

Human Development Report 2000 Background Paper

HUMAN RIGHTS AND HUMAN DEVELOPMENT LEARNING FROM THOSE WHO ACT

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Introduction

Hundreds of thousands of non-governmental organizations (NGOs) promote development and thousands address the civil and political dimensions of human rights, but far fewer organizations have a rights-based approach to development. The times are rapidly changing, and many more groups now deal with rights and development. There are four main reasons for this shift:

- New geo-political realities, including the end of the Cold War, make it possible to address rights and development without being accused of taking a specific ideological stance;
- South Africa's lead in spelling out economic, social and cultural rights in its constitution, as a result of civil society activism, is encouraging others to follow;
- The fact that over a billion people still live in poverty in spite of decades of development suggests the time has come for a paradigm that is based on rights rather than needs or aspirations - as well as for tools and methodologies to show that such rights can be implemented; and
- Organizations that do not deal with issues of such compelling importance to so many people around the world would be marginalized, as Ann Blyberg of the International Human Rights Internship Program puts it.

This paper pulls together the experience of 20 people's movements and NGOs active in the area of rights and development. The list is by no means exhaustive, and there are several groups doing outstanding work in difficult circumstances. The ones in this paper were selected to illustrate different approaches in all five sets of rights, with an emphasis on rights and development. The groups work at the local, national, regional, and/or international level, and come from all world regions, North and South.

In selecting the groups, the main criteria were whether they had the realization of one or more rights as their objective, and used international or national instruments. Some of the groups selected had not previously thought of themselves as a "human rights organization", or "HRO", to coin a new acronym, even though their work clearly promotes one or more rights and they do use the instruments. This is an indication of the extent to which the term "human rights" remains hijacked by those who use it interchangeably with civil and political rights, without reference to economic, social and cultural rights.

It took an extensive search to find and select groups that promote rights and development, and to get a good mix of People's Movements and NGOs (a difficult task made easier by the people thanked on the cover page). Over 40 potential groups were contacted initially, and 20 were eventually selected from Asia (four), Latin America and the Caribbean (three), Africa (three), Arab States (two), Russia (one), Central and Eastern Europe (one), Canada (two), United States (two), and international (two). The fact that there are more groups from Asia, Latin America and Africa reflects my sense that there are more rights-and-development groups in those regions. The 20 groups deal with one or more specific rights, including: food, shelter, land, health, education, work, welfare, reproduction, environment, equality, information, free association, and free expression.

About half the groups are People's Movements formed by those who feel the violations of their rights and organize to secure them, and the rest are NGOs who see the violations of other people's rights and organize to support them.¹ Of course, the two categories overlap, and it is not always possible to draw a clear line between them. However, the distinction is important because one of the findings in this paper is the difference when issues are articulated by those whose rights are violated, as opposed to those who speak on their behalf (see Section A/3 "Finding a Voice"). Of the 20 groups,

- Eight are People's Movements set up by "rights-violated" people: Assembly of the Poor, Thailand; Concerned Citizens of Abra for Good Governance (CCAGG), the Philippines; the Grupo de Informacion en Reproduccion Elegida (GIRE), Mexico; Mashriqiyat, Palestine; the Movement for Nuclear Safety (MNS), Russia; the Assembly of First Nations (AFN), Canada; the Kensington Welfare Rights Union (KWRU), US; and Disabled Peoples International (DPI);
- Three function as People's Movements, although they include both those who experience the violations and their advocates: Mazdoor Kisan Shakti Sangathan (MKSS), India, the Prague-based Helsinki Citizens' Assembly (HCA); and ATD Fourth World;
- Two are NGOs that include rights-violated people on their boards and in their projects: the Centre for Equality Rights Accommodation (CERA), Canada, and Viva Rio, Brazil;
- Seven are NGOs working closely with rights-violated people: Development Initiatives for Social and Human Action (DISHA), India; Guyana Human Rights Association (GHRA); Land Center for Human Rights (LCHR), Egypt; the Social and Economic Rights Action Center (SERAC), Nigeria; Legal Resources Centre (LRC), South Africa; the Coalition of African Organizations for Food Security and Sustainable Development (COASAD); and Food First, US.

In addition to the work of the 20 groups, the paper highlights the efforts of four of the international NGOs that have made it their job to promote a global understanding of rights and development: the International Human Rights Internship Program (IHRIP), the International Center for Law and Development (ICLD), the Human Rights Council of Australia (HRCA), and the Center for Economic and Social Rights. Their global overview is very useful in assessing progress in this field, and they are in touch with many of the groups covered in this paper, helping them share experience, giving them access to international fora, and in other ways facilitating the growth of a global rights and development movement.

This paper is divided into four sections: Section A provides 10 tips from the field based on the experiences of the 20 groups. Section B gives a fuller account of the work of each group. Section C reviews the experience of the four international NGOs promoting global understanding of rights and development. Section D provides some concluding observations, and draws attention to a brewing crisis.

A. Ten Tips from the Field

Every one of the 20 groups covered in this paper works in a very different context. Yet enough common threads emerge from this body of experience to guide those seeking to promote rights and development. Since the story of each group's struggle is told in more detail in Section B, allowing readers to draw their own conclusions, this Section simply highlights ten overall observations.

1. Not By the Courts Alone

"All we knew was how to go to court. And we failed"
Felix Morka, SERAC

Strategies to promote economic, social and cultural rights may include but are certainly not limited to the legal, monitoring and violations approach used for civil and political rights. This observation is confirmed by several groups, particularly those that had been active in civil and political rights before expanding to include social, economic and cultural rights. The different strategies groups use include: a) engaging the people whose rights have been violated by moving beyond a narrow focus on civil and political rights, b) incorporating more sectors of society, c) developing alternative understanding of law, d) using a mix of courts and other methods, and e) investing in well-founded and multi-disciplinary research.

a) A powerful example of the need to engage rights-violated people by moving beyond civil and political rights comes from the work of SERAC in Nigeria. SERAC used to go to the courts to secure the rights of poor people to their shanty towns unless alternative accommodation was made available, and found this to be a hollow approach on its own. For one thing, even if they were successful, for example, in freeing imprisoned squatters, that simply gave people the "freedom" to go back to the poverty of the slums. For another, they were rarely successful in courts working in a context of dictatorship.

Most importantly, a narrow focus on civil and political rights did not engage with poor people's concerns, such as health, education, or shelter. Those were the rights that meant something to slum dwellers, not freedom of speech or expression; they were willing to mobilize around the former rather than the latter. This finding was a revelation to SERAC's director Felix Morka, who saw it as one reason why it was possible for a small group of military officers to control such a large population for so long. SERAC broadened its approach to deal with people's economic, social and cultural rights - to good effect. Among other things, it became possible to quickly mobilize large demonstrations against dictatorship.

b) Many more sectors of society - rights-violated people, development practitioners, policy makers, and others - need to collaborate to secure economic, social and cultural rights than are needed for the monitoring and violations approach used in civil and political rights. In addition, the collaboration is needed at the domestic level rather than at the international level. This understanding informs the work of groups like GHRA in Guyana, whose co-president Mike McCormack explains the difference between the two sets of rights as follows: civil and political rights deal with freedoms, while economic, social and cultural rights deal with equality.

He points out that, while the state can be held accountable for the "freedoms" side of the equation, both state and society are accountable for the "equality" side - for the prejudice that leads to discrimination against women, people with disabilities, "HIV-positives", children, and other forms of discrimination. Thus, he argues, methodologies suited to promoting equality are "likely to be technically less legal, more campaign or advocacy-oriented, directed at prejudice and culturally harmful traditions, and involving many more people than methods employed in the protection of liberties".

c) A different understanding of the law is necessary to argue economic, social and cultural rights. LRC is a group of lawyers that has dealt with land rights issues in South Africa for some two decades. Its director Vincent Saldanha gave a recent example where lawyers were able to argue for a community's right to at least a trickle of water, irrespective of the cost. However, in another case, a man applied to the court to have dialysis treatment restored but was unsuccessful; the court said it was not able to interfere with the decision of a state authority to allocate its budget.

Advocating an alternative approach to law was the backbone of the work by ICLD, one of the international facilitating NGOs described in Section C below. ICLD's efforts led to the establishment of some 19 groups of alternative lawyers in the Philippines alone to deal with the law in a way that was relevant to the real needs of poor rural and urban people. ICLD also worked on two other important fronts: raising awareness of people whose rights were violated as to how the law could help them and where they should take action to reform the law, and educating judges on how arguments promoting social, economic, and cultural rights constituted a valid application of the law.

d) Examples of using both courts and other methods come from many of the groups. CERA in Canada mediates with landlords in the bulk of the 1,200 housing cases it deals with each year. And, while it does go to court for individual cases, it tries to focus on "strategic litigation", that is, to take up those cases which give content to the law in a way that secures the rights of large groups of people. 2 The LCHR in Egypt uses both the courts to secure farmers' and children's rights, and mediation with elected officials.

At the same time, some groups that had not previously used the law and the courts in their work, are now bringing this into their tool box. For example, MSN which deals with nuclear safety in the Russian province of Chelyabinsk, is bringing lawyers into its membership so as to better use the courts and legislation at all levels, including the constitution.

e) Most of the groups have invested heavily in well-documented research on economic and social conditions in order to: help rights-violated people articulate their demands and organize around their rights, hold government to their stated local, national, or international commitments, and give content to existing laws and contribute to law reform. This can be seen in the work of groups as diverse as those tackling corruption in public works, such as MKSS and DISHA in India or CCAGG in the Philippines, dealing with women's equality before the law and within religion, like Mashriqiyat in Palestine or GIRE in Mexico, environmental activists in Russia, food security lobbyists like COASAD, and others.

Well-documented research is the first building block in a four-stage methodology developed by CESR, one of the international NGOs described in Section C below. Based on its field experience, the methodology begins with multi-disciplinary and thoroughly documented research, and moves on to advocacy, collaboration, and education.

2. Indivisibility Works

"If you are poor, you are not very free"
Pura Sumangil, CCAGG

Closely linked to the first tip from the field, is the observation that the work of many of the groups shows that human rights are indeed indivisible. The groups draw from all five sets of rights even if they have a specific entry point like poverty, the environment, land, or violence. The need for a comprehensive approach mirrors the recent understanding of the development community, which now talks of people-centred sustainable development or sustainable human development as a package that includes sensitivity to and grounding in political, economic, social, cultural, and environmental issues. Many of the groups selected for this paper opt for such a comprehensive approach not only in the areas they cover, but also in the project activities they support.

Perhaps the group that has best articulated the need for a comprehensive approach is India's MKSS, which argues that activists focusing on single issues are out of touch with people's concerns and cannot bring the multiple forces necessary to impact on the mainstream. Or, as CESR has found, it is necessary to work with public health, economics, social and environmental sciences, and law so that advocacy can challenge bad policy decisions as "violations of human rights".

Groups that have used one entry point opening out to a comprehensive approach include Viva Rio in Brazil, which began with the entry point of violence, and now deals with a range of other socio-economic and political issues, MNS in Russia, which began with the environment and now deals with health and resettlement, and LCHR in Egypt which began with land rights and brought in children's rights, the environment and other issues.

Perhaps most interesting are the groups using civil and political rights, where these are assured, to achieve economic, social and cultural rights. In some cases, they have capitalized on established democratic traditions, such as in India and in Canada, although MKSS and DISHA both had to fight - as MKSS still has to fight - for the full realization of the right to information. In other cases, groups took advantage of emerging democratic space, as in Nigeria, South Africa, Guyana, the Philippines, and Russia, to work on economic, social and cultural rights. However, in some cases the democratic space is shrinking, as in Egypt and Russia, forcing activists to work with both sets of rights firmly in view.

GHRA in Guyana believes that some sequencing is necessary, in that civil and political rights are needed to use the new methodologies it has developed for economic, social, and cultural rights, which require broad participation and education. For many human rights activists in Africa, like SERAC and LRC, the debate is settled in favor of integrating the five sets of rights.

Some of the groups working with poor and disadvantaged people also help communities organize to meet their needs for food, work, and services. Without such "projects of survival" as KWRU calls them, disadvantaged people do not have time or energy for collective action to secure their rights.

3. Finding a Voice

"We used our judgment of what rights should be and how we should be treated as citizens" - Assembly of the Poor

When rights-violated people set the agenda, the priorities that emerge are very different from those that come out when their advocates do so, no matter how well meaning the advocates are. Again and again, human dignity - the core of human rights - emerges as the most pressing concern of those whose rights have been violated, when they are allowed or empowered to articulate them. For example, the founder of Fourth World, who had himself grown up in poverty, wanted his movement to first address the humiliation poor people suffer when they are treated as charity cases.

Groups like KWRU, which are set up by those whose rights have been violated, insist on articulating their rights without a filter. DPI was established when people with disabilities were invited to a conference on disability, but had to listen to others speak on their behalf. The Assembly of First Nations was formed to ensure that its 633 communities across Canada were able to articulate a consistent message. Several groups, like SERAC and MNS, help communities build their own organizations to ensure that they can collectively articulate and defend their rights.

Other techniques are used to give people whose rights have been violated a voice. The volunteers in Fourth World or the non-poor members of MKSS, use techniques like receiving a minimum wage and living in the same areas as people living in poverty. MKSS ensures that the people's daily language is used, and says that as a result all the concepts and slogans in the freedom of information struggle were developed by the people themselves, people who had hitherto been dismissed as "illiterate and uneducated". Being able to really listen to the poor, Fourth World finds, leads to completely different project design.

Groups like Viva Rio in Brazil and CERA in Canada ensure that people whose rights are violated are represented on their boards and in their membership. Several groups use their access to power and influence to bring the voice of the people to the negotiating table. ICLD brought poor people to the international arena when the right to development was being negotiated in the mid-1980s, and Fourth World uses its observer status at the UN to enable poor people to take part in negotiations. In fact, Fourth World's advocacy led to the appointment of a Special Rapporteur on poverty and human rights, and to developing his report with the participation of people living in poverty.

So as to give at least some voice to the people whose rights are violated, CERA and other Canadian organizations lobbied the Committee on Economic, Social and Cultural Rights to allow NGOs to make presentations. This, CERA believes, has transformed the deliberations of the Committee from abstract discussions to decisions that could be used in national courts, making ESC rights justiciable.

4. Managing the Relationship with Government

"The State is ours"
MKSS

Several groups are flexible enough to change their relationship with government in response to changing circumstance. In many cases, the relationship has improved and groups now work with government or as advisors to government, for example GIRE in Mexico which works on reproductive rights, or CCAGG in the Philippines which is now so respected it serves on a government contracts committee, or DISHA in India which helps officials as well as parliamentarians interpret the budget.

In Canada, the Assembly of First Nations reports, the relationship with government warms and cools depending on the prevailing political winds. Knowing how to work at different levels of government - national, regional, and local - has also been identified as a good strategy by groups like AFN, Assembly of the Poor, MKSS, CCAGG, MSN and others.

The extent to which a group will use adversarial tactics vis-à-vis authority (none of the groups use violence) appears to depend on the resources available. The most resource-poor groups are the ones that most use an "in-your-face" strategy. Both the Assembly of the Poor in Thailand and KWRU in the United States bring as large a number of their members together as they can, and park themselves for as long as possible in places where they are most visible both to government authorities and to society until negotiations on their demands are initiated, after which they keep up the pressure as necessary.

Other adversarial tactics used towards authority include the exposure of corrupt officials, as done by MKSS, CCAGG, and DISHA, and more recently by MNS in Russia. MKSS sees the ultimate outcome of its work as putting government back in the hands of the people where it belongs, making it truly accountable on a long-term basis and not just when elections come about.

A different approach is adopted by those that, like GHRA in Guyana, draw the distinction described in 1 above between freedom and equality. Since GHRA believes that violations of rights are the result of "disordered relations of power" at all levels, government is not the only body accountable for economic, social and cultural rights, and other sectors of society need to address and meet their accountability in this regard.

5. Enriching the National and International Rights Framework

"Legislation designed to favour people with disabilities is the only way to achieve permanent change" - Lucy Wong-Hernandez

Many groups are consciously giving new content to rights already enshrined by law. In India, DISHA has used the fact that budget books have to be available by law to expose the way budget allocations miss tribal peoples. MKSS uses the Indian Constitution's guarantee of the right to life and livelihood to protect the right to information, an "approach the courts can use". MNS uses the Russian constitution and other laws to fight for environmental rights, while Mashriqiyat uses the Palestinian declaration of independence and other laws to fight for women's rights. AFN has an even more ambitious agenda: to work aboriginal values into the system so as to transform the legal mainstream itself.

Several groups' work provide evidence of ways in which existing economic, social, and cultural rights are justiciable. For example, SERAC recently challenged the Nigerian Government's decision to deregulate the education sector. LRC's victory in the right to water case in South Africa, gives content to the economic, social rights and cultural secured in the constitution by its efforts and those of other groups.³

The groups are also working to reform the law to bring it into line with internationally accepted human rights. Both SERAC and LRC in Africa are partnering parliamentarians to do so. The Assembly of the Poor in Thailand is keenly aware of the importance of securing its members rights in law, and they participated actively in the drafting of the Constitution and other laws - which are then used to protect members' rights.

Several groups use international instruments in their work, and seek to hold governments accountable to the rights articulated and developed in the Universal Declaration, the two Covenants and many of the conventions, laws and rules (women, children, labour, indigenous peoples, disability). GHRA has found the conventions more useful than the covenants because they are more specific.

Some of the groups are also active in evolving international human rights law so that it can be used on the domestic front. DPI, for example, redirected its strategies towards becoming a human rights organization in 1994 to get policy change and new legislation . It was very active in the evolution of the Standard Rules on disability, which it now advocates at the national level through its member organizations. CERA uses Ontario's human rights code as well as the Canadian Charter of Rights and Freedoms, and has worked at the UN's ESC Committee to secure rulings on Canadian rights violations in a way that can then be used in courts back home.

The difficulties posed by the lack of an optional protocol for ESC rights has been noted by several groups, including KWRU and CERA. KWRU noted it was forced to hold a tribunal of US ESC rights violations in the street across from the UN because there was no optional protocol. CERA believes the lack of an optional protocol contributes to reducing ESC rights to the level of "aspirations" and undermines their "justiciability". This is one reason why it worked so hard to secure NGO presentations to the Committee on ESC Rights debates, as an interim measure to get rights-violated people's voice to the table until an optional protocol could be developed.

6. Building Institutions and Leadership

"You only get what you're organized to take"

KWRU

There is an implicit recognition in the work of many groups that they are in this for the long haul, which requires heavy investment in institution-building and in new leadership. Most groups have been in existence for over five years, and some for close to a decade or two. They use several ways to keep their membership engaged and committed, including formal mechanisms like boards and assemblies to discuss issues and decide on policy. One sign of success of a healthy institution is the "committed volunteerism" that a group like CCAGG is able to tap, with the "first, second, and third generation" volunteers still there.

It is interesting that the groups adopting a comprehensive approach to rights also bring people together that have diverse backgrounds and skills, for example, SERAC, CCAGG, Viva Rio, AFN, MKSS, GHRA and others. Viva Rio has been able ways to bring together people with a shared concern - the fate of Rio - who would otherwise find themselves in opposition, like competing media barons, or business leaders and trade unions.

Investment in institution-building has been found to be particularly important for those groups that start local and then go national, like AFN or the Assembly of the Poor. In both cases the leadership speaks on behalf of rather than "for" its members, and both have ways to ensure that community chiefs feel empowered rather than displaced by the national structure. As for regional institution-building, some groups, for example in Asia, find it hard to engage at the regional level because of language barriers. However, the 112 African NGOs that formed COASAD are already finding benefits in influencing African as well as international policy makers on food security, even though it does not yet have its own offices and resources.

Several of the groups emphasize the importance of investing in new leaders, even though many groups owe their establishment and functioning to a strong leader or a small group. KWRU emphasizes the importance of a core of committed people who have an understanding of strategy, and a political education, and believes an important success is the number of leaders it has produced, which it estimates at 3,000. One reason the Assembly of Poor moved its "village of the poor" strategy from the capital to the regions was to build new leadership, which the group had recognized as a weak point.

The role of women stands out in establishing many of the groups, not just the ones that deal with the human rights of women like GIRE and Mashriqiyat. CCAGG, KWRU, MKSS, and MNS are

among the groups where women either established or were key to establishing the groups. Both the Assembly of the Poor and the AFN are committed to developing women's leadership.

