

7.0 The theory behind the AHRC's Urgent Appeals Programme

Ordinary people throughout Asia are frustrated by the lack of respect for human rights in their countries. In fact, there is unlikely to be any individual not unhappy about the denial of his and others' rights. The denial of rights affecting one person may be different from those affecting another. Some may be concerned with the limitations imposed on their freedom of expression or restrictions on privacy. Others may be more concerned with police brutality, military killings and forced disappearances. Yet others will be frustrated with the absence of rights relating to labour, environment and gender issues. Whatever their specific concerns, people in all countries of Asia face deep frustrations regarding their enjoyment of human rights.

However, the expression of these frustrations remains largely within the private sphere. Individuals complain about their frustrations to their friends, family and other personal acquaintances. These frustrations may even be shared during random conversations. But these frustrations are not reflected in any public discourse. Certain print media, including feature articles, columns and editorials may broadly refer to some of these frustrations, but the content of private discourse is largely not reflected. The same is true of the electronic media. Furthermore, all media in general attempt to reflect a happy or sober mood among the population, discouraging portrayals of discontent. Apart from the media's self censorship, many Asian societies may have some unwritten or even unconscious rules-- social taboos-- which prevent the public reflection of private frustrations and grievances. In societies where authoritarian control is more absolute, sophisticated media practices prevent the portrayal of any forms of social discontent. Even where such authoritarian control does not exist, a high degree of control over private expressions can be exercised by a small group of elite.

The divide between private and public expression means that some of the causes of private complaints may go socially unnoticed. In order for society to take action relating to private frustrations, there must be ways for these to be expressed in the public sphere. If for instance, an individual complains in private about limitations to his freedom of expression or privacy, or about police and military brutality, and these are reflected in various media, then there is a possibility that society may get involved to address some of these matters.

Bridging the gap between private and public expressions was seen as a formidable task in the past, largely because channels of public expression were built on heavy monetary investments and thus controlled by the investors. To illustrate: a printing press—which would produce material on a large scale—was beyond the means of most people; through capital investment, a select few could control public expression. It was only in a few revolutionary situations when the media was not controlled by this select few. The last two decades however, has seen an enormous communication revolution, which has separated investment and expression. Without investing heavily on communication, it is now possible to communicate with large audiences, therein creating an avenue for making private frustrations publicly known. Modern communication technology allows any creative individual or group to facilitate what in the past would have been possible only in the private sphere. All that is required for information to now be transmitted on a large scale is the basic organization of communication channels and some technical skills.

The AHRC's Urgent Appeals Programme was organized as a means of bringing to public notice the private frustrations arising from human rights violations, and then to create a public discourse on these issues. If X suffers from limitations of freedom of expression, if Y suffers from torture and other forms of abuse by the police or military, or if Z suffers from the denial of labour rights, gender discrimination or environmental degradation, such suffering could be brought to public notice in the expectation that some form of solidarity will develop to resolve the relevant issues.

In bringing the private frustrations into the public sphere, a good recording of the privately expressed grievance is the most important tool. If an individual somewhere is suffering from a lack of food or from torture, and this suffering is well recorded, it would allow the story to be shared with a large audience. The heart of this approach is therefore the grassroots' recording of the private grievance with objectivity, compassion and competence. The AHRC's Urgent Appeals Programme relies on the recordings of such frustrations and grievances by human rights activists who are directly or closely linked to those expressing their distress.

In order to immediately communicate such stories to a large audience, a central space where basic technological facilities and staff are available on a constant basis is needed. The facilities must include an adequate communication network capable of transmitting information to a significant audience, and the staff must have capable writing and communication skills.

The key to the urgent appeals success is the story—the expression of the grievance itself. A well written urgent appeal is one where the individual's voice is heard in expressing his frustrations. For this reason, even technical details must be arranged in such a way so as to retain the narrative value. From the AHRC's experience, when the story in an urgent appeal is well written, it is more likely to be taken up by the media.

It must be stressed here that the impact of an urgent appeal cannot be measured by the list of recipients. From studying the AHRC appeals taken up by the media and other civil groups, it can be seen that the number on the list who directly receive the appeals does not matter. What matters is that the list is organized to include relevant media and civil society groups. For instance, it is very important that an urgent appeal on torture in Sri Lanka is sent to the relevant Sri Lankan media sources, as well as groups dealing with torture or police abuse. In this way, other media and civil groups may pick up the story from those on the AHRC list. The urgent appeals therefore are circulated to a much wider audience than that on the initial mailing list. When the story is picked up, the AHRC staff are often interviewed on the relevant issues by print and other media. In Sri Lanka and Thailand, the AHRC has in fact become a reference point for the media on important human rights issues, and is often the initiator of public discussion. The AHRC strives to achieve this in all Asian countries.

