increased within the context of specific action strategies which necessitated new forms of association and organization:

1. **Campaigns:** such as the Infant Formula Campaign
2. **Coalitions:** such as the International Coalition for Justice in Bhopal.
3. **Solidarity and Protest Organizations:** such as Greenpeace.
4. **Lobby Groups:** such as the Asia Pacific Forum for Women, Law and Development.
5. **Regional Networks:** such as the Asian Regional Council on Human Rights.
6. **Social Movements:** such as the consumer movement, the women's movement and the environmental movement.

To sum up, intellectual movements, social movements, and pragmatic-action strategies and campaigns have brought the main human rights actors in the Third World -- victims, activists, intellectuals, and professions -- together in a variety of situations of interaction. As a result, human rights organizations in the Third World have become more interdisciplinary in nature and more broad-based in composition. They have also become harder to identify and define. A few Third World NGOs wear the label of human rights. But the vast majority of Third World NGOs, concerned primarily with education, or development or delivery of support and services, have adopted human rights into their agendas and programs

of action. A broad definition of human rights organizations in the Third World would have to include all these "non-specialist" NOGs which are undertaking significant human rights activities.

III

Typologies of Third World Human Rights Organizations

It would not be possible, desirable, or sensible to attempt to construct a single, comprehensive, all-encompassing typology of Third World human rights organizations. Rather, one might suggest the many ways that loose typologies might be drawn.

1. ***Governmental/Non-governmental/Intergovernmental.*** While the majority of human rights organizations in the Third World are nongovernmental, there has been the recent trend (especially in countries like the Philippines, which are undergoing a process of re-democratization) to establish governmental human rights commissions.
2. ***International/Regional/National/Local.*** In Asia, where the governments have firmly rejected any regional intergovernmental human rights organisation, a number of regional non-governmental organizations have sprung up.
3. ***According to Membership.*** In Asia, a distinction is usually drawn between people-based organisation (PBOs) and participatory organisations of the rural poor (POROs) on the one hand which are primary-level organisations (e.g. of small farmers, fisherfolk), and support groups which render service to PBOs and which are referred to as secondary-level organisations. Human rights organisations could also be classified on the basis of membership drawn on professional lines.
4. ***According to Victim-Group Served.*** Some human rights organisations serve only single target groups e.g. women, children, indigenous people. Others serve a variety of victim groups.
5. ***According to Functions.*** Distinctions are being made between human rights organisations performing mobilization roles, advocacy roles, or service providing roles. Thus, terms such as social action group; support or service organisation; solidarity group; legal resource group; representational or advocacy group; documentation centre; communications or clearinghouse centre; training centre; networking or coordination centre; forum; coalition; or campaign, are used to describe a range of human rights organisations in the Third World. Most of them tend to be multi-functional or, at least bi-functional.
6. ***According to Category of Human Rights Specialization.*** This Western categorization of groups focusing on civil and political rights and those focusing on economic, social, and cultural rights, is not much used in the Third World where organisations tend to focus on both categories of rights. However, because of the gravity of the problem in some countries, human rights organisations have emerged focusing on particular sets of rights such as those relating to ethnicity.

IV

Roles and Function of Third World Human Rights Organizations

Many Third World human rights organisations did not start as explicit human rights organisations at all and may have been emergency-aid organisations, philanthropic, developmental, or environmental organisations. This fact is often reflected in the roles and functions they play once they begin to address a specifically human rights-oriented agenda. Third World human rights organisation are not a mirror image of their First World counterparts. Nevertheless, it is possible and useful to study Third World human rights organisation in terms of the conventional roles of human rights activism.

1. **Promotion.** Many Third World human rights organisations do embark on typical human rights promotion activities employing locally appropriate devices such as comic books, fold theatre or fold music, poster competitions, etc. But often, the promotional work forms part of a rights awareness program that is fostering rights assertiveness as a means towards conscientization, mobilization, and organisation for direct action.
2. **Standard Setting.** Third World human rights organisations are increasingly recognizing the importance of participating in standard-setting work, both at the international level (e.g. in relation to the right to development, or the Convention on the Rights of the Child) as well as at the national level (e.g. in the Philippines to develop comprehensive national codes on agrarian reform and on fisheries' resources).
3. **Monitoring.** Third World human rights groups have been actively monitoring implementation of national legislation (e.g. dealing with women's rights and child labour in India) and are beginning to be concerned with international human rights law (e.g. by bringing complaints before the Sub-Commission on Rights of Minorities and Indigenous People.).
4. **Enforcement.** Impressive strides have been made here by Third World human rights groups in assisting enforcement of rights through the courts (e.g. in India through social action litigation) or through direct action (e.g. by adoption of metalegal tactics in the Philippines).
5. **Lobbying for Law Reform.** There has been a flurry of activity here, especially in countries like the Philippines where parliamentary, legislative processes have been restored after a long lapse of time.

