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Nongovernmental Organizations - The Challenge of Partnership

contribution by

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On 12 June last year it was announced that I was to be the new High Commissioner for Human Rights; 12 days later I received an invitation to attend and address this conference. How could I refuse? Very shortly after that, in July 1997, the Secretary-General, Kofi Annan, stated, in his reform proposal:

'Civil Society constitutes a major and increasingly important force in international life. In recent years the United Nations has found that much of its work, particularly at the country level, involves intimately the diverse and dedicated contributions of nongovernmental organizations and groups...'

I firmly believe this. Think of the huge contribution NGOs have made to world conferences in the past decade, including on human rights in Vienna and on women's rights as human rights in Beijing. Think of the role they are now playing world wide in the follow up to commitments and platforms of action, such as the review of the Vienna Declaration and Platform for Action this year. Think of the role a small NGO played in promoting the landmine convention signed in Ottawa. And, think of the challenging role NGOs must play as we strive for a culture of peace throughout the world.

The NGO community in our global village has become a key component in civil society. It is for this reason that I determined from the beginning to develop a strong partnership between my office and NGOS. On each country visit I have made since my appointment, I have welcomed the opportunity to interact with a wide variety of NGOs--I have always found the meetings to be personally enriching and professionally informative.

In the past fortnight I had opportunities to meet representatives of the NGO community in Vienna, in South Africa and in Botswana. At a conference in Durban I was presented with the findings of poverty hearings or "speak outs" held throughout South Africa since February under the auspices of the South African National Human Rights Commission, the Gender Commission and the NGO Coalition. This is the real way forward in creative partnerships.

I spoke on the topic of the challenge of creative partnerships for NGOs working in the field of human rights at a conference some months ago in Tokyo. And I have chosen to return to the topic today as I believe that you, NGO activists from around the world, are the people facing the challenge--and you must respond. Indeed in many cases you must pressurize others to respond with you; to join with you in creative partnerships. Certainly the International Society for Third-Sector Research is taking an appropriate lead in this regard and I particularly welcome their determination to share information on collaborative efforts.

I am aware of the developing contexts of partnership that I face myself, and that I believe all committed to the promotion and protection of human rights face, on a daily basis. When I refer to partnership I simply mean working together to achieve a common goal. In the field of human rights if we are going to achieve significant progress in as short a period as possible we have to develop creative partnerships. I have a broad mandate as High Commissioner for Human Rights--but no monopoly. I can only implement my mandate in partnership with a variety of actors including those within the UN organization itself, governments, regional organizations, academic communities, individuals and, of course, the NGO community. I am confident that NGOs will find that they can best implement their own, self designed, mandates by adopting a similar approach.

A recent publication by the Carter Center entitled "Human Rights, The United Nations and Non-governmental Organizations" focused on the links between the NGO community and the UN. The main themes addressed were: that NGOs should be given timely access to information, should be allowed consistent access to UN deliberations to increase transparency, and that this should be extended not just to ECOSOC and its subsidiary bodies such as the Commission on Human Rights but also to the General Assembly and its committees and the Bretton Woods Institutions. Undoubtedly this debate will continue, as certain governments are looking for stricter criteria for existing accreditation and access by NGOs. The underlying issue of principle was stated as follows by President Jimmy Carter:

"... for a majority of the world's peoples, the United Nations represents hope. Sometimes, people even see it as the only buffer between themselves and irresponsible or repressive governments or as the only place where their voices can be heard and can make a difference.

The earlier human rights problems are brought to light, the better the opportunities for NGOs and governments to prevent them from continuing unchecked and resulting in violent conflict."

For NGOs to enter into effective partnership requires a degree of self confidence, together with maturity and responsibility. Some NGOs have expressed the concern that these partnerships may effect their independence and somehow undermine their integrity in that they would have to compromise. While partnership will necessarily mean accommodation of the other to some appropriate extent, I do not accept that partnership means compromising on principles--for example an NGO can be in partnership with their government in working to alleviate humanitarian distress in a famine stricken area and at the same time be in serious conflict with the government over its policy on refugees. Partnership is a sign of strength--not of weakness; there is much to be gained from strategic partnership and no reason for loss.

