

### **3.0 Criteria for the assessment of impact**

To judge the impact of human rights advocacy in a particular context requires an analysis of the following aspects:

- a. The success of attempts at individual redress.
- b. Upholding values, principles and perspectives that affirm human rights, rather than those of inequality, cruelty and inhumanity.
- c. The success in knowledge generation and knowledge dissemination.
- d. The success in generating public opinion of measures to improve various aspects of human rights.
- e. The success in influencing policies.
- f. The success in promoting legislation.
- g. The success in monitoring the implementation of legislation regarding human rights.

#### **3.1 The success of attempts at individual redress**

The assessment of success in individual cases is not difficult. However, the degree of success often depends on particular circumstances. To illustrate, a person may suffer from a particular type of violation of his human rights, such as illegal arrest or detention, torture, denial of fair trial, the denial of the freedom of expression and assembly, or the denial of the right to food, water, health or education. When such a case is taken up by way of advocacy, either through the urgent appeals or by interventions with the government or the UN, we can easily measure whether there has been some impact. If arrested, was the person produced before the court or released, for instance. If tortured, has the person been given medical treatment, have judicial medical officers examined him and made reports to be used in courts, has an inquiry into the matter started, has there been any prosecution, has there been any witness protection, has there been any final judgment from a court?

In this manner, for each rights violation, several questions can be asked and a review can be made through contact persons known to both the victims and the AHRC.

It is also possible to ask what more could have been achieved in relation to that individual case, and what means might have been used. It is also possible to measure the advocacy methods used (urgent appeals, publications in the press, letters to governments and UN Rapporteurs, meetings, press releases and so forth) and the outreach to see whether such methods were used well.

#### **3.2 The success in knowledge generation and dissemination**

To achieve any change, it is necessary to demonstrate the extent of the problem relating to any particular human rights issue. Very often only a vague idea of a particular problem exists in the public mind. For example, in a particular country people may say that forced disappearances are taking place. However, if one were to develop effective advocacy against such disappearances locally and internationally, it would be necessary to collect as much knowledge as possible about the extent of the problem; how forced disappearances are done and by whom, what limitations of law allow such things

to happen and what are the absences in the institutional framework that make it difficult to deal with such problems. It is also necessary to generate knowledge about the victim, the impact on their families, what they and others are doing to get redress, what is the evidence regarding each individual forced disappearance, what is the treatment they receive when they try to make complaints and other related matters.

Detailed knowledge is required not only about the violations, but also about the political situation, the nature of the legal system and various agencies that can play a useful role in changing the situation. Without such knowledge, any advocacy is quite useless. This knowledge is important to develop material that can generate public opinion, counteract propaganda denying such violations, and to get assistance from UN and other agencies.

### **The following are some ways of measuring the success of these attempts:**

a. The quantity of information. If we know only five instances of torture or forced disappearances, the same impact cannot be achieved as when we know about a hundred, two hundred or more instances of such violations. The greater the number of cases, with detailed information, the stronger the argument. Moreover, it becomes difficult to deny the problem, which leads to more space for discussion addressing the issue. While statistics can be useful, it is more effective to have detailed records of as many violations as possible. It is thus easy to measure progress in this way.

b. Qualitative measurements. Qualitative measurements of the knowledge that has been generated can be measured in the following ways:

(i) By publishing the available knowledge, the information can be tested regarding its adequacy and impact. Publication will lead to either the challenge of such information by those opposing it, or the generating of further information by those supporting it. If the information is of a certain quality, it will make an impact in many different ways in both the short term and the long term.

c. Information dissemination is easier to measure, through the following questions:

i. How many people receive the publications with that knowledge?

ii. How often do the same people receive updates on the same issues?

iii. Which authorities, local and international, receive such information?

iv. How is the collected information stored to ensure it is not lost or damaged?

v. How is the information access to as many people as possible guaranteed?

All this can be measured through the numbers of distribution and the distribution methods. In modern times the potential for wide distribution with minimal cost exists.