Many have well thought out carefully organizational strategies, and the successful groups continuously evaluate and redirect their strategies, to ensure they are in tune with their members' wishes and to measure success. Some, like GIRE, Food First, and Mashriqiyat conduct polls to assess the impact of their campaigns and redirect their strategies. Viva Rio is perhaps the group with the most clearly stated and measurable indicators of success.

Electronic tools are used by several of the groups to facilitate their work both within and across countries. DPI's international headquarters is in Winnipeg, Canada, but one of its presidents lives in New York, facilitating the group's access to the UN. Fourth World is based in Paris, with volunteers and members in over 126 countries; HCA covers large parts of Europe and COASAD spans Africa.

With the exception of MKSS, the groups supplement their members' resources with funds from a range of national and international organizations, without seeing any difficulty in maintaining an independent line. MKSS refuses to do so, not only to secure its independence, and accountability to its members, but also because "there is a contradiction in receiving money from abroad to conduct political campaigns within our own country". By contrast, the international funds that MNS receives enable it to be independent from local pressures in Russia.

7. Educating People

"An atmosphere in which policy-makers confidently speak of development as the realization of rights represents real progress" - Mike McCormack, GHRA

Most of the groups invest heavily in human rights education - of their members, of rights-violated people, and of society at large. Groups like MKSS found that the struggle itself provided the best education for its members. GHRA found that by continuously explaining ESC rights to others, its own members evolved their understanding of these rights. The Assembly of the Poor brought experts, including former prime ministers, to educate its members on human rights. The regional African group COASAD knows it has a long way to go in terms of educating its member NGOs to deal with food security as a right. The international group DPI educates its members on new instruments - like the Standard Rules on disability - so that they can educate others and advocate their rights.

In several cases, groups worked to raise awareness of rights-violated people, for example, in CCAGG's work with indigenous peoples in Abra who were first surprised to find out they had rights, and then organized to achieve them. LCHR in Egypt had to spend a lot of time educating farmers about their rights and the rights of their children before they would agree to take steps to achieve them.

Several groups educate the public - particularly teachers, the media, civil servants, and development practitioners - on human rights. In Africa, LRC educates paralegals and others about the implications of new laws, while in Mexico GIRE holds workshops for civil servants and others

on reproductive rights. GHRA's methodology is intended to educate development practitioners and policy makers, so that human rights become a routine part of policy and law.

HRCA, one of the international NGOs, focuses most of its work on educating development practitioners in bilaterals, multilaterals and NGOs on how their work can promote human rights - so as to move beyond the prevailing belief that all development activity automatically promotes human rights.

8. Investing in Partnerships

"To make concrete and visible the abstract concept of citizenship"

Rubem Cesar Fernandes, Viva Rio

The groups are remarkably sensitive to public opinion, very media-savvy, and invest heavily in their partnerships. Viva Rio would be "unthinkable without the media", and often uses symbolism in its work. The Assembly of the Poor makes good use of major media-worthy events: it was launched on the sidelines of a meeting of the Association of South East Asian Nations. CCAGG's members include media professionals, which helps them expose corruption more quickly. GIRE in Mexico has as one objective of its education campaign the increase in the number of well-informed spokespersons to deal with the media.

At a time when major organizations still have difficulty establishing and maintaining websites, it is remarkable how many of the groups even - or perhaps especially - the resource poor ones have websites and email (see contact list). KWRU is often in debt, but the bills that get paid first are its phone, post office box and website, which gets around 100,000 hits a month.

GHRA is the group that most consciously sees coalition-building as part of its methodology. Some of the groups are forging innovative partnerships with the private sector. Both Viva Rio and AFN are working to get corporations to establish themselves in disadvantaged areas.

All the groups recognize the value of national as well as international outreach and alliances to their work, and have a wide range of partners across continents, whether they are resource poor groups like Assembly of the Poor or KWRU, trapped under occupation like Mashriqiyat, or indigenous like AFN.

IHRIP, one of the international NGOs covered in Section C, made coordination part of its mandate as soon as it had identified the need to break the isolation within which groups worked, as well as their innovation in finding ways to deal with the new area of economic, social and cultural rights. It regularly brings groups together to share experience and gives them the space to translate operations into concepts.

9. Assessing Impact

"Retention rates skyrocketed once the community was able to deliver more meaningful education to its people" - Al Torbitt, AFN

Of all the groups, the one that is most able to assess impact in qualitative as well as quantitative terms is Viva Rio, which has a grasp of indicators of success that puts many international organizations to shame. However, all the groups are able to assess the impact they have had in one way or another. It is possible to assess the impact of MKSS, for example, by the fact that Indian civil servants went on strike to protest a decision to allow MKSS to photocopy documents. Moreover, MKSS right-to-information work led to a nation-wide campaign by a coalition of Indian groups against the provisions of the official secrets act.

At a minimum, these groups have imposed themselves and their issues on the public consciousness, like Mashriqiyat in Palestine, GIRE in Mexico, KWRU in the US, ensuring that the rights they represent are not swept under the carpet. In addition, several groups have been able to effect improvements in the lives of their members, while at the same time improving the overall policy framework to secure their rights. For example, the Assembly of the Poor was able to get six out of 121 problems facing its member networks resolved, participate in drafting the Thai constitution, and secure participation in reform of other laws.

Groups like SERAC in Nigeria, CERA in Canada, and LRC in Africa, can point to many cases where individual rights to land and housing were secured, as well as to cases where the law was reformed or where new interpretations were introduced. MNS has been able to make the case for the resettlement of the community of Muslyumova, affected by nuclear radiation, and to ensure that the issue stays in the news and on official desks.

AFN was able to secure the right for its members to manage their own education, leading to a dramatic improvement in enrollment and success ratios - and to begin to transform the legal mainstream by introducing aboriginal values.

GHRA can point to many new laws and policies in the Caribbean for which the Caribbean Initiative can take credit. Fourth World's work led to the appointment of a rapporteur on poverty and human rights, and the beginnings of a change in the international discourse.

10. Dealing with Constraints

"Courage is one of our strategies"
Marwa Qassem, Mashriqiyat

In summarizing the work of the groups, it is important not to leave the impression that their path was smooth. Many leaders and members have faced or continue to face threats to their existence and livelihood. One of CCAGG's young members was murdered in the early days of their campaigns against corruption, and others were harassed. Viva Rio members working on the human rights counters face threats from gangs organized against drug lords. Other groups facing physical or verbal harassment include MKSS, MNS, and Mashriqiyat. In these cases, groups simply swallow their fear, strengthen their alliances, and press on until their position becomes too strong to attack. The work of some of the groups, like that of HCA in conflict situations in Europe, puts members in danger.

The aims of groups as diverse as the Assembly of the Poor in Thailand and LCHR in Egypt have been misrepresented by officials and the media. The Assembly of the Poor handled such

constraints in a variety of ways, including by educating the public and moving the "villages of the poor" to the regions and away from the capital. LCHR invested in relations with elected officials and governors, to get the correct message across.

Almost all groups face resource constraints, which GIRE for example finds especially galling in the face of the well-resourced religious and political right wing in Mexico. Indeed, the attitude of local or national authorities is another constraint to the work of groups like MNS, which was asked to spy for the authorities at one point, to DISHA, which initially found it hard to secure documents, and to MKSS, which still finds it hard to do so.

B. People's Movements and NGOs Seeking Rights and Development

1. Assembly of the Poor

a. Background and Objectives The Assembly of the Poor was formed in Thailand on 10 December - Human Rights Day - in 1995, bringing together representatives of six networks of people's movements that describe themselves as having suffered from "four decades of Thailand's economic and industrial policies". The Assembly fights for its members' economic and social rights; some of the members do not have citizenship and are also fighting for civil and political rights. The six networks are formed by people affected by dam projects, land and forest conflicts, government infrastructure projects, and slum problems, as well as exploited workers. It is hard to estimate the numbers involved, but the Assembly can pull together some 20,000 people for months-long rallies.

The Assembly used the occasion of an ASEAN Summit to launch the movement and invited representatives from other Asian countries and international NGOs to its launch rally. It called on the summitteers to "review their economic development policies which destroy the environment and violate human rights" and to address the hardship of the under-privileged.

In articulating their objectives in terms of rights, the Assembly members used "their judgment of what their rights should be and how they should be treated as citizens"⁴. They have also educated themselves about human rights, inviting experts to talk to them, including a former prime minister. The Assembly wants resolution of 121 problems members face, as well as reform of five laws and two policies.

b. Strategies The Assembly of the Poor's main strategy consists of non-violent ongoing rallies, which it calls the "Village of the Poor" and which last for months on end, until government enters negotiations on their demands. The first such "Village" was established on 25 March 1996 outside Government House in Bangkok. It brought together over 10,000 villagers affected by four categories of problems from 21 provinces, and lasted a month.

The strategy is very time-intensive and requires commitment and organizational skills. Although the March 1996 rally resulted in a Cabinet resolution, Assembly members found that "without pressure by the rally, bureaucrats, both in Bangkok and provinces, appear to ignore the April 22 Cabinet Resolution" ⁵. Eventually, the Village of the Poor had to be re-established in January 1997 outside Government House. Some 20,000 villagers, including members of all six networks represented in the Assembly camped there for 99 days. The Village was managed by "big chiefs" or core

representatives from each group of problems, together with advisors who belonged to NGOs or village leaders with experience, and who assisted with negotiations, press briefings and relations with the public.

Even after these and other protests, when over 100 representatives of the Assembly of the Poor prepared a 500-page chronicle about their problems to present to the prime minister on 17 November 1997, "no representative from the government showed up to greet the villagers. The document with a letter was put in front of the gate of the Government House." The government did form committees to deal with the villagers' problems, which by end 1998 had resolved 18 out of the 121 problems.

The Assembly has changed its strategies as it has learned from experience. Prasittiporn Kan-Onsri, explained, "They realized that the strategy of big national demonstrations in Bangkok can lead to success to a certain degree, but it doesn't solve all the problems. After the villagers reviewed the strategy they felt it was not very effective; they were no longer willing to come to rallies in the capital any more". Now the movement holds demonstrations in each of five different regions when an issue comes up, as well as organizing forums to exchange experience and provide support.

This strategic redirection enables the Assembly to avoid appearing anti-government at a time when the country is going through a severe economic crisis. It also enables members to engage with problems closer to home, identify solutions, and breed new leaders. The need to systematically train and develop new leaders has been identified as an area for improvement by the Assembly.

Four regional "villages" had been held by the end of May 1999. By the end of August 1999, the longest such village was the protest against the results of the Pak Mun Dam project, which had been going on since 23 March 1999.⁶ The Pak Mun villagers launched their protest because previous agreements had not been kept. They stated, "We, the people who have been affected by development projects, have chosen to seize Pak Mun dam because this dam is the symbol of development, which has caused us serious social and environmental problems. We will fight until we have justice and the dam builders resolve our problems".

The Pak Mun Dam protest is a clear demonstration of how regional rallies can tap people's reserves of ingenuity and leadership, as Prasittiporn Kan-Onsri explained, "The 3,000 households are quite well prepared and the villagers have thought of many ways to sustain and prolong the demonstration and lead their lives at the same time. They have built temporary shelters to live in and established a school for their children. They invite politicians, academics, and NGOs in the region to come to discussions with the people. They are also trying to bring back indigenous knowledge, and have established a traditional hospital. They've established cooperatives to sell the products they need for daily consumption at cheaper prices. And, as they need moral support, they've built a small temple and ordained some community wise men as buddhist monks."

Women are emerging as leaders in the Assembly and articulating issues from their perspective. Women are active participants in the protests, often marching in the front rows of demonstrations to reduce the possibility of tension with the police. Currently, an estimated 25% of the leaders are women

c. Instruments The Assembly is keenly aware of the importance of establishing their rights in law. The laws it wants reformed are: the Community Forest Act, the Slum Act, the Agriculture Rights Act, the Rights to Information Act, the Administration Court Act. It also wants a policy on fair distribution of land, and the principle of public participation in debate when ratification of an international agreement is being considered.

As a result of its organization, the Assembly has been able to influence the new Constitution. As Prasittiporn Kan-Onsri explained, "Some issues consistent with what the villagers think should be their rights have been included in the new constitution adopted in 1997, which they proudly call the people's constitution because they had a role in contributing to it. It is the first one ever drafted with people's participation." Allies of the Assembly have used the new Constitution to good effect. In a document entitled, "The Government must solve the problems of the people", the Assembly of Academics for the Poor criticized the Royal Forestry Department for corruption and mismanagement, and described its actions as being in direct conflict with the 1997 Constitution, and in particular with six articles intended to protect people's rights.⁷

d. Constraints The Assembly's main constraints are the economic crisis and the frequent change-over in government - five - since they were formed. For example, in late 1997, when parliament was dissolved and the prime minister resigned, "all the government mechanism which was assigned to solve the poor's problems stops functioning." Another change of government followed the 99-day protest launched in January 1997. Other problems they face include misrepresentation of their aims (as political acts against a specific government in power), and threats against their representatives.

The Assembly also faces constraints in maintaining regional or international networks because of language and, according to Prasittiporn Kan-Onsri, limited capacity to analyze cross-regional issues. Nevertheless, in June 1999, it sent representatives to stand in solidarity with the protesters against the Narmada Dam project in India. In August 1999, it was the local host for a workshop of peasant women leaders from East and Southeast Asian Countries, in preparation for the 3rd La Via Campesina International conference in Bangalore in October 1999. ⁸

e. Impact In spite of the slow and frustrating course of their struggle, the Assembly has produced results. Negotiations have taken place with government officials at several points and 18 of the 121 problems have been addressed. In addition to contributing to the new Constitution, the Assembly believes it has:

- Enabled forest-based communities to help draft the Community Forest Bill;
- Forced the cancellation of many "unaccountable government projects", including the Sai Buri dam project in Yala, the Kam Saming Industrial Estate project in Ubon Rachathani, and the Hazardous Waste Treatment project in Rayong, Pluak Daeng district;
- Influenced a policy to include small scale farmers in the drafting of the Eighth Economic and Social Development Plan; and
- Secured compensation for workers who developed health problems, and government agreement to establish an institute to protect workers' safety, health, and working environment.

2. Mazdoor Kisan Shakti Sangathan (MKSS - Association for the Empowerment of Workers and Farmers)

a. Background and objectives The MKSS was formed in the Indian state of Rajasthan in the late 1980s as a "local, independent organization of peasants and workers", covering an area where about 300,000 people live. It describes itself as a "non-party political organization", and places itself at the other end of a spectrum of non-governmental efforts in India that begins with charitable organizations and ranges through foreign and locally funded development organizations.⁹

It is a "political organization" in its "broadest connotation, including an examination of the norms for power sharing and distribution... The poor cannot get a greater share, unless they can understand and operate the political structure". The main objective is to "return" the state to the people (one reason why MKSS does not define itself as an NGO): "The concept of the State being outside ourselves, we felt, had to be turned around. The State is ours, usurped by a ruling elite. Some of the slogans which have come out of struggles are indications of this changed perception. 'Hamara paisa - hamara hisabi' (our money and our accounts) and 'Sarkar hamare aap ki... nahin kisi ke baap ki! (the State is ours not the inheritance of a feudal few)".

The MKSS defines human rights as a package of both development and democratic rights. "The primary concern has been to work with those who have been denied a right to live with dignity". Its work covers all five sets of rights and it has shown just how crucial a civil and political right - the right to information - is to securing social and economic rights. Its right to information work led to a nationwide campaign by a coalition of NGOs, and to expressions of fear by and threats from civil servants.

b. Strategies MKSS works on many fronts - indeed, that is one of its strategies - but it has become most known for its right-to-information work, demanding access to official documents to expose cases of underpayment of wages to local people, inflated estimates for public works projects, poor quality materials, over billing, and diversion of subsidized goods for sale at full market price.¹⁰ In order to secure access to documents - and permission to photocopy - MKSS has had to organize public protests and demonstrations.

Once it secures the documents, the MKSS holds jan sunwais (Public Hearings), a "collective method for analysing the official information it has been able to obtain by persuading sympathetic bureaucrats, or by putting pressure on those who were less forthcoming... detailed accounts, derived from official expenditure records and other supporting documentation are read aloud to assembled villagers... elected representatives and local government are also invited to attend. These orderly hearings are presided over by a panel of respected individuals from within and outside the area."¹¹ The MKSS uses these "social audits" as a forum for exposing the nature of democratic functioning at the most tangible and immediate level: the village panchayat, a way for people to understand both how corruption works and the way it can be fought. Information, in this case, is not only as a fundamental right of all citizens but "a right for survival for the poor".

A main MKSS strategy is to "work in the mainstream; it is therefore important that the MKSS work with issues that affect people and impact the mainstream, both politically and economically". These range from "communalism, caste factors in electoral politics, corruption, gender issues in a feudal

society, human rights violations, to mismanagement of development, in particular in the context of 'economic liberalization'. These are all concerns which affect large numbers of people in a similar manner all over the country". The movement believes that organizations focusing on one or two issues are not able to have the necessary impact on large spheres of mainstream decision making, to "capture state power", or to use the space and energy generated by electoral politics.

Thus, several MKSS tools have more than one objective. For example, it operates small grocery shops set up with interest-free loans, since repaid, from the people themselves. The shops:

- offer good quality at fair prices;
- impact prices in the local market, allowing "the community to understand methods of exploitation in price and quality, and the kind of price manipulations taking place in the name of the free market";
- generate enough of an income to pay for the salary a local activist per shop; and
- provide an MKSS forum to communicate with the small urban centres from which they are otherwise isolated.

Like the public hearings, the MKSS shops generated negative reactions, in this case from shopkeepers and others involved in abusing the rationing system - but the MKSS shops enjoy the popular support of consumers.

The way the MKSS works has been as important as the subjects with which it deals. Decisions are made collectively, as are questions of leadership. Most MKSS members come from poor families in the local areas. The organization has a small number of full-time workers who all draw the statutory minimum wage. Only three members hail from urban and privileged backgrounds¹², but they are committed to matching their lifestyle and work ethics with that of the community (although they use additional facilities like computers and email).

The MKSS neither seek nor accepts funds from external or Indian institutions. It sees this as restricting its freedom of operation and putting in question its accountability to the people. In particular, it feels "there is a contradiction in receiving money from abroad to conduct political campaigns within our own country, when there is a democratic system in existence which we feel should be activated to exercise our rights". Thus, "All moneys raised for local activities including demonstrations have come from local residents. Activities and movements like the Right to Information movement, been supported by people from all over the country. The best way to reduce dependence on funds is to keep expenditure as low as possible. The organization spends very little money on its infrastructure development. It also feels that when individuals contribute personal funds to a cause a more organic relationship is built up".

By committing their own time and efforts, MKSS members and supporters learn about their rights and how to achieve them. "When a subsistence farmer or daily wage worker foregoes that basic economic support for the day to participate in anything, that person is serious about the issue. Later on, when they bring forward cases, there is full understanding about the relevance and importance of human rights in their lives. The process of struggle, in other words, is the best educator".

As a result of these approaches, "the issues raised by the MKSS - including the right to Information - have been ideas shaped by people who were dismissed as 'illiterate and uneducated'. The MKSS believes that workers and peasants should not be limited in their battles to survival issues alone, where they are always on the fringes of policies decided by others. They must also aim to raise fundamental issues of governance and polity. In a functioning democracy, questions raised at a small, local level can and must impact the larger fabric of governance, because the governing principles are the same".

MKSS is able to work and network with a large number of national and international organizations and professional associations, including the Narmada Bachao Andolan, the Fishworkers Forum, the movement for Tribal Self Rule, and the Rural Workers Campaign. Through alliances spanning different categories of people, "the plurality of concerns is recognized by all, while the priorities of the most disadvantaged is recognized as being primary". It also works with organizations that are more "conventionally recognized" as human rights organisations at the grass roots as well as at the state level; like the Peoples Union for Civil Liberties (PUCL), Amnesty International, and with campaigns like the Anti-Nuclear Campaigns and others.

The organization remains in touch with people's concerns by evolving the language of its ideology from that used by its members. "For the people it has been easier to understand and adjust to a theory that has evolved through their immediate needs, never seen in isolation and always related to larger political, social and other values in society". This also keeps the membership sensitive to new opportunities for action.

c. Instruments As a local organization, MKSS does not find it useful to use international treaties and conventions in its work, but it does often resort to local laws like the Minimum Wages Act, the Land Reform Laws, and the Scheduled Caste Atrocities Act amongst others. Jenkins and Goetz note that by locating "the right to information within the Indian Constitution's provisions guaranteeing the right to life and livelihood" the MKSS are using an approach that courts have been able to use in rulings protecting the right to information.