We must remember that irrespective of with whom the NGO establishes a partnership, be it with government, international organization, donor or another NGO, there is always the presence, frequently silent, of the community it serves--the focus of the activity of the NGO. The community may be represented by just one person at a time, for example an NGO offering free legal aid services, or by millions, for example, a project for the vaccination of children. It is the members of that community and their well being that must be at the core of the work of the partnership which is developed. Equally the size of the NGO is not relevant. I am as pleased as High Commissioner to be associated with the work of a small single issue organization or with a large international NGO.

Laurel B. Francis, a former member of the Human Rights Committee, remarked that 'NGOs are the eyes and ears of the Committee.' I am convinced that responsible NGOs can perform a very valuable role as additional eyes and ears for the wider UN community and be recognized as true partners by the UN community. To do so they require the independence that allows them build credibility and therefore acceptance as valued partners. However NGOs in a number of countries do not have sufficient independence--and I would suggest that some may not know their rights under international law, which should be respected by their governments. Traditionally the rights of NGOs have been viewed mainly in terms of the rights of their individual members' free speech, security of the person, privacy--and not extended to the right to freedom of association which attaches to the organization itself. Development of freedom of association has taken place almost exclusively in the context of workers rights, with too little done to interpret what freedom of association means for the rights of other NGOs outside the labor area, and what activities it protects. As a

result many NGOs cannot articulate and assert their organizational rights and so may not be able to establish and maintain their independence.

With the increasingly easy access to technology, I believe well organized and informed NGOs should consider whether they have a responsibility to colleagues who are less free in their functioning, and so cannot be involved in dissemination of information, advocacy and protection in the effective way they should be. A 'lessons learned' strategy with a sharing of experience, and perhaps a mentoring system within the worldwide community of NGOs, could be addressed. A benefit which could emerge from such partnerships is the compilation of reports detailing examples of best practice, which would be of major benefit not only to NGOs but to all involved in human rights work.

Our hosts this evening, the International Society of Third Sector Researcher (ISTR), are giving a real lead in the type of partnerships I wish to promote. In the few short years since its foundation, in 1992, the Society has grown to some 400 members in 65 countries. I was particularly encouraged, and I know you will understand my personal interest, to learn of their work on the impact NGOs can have in conflict resolution and peace processes. It is clear from my comments that I support the Society's emphasis on seeking comparative papers--either across state boundaries or between the third sector and other sectors. This is the future. NGOs, whether they are working locally, nationally, regionally or internationally, should have a fundamental predisposition to co-operating with colleague organizations and not be driven by a feeling of competition. As individual organizations and networks they must similarly co-operate with the for-profit and state sectors. It is only in this way that we can ensure that the best possible information or help will reach those in greatest need and empower them to secure their human rights. An agreed common purpose and overall strategy, identified by good co-operation on an ongoing basis, is the best guarantee of effective and sustainable action.

And I should be clear when I refer to human rights I mean the broad spectrum--social, economic and cultural as well as civil and political rights. For many years the focus has been on those rights pertaining to civil liberties, and the socioeconomic rights have been, at best, aspirational. I am pleased that this is now changing and that there are many serious attempts to address ESC rights, e.g. by defining benchmarks. There is a long way to go and I believe organizations such as ISTR can be instrumental in both promotion of research and education of state and non-state actors to bring about a change of attitudes that will help to secure these rights.

Finally, let me encourage you to join in a partnership with NGOs worldwide in campaigning for the adoption of the draft Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. After all, thirteen years have passed since the Commission on Human Rights decided to establish an open-ended working group to draft a declaration on "human rights defenders."

As I am sure you know, the 54th Commission on Human Rights adopted the draft during its March/April meeting. This was a very emotional moment for all there; regrettably the emotion was even greater some days later when the Commission stood in silent tribute to a courageous Colombian lawyer murdered because he was a human rights activist. However to commemorate him and all the other silent defenders of human rights, as well as to mark the 50th anniversary year of the Universal Declaration of Human Rights, I hope that the Declaration will be adopted by the General Assembly in December of this year and help ensure that the theme for the year 'All Human Rights for All' is fulfilled.