

14.0 Organizational evaluations

14.1 EED Evaluation report

1. Success of Attempts at Individual Redress

A success of attempts can be measured either by the comprehensive standard composed of quantitative and qualitative elements or simple standard composed of quantitative or qualitative elements. A result of attempted redress, however, cannot be measured by a single quantitative standard. The success of the AHRC/ALRC's attempts at individual redress level is to be measured by a substantial and comprehensive standard with its key elements of; (1) the AHRC/ALRC's expectation for an individual redress; (2) victims' expectation for this program with respect to an individual redress; (3) general expectation toward a competent NGO working for a redress in this region.

The AHRC/ALRC's general expectation for an individual redress is publicity.¹ In this regard, the AHRC/ALRC's attempts of individual redress are assessed as being successful because all but except few extraordinary occasions the issued Urgent Appeals have been well publicized through the networking of AHRC/ALRC. From the perspective of victims' expectation, the attempted redress has been quite successful also. Perpetrators usually feel enormous pressures, whether it is from inside or outside, and difficulties in continuing human rights violations.

We verified this aspect of success from personal interviews with several victims from various countries and member of staff at office in Hong Kong. Annual Reports for last 7 years contain reports on intervention and issuances of the Urgent Appeals that have put pressure upon the perpetrators, resulted in deterrence of their violations. Increasing significant numbers of official responses from authorities represents a success of the AHRC/ALRC in pursuing individual intervention.

We noticed that under emergency situations where rapid actions are needed, the AHRC/ALRC eagerly extend necessary services such as medical treatments, dispatching lawyers, providing shelters and others to the victims immediately. This program provides also the public with a general satisfaction from the redresses of well-known cases. The AHRC/ALRC usually select a few important or significant cases and concentrates its capacity to produce a substantial redress for the selected individual case, which brings significant media exposures and raises public awareness on the root causes of the human rights violations. From the perspective of generally competent NGOs, this program is well fitting to harvest a concrete redress from a symbolic cases of violation.

2. Success in Upholding Values, Principles and Perspectives of Human Rights

Human rights principles are the universal fundamental values applying every aspects of human life on the earth. In Asia, however, it is difficult to apply the human rights principles uniformly throughout the region where remnants of colonialism are still in power, traditional feudalism is subsisted, modernization is not yet in full blossom, political situations are precarious and cultural divisions cause discriminations.

The Organizations focused on Asia's particular situation in spreading human rights principles in the region and initiated adoption of Asian Human Rights Charter that reflected distinctive Asian human rights values as being against negative values of inequality, cruelty and inhumanity. The Organizations

have embraced these distinctive Asian human rights values into the aims of program flexibly. Especially the Organizations always uphold Asian human rights values when it submits working proposals.

Two ways of upholding human rights values are noticeable; one is 'by abolishing negative values' and the other is 'by promoting positive values'. The Organizations have paid more emphasis on the former in its campaign and operation of programs. Major campaigns such as Disappearances, Massacres in Asia, No Torture belong to the 'abolishing negative values' category. Activists and local partners visiting the office in Hong Kong unanimously recognized the Organizations' endeavors of upholding human rights values under the Asian perspective as being appropriate and effective in pursuing its campaign and programs in Asia when interviewed.

In order to uphold human rights values, direct and indirect human rights education are essential. The AHRC/ALRC devised a human rights school in charge of its education. Books, magazines and other electronic documents published are used as the direct and indirect educational materials. Direct human rights education is conducted under diverse formats of study in accordance with its purpose and utility. Timely issues and practical lessons are spotted, generated and taught at the human rights school convened locally and regionally. The lessons are sent to human rights groups and interested individuals from time to time through networks developed. Internship program is substantially productive.

3. Success in Generating and Disseminating Knowledge

The AHRC/ALRC recognize that the knowledge on practical human rights issues is critical to improve human rights conditions in Asia. The knowledge of redress achieved in one place in Asia encourages other similarly situated regions to obtain identical measures. Knowledge of success is highly contagious, whereas knowledge of failure gives lessons.

Evaluators find that the Urgent Appeals Program is the source of knowledge on human rights situations in Asia. Victims all around Asia send their causes and requests every day to the office in Hong Kong out of trust.

The AHRC/ALRC generate knowledge of human rights by publishing various books and booklets, education and campaign materials, electronic documents and on-line materials. All publishing works are results of processed knowledge generated by the collaboration of all members and partners of the AHRC/ALRC. The AHRC/ALRC publish periodicals titled The Article 2, Ethics Action and Human Rights Solidarity, and 53 books full of information and knowledge of human rights situations in Asia. Those periodicals and books are offered in online as well as printed. Lots of articles and texts are free to use.