MKSS point out that the Constitution and years of struggle have produced many progressive laws, but the enforcement is "corrupt and oriented to the status quo". Nevertheless, legal entitlements do make some space for struggle and protest and, "in India today, solutions to the prevalent lack of ethics in governance will have to be sought in the context of peoples rights and responsibilities. The Indian Constitution says that the sovereignty of India vests in its people".

d. Constraints The MKSS faces several challenges, in addition to the difficulty in securing access to the documents it needs for its work, and to threats from disgruntled civil servants, shopkeepers and others. For example, it has a long-term interest in basic electoral reform, working with people "to evolve modes by which political parties and their representatives are made constantly accountable to the people themselves". However, given there is little to choose from between candidates, the movement is facing the challenge of "understanding when, where and how, the democratic processes the MKSS has been working on, can converge with the electoral process", so as to expand the meaning of democracy and accountability of elected representatives beyond the very narrow definition of casting votes once every five years.

Other constraints arise from the choices MKSS has itself made. For example, it has chosen to keep its formal structure small so as not to sacrifice quality and commitment for size, although this poses problems of scale, and means that "while the MKSS has a world view on many issues, its impact on the wider canvas is limited to only a few issues".

e. Impact Although MKSS was not able to hold many *jan sunwais* because it was so hard to obtain copies of documents, it succeeded in proving that the right to information - normally seen as a civil and political right - is essential for poor people to secure their economic and social rights. In fact, its impact has been nation-wide, and in 1996, several local and national Indian organizations launched a National Campaign for People's Right to Information to reform the provisions emanating from the 1923 Official Secrets Act.

Another measure of MKSS success, as Jenkins and Goetz note, is the amount of resistance it has generated: in 1996, a state-wide strike of village-level development officers followed the decision of one district officer to allow MKSS activists to photocopy documents.

In addition to identifying the crucial importance of the right to information for social and economic rights - linking a "first generation" right with a "second generation" right - Jenkins and Goetz note that MKSS gave meaning to the discourse on transparency and accountability and "demonstrated the potential for collective action among groups that tend to shun organised 'political' activity".

3. Development Initiatives for Social and Human Action (DISHA)

a. Background and objectives DISHA was established in the early 1990s in the Indian State of Gujarat as the representatives of groups of tribal and forest workers that have some 80,000 members between them (including agricultural labour, forest workers, mine workers, migrant construction workers, village groups, women's groups). It has been using the right to information to analyze state budgets and the extent to which allocations match public statements and declarations to alleviate poverty.¹³ It defines development "as that which changes the power relationships in a society in favour of the poor"¹⁴.

It began by dealing with the issue of enforcing the minimum wage for people working in forest areas. "The conditions were like slavery," explains DISHA Director M. D. Mistry, "there was hardly any human dignity or observance of the law. As part of this work, we began to look at why area had not developed and why employment opportunities had not been created. We looked at the money spent by the state, and that's how we began to look at the state budget".¹⁵

The budget was where DISHA believed it was possible to see the "commitment of any nation state to any social or cultural right or the right to development. The financial allocation in the budget instrument is the best indicator to find out if a government is keen to provide shelter and housing, or to employ more policemen".

b. Strategies The DISHA approach was daunting. The members had no background in economics, but had to somehow master the figures in a budget laid out in 22 books covering some 4,000 pages and 4,800 budget heads. They also had to ensure they made no mistakes as they fed the figures into their computer.

"Gradually we mastered the coding system - sectors, sub-sectors, programmes, schemes. All this has to be classified to arrive at how much money the State Government spends on a child in a specific area, and looked at from year to year. When we got confidence in our knowledge, we issued a report saying that this was nothing but injustice to the tribal people of the State of Gujarat. This was the first report of its kind on the situation of the tribals, complete with facts, figures, and graphs".

In the beginning, DISHA had a problem securing the budget books in time to analyze them before the debate in the state parliament, but it managed to get them through the elected representatives. It monitored the information from year to year, and exposed the findings - whether the funds allocated to constructing roads to specific villages had in fact gone for that purpose - bringing these to the attention of the relevant authorities.

In 1994, DISHA members discussed whether they should bring their analysis to the State legislature and, if so, to all members or only to certain groups. They decided to distribute the analysis to all parliamentarians, the press, and leading citizens. This ensured that the information was widely used and discussed, rather than buried by ruling groups. Since then, DISHA has published a number of papers and analysis which have: influenced forestry policy; analyzed schemes reaching a large number of people; shared findings with disadvantaged groups about the department dealing with their welfare; and helped groups draw up Charters of Demands for increases in allocations. Its comparative budget analysis also establishes trends over time and across sectors as well as groups of people.

DISHA's budget work builds on more traditional struggles by its members, including the courts, demonstrations and protests. For example, forest communities cultivated their land but had no legal title to the land, resulting in fines and harassment. A 10-year struggle resulted in a decision three years ago to give titles to 67,000 men and women farmers to 124,000 acres of land. "This increased food production, brought in more income, and stopped migration".

DISHA is training other organizations on how to analyze budgets, and have so far trained people in five Indian states - the aim is to train at least one NGO in each Indian State. The training usually begins with an introduction by DISHA, and then some four days intensive work in the DISHA offices. A training session from activists from 15 states was planned for September 1999. Activists from Nepal have also come to learn from the movement. "The information in the budget is so useful," Mistry says, "if only civil society activists would use it". The signals "coming out of such an exercise are 'actionable'. Some specified agency can act on the signals before the next budget. Those who want government agencies to act, do something, perform, should do budget analysis".¹⁶

Most of DISHA's funding is from foreign NGOs in the United Kingdom and America. The members also contribute to the running of the organization.

c. Instruments In India, the budget books have to be made public by law. Beyond that, DISHA does not think there is legislation to cover the kind of struggle it has opted for. When it goes to court, it refers to the Universal Declaration of Human Rights and the Economic, Social and Cultural Rights Covenant.

d. Impact The allocations to tribal areas have increased substantially since DISHA began - at the start, the allocation was 12% of the budget, and is now 18%. Because their research was so solid, DISHA soon earned respect as an institution "that was not just shouting slogans and marching, but presenting very sound arguments on the basis of facts and figures. People now come to us for information on the budget - we are the only institution in the country that classifies and analyzes the budget".

Their work is helping to change perspectives on what is defined as a right. For example, they are analyzing the state budget to see where the money would come from if the right to food of people living below the poverty line were to be met.

4. Concerned Citizens of Abra for Good Governance (CCAGG)

a. Background and objectives CCAGG grew out of the volunteer effort to monitor the 1986 elections in the Philippines province of Abra, one of the poorest in the country which. "When we came to bid goodbye to each other after the elections, several objected. In preparing for, during, and after the elections, we found we could do so much if we were united - so why break up the group? There was so much to do in Abra; it was a difficult place to work, and nobody dared complain - if you did, you were found by the wayside. People were already at home behind closed doors at 6:00 pm."¹⁷

The group then set about defining its objectives, and decided to focus on good government. "Our objectives are very political but also non-partisan," explains Pura Sumangil. "We aim to organize and catalyze people along democratic lines, to ensure they can speak up and that government officials will listen to them. We want to get people's concerns placed on the political agenda so as to become economically emancipated - if you are poor you are not very free. You cannot work for the good of community: you have to attend first to your daily needs, your subsistence".

CCAGG has since become nationally known for its work in exposing corruption in public work projects, which members selected because they saw that the problems of poverty were being exacerbated by corruption in public works. After considering the question of whether CCAGG is a human rights organization or not, in response to questions for this paper, members decided that they were, "We have worked so hard for the economic rights of our people - consistent with our human dignity".

b. Strategies The move from dictatorship to a more democratic government provided the space within which to work. CCAGG was one of the groups selected to monitor the Community Employment and Development Program launched by the Cory Aquino Government in 1986. In 1987, it signed an agreement with the National Economic and Development Authority (NEDA), which also gave it the power to monitor the government's rural employment programme. Both NEDA and the Department of Budget Management pledged to give CCAGG the information it needed for monitoring. But officials at the Department of Public Works and Highways were less enthusiastic, and it was not easy to get copies of the work programmes. As early as 1987 CCAGG filed a complaint against Department officials, which it won after much hard and dangerous work.

In monitoring public works and development projects, CCAGG gathers technical data, conducts assessment, and produces reports on its findings. It writes painstaking memos and files court cases, and has over the years mastered laws and procedures. When it first began monitoring expenditure and materials in public works, it was difficult, and its members had to be both "tough" and "unrelenting" to get the information they needed, unusual characteristics since most of the group are women. In the early days, one of their volunteers, a young lawyer, was killed, while others were subject to harassment and intimidation, as were even official fact-finding missions.

The two main CCAGG weapons were exposure of corrupt practices, and community organizing. The fact that many of the members were in the media helped expose the issues, educate people, and show what could be done. In addition, they invested time in discussing their findings with people, walking them through project costs, activities, and staffing. This gave people a sense of ownership of projects in their region, and gave CCAGG the support, both moral and material, with which to do its work. In addition, the issues it chose resonated with people who lacked roads, bridges, irrigation systems, health care and education.

CCAGG does not only deal with corruption; it also addresses "the most pressing problems of our province, its history of injustice and under-privilege. We helped facilitate education for women and children, and advocated the rights of indigenous people to their ancestral domain". It has dealt with indigenous peoples and civil conflict.

In all its work, it uses advocacy and education for community empowerment. "In Malemkom - a fifth class municipality in Abra - the people are indigenous people. So we talked about the ILO treaties, and they were very interested as they had been neglected for a long time. They listened and asked: do we really have these rights? The land where they lived was owned by the state, but it became clear to them that they wanted their ancestral domains recognized. They needed proof that their forefathers had been there since time immemorial. We helped them with community-based research, and they came up with the necessary evidence. After further studies - and protests - the government finally gave them the certificate for their ancestral domains. Now they are studying all the resources within their lands, how they're using them, and how to expand their use. This is a success story of people becoming empowered, knowing their rights, and struggling for them, and not stopping until they got them".

CCAGG helped mediate the conflict between the military and the New Peoples' Army militias in the Cordilleras. "We tried to bring them together. We also said that in war, you cannot do what you want; there are rules even in war".

CCAGG's membership is broad-based, and includes teachers, farmers, housewives, engineers, doctors, priests, unemployed youth). All its work is done by volunteers (Sumangil herself is a teacher at the Divine Word College), and the group still has many of the original volunteers, "the first, second, and third front-liners - committed volunteerism is one of our key achievements". In addition to securing community participation in all their activities, CCAGG has over the years learned to build coalitions with other organizations. "When you're on your own, it's a lonely, uphill fight. But with big groups you find that you're stronger than you think, and you can attain results". They work closely with the Catholic Church, schools, and NGOs, some of which have asked CCAGG to represent them in the regional development council under the provincial government.

The council includes environmental, mine watch, and indigenous peoples' groups. In addition, CCAGG now collaborates with several government agencies, and the office of the special advisor on peace process.

CCAGG maintained its financial independence from the start. "When there was no money at all, we would offer to cater for small parties and conferences, to process documentation for meetings. In these ways, we got a little money and that's what we used for our programmes, so people saw that it was possible to do such programmes. When people see you are sincere or serious, they also support you. We have a programme called Coins for Justice - our young members thought of it - and many people supported it, because they know the money will go to a worthy cause. We hold a yearly dinner-dance. We produce financial reports to show our expenses and what use will be made of the funds". More recently, after some soul-searching, CCAGG has undertaken project work for projects supported by donors, including UNDP, to generate income.

Success requires different tactics. "I remember my professor once telling me that I'd mellowed. I said no, during the early days we needed people to really fight with strong personalities. Because of that fight, we have gained leverage and respectability, and these days we need more diplomacy in dealing with people".

c. Instruments CCAGG uses the Universal Declaration of Human Rights in the course of its overall work, the Geneva Conventions in its efforts to resolve the conflict between the military and militias in the area, International Labour Organization agreements on indigenous peoples, and the women's convention. Often, it embarked on the work first, and came upon the texts later.

d. Impact CCAGG's work has had so much impact that their acronym has become a verb: politicians warn each other to be careful or they will be "ccagg-ed". CCAGG has been invited to sit on government bodies dealing with development projects, such as the Pre-Qualification Bidding and Awards Committee.

As a result of their work, monitoring has become acceptable, and the government has become more open. "That's why they now act on our complaints. For example, we submitted some monitoring reports and a programme of work on a project we inspected. The project claimed that aggregates were coming from 50 kms away, which they said added millions to the cost. We discovered that the aggregates were only coming from 5 kms away. NEDA communicated immediately with the agency, which provided a long explanation. In the past, they would have remained silent, but now they cannot take us for granted".

CCAGG has received awards and mentions, including the Aurora Aragon Quezon Peace Award for its peace work in the Cordilleras.

5. Grupo de Informacion en Reproduccion Elegida (GIRE)

a. Background and objectives GIRE was founded by a group of Mexican women in 1992. They organized in response to an amendment of the Constitution which ended the prohibition on participation by the Church or clergy in civil and political life¹⁸. The women wanted to counter Church interference "in all aspects of public life having to do with sexual and reproductive rights

and women's empowerment", especially reproductive freedom, contraception and abortion. Thus, GIRE's mission has been to ensure that a balanced discussion takes place around reproductive rights in Mexico, by producing and providing information both to the general public and to decision makers.

Although its literature makes extensive use of the word "rights", and the organization draws on several human rights treaties, GIRE does not think of itself or promote itself as a strictly "human rights organization". It sometimes articulates public arguments in terms of women's "human rights" - especially after international gatherings - and uses the term "human rights" whenever it helps make the case.

b. Strategies As part of its strategy, GIRE uses "toned-down" language, avoiding radical slogans and demands, and opting for well-grounded and articulate arguments that define "choice as a democratic component of our lives". GIRE has used national and local polls in order to make sure that they are touch with what people feel and think, for example, in the campaign to decriminalize abortion. They find that people are ready "to identify with and support" issues that reflect their perspective.

In 1996, in recognition of the importance of public opinion, GIRE established a media department. In addition, it invests time in educating people on the issues, and has written several manuals on reproductive rights aimed at professionals like doctors, nurses, social workers, and legislators. It also conducts workshops for different groups in the community, including students, teachers, public officials, medical personnel, and union members. The aim is not only to develop a cadre of people who can educate others, but also to develop spokespersons who can deal with the media.

GIRE's strategies have evolved over the years. For example, it currently partners the Mexican Government in a number of areas. It was one of the first NGOs invited to join the Grupo Interinstitucional de Salud Reproductiva (Inter-institutional Group on Reproductive Health). This ad-hoc group was established to oversee the implementation of the National Reproductive Health Program. It includes representatives from the entire health sector as well as from other relevant Government agencies, and a handful of NGOs. "This has opened a door for a better relationship with government," says Lucia Rayas. "It has allowed us, for example, to look at the norms and regulations regarding reproductive health. Nevertheless, it will still take time before our point of view is considered on a par with that of the government sector".

Other examples of GIRE's collaboration with Government include the manual on gender written by its director, Marta Lamas, for the DIF (Integral Development of the Family), a large inter-sectoral state agency dealing with health, education, nutrition and other population needs. In addition to the manual, DIF organized workshops to give staff a gender perspective.

GIRE has a number of regional and international partners. From Brazilian reproductive rights NGOs, "We learned how to incorporate abortion for rape victims into a 'violence package'; their work on this issue is quite advanced and their experience proved to be very valuable to our own agenda". US-based groups and individuals - Catholics for a Free Choice and its director, Frances Kissling, as well as Rachel Kyte - have help GIRE in strategizing, advocacy and media work, both nationally and regionally. GIRE's own work has been helpful to others: its director Marta Lamas has

travelled extensively throughout Latin America to train women on advocacy for reproductive rights. Latin American and Caribbean groups are collaborating on the September 28th. Campaign to Decriminalize Abortion in Latin America and the Caribbean. International conferences provide opportunities for advocacy, implementation and partnership, including the whole Cairo process.

GIRE has also changed its own internal processes as it has learned from experience. Whereas previously staff had to turn to the Director on almost all matters, they now enjoy a great deal of autonomy, a sign of institutional strength. Among other advantages, this enables a quick response in each of GIRE's main areas: information, advocacy, research, and documentation. In 1996, when it adopted its new media strategy, GIRE also changed in another significant direction, by hiring its first male staff members. GIRE does not believe its ability to secure funding from outside sources has in any way compromised its independence of action.

c. Instruments Over the years, GIRE became aware of the relevance of international instruments and agreement for their work: "Now we not only utilize these, but we have also become part and parcel of the international advocacy movement towards fulfillment of these treaties". The agreement they use most frequently is the Cairo Plan; they also often refer to the Beijing Platform of Action. However, they note that the Convention on the Elimination of All Forms of Discrimination is most useful because of its binding nature with regard to those Governments that have ratified it. In terms of national laws, there are many "wonderful" laws on the books, but they rarely get implemented. The most helpful is Article 4 of the Constitution, which guarantees reproductive freedom. At the same time, there is a contradiction between the Constitution, and the penalization of abortion in the Mexican Penal Code.

d. Impact GIRE believes it has been able to create a new discourse around reproductive rights, and that the space it has created has helped empower youth, women and people who are pro-choice. "Today, reproductive rights and sexual rights are discussed in the media, in schools, and popular fora", notes Lucia Rayas. In spite of the strength of the conservative movement, the stigma around topics such as abortion or the use of condoms is slowly disappearing.

e. Constraints The main constraint GIRE faces is lack of resources, especially in the face of the well-resourced and powerful right: "They tend to be the richest people, entrepreneurs who own mass media, and so on". The power of the right also makes it difficult - or near impossible - to negotiate some policies or laws with the government "due to its fear of these conservative actors, and sometimes its commitment with them".

6. Guyana Human Rights Association (GHRA)

a. Background and objectives The GHRA is a membership organization, incorporated in 1979 and bringing together some 700 individual members and two independent trade unions¹⁹. Until 1992, the GHRA had focused on more "traditional" human rights issues - monitoring violations with respect to freedom of expression, the courts, police, prisons and democratic rights. Following the restoration of free and fair elections in 1992, "We were able to address neglected areas of human rights concern - particularly those that fall within the ambit of equality and discrimination, such as gender, race, disability, children and indigenous people. There is a certain sequence: in a more

authoritarian atmosphere, it is not possible to develop the domestic constituency necessary to change laws and policies, such as pluralism provides."

GHRA promotes a rights-based approach to policy-making, and strengthens the capacity of people in vulnerable sectors to promote and protect their rights. Human rights activists have themselves "developed a much stronger understanding of human rights, from having to explain and promote human rights to audiences which were not initially supportive and in areas which were not normally discussed in human rights terms".

b. Strategies In developing its strategies, GHRA sees, as Co-President Mike McCormack puts it, "Human rights activity resting on two central pillars: 'freedom' and 'equality'. Virtually all traditional human rights work and methodologies have emerged from a preoccupation with freedoms, reflecting the priorities of the middle-class Western societies. International human rights machinery was developed to reflect these concerns i.e. strongly legal case-oriented and concerned with preserving liberties of the individual person. This was not matched by similar development around the concept of 'equality', largely because no society or ideological bloc was committed to do so, or had the clout to be taken seriously. Methodologies suited to promoting equality are likely to be technically less legal, more campaign or advocacy-oriented, directed at prejudice and culturally harmful traditions, and involving sectors rather than individuals."

GHRA realized early on that it was moving into areas which "from the human rights point of view had no established methodologies". Therefore, it decided to work together with other human rights activists in the Caribbean to develop approaches to economic, social, and cultural rights. This resulted in the establishment of the Caribbean Initiative on Equality and Non-Discrimination in 1993. The Caribbean Initiative is a programme to train other NGOs and Government agencies on how to ensure that laws and policies are supportive of more equitable distribution of whatever benefits and opportunities are available, regardless of how developed a society may or may not be.