### **3.3 Upholding human rights values, principles and perspectives rather than those of inequality, cruelty and inhumanity**

Human rights work involves a constant battle to encourage and inculcate values such as equality, respect for the human dignity of all, justice, fair play and love for humanity. The articulation and realization of these values has occurred through a global human struggle; sharing these experiences

with the countries in which we work is one of our primary objectives. This is necessary because several changes that have taken place in the west, like the French, British and American democratic revolutions have not yet become part of the Asian culture. In most of the region's countries, while there has been some adjustment to modernization, there is still considerable feudal influence, although these feudal cultures differ in different countries. In south Asia for instance, the feudal culture is based on the caste system, which regards inequality as an ideal and a basis for 'harmony'. Hierarchical values are therefore preferred over equality, and there is no notion of any common humanity. People were instead divided into grades ('graded humanity'). Within such a system the idea of rights does not exist. Similarly, in cultures influenced by Confucian values, hierarchy is again a very strong element, making equality and human rights thorny and problematic concepts. However, as compared to caste based social values, these cultures have greater room for the acceptance of common humanity.

In each of these countries, there is a need for constant engagement and debate to reaffirm and reiterate the values of democracy and human rights. Human rights education and the publication of various materials are the main instruments of participating in these debates. The extent of such educational sessions, their quality, as well as the extent and quality of publications can be measured.

### **3.4 Success in generating public opinion to improve various aspects of human rights**

Factual knowledge on human rights alone is not adequate; this knowledge needs to be analyzed and various materials developed in order to influence public opinion, nationally and internationally. This is primarily a task of developing the capacities of communicators.

As proof of the pudding is in the eating, proof of the publications is in the reading. Moreover, reputed publications will not publish articles and essays that are not up to the mark. Publications can thus be tested by seeing whether media have picked them up, as well as whether fellow human rights promoters have taken an interest. They can also be compared to those of more established organizations. For instance, if a human rights group's publication is comparable to that of Amnesty International or Human Rights Watch, its material is of the necessary standard.

If public opinion begins to appreciate the values and attitudes represented by a human rights organization, this is a measurement of success. In the case of torture for instance, after a rights group works on the issue for some time and it surfaces in public debates, that indicates the impact of the group's work. If at a later stage measures for stopping torture become part of the public debate, then the impact has been more significant. In this way, it is not difficult to measure the impact on public opinion on any human rights issue.

### **3.5 Success in influencing policies**

The more difficult area of human rights work in countries where there is a rule of law crisis, is transforming public opinion into public policy. The following situations are an indication:

1. In the Philippines there was some public agreement that torture should be made a legally recognized crime; however, this agreement only recently led to the development of a government policy to bring about such a law. A comprehensive law making torture a crime has now been passed, but there is no

procedural law to ensure that there will be investigations into all complaints under this law. There are thus many matters to be addressed regarding the implementation of the law.

2. In Pakistan, India, Nepal, Sri Lanka, Philippines and several other countries there is robust public opinion against forced disappearances. Bringing about a local law criminalizing forced disappearances or ratifying the UN convention against forced disappearances however, has proved elusive.

3. In many countries there is public opinion that corruption needs to be eliminated. However, it is very difficult to get the government to approve policies regarding the development of proper legal and institutional measures to eliminate corruption.

For any human rights issue in any country, it is essential for there to be policy level agreement amongst the relevant authorities and players for any effective action to be taken.

An advocacy group can advocate such policies, and such advocacy can be measured for its success. In the same way, the success of implementation can be measured by the extent of discussion at the policy making bodies on the relevant issues.

### **3.6 The success in promoting legislation**

At any given time there are a number of instances where a particular form of legislation in favour of the protection of a right is limited. Therefore it is not difficult to analyze the laws that a particular organization has lobbied for, and how successful such lobbying has been. It is important to realize however, that this kind of work takes a long time. Any improvement in the attitudes favouring such legislation can also be measured for success though.

### **3.7 Success in monitoring the implementation of human rights legislation**

This is an area in which human rights organizations can play a greater role and their work can be measured. In fact, this monitoring work is related to that mentioned under section 3.1 'The success of attempts at individual redress'.

By monitoring individual cases and analyzing the extent of redress achieved, it is possible to gauge what attempts have been made to implement human rights legislation. This can also be done by studying each piece of relevant legislation.