In addition to these conventional roles, human rights organizations in the Third World have also played unique role which result from their human rights activism originating in community and victim-group mobilization and organization. Thus they have acted to:

1. **Help** create grassroots organizations and help their organisational development. They have helped organize people to make better use of their own local productive resources, to create new resources and services, to promote quite and alleviate poverty, to influence government actions

towards the same objectives and to establish new institutional frameworks that will durably sustain humane people-powered development.

2. *Help* act as intermediary between local government and community organisation.
3. *Help*, where circumstances warrant, raise funding and direct it to local community organisations.
4. *Help* develop capacity for and strengthen community-based resource management with an emphasis on participation, equality and equity. Human rights organisations working in neglected rural areas have helped set up local production-related organisations such as water-user societies, pastoral-grazing associations, credit, production or consumer cooperatives, food-processing cooperatives, farm equipment purchase or lease associations, tree grower associations, fishermen cooperatives, etc. At first glance, these activities seem far removed from human rights work. But these kinds of organizations have proved critical instrumentalities, not only for participatory local development but also for grassroots realization of human rights. At times these organisations have averted serious denials of human rights which would have resulted had their efforts not prevented ecological degradation imperiling the very survival of the most depressed sections of the local community.
5. *Help* create not only the means for community organising but also for community self-defense.
6. *Help assert* community rights and raise community awareness and expectations.
7. *Help* protect activists against reprisals from high-handed administrators.

Thus, human rights organisations in the Third World have had to constantly undergo a process of self-development. There has been a need for constant reflection based on praxis to reconceptualize human rights concepts and theory. There has also been a need for professional unlearning and relearning processes accompanied by the development of genuine professional humility. So far as lawyers are concerned, there has been a need for new kinds of law trained people to act as:

- *community workers* who help to organise and participate in collective efforts of people to identify their legal problems and appropriate strategies;
- *advocates* of collective demands and group interests both in courts and in administrative, legislative and other institutions;
- *community educators* helping to develop community knowledge of law and legal paraprofessionals within the community whose knowledge and skills are geared to community needs;

- *critic* of proposed or existing legislation and administrative actions which impinge on the rights and interests of impoverished groups;
- *law reformers* asserting the claims of rural communities for changes in legislation and state structures; and
- *jurists* seeking to develop new jurisprudential concepts needed, for example, to articulate new rights which will help to empower the poor in their struggles against impoverishment.

V

Third World Human Rights Organizations: The Need for Linkages, Networking and External Support

It has been a paradox that the greater their success and achievements, the greater has been the need for support for human rights organizations in the Third World. Below, we briefly identify some of these needs. To elaborate upon such needs would be presumptuous. That task would be better left to a consultation with the human rights organizations themselves. There is, of course, a perennial and chronic need for funding. This need will be addressed later in this paper. Other, and often more important needs include:

1. **Defense:** There is a crucial need to devise effective mechanisms at national and international levels, for the defense and protection of human rights activists community groups and people's organizations which face reprisals because they are seeking to assert rights and secure remedies. Recent events in Malaysia and Singapore underscore the need for urgency for developing Amnesty International-type counterparts to protect Third World human rights activists -- especially those working at grassroots level. There is also a need to develop national and regional mechanisms to deal with an allied problem. As human rights NGOs become more successful, some governments seek to close the political space for their continued operating by enacting a variety of legislative and policy measures which increase regulation and restrict the activities of NGOs. These are usually accompanied by attempts to coopt, fragment, and divide the NGO community. Recognizing this danger, several Asian human rights organisations have recently formed a Coalition to resist. While the Coalition is still in its infancy, its work will be of interest far beyond the region.
2. **Solidarity:** Third World human rights NGOs have little opportunity for south-south exchange of experiences and for solidarity building. Such opportunities are beginning to be recreated for development NGOs but usually permitting only limited exchange on only a regional basis. Third World human rights activism has reached a level to well justify the setting up on mechanisms for exchange across the regions of the Third World.
3. **Information Sharing:** Much of what has been said regarding needs for solidarity apply equally here, too. Existing systems for human rights documentation are indeed a valuable first stop. But mechanisms also need to be devised to facilitate person-to-person exchanges and information

sharing. The same could also apply to human resources development, for example, with regard to barefoot lawyers.