The Initiative aims to promote equality and non-discrimination by "transforming disordered relations of power, (as expressed in exploitation, paternalism, repression and dependency) into relationships governed by principles such as equality, justice, fairness and non-discrimination. The strategies adopted by the Initiative to encourage more principled (or rights-based) economic, social and cultural relationships, involve reviewing and revising policies, laws and practices which render certain sectors vulnerable to inequality and discrimination. The strategy focuses on bringing laws and policies into conformity with the standards embodied in international human rights instruments pertinent to the particular sector (the Convention on Elimination of All Forms Of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), and ILO Convention 169 on Indigenous and Tribal Peoples". These instruments are promoted as tools by which development-oriented (rather than rights-oriented) agencies can advance their work.

"The method focuses on rights-based advocacy training for a wide range of people, regardless of their educational formation - women who work, for example, in orphanages, indigenous community workers, young people - enabling all actors to understand the importance for the long-term success of their work of good laws and policies. The Caribbean Initiative's method views human rights instruments as a guiding framework for policies and their implementation, rather than primarily as a monitoring mechanism. Human rights activity traditionally has been strongly identified with the

concept of monitoring government performance by small, legally-oriented agencies. In the Caribbean Initiative, we believe such advocacy will be carried out more effectively by a broad range of agencies working in a particular sector who feel confident and capable of protecting and promoting their own rights".

McCormack and his colleagues see "'equality' and 'non-discrimination' as bridging concepts between development and human rights" since they are recognized by workers in both areas. "Part of the success of the Caribbean Initiative, lies in providing a basis for dealing with rights in a manner with which development activists feel comfortable. It does not require people active in development to take on a new agenda; rather, it helps them to re-interpret and promote their own work in ways which better address current concerns".

He adds, "Encouraging development workers, whether government or civil society to be aware of the laws and policies governing their work ensures they are alert to opportunities for modifying policies and practices in ways which will ensure the sustainability of good projects. Too often, good initiatives particularly in the civic sector, peter out once the funding finishes because they rely on the continued injection of external resources and private initiatives with no provision made for ensuring the continuity which supportive laws and policies can provide".

"Policy is currently determined by funding, which is normally provided by international donors - e.g. a health policy will be largely determined by the funding which UNICEF or PAHO/WHO may be making available, along with what can be picked up for HIV-AIDS, or the other current priorities of funders. This, taken together, is called a health policy - but it does not represent a national vision of the health of the nation".

As a result of their experience, the activists are currently training people in each sector to develop training skills in applying the methodology and evolving advocacy skills independently of the Caribbean Initiative. "We are, for example, producing a Youth Advocacy Training Kit. Young people in Grenada, Jamaica and Guyana have been trained in advocacy techniques and to train other young people. The kit is due to be launched for the 10th Anniversary of the ratification of the CRC".

Another product of this programme is a Human Rights Education module produced in collaboration with the Government of Guyana and adopted for use in schools in seven Caribbean countries.

McCormack adds, "Freedom and individual rights are an issue of the manner in which government relates to people, whereas many of the issues of equality and discrimination are problems for which the government cannot be held directly accountable. For example, most issues of discrimination in the gender area are not so much about changing the laws but getting them implemented. So we need to mobilize a much broader range of organizations than in political and civil rights areas. One can mobilize international pressure more easily around political and civil rights, because the international machinery is more highly developed to address violations in these areas, but for economic, social and cultural rights values to take root, a lot more work is needed domestically to change inappropriate values and create space for voices that haven't been heard before".

c. Instruments In its rights-based based advocacy, GHRA as well as the Caribbean Initiative use the "conventions rather than the covenants", as they are more specific and more appropriate to their approach of "re-habilitating human relationships that result in social and economic exclusion". The most useful are CEDAW, the Convention on the Rights of the Child, and the ILO Convention on Indigenous and Tribal Peoples. Other useful instruments are the UN Standard Rules on Equalization of Opportunities for People With Disabilities and the 1994 Paris Declaration on HIV-AIDS .

d. Impact The Caribbean Initiative has resulted in new national policies with respect to vulnerable sectors such as women, people with disabilities, children and HIV-AIDS positive people. Until the mid-1990s, these groups "were, to varying degrees, invisible in many parts of the Caribbean. This situation has changed markedly. The Caribbean Initiative can claim direct credit for the fact that Guyana has a national policy on the rights of people with disabilities and HIV-AIDS, Barbados has a progressive national policy on disabilities, and for a comprehensive review in Guyana of laws affecting women and children. Piercing the 'invisibility' of these sectors and contributing to an atmosphere in which policy-makers in Government services confidently speak of development as the realization of rights, represents real progress".

With respect to advocacy training, the capacity of young people to impact on the adult world has been increased significantly. A campaign to insert a paragraph on 'Youth' into the Preamble of the new Constitution in Guyana resulted in the Reform Commission recommending that the paragraph be inserted without any amendment whatever - the only submission to receive such a recommendation. It further recommended that the entire Preamble be written in the same style as the young people's submission. A campaign to improve racial harmony, "Holding Onto Friendships" conducted by teen-agers in late 1999 has caught the attention of the nation. We believe the approach we have adopted contributes to the creation of a human rights culture, that is, that human rights values and standards more routinely influence the way things are done".

e. Constraints The major obstacle to more effective rights-based development lies in the area of methodology - how to utilize seemingly abstruse legal documents as tools for development.

The main constraint they face, according to Mike McCormack, is the tension between strategies based on market forces, which focus on the "private accumulation of economic power as the motor force for development", and rights-based development which is principle-driven and based on equality, non-discrimination, accountability, and participation. "These contradictory approaches are embodied in two sets of international obligations assumed by governments, namely their commitments under international human rights instruments and financial agreements with the international financial institutions. Resolving this tension between power and principle in favour of the latter is a major challenge".

7. Viva Rio

a. Background and objectives Viva Rio was established by a diverse group of Brazilian citizens in 1993 as a direct response to violence in the city. In particular, they were spurred into action by the assassination of 8 street children on the steps of the Candelária Church in downtown Rio and the massacre of 21 civilians in the slum of Vigário Geral.²⁰ The founders included industrialists, trade

unionists, cultural and sports figures, community leaders, intellectuals, the media and victims of violence. They began by educating themselves over a two-week period, interviewing experts on public security and asking what civil society could do.

The focus of the organization is very much on violence and public safety, particularly as it affects poor people, and, through that entry point, a comprehensive range of human rights. As Rubem César Fernandes puts it, "We include public security issues in the human rights portfolio. The right to personal and group safety is basic to the implementation of all other rights - we see that clearly in the slums in Rio and other poor neighborhoods in Brazil".

b. Strategies The choice of safety for poor and excluded groups brings about a different set of strategies, and "a shift in the traditional approach which focused only on individuals versus the state. Once safety is brought into the picture, the issue becomes more complex. Police work and access to justice become an essential part of the human rights agenda, while educational, social, economic, cultural projects become important in prevention strategies, and particularly the development of local community associations as channels for voluntary investment in one's individual and group life".

The projects Viva Rio supports both promote human rights for excluded groups and contribute to prevention of violence. Overall, its projects not only generate "products" for the poor, they are also aimed at evolving public policy, building partnerships, and supporting the evolution of local associations. For example, it has established "citizens' counters" to create a space where poor people can learn about their rights, practice conflict mediation, secure basic documents such as birth certificates, discuss violence and security issues with different actors, and get access to the legal system. The 11 citizens' counters function in shanty-towns; each has a lawyer, legal trainees, and community agents. Working in partnership with government and academic bodies, they have so far served over 9,500 people either directly or by referring them to partners. Most of the "clients" (69%) are women, and the majority of the cases involve some aspect of civil rights, including domestic violence (civil 53%, labour 19%, securing documents 17%).

It is dangerous work. Since the mid-1980s, the war between the police and the drug dealers has dominated the local scene. In some cases, slum dwellers band together to keep the drug lords out, using means like summary executions. They are wary of the citizens counters, even though these are careful to focus on civil, economic and social rights.

The counters are one of several efforts in the area of public safety and human rights. Others include research on urban violence, support for community based policing, and reviews of the public safety system. Viva Rio uses the argument that "human rights are better in law enforcement strategy than repressive traditions. The whole population is fearful of crime so they become right wing. We're supporting the modernization of information processing and communication with the population. The community has the information, and without good relations with the community the police cannot get it - to have good relations they must work first on prevention. That's when people talk - when a crime happens, people get scared and don't talk. Building that kind of relationship requires mutual respect and respect for human rights".

Another major initiative that secures rights and prevents violence is the campaign to help young people complete elementary school. Some 60% of youth in the state do not have their elementary certificate, and this is essential for any employment. By mid-1998, Viva Rio was coordinating a network of 429 classrooms, offering intensive primary and secondary school level courses, for nearly 13,000 students, in over 350 poor communities and 34 cities in the state. In addition to elementary school subjects, the courses provide training on computers, the market - and human rights. The human rights curriculum was developed together with the Human Rights Commission in the Ministry of Justice, including both print materials and some 36 videos. Evaluations have shown that the human rights module is the students' favourite part of the course.

Rubem César explains, "Our interpretation of the evaluation was that the teenagers have identity problems, and poor teenagers especially have a terrible self image. When police go for suspects, they are the first suspects. So when you talk to them about their human rights, they become very involved. Also issues like race, gender, sex, community are very close to their lives". They have convinced the Government to make this initiative part of Brazil's voluntary civil service, an alternative to military service.

Another Viva Rio approach is to make the case that human rights make good economic sense - just as it makes the argument that human rights make for better law enforcement strategies. "We're saying that the slums constitute up a huge market for all kinds of products which have not yet been tapped by the business sector. There is a very lively informal economy. So we say that the integration of the slums into society is very good business, and that products can be devised for these groups, for example insurance products. But to work there, you have to do something about the drug dealers. In this way we form alliances with the business community." As part of its community development initiative, it also supports micro credit and other community development projects.

Viva Rio is an example of how diverse political and personal standpoints can come together behind a shared objective, giving an organization tremendous clout. Its Board of directors brings together competing press barons, activists and academics, business and trade union leaders, both Catholic and Evangelical church representatives, and leaders from the slums in three corners of the city. Rubem César identifies six factors for the ability of such a diverse group to function and grow: "The personal and voluntary nature of participation, its non-governmental and non-partisan character, the local focus of its mandate, a common and simple agenda, the impact of its actions on public life, and a pro-active attitude".

Over the years, the members of the board have worked out both stated and unstated modus operandi: "The eclectic nature of the group implies several restrictions as to what can be said and done in its name... There are also several issues of importance to the city which end up being avoided in the Board's deliberations. Investment in nuclear energy, for example, is an issue that does not get much play in its meetings. Neither does the issue of 'privatization' of state-owned firms. The topics which divide the group are simply avoided.... The Council works by consensus and it is not expected to make a statement or act upon every issue of importance... What it does seek out is to firmly establish basic principles and goals that are fundamental to the city as a whole and for this very reason, are worthy of generalized acceptance... a process of mutual consultations, through which a 'common sense' evolves and imposes itself".

Its membership enables Viva Rio to ensure broad visibility for its work, and media and public relations are an important part of its strategies. "Viva Rio would be unthinkable without the media," says Rubem César, who estimates there are a thousand articles a year about the organization's work. They hold a monthly lunch with editors and columnists, and the first staff include people with experience in the media, advertising, and holding of events.

Viva Rio now works in 34 cities of the State, but ensures that the approach is local in each area, a strategy it believes has contributed to success. "Having the city as a horizon for action facilitates and makes concrete the notion of sharing, beyond differences, a common arena of problems and solutions to be implemented".

A new area of work is gun control, and a major campaign is underway. The state of Rio has approved a law banning the commerce of small arms. The international debate on a Code of Conduct on Small Arms Transfers is very important to the local campaign.

Symbolism has been used in Viva Rio's work from the start. The launch of the organization was marked by a citywide vigil where people wore white and observed two minutes of silence, and by a multi-faith service. Its 1998 budget of 17.5 million Reals (US \$13 million, which does not include the cost of voluntary work) represents a threefold increase over 1997, and is almost completely funded from national sources.

c. Instruments Viva Rio notes that there are now many laws on the books - beginning with the post-dictatorship constitution in 1988 - which protect people's economic and social rights. But when the law is not implemented, as Rubem César puts it, "it becomes empty and people ignore it". For example, Brazilian law provides for the right to education, but there is a very high drop out rate and the "end result is that the law doesn't apply".

d. Impact Viva Rio believes it has contributed to a shift in perspective by the city's inhabitants, of recovery from depression, of moving "from to hope". The way it has been able to bring diverse and influential groups together, its ability to convince government to adopt different approaches, are all signs of Viva Rio's impact. Viva Rio stands out in the way it continuously evaluates its programmes and documents impact, producing comprehensive quantitative as well as qualitative analysis about each area of work as it seeks, in the words of Rubem César, "to make concrete and visible the abstract concept of 'citizenship'".

8. Mashriqiyat

a. Background and objectives Mashriqiyat was established in 1998 by a group of Palestinian activists in Gaza to address laws that discriminate against women, and particularly the personal status law, the "theoretical core of social and legal gender discrimination". As Mashriqiyat Director Marwa Qassem explained, "This is the 'mother of all laws', and if women get their rights in this law, they will get them in others"²¹.

The founders had been involved in a two-year project known as the Palestinian Model Parliament on Women and Legislation 1996, an ambitious campaign to review and amend legislation those violated women's rights. This culminated in a 120-member "model parliament" in the West Bank

and in Gaza which adopted a set of legal criteria and recommendations to be presented to the Palestinian Legislative Council (PLC) to serve as guidelines. "This was the first time the Palestinians got the chance to elect their parliament, and we wanted to take advantage of the opportunity", said Qassem. "The question of women's rights had always been postponed due to national imperatives".

Both official and social attitudes in the emerging state range from reluctance to opposition when it comes to the issue of women's human rights. Thus, the Gaza activists decided to continue after the model parliament project ended, and registered their groups as an independent not-for-profit organization with the Ministry of Justice of the Palestinian Authority. The challenging question Mashriqiyat posed was: "Which understanding of Islam do we want?"

b. Strategy Mashriqiyat has a three-pronged strategy: legal research, advocacy, and community education. The aim "is to provide an effective platform for social and human rights activists to join forces towards the development of an engaged civil society in Palestine based on equality, justice, respect for human rights, and the elimination of gender discrimination".

Legal research - based on the concept of constitutionalism and encompassing international human rights and progressive opinions of Islam - is critical because even the most conservative Islamists find it hard to rebut well-grounded arguments. For example, Mashriqiyat made the case that a woman had the authority to represent and initiate the marriage contract herself. The Islamists argue for a guardian, basing themselves on a well-known saying of the Prophet as well as tradition. But when Mashriqiyat studied the texts, they found an interpretation by Abu Hanifa, whose teachings underpin one of the main four schools of Islamic jurisprudence, which clearly stated that a woman was her own guardian. "Since no one can call Abu Hanifa a heretic, the Islamists now have to say that women being their own guardian is outside our tradition - which is much milder than saying that it is heresy".

"We broke two taboos," Marwa Qassem added. "The first is that only Islamists, the courts, and the Authority are allowed to speak on legal matters. We argued that all organizations in civil society, including women's organizations, have the right to present drafts for personal status laws. The second taboo we broke was to say there is more than one understanding of Islam - some allow women to drive, and some allow women to lead country - so which understanding of Islam do we want? We have no other option than to take on these issues: one of our strategies is courage".

In their legal research, they try to dismantle the religious interpretations that lead to most discrimination against women, not just in Palestinian but in most Arab and Islamic society, primarily the belief that men have authority over women. They use as many different arguments as they can. For example, the 1998 census showed that there were 96 women to every 100 men, is used to undercut the argument that polygamy is needed to take care of an over-supply of women.

The group's advocacy is based on its legal work, but it has occasionally been forced to take on campaigns on issues. For example, members led a campaign against the practice of forcing a woman back to her husband's home (beit al ta'a), after this was used against the head of a local institution, organizing petitions and networking with political and civil society organizations.

In its community education work, Mashriqiyat has two aims, to reach both the grassroots as well as the political organizations. When it was accused of being Westernized during the model parliament project, it went to the political organizations and insisted that they put the question of personal status law on their agendas, working on sensitizing both the leadership and the members. Since 1998, it has partnered eight of the main political parties in Palestine, and six have signed agreements of understanding. It has mounted a popular advocacy campaign from September 1998 to August 1999, and is now evaluating the results. Mashriqiyat invests time and effort in working with the media to ensure that its message is heard.

Mashriqiyat has seven full-time staff members and eight volunteers. In spite of the difficulty of movement between Gaza and the rest of the world, it is in contact with the Moroccan women's movement, which it sees as a model for its work, and has recently established contact with a Tunisian group. The group is also in touch with the Paris-based group Women Living Under Muslim Law, and is selected to participate in a conference in Nigeria end-1999, which is bringing together people from 24 countries to discuss Feminism under Muslim laws .

Mashriqiyat partners a number of international organizations, including the Center for Economic and Social Rights. CESR was particularly helpful in institution building, and the organization drew on the CESR "integrated human rights framework" in its work. Other partners include the United Nations Office of the High Commissioner for Human Rights, and the Joyce Mertz-Gilmore Foundation.

c. Instruments the group bases itself on the 1988 Palestinian declaration of independence, the draft of the basic law, which speaks of equality before the law as the approach to constitutional rights. It is researching all comparable Arab laws, looking for interpretations that can support its arguments. Interestingly, it does not find helpful the Tunisian personal status code, which provides equality before the law and bans polygamy, because it is so easily attacked by Islamists as a secular law (although the Tunisians insist it is based on Islamic law). The international document the group uses most frequently is CEDAW; it also draws on the Convention on the Rights of the Child, and the Universal World Declaration of Human Rights.

d. Impact Mashriqiyat believe their work has made it clear that no one party can monopolize the debate on the personal status law, and that this has been accepted by the highest authority in the land.

e. Constraints the very conservative nature of Gaza society is a main constraint. Another is that "our discourse is very new, as is this way of doing research, so you need to do a lot of education. You have to make sure you have allies, and to be on your guard because they will always drag you into a religious debate. They don't care whether or not women work or vote, but they will fight to the death over the personal status law".

Language poses another barrier; not many members are fluent in English, and it is particularly hard to find people to translate reports and get the legal terminology right. Other problems it faces include the fact that the West Bank and Gaza have different legal backgrounds (Jordanian and Egyptian, respectively), to say nothing of the plethora of laws from the Ottoman, British and Israeli occupations. And Palestinians from Gaza have great difficulty in reaching the West Bank, given the

continued Israeli occupation. Another difficulty arises in networking with women's organizations in the West Bank. Many women's groups in the West Bank advocate a secular law so that all citizens can be equal before the law. Mashriqiyat believes this is not attainable at the present time. They propose that all people of all religions be equal before the law, and that women should be equal with men within each religion.

9. Land Center for Human Rights

a. Background and objectives The Land Center was established in Cairo in December 1996 by a group of Egyptian researchers and lawyers with background in human rights and agriculture²². It aims to document the conditions of rural areas and provide legal aid to farmers and their families.

The Center is very clear on the need to work on economic, social and cultural rights. In a August 1999 note on the "State of the Human Rights Movement in Egypt after the Approval of the NGOs Law", the Center described two perspectives as to the future of human rights work in Egypt: "The first limits the struggle to the attainment of civil and political rights. In practice, only those with sufficient financial resources and cultural capabilities would be able to fully make use of such rights. In this case, the rights movement would serve a limited section of the population while ignoring the interests of the poor. The second perspective sees the scope of the movement as encompassing all human rights - economic and social as well as civil and political. Only then will Egypt's rights movement be truly a movement for all and not just for the politically educated elite".

It called on Egyptian groups to "recognize the importance of voluntary work and foster a culture of human rights throughout society through a direct and practical engagement with society's problems. The movement must give special consideration to local human rights violations whether caused by particular laws, local cultural factors or a particular local situation while at the same time recognizing the broader context of international conventions. This is essential if the human rights movement is to remain central to the country's democratic development".

b. Strategies The Center reports on the social and economic problems faced by farmers, raises cases on their behalf, and provides human rights education. They are working with as many as 3,000 farmers, and have been able to secure alternative plots of land or compensation for some 70% of the cases they raised. They hold discussions with groups of farmers and provide information about legal questions and human rights.

Another area addressed by the Center has been the conditions of children working in agriculture. In 1997, they filed nearly 180 lawsuits on behalf of parents whose children had died or suffered injuries as a result of the harsh conditions in which they were working, and won 79 of the cases (95 still had to be heard, and they lost six cases).