It is for this reason that the Urgent Appeals Programme is primary to all of the AHRC's work. It is from an individual urgent appeal that a campaign is started; the two are not separate. The AHRC's press releases and statements are complementary to its urgent appeals. It is the story that brings about the reflections and analysis published by way of statements and press releases. The organization's other activities such as UN interventions and workshops, are also secondary to the urgent appeals.

The urgent appeal introduces narrative as the driving force for social change. This idea was well expressed in the film *Amistad*, regarding the issue of slavery. The old man in the film, former president and lawyer, states that to resolve this historical problem it is very essential to know the narrative of the

people. It was on this basis that a court case is conducted later. The AHRC establishes the narrative of human rights violations through its urgent appeals. If the narrative is right, the organization will be doing all right.

Police torture in Sri Lanka: Developing a narrative as a way towards radical reform

In the mid 1990's, the AHRC's main focus in Sri Lanka was forced disappearances. The massive disappearances that took place there were shocking, and there was a need to find out why and how they occurred. In the process of being engaged in that discussion, by early 2000 we got the discussion more focused on torture. We linked the disappearances of the 1980s with the ongoing torture at police stations, and covered it under the theme 'Disappearances of persons and the disappearance of a system'. During the last five years, as we worked on various cases of torture, we were able to put more flesh into our narratives.

Today, when torture is mentioned, the following associations are made by persons directly or indirectly influenced by the AHRC's work:

- Torture is a common occurrence and happens in all police stations, discipline in the police has broken down, delays in the court system contribute to this situation.
- Though there are some investigation mechanisms on torture, these are not effective; complainants face mortal threats and there is no witness protection system.
- Though torture is a crime under the law, it is very difficult to get proper prosecution.
- There is deep dissatisfaction about the state of the judiciary in the country with allegations of abuse of power, inefficiency and corruption.

These associations, making up a narrative, are regarded as helpful in understanding the problem and opening up avenues to introduce the issue into public debate. In early 2000 we were relying on our own publications to share victims' narratives—either by email or small scale print media--while by 2003, we were able to gain considerable attention in the print media. By 2005 we were heard a few times a week in the local radio, and in 2006 we were able to have a weekly radio programme, as well as regular interviews with local media channels.

On certain issues the AHRC has been looked to as the main spokesperson, such as the resignation of two judges from the Judicial Services Commission; this became a national debate only through the AHRC's intervention. In all such interventions, we take our overall narrative to larger audiences. As we do this, more people speak up and engage in detailed discussions regarding the narratives we present. The stories that we are collecting at present on delays in the justice system adds further flesh to the existing narrative. With people beginning to talk on delays, we can expect a large amount of new information emerging from all over the country on this issue. And so the narrative grows.

As the narrative grows in detail, so does the participation of people in debate. When the participation grows, we have greater potential for change. With an increase in contacts and human resources, coming from quarters which were not known to us before and mostly voluntary, comes more possibilities of solutions. In order to improve this momentum, we must constantly improve the narrative.

The following are questions that can be used during any introduction, training or evaluation of the urgent appeals system:

1. Have you personally taken any interest in doing an Urgent Appeal for any individual? If so why did you think of doing that?
2. Think of one or more cases where you have personally worked on an Urgent Appeal, what was the case? How did you get involved in that case? Did you have any direct contact with the victim? Did you interview the victim yourself? How long did you pursue the case?
3. In one or more cases that you have done, what were some of the lessons you learned from getting involved in making an Urgent Appeal? Did that help you to understand as to why that particular problem happened in the country? Did it help you to understand why this victim needed help? Why, for example, he or she was unable to get all the help necessary by themselves?
4. Did your involvement come through a partner of the AHRC or some third party? If so how did working on this case help to improve your relationship with the partner? Are you now aware of the kind of work the partner's organization or the partner does in the particular country?
5. Did you come to a better understanding of the legal problems associated with the case; what the legal system is like, why this type of problem takes place, what kind of complaint mechanism exists, and what people's attitudes are about obtaining relief through the legal process?
6. Did your work help you to understand the compensation systems available in the country? Do people get compensation for human rights violations? If so, how do they get it?
7. Did the case help you to understand the trauma and psychological problems associated with human rights abuses? Are there any systems present for victims to get counseling or other assistance for psychological and physical injuries?
8. Did your work on the Urgent Appeals help you understand certain aspects of mass communication and its use in assisting people who face human rights problems?
9. In what ways will the cases you worked on help you to deal with other cases you may come across?
10. Did your work on Urgent Appeals lead to the writing and reading of reports about particular human rights violations?
11. Do you think the Urgent Appeals case work is reflected in the various interventions of UN bodies? Do the Rapporteurs for instance, talk about the type of problems that you have dealt with in their reports, recommendations or speeches?