Major characteristic of publications is that articles and texts are mainly intended for laymen readers and styled in narrative or story-telling format. The AHRC/ALRC publish books, periodicals and on-line documents not so much for the purpose of an academic research as of disseminating story of human rights and related materials to ordinary people and activists. Media exposures are an efficient medium in spreading knowledge. The AHRC/ALRC have utilized major media exposures in its full measure.²

4. Success in Generating Public Opinion

Evaluators find that influential and reputable medias frequently rely on the AHRC/ALRC for news reports on major human rights issues in Asia. The AHRC/ALRC are regarded as trust worthy as internationally renowned Amnesty International or Human Right Watch.

Frequent quotes of the Organizations are found in local news outlets, which lead in sways of public opinion. Several serious public discourses on human rights issues in Asia initiated by the news coverage that the Organizations contributed to.

Extra judicial killings, disappearance, delays in the justice system, defunct states in rule of law, traditionally subsisting cast-based discrimination, land grabbing, gender-equality are some of the issues that major media usually cover relying on the Organizations.

Considerable authorities and politicians are reacted to those public attentions by sending their views to the Organizations or starting to seek a solution to the issues at the respective institutions. International bodies and institutions react favorably to the Organization's request by building a public international pressure against relevant countries.

In this regard, the AHRC/ALRC are successful in generating public opinion on the measures to the human rights infringements.

5. Success in Influencing Policies

Evaluators do not find significant substantial policy changes on the important human rights issues in the target countries despite significant persistent efforts of the Organizations.

Several countries, however, show their potentials in changing their stance on specific human rights issues targeted by the Organizations. Their attitude and reactions through governmental bodies or concerned authorities are more frequent and extensive.

In the Philippines, government authorities started to view torture a crime. In most countries covered by the Organizations, anti-corruption is accepted as an immediate policy target.

Forced disappearance is an imminent and fundamental issue; however, it does not receive favorable reaction by the concerned authorities in most countries. Governmental bodies tend to avoid this issue. Evaluators found that lobbying efforts for changing national policy direction have not been fruitful. Moreover NGO's lobbying efforts have inherent limitations.

In sum, the Organizations have been successful in initiating public debate in a concerned country. In this limited extent the efforts have its meaning.

6. Success in Promoting Legislation

The AHRC/ALRC's efforts in promoting legislation to correct and prevent human rights violations have insufficient results despite its accumulated endeavors. Evaluators noticed several fierce efforts and commitments that the AHRC/ALRC has made in the meantime.

In Bangladesh the AHRC/ALRC assisted a member of parliament of the ruling party introduced a draft relating to the Convention against Torture and Other Cruel and Inhuman Punishment or Treatment to the parliament, and mobilized media exposure. In Sri Lanka, campaigns for adopting a witness protection law and a contempt of court law are not fruitful yet. In the Philippines, efforts of the AHRC/ALRC to pass a bill relating to prevention of torture did not produce considerable progress until now. In India, the AHRC/ALRC is mobilizing public debate on the anti-torture legislation.

The AHRC/ALRC, together with RCT Denmark and other partner organizations, exerts its efforts to legislate laws adopting the Optional Protocol to the Convention against Torture and Other Cruel and Inhuman Punishment or Treatment in Cambodia, the, Bangladesh and Sri Lanka in several different stages.

In sum, the AHRC/ALRC's efforts in promoting legislations are cut in the middle. The AHRC/ALRC and other partners need to devote time and resources more to see the appropriate laws be legislated and enforced.

7. Success in Monitoring

The AHRC/ALRC have taken a role of monitor in the realm of human rights in Asia since its foundation. For significant and fundamental individual violations, the Organizations have utilized the Urgent Appeals Program as a monitoring apparatus. Key areas of monitoring are police activities, judicial procedures, mandatory social services of governmental bodies and other institutions involved in violations of human rights.

Evaluators notice that the AHRC/ALRC have proven its ability of monitoring individual and sporadic occasions of human rights infringement through its victimoriented approach. Reputation of the AHRC/ALRC as a reliable regional watchdog is built upon its persistent devotion for a long period of time. Each issue of the Urgent Appeals is comparable to a monitoring report. Monitoring legislation procedure needs comprehensive collaborated works with media, NGOs, activists, politicians and concerned group of volunteers, which is another challenge of the Organizations. Considering the amount of resources committed, monitoring whole process of legislation by the AHRC/ALRC alone is not appropriate. Collective work by partners, academia, media and public is desirable.

8. Extent of Success

Evaluators examine each items of purported success according to the criterion provided by the Organizations. The AHRC/ALRC are considered not a big organization. Its operation budget is considerably limited. Weighted portion of budget is earmarked for maintaining office and communication facilities, travel expenses and other inevitable costs. Considering those material limitations, we find that the AHRC/ALRC manage itself more than efficiently.

The AHRC/ALRC have achieved considerably in the area of individual redress, education, monitoring and knowledge base works. The Organizations, however, have not materialized significant changes in governmental systems. Nevertheless, the Organizations' achievement is recognized as successful in terms of the significant impacts that it has brought in. The impacts are comparable to plowing a field. The Organizations soften hard soil of dire situation of human rights in Asia by well-designed programs. It should take for a while to see considerable systemic changes in the society or governmental body. In the mean time, a degree of substantiality and utility of impacts is a suitable yardstick in assessing the achievements. Now people in the region of active service have a high level of expectation over the Organizations. That is the most relevant material evidence of success among others.