Human rights education was an important part of convincing poor farmers to speak up for their rights. Their volunteers faced difficulties "when they went to families whose children suffered violations of their rights during their agricultural work. They hesitated to file a case before the courts against the farm owners because they were afraid of being expelled. But the Center resolved this problem by persuading the families of the possibility of filing cases against the Minister of Agriculture and the Authority of Social Insurance". As a result of this project, some of the workers

attained rights like work contracts and medical insurance, while Center volunteers gained experience in advocating children's rights.

The Center's Economic and Social Rights Series of reports covers the environment and labour conditions as well as rural areas. These are distributed widely to politicians, the media and activists, as well as to local and international networks. The reports document incidents leading to violations of rights, provide analysis on the causes of conflict, and propose recommendations.

The Center has a staff of 20 people, and another 30 volunteers and part-timers work in the governorates. After their first year, when they had no resources and were operating without funds, the Center began to receive financial support from European and American NGOs. They also have some contacts with international networks, and human rights organizations such as the German-based Food First International and the Australian Council for Human Rights.

c. Instruments In its work, the Center uses the Economic, Social and Cultural Rights Conventions, the declaration on the right to development, and international laws relating to labour and health.

d. Impact The Center has built trust amongst Egyptian farmers in the areas where it works, encouraging people to come forward with their problems.

e. Constraints A life-or-death issue facing the Land Center is the new Law 153 in Egypt regulating the work of NGOs, which many human rights organizations believe is aimed at them and at women's groups. Other factors that make their work difficult is the extensive amount of interaction and outreach needed to overcome the fear in the countryside of approaching the authorities on the question of rights.

10. Social and Economic Rights Action Center (SERAC)

a. Background and objectives SERAC was founded in May 1995, with exclusive concern for economic, social and cultural rights in Nigeria.²³ It has particularly focused on rights to housing, education, work, and health, and is recognized for its work on forced evictions.

SERAC was founded by a group of activists who had initially supported the civil and political rights of slum dwellers and other poor people. But their work kept bringing them up against socio-economic rights, the dilemma of "people's issue of survival, what they had to do just to stay alive," explained Director Felix Morka. "As human rights activists, we had no way to address issues. If a person got picked up by the police, we went to court to demand their freedom - a freedom to return to the streets. It didn't make any sense; it was an accumulation of a lot of questions I couldn't answer".

The eviction of the squatter community in Maroko, 300,000 people on seven days' notice in July 1990, was a turning point, "We didn't know how to work with the community. All we knew was how to go to court. And we failed. We were unable to stop the eviction".

The failure put into bold relief the central question of Nigeria at that time, as Felix Morka put it: "The final push into economic, social, and cultural rights for me came in answer to my own puzzle and

questioning of what happened in Maroko: how was it possible for a handful of soldiers to take power and keep it for so long? For me, the answer was clear: perhaps the human rights movement was defining the agenda too narrowly. I thought to myself, if we had defined our focus in a way that included poor people's issues as well, then maybe they would be interested. If we were working with the people to deal with their problems - education, health, housing, employment - maybe they would see that their own fate was connected to getting liberty from the military government".

b. Strategies SERAC organizes its work around three main, overlapping programmes: monitoring and advocacy, community action, and legal action. "The most important is the community action programme, where we directly engage with the people. We work within their organizations, if they are organized; if they're not organized, we help them to build organizations around their issues. For example, the Maroko campaign became such a topical issue because the people themselves were talking about it, not because SERAC was talking about it".

With this approach, SERAC gained the interest and confidence of poor communities - so much so that when a World Bank-funded project in 1996 would have resulted in the eviction of 15 major communities, their offices were inundated by people. They called on the Government to provide more information to the communities, who had no knowledge of what was planned for them other than what they read in the newspapers. No alternatives had been made for alternative sites. SERAC quickly produced a report on forced evictions in Lagos, "Dispensable People".

"We began working with them, and educated them as to the right to housing, and to dignity under the constitution. The issue affected them very directly; there was no need to explain it was wrong to take their houses away; they knew that. All they needed was guidance on how to get remedies. We filed a request with the World Bank's special panel, and the issue became a major one, widely discussed here and abroad. The request focused only on the economic, social and cultural violations of the project, and the Bank's violation of not only its own directives, but also of international conventions, including those on women and children, and the African charter, which is domestic law in Nigeria. We called on quite a number of human rights instruments. In the end, the panel found in our favor. The demolition was stopped since SERAC and the people themselves went into the matter, making the case for alternative housing before evictions took place".

SERAC is experimenting with providing development services and technical assistance to women and other groups in evicted communities. "We don't want to do it as a purely development activity. It is very connected to our campaign for justice and the resettlement of community. It is a matter of keeping hope alive in their community. We target evicted women who are completely disempowered, bringing women together in the Maroko Women's Cooperative. So when you call a meeting, people come. They feel this is their case, this is their struggle. If they are able to get a piece of bread for children at home, they come to the meeting and spend as much time as it takes. People are so busy trying to survive".

Another way of "keeping hope alive" is by giving communities like Maroko access to information, since they are living in very isolated areas. SERAC recently helped the community build an information center - with donated material and labour - which keeps them in touch.

An example of its monitoring and advocacy work, is SERAC's more recent work on the right to health, and the human rights aspects of HIV AIDs. "There is a national policy, but it is not implemented. It is not even tested as to whether an HIV positive can claim discrimination under constitution . Meanwhile, there are cases every day of people losing their work because they are positive. We are meeting with parliamentarians to build a coalition of legislators to begin translating policy into law and provide more guidance".

The third area of work, legal action, has now taken off. "During the period of military government, there was no opportunity to reform the law. With the new government, we are working away, preparing draft legislation on a number off issues. For example, there is a committee working on model housing legislation that includes two parliamentarian and community groups. We hope we will see some changes over the next few years".

SERAC continues to undertake legal cases in areas like the right to housing, education, health, and some aspects of labor rights. A year ago, they challenged the Government decision to deregulate the education sector, giving the university the freedom to charge fees. "In one day fees for higher education increased by 1000%. We brought a class action on behalf of the Association of Nigerian students challenging that policy. We argued that the policy was unreasonable and did not reflect the actual status in Nigeria. Most schools in the South announced increased fees, whereas nothing happened in the North. We argued that the effect was discriminatory, and that the measure was not justified given that education standards were falling by the day. We're hoping that they will issue a ruling soon".

SERAC is governed by a board of directors (four men, three women), and has eight full-time staff from various backgrounds - law, public health, business, economics, statistics, and social work. They also draw on several consultants and community health professionals.

Much of its local support is in the form of in-kind resources materials which are channeled to victims of forced evictions. It is funded by private foundations, including American, Canadian and European NGOs.

c. Instruments SERAC's work is a clear case of using a range of international, regional and national human rights instruments to promote social, economic and cultural rights, giving these rights content and making them justiciable in the process. An example of how they used the African Human Rights Charter to defend the social and economic rights of the Ogoni people against the actions of the military government is well described in *Ripple in Still Water*. (pp. 107 - 113).

d. Impact The different approached used by SERAC was successful in linking economic, social and cultural rights to civil and political rights. By working with poor people on socio-economic issues of importance, and framing these in terms of their rights, they contributed to the community's sense of empowerment and willingness to act. "Before the military government left, we organized a protest march and were able to get 8,000 people into the streets on very short notice".

11. Legal Resources Centre

a. Background and objectives The Legal Resources Centre was established in 1979 during the apartheid era to provide legal protection against unjust and unfair administrative decisions, influx control, the labour law and actions against the police and army. "Our aim was to create legal space to challenge the apartheid State using the law," explained an attorney Vincent Saldanha²⁴. It became especially known for its groundbreaking work in influx control cases; land and housing rights are the largest sector it handles, with close to a million people involved.

With the end of the apartheid era, LRC worked with several other NGOs and community-based organizations (CBOs) to ensure that economic, social and cultural rights were incorporated into the Bill of Rights in the South African constitution, the first of its kind to do so. "We lobbied the Constitutional Assembly, parliamentarians and many organizations for these rights to be included. Fortunately a number of parliamentarians were very sympathetic. For others, we convened a workshop and invited grassroots organizations to talk about their experiences and why it was important to include these rights in the constitution". International experts also contributed in these educational workshops.

In addition, "we had to deal with the notion that economic, social and cultural rights were not justiciable. During the certification process in our Constitution Court, the inclusion of these rights was challenged by big business which argued they were not justiciable and did not comply with the constitutional principles agreed on earlier. They argued that these claims had to be addressed in the marketplace. Some argued they were not rights in the true sense but aspirations, and that they should be left as guiding principles in a schedule to the constitution, as in India. The Constitutional Court certified in a very useful judgement that these rights are justiciable and as enforceable as any other rights. It was a huge advance for the NGOs and grassroot organizations."

b. Strategies LRC's strategies changed with the end of apartheid. It became actively involved in the process of formulating laws and policies, especially around the restitution of land, and began to work closely with the Department of Land and Housing. "If good laws and policies are in place, we can better protect clients", Saldanha noted.

It also invested heavily in human rights education, since many officials and people were not aware of the implications of the new laws. LRC had published pamphlets and booklets on various areas of law, so it added materials on the new Constitution, the rights of women, and new laws on the environment. It also conducted workshops for paralegals, and made LRC lawyers available to provide legal support to independent advice officers in certain rural areas.

This kind of work, LRC believes, enables it and other organizations to give content to economic and social rights. "It's a very difficult task to identify the direction of the right given that everything is new, to know what processes to put in place and to achieve progressive realization. We are working with other human rights organizations to monitor the performance of the Government in realization of the rights in the constitution".

An example of one of the few cases brought to court in the area of economic and social rights was that of access to emergency medical treatment. "A man had unsuccessfully applied to the court to have a dialysis treatment restored to him; the court said it was not able to interfere with the decision of a state authority to allocate its budget."

LRC did win a case dealing with water, where the local government had cut a community's water supplies. It was able to force the local authority to concede that poor residents had a constitutional right to water. It is beginning to deal with environment issues, for example the impact of oil refineries on communities and of mining dumps, and interacts with government on the legislation necessary to prevent environmental disasters.

LRC shares its experiences with NGOs within South Africa, as well as organizations in other parts of the continent, some of which are also trying to build public interest legal institutions and in economic and social rights and to get them enshrined in their constitutions. It organizes and participates in national, regional and international conferences, and its partnerships include the Centre on Housing Rights and Evictions. "In Africa, there is a continuing debate about whether economic, social and cultural rights need to be given preference over civil and political rights - whether they are to be sequenced or prioritized. There is a growing consensus that they need to be integrated, and so ensure not only that the state moves towards democracy, but also that the social and economic policies are in place to ensure and sustain democracy".

LRC has a professional staff of 40 lawyers, including paralegals, and an annual budget of over 20 million rands.

12. Coalition of African Organizations for Food Security and Sustainable Development (COASAD)

a. Background and objectives COASAD was launched in Dar es Salaam, Tanzania, in November 1998. It is a regional umbrella bringing together 112 African NGOs and peasant and farmers' organizations that deal primarily with food production and nutrition; many are women's groups. The African groups decided to create the umbrella during their participation at the 1996 World Food Summit NGO Forum. In the intervening two years, representatives in each African sub-region (including North Africa) as well as in Geneva and Brussels worked on a draft constitution and plan of action, which were adopted at the first general assembly in Tanzania.

COASAD is critical of decades of structural reform and United Nations initiatives, "all of which did not achieve their objectives" in a "continent which faces a plethora of acute socio-economic problems that severely impede its development prospects and deny its people the opportunity to enjoy a satisfactory standard of living and well-being"²⁵.

Although it does not describe itself as a "human rights organization" in its materials, COASAD does see the promotion of economic and social rights, and particularly the right to food, as part of its mandate. The right to food and international law was one of six papers presented to the founding assembly by the German-based Food First Information and Action Network (FIAN International). "We can't separate human rights and development," explained Osmane Dianor. "That's why we speak of the right to development and, within that, the right to food. We are against the view of the market that says only those who can afford can eat".

Abdelbagi Jibril, himself a human rights activist, pointed out that "In Africa human rights NGOs concentrate on to a large extent on civil and political rights. The right to development and economic, social and cultural rights are under-represented to a large extent. The NGOs in

COASAD are active in food production and nutrition. Our challenge is how to educate members of COASAD on the conventions, since the knowledge is not very common among them. We are working on initiatives to disseminate the right to development and to food. Until now, there is no agreement about the content of the right to development and economic, social and cultural rights. There are now attempts to define this".

b. Strategies COASAD's main approach is to network its members, and share information which they can use for lobbying and advocacy. "The world system is set up in a way that prevents African agriculture from developing," said Dionor. "We're trying to network and exchange information and strategies, focusing on the right to food. We want to influence not only the international structures, but also work at sub-regional, national and local levels to get governments to implement the agreements they have signed, for example, what they agreed at the Food Summit in Rome. In addition to sharing African success stories, we get information from Latin America."

In addition, it advocates alternative approaches to agriculture, food security and the right to food with African officials. It has been particularly active in Senegal in the move to resume support to agriculture, which had been ended as a result of structural adjustment, with negative repercussions on production and the environment. COASAD also draws on its members and experts to prepare material that African officials can use in international fora such as WTO ministerial meetings.

In fact, a major aim of setting up COASAD is for African groups to have an international presence to lobby the United Nations and international organizations, and to fund raise. Its offices in Geneva and Brussels "raise its voice on behalf of its member organizations and make it heard in the international arena. This is where important decisions affecting the lives of people in Africa and elsewhere in the world are taken. Such decisions are often taken without the participation or knowledge of those concerned or their representative civil society organizations". It intends to monitor the implications of WTO agreements on Agriculture, Application of Sanitary and Phytosanitary Measures, Trade Related Aspects of Intellectual Property Rights (TRIPs), Union for the Protection of New Varieties of Plants (UPOV), and others.

Currently, COASAD has no funds for its activities, and member NGOs contribute to the working of the umbrella, while its international representatives volunteer their time over and above their regular jobs. It is fund-raising for a four-year plan of action, and has been given office space in Geneva.

c. Instruments COASAD considers the International Convention of Economic, Social and Cultural Rights and the International Declaration on the Right to Development amongst the most useful tools that will guide its work, and achieve the right to food. It also follows up on implementation of the agreements produced during international conventions on development and human rights.

d. Impact COASAD has already had some impact. For example, it has influenced international organizations focusing on food relief in African areas of conflict to move more quickly into development activities, providing support for micro-credit and quick-growing crops so that people can produce their own food and generate income.

e. Constraints COASAD notes several constraints facing its members and African NGOs in general, including limited capacity and resources, which leads to competition amongst NGOs, as well as adversarial relations with government.

13. Movement for Nuclear Safety (MNS)

a. Background and objectives The Movement for Nuclear Safety was established in 1989 by a group of Russian women to tackle environmental and health issues in the Russian province of Chelyabinsk, which is badly affected by radiation, and to advocate safe energy alternatives.²⁶ Chelyabinsk was one of the former Soviet Union's main military production centers, which included nuclear weapons manufacturing, because of which it was off-limits to visitors until 1992.

The horrific environmental problems of the province date 50 years: "Accidents, nuclear waste disposal and the day-to-day operation of the Mayak reactor and radiochemical plant contaminated a vast area of the province. In the early 1950s, there were so many occurrences of death and disease from nuclear waste dumping in the Techa river that 22 villages along the river banks in a 50 kilometers zone downstream from Mayak were evacuated. In 1957, a nuclear waste storage tank accident released radiation double the amount released by the Chernobyl accident. This accident was kept secret and 10,700 people were evacuated.

"Over the past 33 years, there has been a 21% increase in the incidences of cancer, 25% increase in birth defects and 50% of the population of child bearing age are sterile... These figures are probably gross under-estimations, because local physicians were instructed to limit the number of death certificates they issued with diagnosis of cancer and other radiation-related illnesses. According to Gulfarida Galimova, a local doctor who has been keeping records in lieu of official statistics, the average life span for women in Muslyumovo in 1993 was 47, compared to the country average of 72. The average life span of Muslyumovo men was 45 compared to 69 for the entire country."

Environmental disaster is the main issue MNS deals with; others include unsafe labour conditions, particularly for women, health and social security. Although it does not use human rights arguments in its materials, MNS is very clear that a clean and safe environment and good health are human rights.

b. Strategies When MNS began its work, relations with the authorities were more positive. "In 1992, MNS, in cooperation with local authorities, organized an international conference on the consequences of nuclear industry in the South Urals. This was the first time that the public gained access to classified information concerning the health of the population affected by radionucleides from the nuclear military complex, Mayak. In the same year MNS began campaigns to register people affected by nuclear contamination in Muslyumovo. By the end of 1993 the democratic process was interrupted and the cooperation with authorities became less effective. By then, however, MNS had obtained a large group of voluntary workers and support from the local population".

MNS now has about 150 active volunteers, and extensive support amongst the province's 3.5 million people. It relies on grassroots support and engagement for its work, and invests in giving

people the skills and sense of empowerment they need to organize and to become local leaders. MNS also networks widely with other community groups and organizations. Both these strategies keep it in touch with what people consider to be their problems and with the way they articulate these problems. Polls show that environment problems rate very high on the scale of public worries. As a result of experience, "We delegate power downwards - but we no longer delegate power without responsibility," explained Natalya Mironova. This has strengthened the organization internally. "We are credible because we have maintained a steady course, even during periods of political instability". MNS serves as a resource both for information and on organizing skills for citizens and for other NGOs.

It emphasizes the right to information in its work, urging activists to push hard on the doors of an open society and to take advantage of democratic space. Its area of focus also forces it to deal with corruption. For example, it is working with several organizations in a campaign against corruption in the environmental protection agency, naming names and asking for both provincial and city officials to be removed. It has actively used the mass media in the campaign, both print and radio, and is exposing the links between the provincial authorities and the agency, which makes the provincial authorities "soft" on the issue. MNS materials are well-researched and documented. Many officials support the campaign but are afraid of losing their jobs: one of the environmental prosecutors has already lost his job. Others continue to work on a court case against EPA violations. This is one of many examples, Mironova said, "where we demonstrate personal courage and support good officials who are trying to be honest and principled in their positions".

MNS has had to take on the legal establishment, given the collusion between the heads of industry and law-makers to push pro-industry laws irrespective of the environmental consequence. It has been campaigning against the development of plutonium recycling facilities at Mayak to treat imported plutonium waste from abroad, particularly from Germany and the United States. It went to Russian parliamentarians to initiate an appeal to the Federal Supreme Court on the grounds that it violated Federal laws, and secured a strong statement by the EPA chairman against the law. In addition, "together with other NGOs, MNS has been campaigning for resettlement of the village of Muslyumovo. In 1997, these actions finally became effective: the province administration decided to resettle the village. It is still unclear, however, when this will happen and where the villagers will go".

MNS organizes local and provincial workshops bringing the community together with scientists and experts. It also invests in community organizing skills and fund-raising. It has expanded its network to include law students to strengthen the legal aspects of the work, and the increasing number of appeals they are filing with courts to secure environmental rights. It supports new community organizations as they emerge, most recently two organized by women in Snezhinsk and Ozersk, where there are "secret" sites, helping them to register and to organize. It is also forming partnerships with former opponents in government agencies who have moved closer to its point of view, and advocates economic alternatives to nuclear energy.

MNS offers courses to women on healthy living and on strengthening their immune system, and sponsors seminars on how to reduce the effects of nuclear contamination. It publishes a series of

brochures titled 'Simple Answers to Complicated Questions,' on the immune system and healthy food which were widely distributed among the villages just outside the evacuated area near Mayak.

MNS collaborated with the Women's Environment and Development Organization in preparations for the 1995 UN Fourth World Conference on Women in Beijing, where it met with the Netherlands-based group Women in Europe for a Common Future, as well as partners in Uzbekistan and the Ukraine and discussed setting up a joint project on women, health and environment. In 1996, a project entitled Women Join Forces for Health and Environment, was launched to better understand the health effects of the environmental contamination in the Chelyabinsk region, and particularly its effects on women and children. In addition to its ongoing collaboration with WEDO, MNS has collaborated with US NGOs including the Hanford Education Action League(1993), Try Valley Community Against Radioactive Environment (1996) and Government Accountability Project (1999).