4. **Linkages with the International Human Rights System:** It is increasingly being felt by Third World human rights organisations that they are now ready to press for enforcement of human rights, not only in national fora but also in the variety of international fora and remain largely underutilized. There is a clear need for greater interaction, leading to the development of more enduring linkages, between Third World human rights activists and the international human rights law community. Such interaction would doubtless prove mutually enriching and beneficial and lead to more effective enforcement of human rights.
5. **Organizational Development:** For many Third world human rights organisations, and other NGOs, twin profound processes are presently at work: an inner-oriented one by which NGOs are striving to overcome structural weaknesses, dispersion, amorphousness within their own house, and a concomitant outer-oriented process by which NGOs are learning to contribute more effectively to the broader, societal goals they pursue. They are facing a need for expansion in coverage and comprehensiveness (i.e. extensive development) as well as for strengthening the many fragile and ephemeral NGOs that risk disappearing without a trace (i.e. extensive development). There is a need for strengthening international, organizational structure, fortifying their decision-making and productive processes. There are problems of need for scale-up and replication to achieve greater impact. There is a need for better and ongoing participatory evaluation. Sensitively provided support that enables access to modest resources (financial and human), coupled with autonomous and participatory interaction and consultation, will go a long way towards meeting these needs.
6. **Research for Better Comprehension and Analysis.** There is need, only partly met, for greater reflection self-appraisal and critique of the Third World human rights movement. The need is for research at conceptual, theoretical, and action levels. This research must largely be undertaken as a participatory process and the findings of the research need expression and dissemination through new channels to complement existing ones. The fruits of such introspection may well benefit human rights organisations not only in the Third World, but everywhere.

The specific mechanisms through which the above needs for external support can be addressed will need to be evolved through a partnership of equals and not by donor benevolence alone. Equally important is the need to devise effective participatory mechanisms whereby Third World human rights NGOs can make an effective impact upon the policy-making processes of government and development assistance agencies -- be they bilateral or multilateral.

VI

Funding Third World Human Rights Organizations

Third World NGOs have done some hard thinking regarding problems and dilemmas involved in funding, especially where funding is sought from an external source. They have identified opportunity costs, credibility costs, flexibility costs, and vulnerability costs that might result from funding. They have grappled with the struggle for self-reliance and autonomy on the one hand, and access to an adequate resource base on the other. They have experimented with a variety of funding mechanisms such as grants, endowments, and revolving funds. They have experimented with income-generation which carries its own strengths and limitations. International NGOs have played a crucial role in raising private funds and channelling them to developing countries but there have been problems of NGO independence, geographical allocation of resources, interference in the NGOs' own agenda, priorities and approach; and of NGO accountability. Third World NGOs have helped work out for themselves some of the problems inevitable in a donor/recipient relationship and have even begun to articulate the elements that help build up a good relationship: demand-led, honesty, commitment to values and goals, relevance, flexibility, confidentiality, partnership, long-term collaboration. They have even been able to soften donor insistence upon "projectizing" activities and have earned recognition of the principle that to only projects but also processes are deserving of donor support.

Thus, over the years, Third World NGOs and donor agencies have been working seriously towards fashioning a truly rewarding "partnership of equals". This partnership is presently in great peril with governments in countries like Indonesia and India, placing severe constraints upon the NGOs' freedom to receive foreign funding. These restraints have also been accompanied by a variety of other restrictive or cooperative measures which place in jeopardy the effective survival of NGOs as autonomous and independent policies. At this juncture, their most vital need for external support is precisely support in their present struggle for survival. Donors can, and should, exert influence over recipient governments to ensure that the latter maintain public policy and legislative frameworks that safeguard the role of NGOs -- a role they have fought so hard and so long to get recognized. Similarly, donor agencies must be vigilant to ensure that NGOs win their struggle not only against repression but also against cooptation. The current flood of rhetoric from governmental and international agencies alike, looking to NGOs to perform a variety of functions and play a variety of roles that governmental agencies themselves cannot, must be viewed with healthy scepticism as a potentially cooptative ploy.

VII

Relationships Between Human Rights NGOs

Institutional Relationship

By and large, Third World human rights NGOs have tended to shy away from institutional relationship with one another. Attempts to coordinate have (often rightly) been perceived as attempts to control. NGOs cherish their autonomy, identity, and independence and therefore are willing to accept, at most, loose

coordination within a membership organization (e.g. Thailand, Philippines). Other factors militating against formal institutional relationships involve "turj"; competition for scarce or limited resources; ethnic, religious, or other cultural diversity; different perceptions of mandate ranging from narrow civil libertarian to broad empowerment focused. Different perceptions of mandate and different philosophies of human rights or of human rights activism also keep human rights NGOs (e.g. Amnesty International and, to a lesser degree, the International Commission of Jurists) have their own national chapters and these link together in their own international institutional form. But between countries, even at a regional level, there are few instances of institutional relationships between human rights NGOs but instead they tends to be regional human rights NGOs formed. Fresh problems arise in the relationship between Third World human rights NGOs and regional and international human rights NGOs, especially in respect of division of labour.