14.2 RCT report 2009

1. The Multilayer Approach of Human Rights Advocacy

AHRC/ALRC have repeatedly highlighted the link between the improvements of legal systems as a necessary condition for providing protection for human rights for the poor and the marginalized. They also point out that the absence of the rule of law in most Asian countries is the major obstacle for the realization of human rights. Through the urgent appeals program, AHRC/ALRC, on one hand, provide a protective cover for local movements to voice their concerns and demands. On the other hand, it also creates the climate for local people and groups to slowly organize the people to take action for change. In addition, through the concentrated efforts of producing substantive reports and campaigns on important human rights issues in Asia, the organizations were able to undertake very high profile campaigns on individual cases as well as on issues of concern for a particular country or even on regional issues, such as campaigns against torture, disappearances, caste-based discrimination, etc. As a result, such interventions have led to U. N. agencies taking effective action in many instances.

2. The Effectiveness of Modern Communication Technology

Since the 1990s, AHRC/ALRC have recognized the enormous potential of the rapid development of information and communication technology in enhancing human rights advocacy globally and have made it a priority to develop its communication system and the communication skills of their staff. With the launch of AHRC/ALRC's first web site in 1995, the importance of AHRC/ALRC on the internet has grown to an extent that is comparable to that of a popular newspaper. The role of AHRC/ALRC in the region therefore is that of an information center. Many activists and human rights groups today rely heavily on AHRC/ALRC information resources on the internet. The urgent appeals online response system belongs to the most frequently visited pages on the site and is a good example of a provision of functionality that goes beyond the mere offer of information.

3. The Strong Links of Local Human Rights Groups

AHRC/ALRC recognize that an understanding of the problems of the denial of rights can come only through close contact with those who face such problems and a careful documentation of the narrative of such problems. AHRC/ALRC call this the micro study approach. For example, if the concept of fair trial is to be introduced into a country that believes in summarily punishing someone, it is not enough to condemn such summary punishment. It is also necessary to point out how crime prevention can take place through investigations, prosecutions and the judiciary. Then it becomes necessary to do advocacy to improve investigation mechanisms, prosecution mechanisms and the judiciary. This requires a constant review of the legal system of each country. In order to get involved in more in-depth studies into the different contexts of the countries in Asia, AHRC/ALRC have gradually developed local country desks for 12 countries. The primary function is to develop knowledge about the context in that country and to build local contacts. At the same time, each country desk is involved in advocacy through urgent appeals, working with the U. N. human rights system and other international organizations and campaigns.

4. Human Rights Education to Empower Ordinary Folk

One unique characteristic of AHRC/ALRC's human rights education programs is the guiding principles of the folk school methodology as formulated through the work of the Danish educator Dr. N. F. S. Grundtvig. It is the conviction that all people are equal, that knowledge is not the privilege of the elite and that, when ordinary people come together to discuss their problems, they are likely to also find

solutions to these problems. Following this methodology, AHRC/ALRC were able to empower the ordinary folk throughout Asia whose lives are most affected by their country's defective justice systems. This methodology is invaluable in building a movement for legal reform and the establishment of the rule of law.

Another important component of the organizations' Human Rights Correspondence School is the perspective of action. This involves the process of thinking through human rights problems to find solutions to those issues which formed the starting point of the learning process and the development of strategies and tactics to bring about change.

5. Legal Reform and Human Rights Education in China

It is important to note that through the coordination of Wong Kai-Shing the China project has flourished and has made many great achievements since its inception in 2000. They include (1) an increased awareness and recognition of human rights and fair trial principles among Chinese judges; (2) the development of a group of Chinese scholars, NGOs and lawyers to be ALRC partners in promoting human rights and legal reform; (3) increased awareness and application of the ICESCR among civil society groups in their work and advocacy; (4) greater awareness and recognition of human rights and anti-torture principles among criminal investigators and police school teachers; (5) the production of comprehensive research on the problems of torture and recommendations for judicial and police reform; (6) the development of human rights research on ESCR.

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1 "Under all such conditions the only resort left to persons who face human rights violations is publicity, and even in this area restrictions on media freedoms can create limitations of finding such publicity." See 2007 Annual Report, p 21. This is an edited version of an article originally published on 18 June 2010 by the Sri Lanka Guardian.

2 See 'AHRC in the news' section in the home page of AHRC

AHRC Resolution – 5

The Board of Directors resolves that the document entitled, "Handbook of Guidelines on Strategies and Methodologies" presented to the Board be adopted as the handbook of working guidelines on strategies and methodologies. The Board requests the Director and the staff to follow this handbook as guidelines and to continuously review and develop it further, and to educate the staff and interns about all the strategies and methods of ALRC.

Proposed by:

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June 27, 2010

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June 27, 2010