MNS is very careful about its sources of funding "clean money for a clean environment", is Mironova's motto. Most of its budget comes from foreign grants, which helps maintain its local independence.

c. Instruments MNS finds it frustrating that many international agreements are recommendations rather than binding documents. It finds useful in its work Non-Proliferation Treat, the START agreements and Hague Court decisions. It would like to join forces with other organizations to support something like a "Nuclear Weapons Convention" or an agreement on energy. Some local laws dealing with the environment are helpful, and MNS also draws on the Russian Constitution to buttress its arguments.

d. Impact The Movement believes it has helped people see environmental problem as human rights problems, and start organizing to protect themselves - even in situation of economic crisis. More people are volunteering to serve on environment protection teams in Chelyabinsk neighbourhoods.

e. Constraints MNS faces two main sets of constraints. The external constraints are "bureaucracy and opposition from former Communist Party structures and satellites. They asked me to spy when MNS started collaborating with international groups". It also finds closed doors in its efforts to access official structures in the industry and within the region. MNS faces internal constraints, which include lack of experience amongst Russian activists in networking, organizing and translating ideas into concrete and achievable actions.

14. Helsinki Citizens' Assembly

a. Background and objectives The Helsinki Citizens' Assembly was established in Prague in 1990, and now has a network of NGOs in most European countries with individual and group membership totaling about 10,000. The 1990 Prague Appeal establishing the HCA declared: "The peaceful transition of Europe is unthinkable without the full observance of all human and civil rights, which the governments of Europe have pledged to observe in Helsinki, Madrid, Vienna and elsewhere.... Let us, therefore, found a Helsinki Citizens' Assembly as a permanent forum of the public within which peace and civic groups, as well as individuals and institutions representing a

broad spectrum of views, can exchange experiences, discuss common concerns and, where possible, formulate joint campaigns and strategies...

"It should be based on our awareness that peace, democracy and human rights are inextricable. Our goal is European integrity in diversity. We want to build a fully demilitarized and socially just community, whose economic development will not be at the expense of the environment.... A community that will respect the rights of the individual and the principles of national self-determination, women's rights, social and trade union rights, as well as the right of minorities, and that respects ethnic, religious, sexual and other differences".²⁷

b. Strategies HCA works on all five sets of rights, but recognizes that in the areas where it works, civil and political rights are even less guaranteed than economic, social and cultural rights. It acts largely through lobbying, networking, information-sharing, and campaigning, rather than through the courts. As a regional organization, "its methods and activities differ from place to place", Krasauskas explained. "In the Caucasus, the focus is on the internally displaced, easing their situation and helping them to recover their identity papers. In Russia, all the concerns used to be about civil and political rights, now we're incorporating economic rights, the rights of entrepreneurs, the role of trade unions. In Central Europe, we're working on issues of NATO expansion, lobbying officials in charge of the process, and through them getting our ideas to other European governments. The strategy is usually based on the interests of the groups that are our local partners, and what they choose to address".

The HCA is active in areas of conflict, particularly the Balkans and the Trans-Caucasus, both supporting local activists and campaigning at an international level for their demands. In October 1995, one week after the cease-fire in Bosnia-Herzegovina, the fourth HCA Assembly was held in Tuzla, "bringing together some 500 activists from all over Europe--including Serbia and Croatia". In the Trans-Caucasus, "local activists have succeeded in freeing hundreds of hostages and in establishing a peace corridor on the Armenian-Azerbaijan border where women, young people, even security forces can meet and discuss how to overcome the conflict".

The HCA has consultative status with the Council of Europe and participates in the OSCE sessions, aiming to put forward civil society views. In the case of NATO's expansion, for example, HCA is not so much concerned with stopping the process of expansion, but rather "the interpretation of expansion and the development of civil society. We held a conference in the Czech Republic two years ago attended by over 100 participants, officials and NGOs, from all over Europe. The aim was to examine the real use of NATO in Central and Eastern Europe, and the economic and military consequences in the country. The NATO expansion was being used in internal political fights within countries, some identified as a bastion of democracy and symbol of Westernization, others were against. The conference brought the evaluation of the whole process closer to reality".

The regional nature of the organization is helpful in replicating successful initiatives. For example, it started summer schools in conflict areas in the former Yugoslavia, a model which is now being applied in the Caucasus. It is an opportunity for people between the ages of 17 and 29 to address human rights and promote inter-ethnic communication.

HCA has six full time staff, all from different countries: Tomas Krasauskas is Lithuanian, while other staff members are from former Yugoslavia, America, Czech Republic, Ukraine, and France. An International Coordinating Committee sets policy, and there are a number of other committees, as well as four regional offices (in the Trans-Caucasus and in Bosnia and Herzegovina). This structure helps HCA ensure that it addresses local issues in each region, with people able to communicate in the languages of different countries, while maintaining a trans-national programme. Training workshops are held for branches and regional offices, on lobbying and organization skills. Assemblies are held every one or two years, bringing together between 500 and 1,000 activists. To date, they have been held in the Czech Republic, Slovakia, Turkey, and Bosnia and Herzegovina; the next one is planned for the year 2000 in Azerbaijan. Most HCA funders are European and American. Most volunteers do not have the funds to pay membership fees. HCA fund-raises to cover the cost of publications and participation in conferences.

c. Instruments HCA draws on several international agreements in its work. These include the Universal Declaration of Human Rights and the European Covenant for Civil and Political Rights. In Kosovo it refers to special UN resolutions. The stability pact for south eastern Europe is "one of the international statements we consider use as guidelines for our activities, because we try to strengthen regional cooperation in the Balkans and promote contacts between NGOs in region and Western NGOs, helping governments to find the appropriate ways to sideline non-democratic regimes and support local opposition, and ensuring that sanctions are not harmful for society as a whole but are directed at the government and those who need to be indicted".

15. Centre for Equality Rights in Accommodation (CERA)

a. Background and objectives CERA was established in 1986 to promote and protect the human right to housing in Canada. It began by dealing with discrimination in housing in the Canadian province of Ontario, which was particularly affecting families with children as "most affordable decent housing areas were switching to adult-only".²⁸ It has over 200 members, both individuals and organizations.

It now works internationally as well as nationally, and acts as the administrative base for the Charter Committee on Poverty Issues (CCPI), a loose alliance of some 150 organizations that coordinates legal and political advocacy for social and economic rights in Canada. CERA provides "information on human rights protection in housing to low income and homeless people, mediates with landlords or others to address human rights violations, and takes forward human rights claims to challenge systemic barriers to securing adequate housing in Canada".

b. Strategies From its earliest days, CERA's main strategy has been recourse to national and international human rights law. As Bruce Porter explained, "We fought for better protection in the Ontario human rights code. In fact, in the mid-1980s Canada had the best human rights legislation in the world in terms of access to housing. But this was not getting through to poor people as they weren't able to use it. So we helped them to access their rights, use the legal protections available to them, and go to the human rights commission."

CERA deals with about 1,200 claimants a year of which 5% (around 60) initiate legal action through the Human Rights Commission. In general, they have a good success rate if cases

reached the Human Rights Tribunal, having only lost one case. Attempts to mediate with landlords are successful in about 50% of cases.

Although about a third of CERA's work deals with the law, most staff are not lawyers - "you don't need to be a lawyer to advocate at human rights tribunals". However, they do use pro bono lawyers for test case litigation, and in this case their role is to mediate the interaction between poor people and lawyers to "get better approaches to human rights of poor people".

Both CERA and the coalition CCPI use "strategic litigation" in their work, choosing cases that have an impact at the policy level. One example was CERA's challenge "to the use of 'income criteria' by landlords in Canada to disqualify low income applicants for apartments. CERA took forward a human rights case involving three low income women to challenge this practice, organized interventions by 23 supportive organizations in the case, raised the issue with the UN Committee on Economic, Social and Cultural Rights, called expert evidence on the Committee's observations on this issue and on the right to housing in international law, and lobbied against legislative changes which would legalize this practice. A decision of the human rights tribunal was recently released finding such practices to be a violation of human rights legislation. This is the first case in Canada, and perhaps in any jurisdiction, to formally recognize that discrimination because of poverty is a form of sex discrimination".

CERA's work at the international level has helped to develop the content of economic, social and cultural rights. In 1993, the coalition CCPI took advantage of Canada's review before the UN Committee on Economic, Social and Cultural Rights to press for new procedures "through which NGOs could make oral submissions to the Committee, and subsequently made the first oral NGO presentation with respect to the review of a periodic report." In 1998, CCPI worked collaboratively with 9 other Canadian NGOs in Geneva to make submissions with respect to Canada's Third Periodic Report. The work in 1993 and 1998 led to strong criticisms and findings of violations of social and economic rights in Canada, where an abundance of resources makes widespread homelessness and poverty completely inexcusable. CCPI also participated in the 1999 review of Canada's Fourth Periodic Report by the UN Human Rights Committee. The Committee's concluding observations were the first occasion on which the Committee expressed concern that an affluent country was failing to take the positive measures required under article 6, the right to life, to address homelessness".

The 1993 decision by the Committee to allow NGO presentations is especially significant because, unlike the Civil and Political Covenant, the Economic, Social and Cultural Rights Covenant has no optional protocol whereby individuals or groups whose rights have been violated can make their case. The lack of an optional protocol contributes to reducing socio-economic rights to the level of "aspirations" and undermining their "justiciability", as CERA has argued in a soon to be published paper, "Using Human Rights Treaty Monitoring Bodies in Domestic Social and Economic Rights Advocacy: Notes from Canada":

The traditional conception of social and economic rights, which was thankfully rejected by the drafters of the South African Constitution, characterizes this category of rights as essentially policy aims or objectives agreed upon by states but not enforceable by citizens. According to this approach, these rights may be made the subject of expert review and comment, assessing whether

states are living up to their 'aspirations', but not of rights claims adjudicated by courts or other bodies. Focusing exclusively on a dialogue between governments and independent experts, this traditional paradigm conveniently leaves out the rights claimants, silencing the voices of those whose very dignity and survival may be at stake in a country's failure or success in living up to its social and economic 'aspirations'.

With its decision inviting NGOs to comment on government reports, CERA believes the "Committee transformed its review process from what used to be a barely noticed, remote discussion between experts and government officials into an essentially adjudicative review of compliance with fundamental human rights. The Concluding Observations issued by the Committee in 1993 engaged some of the most difficult human rights, social policy and constitutional issues in Canada and offered advocates an important tool in our domestic struggles. The Committee's concerns and recommendations made headlines in newspapers across Canada, were the subject of raucous debate in parliament and were enthusiastically disseminated by anti-poverty and human rights groups across Canada. They have since been cited in the pleadings in a number of Charter and human rights cases. I think this is largely due to the transformation of the 'expert review' paradigm into an adjudicative one". In 1998, the Committee strengthened this stand by adopting a "strong" General Comment 9 on the domestic applicability of the Covenant.

In its "Notes from Canada", CERA emphasizes the importance of international human rights law for activists at the domestic level because of the "paucity of domestic jurisprudence and judicial unfamiliarity with social and economic rights". Of course, it adds, "Those of us who work with people living in poverty rush to clarify that social and economic rights are not the sole preserve of a UN Committee" and that it is also necessary that the "rights claims of disenfranchised constituencies can come to define the issues and create the jurisprudence". The point CERA is making is that, like other human rights activists and "perhaps more than others, we need to work on a number of fronts".

One of CERA's strategies is to ensure that people living in poverty are represented on its board (at least half of the eight-member board), and on project teams (about half). This empowers people facing discrimination, who are "actively involved in the arguments and in instructions to lawyers", and ensures that issues are articulated in a way that is relevant to their lives.

c. Instruments The Canadian Charter of Rights and Freedoms is especially important to CERA's work. As noted above, it also makes extensive use of, and provides support to the use of, the Economic, Social and Cultural Covenant.

d. Impact and Constraints CERA has been successful in securing housing for several hundred people each year, and has successfully advocated housing rights at the state and federal level. However, even though CERA and other Canadian NGOs have contributed greatly to the evolution in thinking on economic, social and cultural rights, socio-economic policies in Canada "moved dramatically backward", CERA argues in its "Notes from Canada". This is the result of the 1995 Federal Government decision to revoke the provisions of the Canada Assistance Plan, "which for a generation of Canadians had been the pillar of social rights protections in Canada". In the "Notes", CERA describes the process whereby Canadian NGOs challenged this decision at the UN since it was passed, because they were unable to reverse it at the national level. Between 1995 and 1998,

its says, "provincial social assistance schemes were dramatically downgraded. In Ontario, social assistance rates were slashed by 22%, forcing over 100,000 households out of their housing, doubling the demand on food banks in one year and creating widespread homelessness".

CERA notes that UN processes pose serious constraints - they are time-consuming, costly, frustrating, and "full of weaknesses and problems". But it uses the Canadian example to urge NGOs worldwide to engage in the UN and other international processes to define economic, social and cultural rights: "Our domestic claims are more likely to be successful if international human rights bodies have identified certain areas in which domestic protections are not up to the international standards?. The consideration by the U.N.CESCR of the right to social security and to an adequate standard of living in Canada may be useful, for example, in convincing the Constitutional Court in South Africa that it is essential to provide effective legal remedies to these rights and to establish justiciable standards of universality and adequacy. The treaty monitoring system at the United Nations is full of weaknesses and problems. It is all-important that it be strengthened and made more accessible if it is to meet the challenges of global economic forces that are threatening social and economic rights in all countries".

16. Assembly of First Nations (AFN)

a. Background and objectives The Assembly of First Nations was established in 1982, following the reorganization of the 1968 National Indian Brotherhood that had been set up by Status and Treaty Indian Groups in Canada. First Nations are one of three aboriginal groups recognized in Canada. Their Assembly represents 633 First Nations Communities across Canada, around 800,000 people, and "advocates and supports the diverse goals, rights, aspirations, traditional and spiritual value of First Nations citizens for all generations".²⁹ It represent its constituents both nationally and internationally.

The rights of First Nations are written into law and covered by treaties, but as Al Torbitt points out, "Rights may be written into law, but there is always the issue of interpretation and implementation, and that is a continuous struggle. Many of the treaties were written in the 18th and 19th Centuries, and it's been fairly well documented that a lot of the of undertakings the Government signed onto have not been acted upon. There is a long, sad history in Canada of the marginalization and exclusion of the indigenous population, together with systemic discrimination in the justice system. When half of the prison population is made up of indigenous people, you know you know have serious human rights issues. This all forms a bundle of rights issues that preoccupy the AFN. There is no real separation between the struggle for legal access to education, health care, or economic development and the broader human rights focus".

b. Strategies The AFN does not duplicate the many programmes in Canada that offer social and economic services to the Indian communities. "Where an organization like the AFN comes into play is in the relationship with government, lobbying and advocating the Federal and provincial governments for reform of the justice administration system, and to work into the bureaucracies the aboriginal perspective on these issues and problems that they sometimes don't possess. We work at both the political level and with officials to try to reform the system in a way that better ensures that individual and collective rights are respected in law and in practice".

AFN works on getting aboriginal values into the system in a way which in turn transforms the mainstream itself: "We try to ensure that the justice system in this case is sensitive to the unique cultural values of the citizenry, who take a very different view of justice, law and retribution than the Euro-centric view. The Canadian justice system has been encouraged by aboriginal people and others to introduce notions of alternative sentencing for offenders. This is still a nascent art form, and different jurisdictions in Canada are more progressive than others, but the judiciary does have alternative sentencing guidelines that they examine and apply to aboriginal people in courts, which might be more sensitive to aboriginal values of healing as opposed to punishment. In Aboriginal healing circles, the court, police, and counselors sit down and resolve the issue. This is most usefully applied in crimes against property, but it is also used a lot in sexual assault cases". AFN's role was to advocate the alternative approach as well as to pilot test it to give courts something to work with.

Campaigns have enabled the communities to take over responsibility for delivery of local primary education, with moves towards taking over the secondary system as they show that the community has the capacity to deliver. "That was a phenomenally successful strategy: achievement rates and retention rates skyrocketed once the community was able to deliver more meaningful education to its people, often in their own language. There's a breathtaking increase in the numbers of aboriginal people attending university over the last 20 years, tied directly back to the fact that students are receiving a better education at lower levels and so are able to do better".

AFN invests heavily in communication to the general public, so as to "get them to understand the reality of life in an aboriginal community and how that differs from theirs. It's not all a horror story; we also report on successes".

The relationship with the Canadian Government is "not all adversarial. It warms and cools depending on the prevailing political winds and issues, and the ideological perspective of the government of the day. Now there is a good atmosphere of cooperation and partnership and participation in joint policy endeavours and priority setting". Given its long experience, AFN believes it is much more skilled now at dealing with different levels of government.

AFN has also engaging in dialogue and partnership with the private sector, broadening its relationships beyond Government. "It's a long, slow educational process to get to know each other and to get comfortable, but there is a lot of support from the large corporate sector in Canada. It makes them look like good corporate citizens, and it opens business opportunities with Indian communities. Many of the communities are coming into large pools of capital through land claims processes. Banks are interested in helping manage that capital, and major natural resource companies see it is better to work in a harmonious relationship where they commit to employing and training a proportion of the workforce rather than an atmosphere that might be hostile and disrupt infrastructure".

Another strategy has been the move to the international stage, which Al Torbitt considers as having been important "for indigenous peoples everywhere. We took advantage of the opportunities to participate in the UN and other international fora, and we're knocking on the door of the Organization of American States and encouraging them to be more open to civil society. The UN is much more open. This has allowed us to interact with other indigenous organizations, to exchange

ideas, experiences and strategies. It gives a sense of purpose and meaning and global togetherness: people don't feel so isolated".

Together with other Canadian NGOs and people's organizations, they make it clear that Canada's number one position in, for example, the Human Development Report "doesn't tell the whole story of Canada. If we look more closely at the methodology we can see that what the UN is doing has some value, but it does not look at micro factors. Aboriginal peoples and other action groups in Canada have made it clear to many UN bodies that there are discrepancies in justice".

The AFN has a formal "quite rigid" structure. Communities elect their political leaders, who then sit in the Assembly. There is an annual general assembly and an annual legal meeting, as well as smaller group meetings in between. There are about 12 committees around specific sectors - such as education, health, land rights, gender - that meet regularly and are supported by the Assembly's 80 staff. Women account for about 80 of the 630 chiefs, which in itself is "considerable progress over the past," Al Torbitt says. "We just had an annual assembly in Vancouver last month, and gave special recognition to one community from the province of Saskatchewan where the entire elected council were women, all very experienced and seasoned professionals. In Indian communities in Canada the majority of professionals working in education, health care and administration are female, but the politics are still controlled by males".

c. Impact AFN has clearly had enhanced the Indians' ability to lobby and negotiate with Government; its success in the field of education is a case in point. It believes that its strategy of coalescing into a national political body for "strength and for consistency of its public voice has been very successful". "Without a national organization, many diverse and disparate communities wouldn't get out a consistent message, or have leverage over public policy and public opinion".

d. Constraints The Assembly is almost completely dependent on Federal Government for its resources since most of the communities are impoverished and dependent on federal or provincial programmes.

17. Kensington Welfare Rights Union

a. Background and objectives The Kensington Welfare Rights Union was founded in April 1991, when six women began meeting weekly in the basement of the Kensington Congressional Church in Philadelphia. "We found ourselves in similar situations", explained KWRU Director Cheri Honkala, "in terms of not being able to provide for ourselves and for our families. We thought maybe if we came together we could figure out a way to solve problems".³⁰ The Church was too poor to let them continue meeting in the basement, so they met in each other's homes, and finally got enough money to set up at their present address.

KWRU describes itself as a "multi-racial organization of, by and for poor and homeless people". There are now around "4,000 people that see themselves as members in a relationship in this growing movement for economic human rights. It has sparked activity all around the country among people to use human rights - the analogy I can think of is to Montgomery Alabama and the civil rights movement".

For KWRU, "the language of human rights shows that poverty has no colour, gender, age, or nationality. It enables us to bring people together. When you're poor you get very in touch with the fact that you're less than human, that you're expendable. The major problem we face in this country is that people have been killed spiritually and emotionally - they have been faced with the fact that they're not worth anything. We're saying that we as human beings have rights and we think someone is violating us".