Functional Relationships

Third World human rights NGOs are much more successful in their functional relationships. They have often come together in action campaigns. They have worked together on training programs, on fact-finding missions and on election monitoring. Such situations do not endanger each NGOs independent identity, hence functional relationships have proved much more effective than institutional relationships.

Although there is much talk of the human rights community, at both national and international levels, there is much plurality within such community if indeed there be one rather than several distinct communities. Similarly, the phrase "human rights movement" is often used prematurely even in situations where there has been an upsurge in the volume of human rights activity but not yet the emergence of a movement.

VIII

Concluding Observations

Third World human rights organisations have brought fresh approaches, both theoretical and strategic, to human rights activism. On the theoretical plane they have focused attention not only on human rights but also on inhuman wrongs; not only on human rights but also on the right to be human. They have sought to address human rights violations resulting both from governmental lawlessness as well as human rights violations in the domain of civil society. They have often had to wage their struggles in situations where vindication of right is essential for continued survival. Yet they have struggled to establish not only the right to survive but also the right to survive with dignity and equity. They have grappled with the violence, both of human rights violators as well as the violence out of which human rights are born. They have worked to generate not only a jurisprudence of rights but also to generate ruth, indignation and shame regarding human rights violations. They are constantly struggling to keep human rights truly human for all. They deserve fullest external solidarity and support in their times of crises.

HUMAN RIGHTS AND ENVIRONMENT

- Badri P. Khatiwada¹

Environment and human rights are interrelated and interdependent. The natural resources of the third world are being taken to the Asian industrial giant, Japan, which is resulting into the heavy deforestation. Production of plywood, paper and wooden doors, and the competition to capture world market are the main factors for the destruction of forests and wild-life. Similarly for the luxury of the rich people, skin of tiger, horns of the rhinos, skin of crocodiles and invaluable and disappearing animals are smuggled. The smokes from the chimneys of big industries are polluting air and the wastage of these industries poison the water. If the pollution goes on increasing it will have effect on ozonosphere and give rise to the green house effect. This will affect the environmental balance and lead the lives to perish.



It doesn't necessarily mean that pointing out the negative aspects of the industries, I am discarding the importance of the industries. My stress is on the ridding of the pollution.

For enriching the profiteers, we should not allow anyone to affect the health of people and environment.

Hard to say whether fortunate or unfortunate, we do not experience industrial pollution because we have a very few industries. Yet, public and private industries are responsible for air, water and noise pollution. They are taking advantage of people's ignorance and unconsciousness. The polluted rivers, the Bagmati and Bishnumati in Kathmandu, are affecting the lives of people, the paper industry in Gaundakot is polluting to affect the lives of the Narayani River, and the cement factory is polluting the atmosphere. An industrialist benefits out of industries and the people are made victims of the pollution of them. The industrialists earn money and the people have to pay bills for the medicine they buy due to deterioration of their health.

The main factor for the deterioration of environment is the high rate of deforestation. The people are responsible for the degrading environments in three ways (a) Ignorance (b) Compulsion and (c) Ill-interest.

In the first category fall the people who are ignorant about the meaning and the importance of environment. Due to the lack of education, they do not know what effects their acts have on the environment and the future generation. If consciousness is raised among the people of this category, it will be easier to protect and promote the environment.

¹ Mr Badri Prasad Khatiwada is the founder chairman of FOPHUR, and presently he is the chairman of the Save the Environment Movement.

The second category comprises of the people who degrade the environment because of their economic deficiency. This sensitive and conscious group would not damage the environment, if they did have an alternative ! If an opportunity for training and employment is provided for them, this group even can lead the movement for the protection of environment.

Third category belongs to the ill-interested people. This group does not hesitate to damage the environment for their personal benefit and the luxury. These people are involved in the killings and smuggling the rare types of animals, pollute the air through the chimneys industries. Those who try to control them are treated with enmity.

Environmental exploitation by a few profiteer of the country and the developed world is the violation of human rights of the economically efficient class to the less efficient. In other words, efforts for the protection of environment is the battle for human rights.

* * * * *

FROM THE DIARY OF FATHER TIMM[†]

I have come to Nepal as President of the Coordinating Council for Human Rights in Bangladesh to observe the progress of the pro-democracy movement. I took part in two celebration rallies in Chitwan on April 14 (15,000 attending and Jagatpur on April 15 (5,000 attending). The two elements which impressed me most were the unity of the people and their determination to see their movement carried on to a successful conclusion.