Cheri Honkala recalled the time she first started to use the language of human rights: "About four years ago now, Act 35 cut medical assistance in Pennsylvania, and about three quarters of a million people were taken off medical care. We set up an encampment called Richville after our governor. There were kids denied access to oxygen machines, people on crutches, one guy in a diabetic coma. These things were because they see no worth in us as human beings. We had to do something because the weather was changing, and we needed somewhere to sleep indoors. We decided to march to Harrisburg to talk to our governor. We got the message as to how we were valued as human beings after walking 140 miles to the Governor's mansion, and thought that after all the media publicity we'd received he'd at least send someone from his administration to meet us. He didn't even send us a janitor. That was a real statement about us as a constituency as a group of people. So we decided to move the homeless families into the capitol and weren't going to leave till we could talk to the Governor about a way to house homeless families". A religious community met with the governor on their behalf and now administers a welfare programme.

"That's when I began to use the language of human rights. Nobody came and said, here's a workshop and this is the language of human rights. I didn't encounter the history or language of human rights until two years later, during the Decade for Human Rights Education".

b. Strategies The KWRU's motto is: "You only get what you're organized to take". It invests heavily in educating and energizing people to work for their rights, and in developing community leaders. It has developed five strategies and six tools based on its experience in organizing³¹. The five strategies are:

1. Teams of indigenous organizers, "people who are indigenous to the process - that is, poor"; otherwise what is most urgent to the homeless is replaced by what is seen to be most urgent to their spokespeople, no matter how well-meaning they are;
2. A base of operations, in whatever shape it takes, a base for poor people to meet is "absolutely critical", for projects, courses, legal assistance, and cultural events. movies.
3. Lines of communication: with each other and everybody else (KWRU has a well-developed Internet site, amongst other tools, which gets 100,000 hits a month, and which will get many more as a result of the NetAid link).
4. Mutual support networks, among the poor and with other groups.
5. A core of people who are committed, who have an understanding of strategy, who have a political education". This "fifth ingredient is like the sun around which these other ingredients are planets".

The six tools (or the six "Panther Ps") are:

1. A programme pulling together "the values, goals, issues and interests of that segment of the population that you're focusing on".
2. Protest: "if you hurt, holler".
3. Projects of survival, tapping the surplus production of the country, distributing it and using it as a lever for organizing.
4. Press work, constant work with the media to get the message through.
5. Political education, so that people can understand "what their situation is, so they can articulate what's going on, and educate others".
6. Plans not personalities. "A sustainable organization is not dependent on one leader, but dependent on a plan, principles, a policy. We see that as very key".

KWRU leaders have met with the governor since those early days. Later, Cheri Honkala was the first welfare recipient in the US to testify before Congress. "We had to do a lot to make that happen. It took several demonstrations by our organization, and getting arrested, throwing myself on the table in Congress, before we got an invitation to speak. I started with usual thing they want to hear, my personal sob story, and then I tried to take the discussion from my own sob story to how everyone in the country that's poor is in the same situation, and money was needed for job creation if they wanted to get people off the dole. I had five minutes".

She adds emphatically, "In the US, it's not a question of development. We believe that everybody should have the right to life, liberty and the pursuit of happiness, and that this should not be reduced in any way, especially in a country that has the kind of productive capacity that this one has".

A tool they have perfected is the establishment of tent cities. "When we're unable to get people into the city shelters, we set up tent cities that are like shanty towns," Cheri Honkala explained. "We find scrap wood or whatever we can for the homeless people to live in while we wage a political struggle with the people that have the ability to provide housing and try to develop leaders in the processes. One of the best classes in group dynamics is when people live in tent cities or go through difficult time together".

KWRU believes its main success has been the development of leaders amongst the ranks of poor people, which they estimate at around 3,000 leaders. They network some 40 different poor people's groups, and are by now in touch with groups in Latin America as well as Canada sharing experience. They have talked with the "folks in Canada on how to set up a tent city, exchanging strategies on how to keep a large population of people alive while you try and help them develop their leadership, get involved in the political arena and try to make changes in their life".

In 1997, KWRU organized a Freedom Bus involving thousands of people and traveling through 25 American states in 1997, getting the message out and generating new leaders, culminating in New York at the UN. Details and daily diaries are posted on their website. Outside the UN, they held a tribunal noting that they were forced to meet in the street because there was no mechanism to submit complaints about violations of their human rights to the UN. Speakers from different part of the US then presented testimony about violations by the US of different Articles of the Universal Declaration of Human Rights.

In 1999, a March of the Americas is slated from Washington DC on 1 October to reach the UN on 1 November. "We're getting poor people to speak directly to each other, separately from the advocates and the providers". The March, which was to have pulled people from Chile, Paraguay, Brazil, Colombia, Haiti, Guatemala, Mexico and Canada, called for an end to economic human rights violations in the US and around the world. A summit on poverty is planned for the year 2000 in India.

Organizing is made a little easier by the fact that KWRU does not seek permission to hold rallies and marches: "When you have nothing, all you have is your own dignity and your belief that you deserve to live. If we can't find living wage jobs, at least no one can stop us from raising our voice and say how we feel about living in the misery we live in. We've figured out how to come together and stay alive and build social response that we need to build in this country - not to tolerate homelessness cause we live in a country that has so much abundance".

All of KWRU's workers are volunteers, and the organization helps to take care of people's food, clothing, housing and gas, in an effort to build an organization based on "commitment not compensation". It acts first and finds the money to campaign later. "We stay in debt a lot," Cheri Honkala explained simply. "I'm the Director, and I've figured out how to adjust to a lower standard of living. I share one room with four homeless people. The telephone in the office has priority over my rent, followed by our website and post office box, because I can live in a car".

c. Impact and Constraints Given the minimum resources at its disposal, KWRU has had clear impact in negotiating better lives for people in Philadelphia, as well as advocating policy change and in forging partnerships with groups within the US and abroad. A major and frustrating constraint KWRU faces is the obstacles to poor people "being involved in political process. Many different advocates or service providers are at table drafting legislation. Rarely if ever are poor people themselves asked to speak". Another difficulty is the dearth of funding for human rights work in the US - most of the funds available are for human rights work abroad.

18. Food First (Institute for Food and Development Policy)

a. Background and objectives Food First, the Institute of Food and Development Policy was founded in 1975 by Frances Moore Lappé and Joseph Collins. It is a "member-supported nonprofit 'people's' think tank and education- for-action center. Our work highlights root causes and value-based solutions to hunger and poverty around the world, with a commitment to establishing food as a fundamental human right".³²

The book *Diet for a Small Planet* by Lappé, which has influenced progressive thinking on the issue since the 1970s, provided the seed money to start the Institute, which deals with the right to food in the US and in other countries. It now has about 10,000 members.

b. Strategies Some four years ago, Food First began using the human rights framework to advocate the reshaping of the political environment, so that values of compassion and justice for all are used to design national policies instead of economic efficiency. The aim so as, Mittal explained, "to create a space where the marginalized can have a hearing". The related human rights issues they now deal with include workers rights, housing, and adequate standards of living.

Part of the reason for the change in strategy was the success that right wing think tanks and Christian groups have had in shaping the political environment. "We needed to move into that arena, and do what they are doing, but do it better", Mittal explained.

They launched a campaign - "Economic Human Rights: The Time Has Come!" - focused on the United States in September 1997, to coincide with the 50th Anniversary of the Universal Declaration of Human Rights. The campaign, which includes an economic human rights bus tour in November 1999, was endorsed by a coalition of some 200 groups around the country, and put the issues in terms of human rights violations, accusing the US Government of failing to meet its obligations and calling on it to sign the Economic, Social and Cultural Rights Covenant.

The coalition included other policy bodies, direct service providers, and groups organized by poor people themselves, like the Kensington Welfare Rights Union. "We were excited at having all these groups in the coalition. We don't speak on their behalf but rather act as a conduit".

During the campaign, Food First organized congressional hearings, with people who were hungry, homeless, impacted by cuts in the social safety net, and workers providing testimony. A Congressman, Earl Hilliard (D-AL) who supported the campaign organized a hearing at the Capitol in Washington, which also heard directly from homeless people as well as from human rights leaders. Ads were taken in the media stating "America needs human rights", and the campaign generated a good deal of attention.

On World Food Day (October 16), Food First published an anthology, America Needs Human Rights, together with a film, which will be useful to human rights activists. The aim is to support activists and encourage cities to declare themselves "human rights cities", basing arguments not on efficiency but on values. One just conducted survey revealed that some 70% of the US population don't know there are economic human rights. It plans to follow up with another poll in a year's time to gauge the impact of its public outreach.

The Institute has (seven) SIX full-time staff and four part-time staff, and an annual budget of around \$700,000. It has a policy to ensure that 60% of funding always comes from members. Other sources of funding include book sales and some progressive foundations.

The Institute works with groups in Latin America, Asia and others, on food insecurity. It publishes reports and papers on food in countries like Indonesia and the Philippines. Its World Hunger was published a decade ago and sold 300,000 copies, and a second edition is now out. Food First's work inspired many others to set up organizations, such as the Global Exchange, Fian International, Pesticide Action Network, and Food First continues to collaborate with them.

c. Impact As a result of its campaigns, Food First finds that more people are beginning to talk about hunger and poverty as human rights issues. One way it uses to measure success is the number of stories that talk about social and economic rights as opposed to needs. Another is how often Food First materials get used compared to materials published by the Heritage Foundation.

19. International Movement ATD Fourth World

a. Background and objectives The International Movement ATD Fourth World was established in 1957 by Father Joseph Wresinski in a shanty town outside Paris, France, to work together with people in extreme poverty. Volunteers from other countries who worked with him soon set up similar initiatives in their home countries, with the result that ATD Fourth World rapidly grew into an international movement, and has continued growing in the decade after its founder died in 1988. It has a core volunteer group numbering 300 people in 27 countries and territories in Africa, Asia, Europe, and the Americas, as well as correspondents in over 100 countries through its network, the "Permanent Forum on Extreme Poverty in the World".³³ In France alone, some 100,000 people receive the movement's newsletter. There are 70,000 individual members around the world. Poor people are members, both when they are poor and after they work their way out of poverty.

ATD Fourth World's work has influenced international understanding of the interdependence and indivisibility of all human rights. Its founder's assertion that poverty violates all human rights was engraved on a commemorative stone at the Human Rights Plaza (Trocadero) in Paris on October 17 in 1987, at a ceremony in which some 100,000 people participated. Since then, groups all over the world, very poor families and people from other backgrounds, have observed October 17 as the World Day for Overcoming Poverty. In December 1992, the United Nations General Assembly proclaimed October 17 an official UN Day. In 1996 a replica of the commemorative stone in Paris was inaugurated in the garden of the United Nations Headquarters in New York.

Even though Wresinski was a Catholic priest, he insisted that the movement should be open to people from different origins, religions and beliefs. "He didn't want to build a Christian organization because he felt poverty was much larger than that," Diana Skelton explains. "The very poor families we work with may be from different religious backgrounds and sometimes from no religious background. So are the full-time volunteers and other members of the movement." Ton Redegeld adds, "Wherever he went around the world, Father Joseph found people from different cultures who could not remain quiet in face of misery and oppression. 'Investment by people for people' was the only way to help the poor regain all their human rights."

The International Movement ATD Fourth World has been represented at the United Nations Economic and Social Council since 1974, and is also represented at UNICEF, UNESCO, FAO, and ILO.

The movement's name is a composite. After people in the shanty town where Wresinski began the movement failed in their attempt to register it legally (some had police records), they went to some well-established individuals who had it registered as Aid To All Distressed. Today, members explain ATD also as All Together for Dignity. "Fourth World" was added to the name after French members researched the French Revolution and found references to the Fourth Estate (Quart Etat), as people who did not belong to any village or commune and had no voice.

b. Strategies A key Fourth World approach is to maintain long-term commitment to the poor communities it works with, requiring some project workers to live in the neighborhoods they work in so they can better enable the very poor to voice their own concerns and hopes, rather than basing activities on what project workers think the concerns should be.

"People who are shut out of society don't have a reason to trust - they'll say you're going to leave like all those other development projects left. People who've been living in poverty for generations need a long-term commitment", Skelton points out. As part of their commitment to "live alongside" the very poor, volunteers "have a basic salary which is equivalent to the minimum wage in most countries, and it is the same whatever our responsibilities are."

Having grown up in a poor family himself, Joseph Wresinski wanted to "focus on those things that had been hard for him and his family, such as the feeling of humiliation when people wanted to assist the family materially but not have a neighborly relationship with them". Ways to deal with this included organizing the families in shanty towns so that, instead of receiving free clothing, "they would take donated clothing, fix it up and sell the clothes to each other for small amounts. In this way, they had a choice as to what they took". This attitude, a first step towards a partnership, helped the people to develop as a community able to stand up for its rights, such as decent housing.

Through such approaches, the movement's members believe they can better identify needs and opportunities to address poverty: "For example, in a remote village in Guatemala, the movement was looking at ways to bring down the malnutrition rate in children under five in areas. Because the volunteers began by getting to know very poor people, they realized that they couldn't begin by talking about malnutrition since it brought up all the things the poor were ashamed of and felt guilty about. So the project was designed to focus on culture and education for young children, and all the things children and parents could do, along with a nutritional component". This project was documented in *Reaching the Poorest*, a study on how to reach the poorest children and their families, co-authored by the International Movement ATD Fourth World and UNICEF.

From the start, the movement has emphasized learning and access to culture, and to this day many projects involve street libraries, such as the one Diana Skelton worked with in the New York area. Street libraries with cultural activities are opportunities for children to unleash their creativity and to develop their skills. "Being in the street makes it more possible for children to participate who would not come into a community center. They don't need to worry about how they are dressed. Being in the street also gives parents more opportunity to act as partners in running the activities. The families we work with are often evicted, so the street library is flexible to move from place to place, trying to stay with the families we know".

The movement ties the learning from projects, which range from employment, culture, health, and the environment, to the program and policy level. For example, it is working on a teacher training seminar in the United States in the year 2000 on the factors that can make it possible for children who may be failing in one context to succeed in another. In France, street libraries are run in many parts of the country, sometimes with the funding of local public libraries. But it is still a challenge to ensure that the public libraries will employ for as librarians poor people themselves - those who know "what it's like not to be able to read at the age of 10".

Perhaps most importantly, the movement's work on the ground has contributed to international understanding of the holistic nature of human rights: the fact that political and civil rights are intertwined with socio-economic and cultural rights. Wresinski addressed the UN's Human Rights Commission in 1987, speaking on behalf of the people he worked with. He called on the

Commission to study extreme poverty as a denial of human rights, in collaboration with people living in poverty. The proposal was promoted by several countries, including Argentina, and a resolution was adopted for such a study. After several attempts to convince hesitant countries North and South, Leandro Despouy, of Argentina, was named Special Rapporteur and asked to produce a report on extreme poverty and human rights, which was submitted in 1996.

ATD Fourth World also runs an Institute for Research and Training that publishes a quarterly review, surveys and studies. "It can be very difficult working at the UN," Diana Skelton points out. "We want to create opportunities for people making policy to sit with people living in poverty to think about it together. It doesn't happen when you just set up a meeting for the poor to give testimony, and then leave the room, letting other people make the policy. It's a process that takes years on both sides. Poor people undertake preparation to speak as representatives of other poor families, not just to describe their own situation. You need progress on both sides".

Among other activities at the national level, ATD Fourth World lobbied the French government for a law on poverty, and a framework law was passed in July 1998, which involved people in sectors not normally associated with poverty, such as the tourism sector.

Fourth World volunteers meet every five or six years in a month-long General Assembly in France to exchange experiences and plan for the future. The most recent such assembly was in August 1999.

c. Constraints Volunteers in Fourth World, as in other groups working under stress in difficult conditions, can be subject to burn out. One way Fourth World approaches this is by rotating responsibilities amongst its volunteers.

20. Disabled Peoples International (DPI)

a. Background and objectives DPI was established in 1980 as a "grassroots cross-disability network", to give people with disabilities a voice (it is estimated that there are 500 million people with disability worldwide). Although DPI dealt with the human rights of people with disabilities from the start, it was only in 1994 that the organization decided to change course and to "become more publicly known as human right organization", according to co-president Lucy Wong-Hernandez. 34 "we felt this was necessary to get policy changes and more legislation designed to favor people with disabilities. This is the only way to achieve permanent change". 35

DPI now has member organizations in over 110 countries, over half of which are in the developing world, and is administered through its Winnipeg headquarters and eight "regional development offices". DPI's Executive Board meets annually, a World Council meets every two years, and a World Assembly meets every four years to set DPI's agenda for the coming four years. DPI has consultative status with ECOSOC, UNESCO, WHO and ILO, as well as official observer status at the UN General Assembly.

b. Strategies DPI describes its main functions as development, human rights, communications, advocacy, and public education. Its main strategy is to raise awareness regarding disability issues, and about the human rights of persons with disability. This strategy has resulted in policy change

and new legislation in some countries, including Uganda, Zimbabwe, and South Africa, and in several European countries after the European Union included sections applying to people with disabilities in European legislation.

DPI has learned "from experience that people with disabilities have to be very well informed and educated about their own civil rights, and how to make social changes", explains Lucy Wong-Hernandez, who herself has a spinal cord injury that keeps her in a wheelchair. "That's why we design appropriate training, and exchange ideas to learn from each other's experience".

The need for a voice by the people who suffer abuse of their rights was apparent from the first day. According to a speech by Rachel Hurst, OBE36, "In 1980 in Winnipeg, 300 disabled people from all over the world came to a conference to discuss plans for the International Year of the Disabled People. Unfortunately those professionals would not allow the disabled people to have a proper say in the proceedings ... So the disabled people arranged a barbecue, and through talking with each other in a way that they understood, recognized how much they shared and how much information they lacked, and then decided to do something about it".

DPI played an important part in developing the Standard Rules³⁷ on disability, which is now very useful in their work. Importantly, the Standard Rules was established along with a monitoring mechanism. It is one of the tasks of the Special Rapporteur on Disabilities, Bengt Linqvist (who is blind) to monitor implementation and report to the Commission for Social Development; in 1998, he presented a report to the Commission on Human Rights for the first time. DPI has two members on the panel of experts to monitor the implementation of the Standard Rules. They provide their member organizations with training on how to use the Standard Rules so they can lobby their governments. "It is not a binding document, but it useful as a blueprint to modify national and international legislation and to come up with policies that are more inclusive".

In fact, the Standard Rules served as a blueprint for the Convention adopted by the Organization of American States in July 1998 to eliminate all forms of discrimination against people with disabilities. "It's relatively new so now our mission is to make it more publicly known by the grassroots so they can continue to work and governments and ensure they do not forget what committed".

DPI also supports development projects as part of its strategy: "Our main concerns is that people with disabilities can generate an income to sustain their families and to develop own organizations. We secure funding from international development agencies and sponsor projects in the five regions. It's never enough because the amount of work that needs to be done is incredible".

A main change between past and present strategies is that DPI "has learned to collaborate with governments and work in partnership rather than through aggressive advocacy," Lucy Wong-Hernandez observes. "The benefits are that the governments get to understand our mission and become aware of the problems. We learned to open a dialogue with policy makers and decision-makers, because whatever they do affects our lives. We're still advocates, but we found that we are more effective if we create partnerships, exchange information, and get educated at same time. Now we have a policy that is very inclusive, and a manner of consulting with organizations that is very different".

c. Instruments In its work, DPI tries to get the Universal Declaration of Human Rights, as well as CEDAW and CRC to apply to people with disabilities. The latter documents do not include much language on disability, and so DPI actively participates international conferences such as Beijing and work with the Task Force on the Rights of the Child, to ensure that delegates are aware of the rights of people with disabilities.

d. Impact DPI has influenced national and international policy frameworks on disability, and has made the voice of people with disabilities heard. As one sign of success, "We have been able to sit with government and discuss internal national issues. For example, in Africa it was unheard of for a government to give an hour of its time to people with disabilities, who were considered to be non-productive and non-educated. We've now broken through that barrier. As one example, the African Rehabilitation Institute sat with members of DPI and other NGOs as well as with ILO to reform its policy, which applies to members of the Organization of African Unity".

C. NGOs Facilitating Global Understanding of Rights and Development

Several international NGOs have made it their business to facilitate the work of people's movements and groups working at the local, national level, or regional level, by facilitating the exchange of experience, maintaining data bases, drawing lessons learned, designing manuals, and pulling operational lessons into policies. At a time when donor funding at the regional level has been cut back, the work of such NGOs has been invaluable in speeding up the evolution in a relatively new area and in feeding into the international debate on rights and development. This section profiles the work of four such NGOs.