People of all ranks of life mixed freely together. Educated and uneducated were fully aware of the issues at stake. The pro-democracy movement itself has been a profound educational experience in the principles of human freedom and democracy.

The movement had clearly defined political goals and the pressure has been kept up to realise them: dissolution of the Panchayat, resignation of a Prime Minister from the opposition parties and selection of a new cabinet with strong representation from all the participating political parties.

In my talks at the two gatherings, I emphasized that one big victory is not the end of the struggle. Establishment of Universal human rights is a long, slow and painful process, so the pressure must be kept up and training programmes organised on a widespread basis for universal awareness of human rights.

International opinion and pressure are important, so human rights organisations should keep the world fully informed about the ongoing movement for human rights in Nepal. Other organisations and other countries are willing to give solid support and backing to the pro-democracy campaign in Nepal.

[†] Father Timm is a well-known human rights activist of Bangladesh. Presently he is the chairman of Human Rights Commission of Bangladesh.

HUMAN RIGHTS

CULTURAL AND RELIGIOUS RIGHTS

- Krishna P. Upadhyaya¹

Nepal is full of diversities in languages, customs, religious rituals and beliefs - apart from the geographical differences. It is sandwiched between two Asian Giants - China and India - which have equally multi-ethnic and multi-linguistic societies. In Nepal, many languages are spoken. 58.4 percent of the total populace speaks Nepali and 41.6 speaks other than it. Similarly, the country has almost all the major religious communities ranging from 2.7 percent Muslim to 89.5 of the Hindus. Likewise, the country has a rich cultural heritage and has contributed to enrich different ethnic groups and their religions. Some times, a country is grappled by the problems due to diversities.



South East Asia has been the fertile region for the communal conflicts, religious riots, and separatist movements. The root-cause of all these are the lack of religious freedom and its acceptance both by the state and the people, lack of self-administration and participation of all the ethnic groups in the state affairs. In other words, the rights of the people are violated by the states.

Tamil uprising, the Gorkha Movement in Darjeeling, and the problems in Punjab or Kashmir can be attributed to the absence of religious rights in practical grounds and rejection of other human rights. These deprivations have given rise to a social psychology which is keeping them away from the "mainstream" of the national life.

In a society like ours, movement for the official recognition of languages, greater autonomy, religious freedom show the cultural inequality among the people. The South Asian experience of various ethnic composition and religious beliefs clearly shows that it is not only the constitutional provision that ensure the religious freedom, but the promotion of religious tolerance among the masses is necessary which could be encouraged by the NGOs and governments, through their policy, programmes and administrative machineries. Government and NGOs should try for making the people follow the law and constitution which helps to safeguard the cultural and religious rights. This is because the violations of these rights are committed not only by the state but by the masses.

The movements for language, like 'Nepal Bhasha Manka Khala', is a growing day by day. Similarly, Maithili, Limbu and others are in effort to develop their languages. Our constitution has clearly made provisions for religious freedom, but still there may be obstructions in enjoying them in practical grounds. Many

¹ Mr. Krishna P Upadhyaya is involved in various human rights activities and, at present, he is project coordinator in INSEC.

things has to come up in practical field. The cultural heritage and culture as a whole are in the process of obliteration which needs to be protected. Only preserving the cultures and cultural heritage of a ethnic groups, it can be brought into the mainstream of national life. This is because, if an ethnic group can preserve its identity and foster in a country, it, both physically and psychologically, belongs to the country concerned. Same happens in case of religious and language movements. This will be permanent solutions to eradicate possible conflicts and riots. Till now, the country seems to inherit the old thought that being a Nepali is maintaining same dress, customs, and rituals etc. If we can rid of this idea, and unite different ethnic groups in spiritual and brotherly bond, despite thier differences, the greatest of contributions it can give in nation building.

* * * * *

INVESTIGATION REPORT ON RAJBIRAJ INCIDENT

(This report has been prepared by INSEC fact-finding team)

On January 14, 1991, Chief District Officer, along with the few others came to the Koshi pump Irrigation Project office which is just in front of the place where mass-meeting of NDP(Chand) was to be held. After a while, 13/14 with the leaders of NDP along with 200 persons (all haired) carrying (bamboo logs) lathis entered into the premises of the project office. When the Project workers urged that, they, the government service men, should not facilitate a party because this may rouse the doubt among the other parties, the CDO told that, one they are in, they cannot be sent out.

The mass meeting started. It was attended by Lokendra Bahadur Chand, Devendra Jha, Dil Bahadur Shrestha , and other former panchas, When the meeting was on, few people peace fully put questions about Sanket Chandra Mishra and Dilip Choudary, who disappeared in 1987 during the tenure of Chand government, and are still disappearing. Immediately the hired persons, with lathis, attack them. When they were beating the people, the people ran into the premises of the project office. The hooligans entered inside the office and attacked the govt employees and the people. When the govt employees asked for help from CDO and SP (who were then in Project Guest House), the sp hit one of the employees, Mr Sushil Aryal on the head which made him fatally wounded. Now a days he is undergoing treatment in Bir Hospital Kathmandu. After the incident, Ambu Karki, Remesh P Dev, Mahesh P Yadav, Nirajan Chowdhary, Mahiuddin Hussain, Sacchidananda Jha, Shiva Shanker Shah, Sandeep Regmi, Najir Hussan, Sannnjay K. Jha and Gosain Yadav were found seriously wounded.

The people and organisations were heard raising voices against the involvement of Administrative offices like CDO and SP in such an anti-people activities.

HUMAN RIGHTS SITUATION AFTER THE FORMATION OF INTERIM COALITION

- Mr Thakur Dhakal¹

Early in the dawn of April 18th, slogans were shouted for the victory pro-democracy movement. People were expressing their hope that there will be no more human rights violation but, regrettably, their hopes and aspirations have not been realised even after the formation of interim democratic government. Although it is the government empowered at the time of political, social and economic crisis, it has executed many task of paramount importance, but also it seems it could not fulfil the expectations of the people especially in maintaining Law and order in the state. Cases of violations and other incidents are creating cold indifference among general people.



We have got a new constitution and there are provisions for the fundamental rights of people such as freedom of speech, association etc. But the tendency of suppressing the people is just as in the Panchayat period in spite of government's a sound political decisions. Not only the government but the political parties and communal groups are equally responsible for the violations, tensions and anarchism that have been experienced recently. More than 10 persons died due to the dirty practice in the new democracy.

We must not be pessimistic over democracy but should be alert of the unfair practice in democracy which is usually seen in country like ours. The norms and values of democracy will bloom when attitude will change along with the system. Here the system has changed but the norms and values, mentality and actions are being dominated by the same practices of the past regime. Therefore without a strong commitment of Govt. and Political Parties to change themselves according to changed democratic environment and without educating the people about their fundamental rights and duties, the human rights violations can not be minimised and abolished.

Some facts of human rights violations that occurred in various parts of our country at the period of interim Government are shortly presented here. That may be helpful to evaluate the Human Rights situation in our Country.

On april 29 people demonstrated in Pokhara urging that the district Panchayat and administration offices were set fire to hide the corruption of the administrators of the past regime. So the Govt should take action against the guilty persons. Without proper political steps police opened fire at the barehanded people. Two persons Rishi Ram Pariyar and Bhupendra Karki died and several other were seriously injured

Mr Thakur Dhakal is involved in INSEC activities as a volunteer.

On May 13th Baglung bazaar was stained with the blood of 18 Year student Bhumi Raj Sapkota who died of the police firing against the peaceful demonstrators. Many grade 9/10 students were injured.

On August 23rd Many people were arrested with the charge of throwing stones against the queen's car near the temple of pashupatinath. It was on the day of women's festival 'Teez'. Most of arrested and wanted were renowned political activists. They were tortured hanging upside down and beating. Some of the detained were not even in the Kathmandu valley when the incident took place. A question arose in the public whether the action against these activists was the political revenge or fair trail? After the promulgation of the constitution, they were released but only due to the pressure of human rights organisations like FOPHUR and HURON.

In October An incident took place at Khalanga bazaar, Jumla, when people protested against the unfair treatment of army men. A debate took place between protestor and army. Army opened fire to the ignorant masses. Raj Kumar Sunwar, Tirtha Singh, Tara Singh, Narayan Shahi & other were Seriously wounded.

On Nov. 29 Baglung again experienced a white terror, where people demonstrated in front of the local administrative offices demanding the action against guilty of the murder of Krishna Prasad Shrestha, people were suspected the local police for it. An investigation committee was formed but people were not satisfied with the report of it. Police opened fire at a peaceful demonstrations without taking any prior action. Many were injured and taken by the police. The demonstrators demanded the return of them but the police again opened fire. Suresh Bhandari, Prabin Shrestha, Gyan B. Shrestha and Tara Nath were shot at.

Dec. 9th Another mass violation occurred at Janakpur and Mahottori where National Democratic party (Chand) arranged its mass meetings. The meetings changed to be the grounds of the political conflict. The situation became terrible when police opened fire. Many people were injured.