1. International Human Rights Internship Program (IHRIP)

a. Background IHRIP was established in 1976 at the University of Minnesota by US-based NGOs and law professors who wanted a place for their students to acquire practical experience. In 1983, it moved to the Washington-based Institute of International Education. In mid-1989, after an evaluation, it changed direction "in response to the changing needs of the human rights movement", and focused "on enhancing the effectiveness of human rights NGOs in countries of the South, East Central Europe and the former Soviet Republics", providing an opportunity for experienced activists to intern with other organizations to acquire knowledge and skills necessary for their groups back home.

b. Strategies In putting together training programs that matched an applicant's needs with the resources available in human rights NGOs, IHRIP concluded that "South-South training/exchanges are often more useful than are South-North exchanges, particularly in skill areas such as fact-finding, human rights education and legal aid, because of a greater affinity in perspectives developed through historical, political and economic experience".

Soon, as a result of applications from organizations in different countries and their training needs, IHRIP was able to "see gaps in the field and needs that weren't being addressed", explained Executive Director Ann Blyberg³⁸. One of the needs was training in economic, social, and cultural rights, which the organization began to address in the early 1990s. "We knew it was an important area, and could see the beginning of the shift by groups at the end of the Cold War as well as with

the changes in South Africa - not only because these rights were so compelling, but because the groups would become marginalized if they didn't address issues that were so important to such a large number around world".

By the mid-1990s, IHRIP noticed that groups working in different regions were finding innovative approaches to get past the obstacles that had traditionally arisen in the area of economic, social and cultural rights. "We realized they were doing ground-breaking work, but they were isolated and didn't know what others were doing. We had earlier added to our training mandate the exchange of information between organizations, and so we pulled together a number of activists so they could learn about each other's work. They articulated their approach and their thinking process, and reviewed the problems they encountered". The outcome of this discussion was *Ripple in Still Water: Reflections by Activists on Local- and National-level Work on Economic, Social and Cultural Rights*.

"There is still a long way to travel in terms of understanding what a rights approach means in development", Ann Blyberg notes. For example, there are many NGOs working on housing evictions, but without "a clear understanding of why taking a rights approach differentiates them from social work or relief".

But the field is rapidly changing and more NGOs are coming into the area, as IHRIP can tell from the applications it receives for its internships. For example, there is a "whole network looking at the role of trans-national corporations in economic, social and cultural rights, and within that a sub-network looking at mineral extraction. Previously, these would have been looked at from an environmental impact perspective. The environment issues are still there, but they are now increasingly being framed by these groups in terms of impact on the right to food, the right to health, etc".

Groups working on women's and children's issues have also been successful in using a rights approach. Blyberg notes that it is possible for one part of an NGO's work to be rights-based, for example women's groups using CEDAW to ensure that authorities and society comply with international standards, while other parts of the work remain more traditional development work.

2. International Center for Law and Development

a. Background The Center is a network of lawyers from developing countries. It was founded in 1977 as a successor organization to an international legal center that had provided technical assistance to developing countries for the previous decade, keeping the same board and secretariat. The Center adopted the Dag Hammarskjold Foundation's report *What Now: Another Development* as its conceptual framework, which challenged prevailing development assumptions and promoted self reliance and participation. This meant, explains ICLD Co-Director Clarence Dias, "changing our work to include making law a resource for local communities, to support their self-reliance and participation in development"³⁹. ICLD has about 50 committed legal professionals from Asia in its network, and partners a Latin American network organization, which includes 16 countries.

b. Strategies ICLD has four main areas of work:

- Advocating an alternative development approach, based on human rights, equity and justice;
- Working with law schools to generate "alternative" lawyers, people who have the full range of legal skills but who are concerned with laws relating to rural poor and urban poor (in the Philippines 19 such NGOs were created as a result), and educate the communities about the existing law, help them critique its strengths and weaknesses from their perspective, and decide decisions for themselves as to when how to use law,
- Targeting legal elites - supreme and high court judges, leaders of bar associations, and others - to sensitize them about the misuse of law at the grassroots level so that they would be more sympathetic to groups using law to redress injustice,
- Engaging at the international dimension, participating in international conferences and workshops, to advocate alternative approaches to development.

ICLD was active in the process of formulating the Declaration on the right to Development. Together with the International Commission of Jurists, it organized a joint meeting with the Working Group on the Right to Development, bringing representatives of "people's organizations to say what they would like to see in such a Declaration that would relate to their real-life situations".

Work at the community level demonstrated the indivisibility of the five sets of rights: "With the real lives of communities in facing exploitation and injustice, indivisibility became a strategy not just a concept. You needed to enforce the economic, social and cultural rights often contained in constitutions of these countries. So we came upon a style of human rights work that is different from the violations approach. We were dealing with violations, but we were not documenting and publicizing, but rather raising awareness among those whose rights had been violated so they could take collective redress. That's where we needed alternative law to support the community groups, and sympathetic judges and officials who would recognize that what the were groups asking for was not an unlawful protest but rather really within the law of the country".

ICLD produced and supported education materials around key human rights concepts, in local languages and dialects around key hr concepts, "taking universal concepts and extrapolating from national law support for those concepts". This enabled communities to ask for resources for projects as a matter of right as opposed to charity or basic needs.

Over time, ICLD has moved from a confrontational to a cooperative mode with international agencies, as they have adopted human rights policies and built participation and other "alternative development" approaches into their work.

ICLD is doing things differently in two ways. First, as capacity building succeeds, more local NGOs and community groups are organized to use the law in their favour and to promote law reform. Secondly, it now sees much more need to act as an "early warning system regarding negative trends and strategies at the global level which will impact and negate what groups doing on ground". As early as 15 years ago, it had held a series of meetings alerting participants to the problems that would be caused for people's ability to feed themselves by extending intellectual

property rights protection to seeds, and the benefits and pitfalls of biotechnology. This enabled peasant groups and consumers to organizing against patenting.

More recently, ICLD ha warned about the privatization of development, and the need to move from social responsibility to corporate accountability. Clarence Dias sees a real danger of the new paradigm of development being overturned if the private sector begins to determine development priorities. "The development as human rights paradigm must be defended and not allowed to be compromised by the return of economic growth in a different guise. Problems that are global in nature need not just global strategies but alliances between local and national NGOs both North and South.

"When there is talk about corporations as a key vehicle of social development - that's not social development, that's economic development. There is the continuing ecological problem of profits placed over destruction of non renewable resources and what this does to people's lives. We think there is a real crisis in development which may end up for all practical purposes eliminating development from the agenda. I don't think the development community perceives that it is in crisis: its diagnosis is how to continue to access development funding as well as use the corporations. The international human rights community is doing work that is largely irrelevant and not cost effective; it is continuing the violations approach. It is not able to understand that the \$60 billion IMF package for Indonesia of 60bn is itself a major source of human rights violations. Why \$60 billion? How much will the debt service and burden be for generation of Indonesians? This is a result of the human rights groups continuing selectivity and negation of the indivisibility of rights".

His conclusion: "The right to development becomes more important as the days pass. It defines development in normative terms, and sets out principles regarding how development should be conducted. This applies all the more to social development being done through corporations".

3. Human Rights Council of Australia (HRCA)

a. Background HRCA was founded 1978 as a discussion group and incorporated as an association in 1992, with a mandate to cover both domestic and international human rights through applied research and policy development. "When we restructured, we decided to look at issues that were not addressed by others in a systematic way," explained Andre Frankovits, "and one of our first initiatives was to look at Australia's development assistance programme so as to provide policy advice to the government to use its development assistance to promote human rights. But it soon became clear that the issue was much broader, and we needed to look at the international situation. We repeatedly came across the argument that development assistance already addressed economic, social and cultural, rights, which we saw was an exaggeration: rather, it most focused on economic activity and social development. So we went back to the Declaration and the two Covenants to see how development would promote human rights".⁴⁰

b. Strategies HRCA soon established contact with the then chair of the Committee for Economic, Social an Cultural Rights, who helped the organization look at the content and meaning of the rights to support a main thrust of their work, that of providing policy recommendations to development agencies, and explaining what it meant for their activities. HRCA has established

contact with most Western bilateral donors, both northern and southern NGOs and UN development agencies.

"it's a fairly challenging endeavour, and it's interesting that UN development agencies have shown most openness to the approach. Although most of the Western donors have policies which are very progressive on paper, when you begin to talk about the issues on the ground it becomes more difficult, and you still face the argument that everything that a donor agency does contributes to economic, social and cultural rights. Within the UN system UNICEF and UNDP have been in the forefront of looking at the implications for their work, UNDP more slowly than UNICEF".

HRCA held a major symposium on the issue in 1995, and has recently produced a manual, The Rights Way Development Manual. The manual is modeled on the lines of training materials used in donor and international agencies, giving step-by-step guidance that they can use in their work. "Field workers asked us to be concrete, so the manual described needs at every stage from situation analysis, through to programme design and implementation, monitoring and evaluation, as well as country strategies, specifying who needs to be consulted and how."

In addition to working with donors and NGOs in the North, they also work with NGOs in the South so that these in turn can advocate this approach with donors. The most responsive region has been Latin America, and recent contacts have borne fruit in Africa. "Many of the bilateral donors still see human rights as civil and political rights and focus heavily on institution building and governance, rather than seeing that they have a role to play in how international cooperation can further social and economic rights. A lot of dialogue, training and lobbying is needed for this to happen. The best thing would be for the demand to come from the recipients on the ground, which is why we have tried to develop understanding at the recipient end".

4. Center for Economic and Social Rights (CESR)

a. Background CESR was founded in 1993 by three graduate students who had previously organized the first multi-disciplinary fact-finding missions to assess the impact of war and sanctions on the people of Iraq.

The founders realized through this work and through contacts with other organizations that fields such as development, environment and human rights "shared common concerns about justice and poverty without a common language to support action and collaboration... This lack of shared response goes a long way towards explaining why a single case of torture elicits more international attention and outrage than a thousand unnecessary deaths from lack of potable water. In our view, economic and social rights offered the missing vocabulary and strategy to force governments to redress social injustice".⁴¹

There are five main reasons why economic and social rights matter, according to CESR: "they transform needs into rights; they challenge global and local inequalities; they provide legal accountability; they build coalitions across borders; and they are essential to the realization of all human rights and human development".

b. Strategies The CESR methodology combines research, advocacy, collaboration, and education.

- "Multidisciplinary research can expose how deliberate policy decisions in education, health, housing, and other areas leave entire communities on the margins of survival. Documenting these conditions requires working in public health, economics, and social and environmental sciences, in addition to "the legal fact-finding of traditional human rights work".
- Based on such research, "advocacy can demonstrate that these decisions are not just bad policy, but human rights violations that must be challenged and changed". Advocacy is done through lobbying, petitions and lawsuits, and grassroots mobilization, working with local partners.
- Collaboration mobilizes "the full range of experience and expertise needed to remedy violations", and ensures the priority of local concerns.
- Education enables "affected communities to discuss and understand the root cause of human rights violations and take the lead in demanding change".

c. Program CESR's work involves concrete projects with local partners, advocacy at the international level, and the production of resource materials. CESR now runs programmes in the Middle East, Latin America, and, more recently, the United States, and supports activities in Africa. At the international level, CESR seeks to influence the human rights policies of UN bodies, multilateral institutions, and also private corporations. And, given the lack of precedents and materials on economic and social rights, CESR produces guides, manuals, and position papers on the "practical application of economic and social rights" for NGOs and NGO networks entering the field.

D. Concluding Observations

From the above, the picture of a group that successfully addresses human rights and development can be drawn. Such a group

- uses a comprehensive approach and a mix of strategies, pulling together the multi-disciplinary skills necessary;
- ensures that rights-violated people have a voice,
- is flexible enough to take advantage of new openings in the relationship with government and others,
- works both for the rights of its individual members and uses its experience to impact the policy level and legal framework,
- invests in institution-building and new leadership,
- educates its own members and the public on rights and development,
- builds broad coalitions within and outside its doors to drive the definition of development as a right,
- assesses impact and redirects its course accordingly, and
- finds creative ways to deal with constraints.

While several of the groups covered have a sophisticated understanding of rights and development, it is also clear that many groups that have hitherto thought of themselves as development activists are poised to redefine their work in terms of rights. There is thus fertile

ground for a global rights and development movement to take shape and rapidly coalesce, if the intellectual leadership can be provided.

This is just as well, given that experienced activists like Clarence Dias speak of a crisis that could overturn the paradigm captured in the Right to Development and propelled through successive Human Development Reports and international conferences. Part of the reason for the crisis, he believes, is because corporations are being invited to set the social agenda. The crisis has affected both the development community, whose overwhelming concern is how to secure its funding, as well as the human rights community, which makes itself "largely irrelevant and not cost-effective" by continuing the violations approach. This warning is echoed by CERA's Bruce Porter, who expresses a strong sense of urgency to give content to economic, social, and cultural rights at the international level, so that these can be used to address the national reversals in countries as abundantly endowed as Canada and others, and CERA has issued several calls for international collaboration to secure these rights.

It is clear from the work of the groups that this sense of global crisis is not widely shared. Where a sense of crisis is evident, in the work of groups like ATTAC (Association for the Taxation of Transactions to Aid Citizens) and PGA (People's Global Action) which have mobilized against the fall-out of globalization, it is not necessarily being expressed within a human rights framework. There is need for global leadership to give momentum to a rights and development movement that will head off reversals in the painstaking development and rights gains achieved to date.

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Footnotes

1 The 1993 global Human Development Report defines people's movements "as democratic organizations that represent the interests of their members and are accountable to them... their continued existence does not depend upon outside initiative or funding". It defines NGOs "as voluntary organizations that work with and very often on behalf of others" (p. 84)

2 See Ripple in Still Water for an account of the innovative work of Programa Venezolano de Educacion-Accion en Derechos Humanos (PROVEA) to successfully protect a community's right to health in Venezuela. See also the work of Centro de Estudios Legales y Sociales in Argentina.

3 The Community Law Centre at the University of the Western Cape, and its director Sandy Liebenberg are credited by many organizations for their role in this regard.

4 August 1999 interview with Prasittiporn Kan-Onseri, a community activist who has worked with the Assembly and other NGOs for 11 years.

5 See the Assembly of the Poor document prepared by Prasittiporn Kan-Onsri, 1998, posted on Assembly's website.

6 The villagers at Pak Mun describe the Mun River as the "river of the treasure from the parents to our generation and for the next generations". Before the dam was built, around 150 fish species had been identified in the river. In spite of a "fish ladder" built to enable the fish to go through the dam, only 21 species could do so. Of the fish most important for local consumption, only two species could use the ladder; the Assembly of the Poor calls the ladder a public relations exercise. The villagers report greater incidence of diseases like liver fluke, and new diseases. Families have been split up as men and women are forced to the city to search for their livelihood. In another dam project, 20% of villagers have become beggars. Pak Mun Dam was supported by the Electricity Generating Authority of Thailand and the World Bank.

7 Villagers "face a multitude of problems, from losing their cultivational lands, sources of food and watershed areas to being intimidated and threatened or even arrested...reforestation projects show themselves as failures due to both corruption, as a main cause, and due to the fact that the forest planted in this manner are not able to take the place of natural forests. Important to the implementation methods of the Royal Forestry Department already mentioned is seeing behind them to the background formed by the funds specifically received for the management of remote and highland areas from foreign funders... [The policy is] unjust for the existing permanent settlements in forested and highland areas who have been settled for long lengths of time because some of these people have not been legally given Thai citizenship. However through natural law, through common sense, these people are Thai citizens, Thai people." Statement - Paper 1, 29 April 1999.

8 The 60 women demanded recognition of women's equal rights in the economic, political and cultural spheres of

society, and in decision-making related to natural resources management and agrarian reform. They asserted "the right of the people to know all agreements that governments may make" with international organizations and "get out of the slavery structures imposed on us by 'globalization' by promoting people's alternative ways".

9 Unless otherwise attributed quotes in this section come from written responses to questions provided by MKSS members Aruna Roy and Nikhil Day, August 1999.

10 See "Accounts and Accountability: Theoretical Implications of the Right-to-Information Movement in India", by Rob Jenkins and Anne Marie Goetz, scheduled for publication in the Autumn 1999 edition of Third World Quarterly.

11 Op cit, p. 2.

12 Ms. Roy left the Indian Administrative Service after seven years to help establish MKSS.

13 See the excellent summary of DISHA's work and techniques in Ripple in Still Water: Reflections by Activists on Local- and Nation-Level Work on Economic, Social and Cultural Rights, International Human Rights Internship Program, 2nd Edition, Washington, 1997, pp. 91 - 100.

14 Op cit, p. 92.

15 Interview conducted in August 1999; all quotes are from this interview unless otherwise stated.

16 Ripple in Still Water, p. 95.

17 Interview with CCAGG co-founder Pura Sumangil and two long-term members and colleagues, Merla and Mari, August 1999. Unless otherwise attributed, all quotes are from Sumangil. See also Pork and Other Perks: Corruption & Governance in the Philippines.

18 Information on GIRE was provided in written answers to questions by GIRE's Investigations Coordinator Lucia Rayas.

19 The material in this section was provided by Mike McCormack, co-president of the Guyana Human Rights Association, both in written answers to questions and in an interview in August 1999.

20 The material in this section is based on written answers by and interviews with Viva Rio's Executive Secretary, Rubem César Fernandes, as well as on his excellent analysis of the strategies a people's movement can use for impact, in "Urban Violence and Civic Action: the Experience of Viva Rio", September 1998.

21 This section is based on an interview with Mashriqiyat Director Marwa Qassem in August, and on materials produced by the organization. They explain their name as follows: "mashriq connotes the East in the sense of the Arab world, and the suffix iyat is the plural feminine, which implies both issues and women", that is, issues relevant to the East as well as to women.

22 The section is based on reports issued by the Center, and an interview with its Director Karam Saber in August 1999.

23 This section is based on an August interview with SERAC Director Felix Morka. See also Ripple in Still Water, particularly pp. 107-113.

24 This section is based on an interview with LRC's Vincent Corodean Saldanha, August 1999.

25 This section is based on material provided, written answers and an August 1999 interview with two Geneva-based COASAD representatives, Ousmane Dianor, an educator in development studies, and COASAD's representative at the World Trade Organization, and economist Abdelbagi Jibril, COASAD's representative to the United Nations and other international bodies.

26 This section is based on written answers provided by the Movement's Director Natalya Ivanovna Mironova, as materials posted on the WEDO website (Women's Environment and Development Organization).

27 This section is based on an interview with Executive Director Tomas Krasauskas in September 1999, and on materials produced by HCA.

28 Information provided in August 1999 interview with Coordinator Bruce Porter, and based on CERA materials.

29 This section is based on materials provided by the Assembly of First Nations and an August 1999 interview with Allan Torbitt, its Principal Advisor, International/Intergovernmental Affairs.

30 This section is based on an August 1999 interview with Cheri Honkala, and materials posted on KWRU's website.

31 Summarized from a presentation by KWRU education director Willie Baptist, "On the Poor Organizing the Poor: the Experience of Kensington", February 1998.

32 The section is based on an August 1999 interview with Anuradha Mittal, Food First Policy Director, and on materials provided by the Institute.

33 This section is based on an August 1999 interview with Diana Skelton, who has been with ATD Fourth World since 1985 and now represents it at the UN; correspondence with Ton Redegeld, in Asia, who is a member of the ATD Fourth World Executive Board; and materials provided by ATD Fourth World.

34 This interview is based on a September 1999 interview with Lucy Wong-Hernandez, and on materials from the organization's website.

35 The UN's Special Rapporteur on Disabilities Bengt Lindvist observes, in an interview in the September 1998 edition

of Human Rights Tribune, that the study by Special Rapporteur Leandro Despouy on human rights and disability for the sub-Commission on Human Rights in 1991 brought led a number of disability NGOs to shift to a human rights approach, and led UN committees on rights, women and children to take the issue into account.

36 European Regional Chairperson of DPI, and Director of the United Kingdom's Disability Awareness in Action.

37 The Standard Rules of the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly in 1993. 1981 was the International Year of Disabled Persons, the UN General Assembly adopted a World Program of Action in 1982, and 1983-92 was the UN Decade of Disabled Persons.

38 This section is based on materials provided by IHRIP and an August 1989 interview with Executive Director Ann Blyberg.

39 This section is based on a September 1999 interview with Clarence Dias and ICLD materials.

40 Based on August 1999 interview with HRCA Executive Director Andre Frankovits and materials from the HRCA website.

41 Based on materials provided by CESR and exchanges with Board member and Policy Director Roger Normand.