On Dec. 13th N.D.P. (Thapa) arranged a mass meeting at Banepa, when meeting started local people shouted pointing that Thapa is the person who had suppressed Nepalese people during his tenure as premier. The clash created a violent situation and police fired. Many people were injured. Among them Bashu Dev Masyaju died. According to eyewitnesses, police played indifferent role to prevent the situation.

So many other Human Right violations were observed due to various reasons. For instance, murder of Chandra B. Shrestha at Letang Village and murder of Hari Kumar Rai, an activist of Democratic National Youth Union, in Pokhara. All these violation cases help us to understand the real situation of Human rights, entertained by the Nepalese people.

The new Constitution embodies fundamental Rights of the people. But the torture in custodies and violations in the mass level are continued practice. However we should be grateful to the interim government because it released all the political prisoners, except for the prisoners charged with false cases, which is positive development. There are no more political prisoners in Nepal !

The basic human rights concepts are to be publicized to a possible extent. This task cannot be performed just by publishing UN Declaration on Human Rights, translating a few books into Nepal, or organizing seminars in the cities. To transcribe the concept of human rights for the population in majority, the rural masses, we should analyze the consciousness level of the people and the Nepalese reality. The different aspects of human rights should be presented relating to the social, political and economical scene of our country and keeping the consciousness level of people in our mind. The best forms of our message can be interesting stories, plays and songs. Deploying such means, human rights can be made the subject of the interest of general public. Doing so, I am stressing on the close relation between human rights and the writers, because giving message to the people through the above mentioned forms can be performed only by the writers. However, a greater portion of the Nepali writers are far from this conviction for many writers take human rights as politics, they forget the roles to be played for their social responsibility. Few others, plead for the 'freedom of writers' and on the foundation of anarchism, they try to make themselves unsocial.



Thus their values are counted to be solitary. The writers having conviction, that the people's economic, social and cultural rights should be protected and promoted, always utilize human rights in their works for political ends. Therefore, I emphasize, the above-mentioned type of writers look solitary, if viewed from political angle. Because of this, the combat for human rights became a struggle isolated from the writers community. Thus, the most conscious community supposed to be for the social transformation was indifferent to the people's fundamental rights. Even though a few writers personally have devoted in the areas of human rights but as the responsibility of the whole community, the task has not been accomplished.

To overcome such a condition, the organisations involved in human rights should be in touch with the writers, and seminars/workshops should be organised including them. This will enable them to enhance their understanding and orientation. Such an act will make the writers to feel their responsibility. Seemingly, it is a basic but very much relevant. Because the most of the writers I met so far are rather concerned to self-satisfaction rather than responsibility (I have commented on the politically active writers above).

Therefore, if the writers are not made committed to human rights, the people will not be benefited by their creations.

Mr Thapa is a renowned writer who feels his writings with the social concern.

After we make them committed, they can create the materials to contribute for human rights. I am of the opinion that a book written reeling the responsibility surpass the many books on philosophy and ideologies. Noting this way, I am not discarding classical and theoretical writings but keeping the Nepalese consciousness level in my mind.

I am of the opinion that the writers' community is the bearer of the great social responsibility. Their pen might contribute for social change. Therefore, the writers should not be indifferent to bear the social responsibilities. They should participate in every sort of social struggle, and constructive work, and with the experience of the participation they should create their works to educate the masses. I opine that in literature we should not allow anarchism to grow.

In a sense, the writers are above politics. Even the people oriented politicians are committed to groups and classes. They cannot be separated from it. To preserve the values of general public, they are not enthusiastic. Therefore, I feel that the thought bearing social responsibility is politics is a wrong concept. In the various revolutions in the world, the works of the writers has big impact. Therefore, making the writers free of responsibility is making their role secondary. The writers not only should raise voices against such but also participate with dignity for the protection and promotion of basic human rights.

INSEC ACTIVITIES

Participation in HURIDOCS Meeting: HURIDOCS, Human Rights Documentation Systems International organized a two day meeting on information handling in Asia Pacific Region on 8-9 Dec, 1990. INSEC (Informal Sector Service Centre) was represented by Mr Prakash Kafle and Shushil Pakurel, the director and coordinator of INSEC respectively.

Participation in the World Congress on Human Rights: After the HURIDOCS meeting the World Congress on Human Rights, organized in New Delhi, 10-15 Dec 1990, was represented by INSEC director and coordinator Mr Prakash Kaphley and Shushil Pyakurel respectively.

Awareness Programme: INSEC has launched a five-phased programme for creating awareness about election among the rural Masses. A seminar was organized in Kathmandu on November 29, 30 and December 1, 1990, and now, its seminars are being held in district levels in different districts. The seminars are being organized Jointly by FOPHUR district committees and INSEC. Following is the briefing of the seminars held in Janakpur, Chitwan and Syanja.

Janakpur: A seminar was organized going by FOPHUR district committee Dhanusa and INSEC, on January 5, 1990. The seminar was inaugurated by chairman of FOPHUR and the health Minister Mr Mathura Prasad Shrestha, In his inaugural speech, Dr Shrestha said that to make people aware political parties should play vital role, and he stressed on the need for the independent role of the media.

The former vice chancellor of Trivubhan University Mr Surya Bahadur Shakya said that to make the democracy sustain, an environment should be created for the cent percent participation of the people.

The General Secretary of FOPHUR Mr Prakash Kafle said that the constitution will be a mere paper if people are not educated to entertain the rights embodied in it.

The coordinator of INSEC Mr Sushil Pyakural stressed on the need for creating an environment so that people can vote for the candidate of their choice.

Former Chairperson of FOPHUR Mr Pandav Raj Ghaire said that all should contribute to support democracy in Nepal.

The Seminar was chaired by the district committee chairman of Dhanusa Dr Arun Kumar Singh.

Chitwan: One day seminar was organized jointly by FOPHUR Chitwan District committee and INSEC (Informal Sector Research Centre) on January 6, 1991. This seminar also was inaugurated by chairman of FOPHUR central Committee and Health Minister Mr Mathura Prasad Shrestha. In his inaugural speech Mr Shrestha said that hooliganism and interference of Police and Administration should be avoided and people should be alert for this.

The coordinator of the FORUM Mr Kabiraj Neupane chaired the seminar General Secretary of Central Committee of the FORUM Mr Prakash Kaphley, Coordinator of INSEC Mr Sushil Pakurel and Sita Adhikari of All Nepal Women's Organization stressed on the need of free and fair election.

In the seminar district Committee member of the Nepali Congress expressed the view that for free and fair election efforts should be made from all quarters.

In the second session of the seminar the CPN(M-L) activist J. P. Vetrwal, CPN(unity centre activist Amik Sherchan, the Nepali Congress activist Manohari Koirala, Dr Lilanath Suvedi and other speakers) Made suggestions for free and fair election.

Syanja: A similar type of seminar was jointly organised by FOPHUR-Syanja and INSEC in Syanja on January 26, 1991. It was inaugurated by the district court justice and addressed by the leaders of various political parties, chairman of HURON, Syanja, Mr. Dina Bandu Aryal, chairman of FOPHUR-Syanja, CDO of Syanja and INSEC representative Mr Krishna P. Upadhyaya. After the inaugural session a paper was presented by Mr Sashi Kumar Upadhyaya, the secretary of FOPHUR-Syanja, and group discussion was carried out. It was participated by 150 participants from the various parts of the district. The seminar unanimously demanded the withdrawal of the Iraqi forces from Kuwait and America-led multinational force from the Gulf area.

Participation in Election Monitoring: A national and international team have been formed to monitor the forthcoming general election to be held in April, 1991. The international team will be coordinated by INSEC director Mr Prakash Kaphely and national team by INSEC coordinator Mr Sushil Pyakurel.

FATHER OF VICTIM OF HUMAN RIGHTS VIOLATION APPEALS

"Murderer be punished"

On December 1990, The day of mass meeting, said to be organised by National Democratic Party (Thapa) in Banepa, the chairman of the party, Surya Bahadur Thapa hired near about 200 professional hooligans from Nalinchowk and Bouddha and tried to conduct the meeting. But due to various reasons, the mass meeting could not be organized. Instead, there occurred conflict between the hooligans



and the people of Banepa, police force headed by the SP, Rameswar Kharel from Kathmandu, was deployed for the security of Thapa. When the place had been empty, Thapa left for Kathmandu. Then, suddenly police fired and Basudev Musyaju, my youngest son, sitting 500m away from the meeting place, was wounded. The wounded was kicked and thrown on to the police truck. In the mean time, there came an ambulance. But instead of the wounded, Keshar Bahadur Bista and other NDP members were deported by the ambulance. When undergoing treatment in Bir Hospital, my beloved son Basudev Musyaju passed away on Dec 21, 1991, at 12:00:20AM. This way, my son was brutally killed by the police.

According to the existing laws, to control the crowd the police should lathicharge, and if it cannot be controlled by it, they should use tear gas, blank fire. Only when they cannot be controlled by the above-said means, they should fire targeting below the knees. But the police firing in Banepa on 13. Dec, 1990, was exactly same as in the Panchayat period, In this democratic environ too, targeting the bullets on the heads, the human rights have been

challenged. There fore, I request the concerned authorities to punish the murderers and the person ordering the murder.

(Resham Lal Musyaju)