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## **Unit - 8 □ Role of NOGs in Promotion and Protection of Human Rights for Women, Children and for Other Backwad Classes**

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### **8.1 □ Introduction**

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NGOs are independent development actors existing apart governments and Corporations, operating on a non-profit or not-for-profit basis, with an emphasis on voluntarism, and pursuing a mandate of providing development services, undertaking communal development work or advocating on development issues. The development of international norms, institutions and procedures for the protection of human rights has gone hand in hand with the proliferation of non-government international organizations working in human the human rights fields. Some NGOs played an important role in San Francisco during the drafting of the UN Charter. There they labled for the inclusion of human rights provisions in the Charter and far a system that would give NGOs formal institutional affiliation with and standing before UN organs. The result was Article 71 of the UN Charter, which provides that “the Economic and Social Council may make suitable arrangements far consultation with non-government organizations which are concerned with matters within its competence”.

Article 71 was implemented in due course by ECOSOC. It establishes a formal system that enables qualified NGOs to obtain one of three types of consultative status with the organization. The existence of this system has encouraged the creation of more NGOs, the adoption of similar consultative systems by other international and regional organizations, all of which has produced more NGOs. Today, as a result, there exist a myriad of these groups throughout the world. Some specialize in only one subject, such as human rights, health, or environment matters, others focus either on more general interests and agendas or on particular issues of a given speciality.

Whether or not they have a former affiliation with an inter-governmental organization, the NGO's resemble domestic pressure groups or lobbyists. Human rights NGO's have played a particularly important role in the evolution of the international system for the protection of human rights and in trying to make it work. Governments which violate human rights are always eager to make sure that the applicable international human rights norms, institutions and procedures remain weak and ineffective. The human rights NGO's provide a needed counterpoint to these government attitudes and deserve much of the credit for the progress that has been made in recent decades.

The functions human rights NGO's perform differ depending upon the purpose for which they established, their resources, the geographic regions in which, they operate and the nature of their membership. There are NGO's which are interested in the world-wide promotion of human rights. Others limit their activities in specific regions or sub-regions (for example, Central America, Africa, Asia) or to specific countries or issues. Amnesty International, the Lawyers Committee for Human Rights, the International League for Human Rights, the International Commission of Jurists, the Watch Committees, to cite but a few well-known NGO's have world-wide interests.

The methods NGO's employ in the pursuit of their goals also differ from group to group. Some choose to resort to only one or a limited number of techniques or activities be it the preparation reports, the filing of complaints with international organizations, the promotion of international legislation, lobbying before national and international legislation, lobbying before national and international bodies, and so on. Others use all these tools depending upon the circumstances. Some NGO's limit themselves to the protection of specific groups or to specific concern. This is true of the Anti-Slavery Society, the Minority Rights Group, or the international committee of the Red Cross. Others have much broader concerns.

The notion of human rights is dual in character. On the one hand philosophers like Aristotle have emphasized the valuable choice-making characteristic of human beings that all governments should protect. On the other hand in the legalist tradition, political scholars have observed that human rights are an ideology for minimizing the danger of arbitrary

action of the State against the citizens. Both the choice-making and ant tyrannical connotations of human rights are equally important, especially in guiding public policy.

The association of human rights with human development and emergence of rights-based approaches to development policy are increasingly finding place in discussions on international development. Rights-based approaches have evolved from the international human rights framework, from social cultural and political struggles and debates and a historical transition from clientelism to citizenship. Until recently, narrow definitions of human rights (related to civil and political liberties) were being promoted in international development as an aspect of good governance. But a right-based approach is understood to be broader because all rights including economic, social and cultural rights are considered indivisible, inter-related and interdependent.

The ideology of the United Nations is that human rights are meant to inform and guide development policies. Human development is only meaningful and sustainable when designed to ensure the realization of human rights. States have responsibility to protect and promote universal respect for and fulfilment of human rights in their individual and joint actions.

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## **8.2 □ The Women Community, the Issue of Human Rights and the Role of NGOs**

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The Seventh Plan document on socio-economic programmes for Women's has clearly stated that voluntary agencies are to be fully involved in launching an organized campaign against social evils affecting women. They have thus been given a prominent place in the Plan document. The NGO focus on women-specific issues in programmes is still in its formative stages. So far, efforts have largely focussed on employment generation at the micro-level.

Despite the year 2001 being declared the year for Empowerment of women, the status of women in India causes concern, with socio-economic indicators showing a disturbing trend a falling Child sex-ratio, rising poverty and unemployment, starvation deaths linked to the denial of right to life and livelihood and displacement of tribal people. These are not isolated trends but needs to be seen in the light of globalization and rising caste and religious intolerance, which have increased varied forms of violence against women, as a group have faced adverse impacts owing to globalisation and the pursuit of neo-liberal policies by governments. The problem persists despite the vibrant resistance by the women's movement to this over the past several decades.

The absence of land reforms has resulted in the dispossession of rural and tribal women and the denial of land rights. Caste discrimination impedes effective political participation by elected dalit women representatives and heightens violence. The majority of girls and women being trafficked for prostitution are from Dalit and tribal communities.

It is recommended that states should have a specific monitoring mechanism to track missing girls and women in rural areas.

Voluntary organisations have an enormous task at hand in the new millennium. They not only have to work for the economic empowerment of women, but also address the issues of social, political and cultural empowerment. For economic empowerment, voluntary organisations have a major role to play in training, skill building and in providing credit facilities. They have a role in bringing in attitudinal change in people on gender equality, education of girls, the menace of dowry, wife-beating etc. Voluntary organisations and women's groups also have a role to force changes in policies, laws, rules and regulations on women. The overall focus has been to enhance the status of women. Questions are asked about unequal gender relations within various classes and communities, particularly in urban settings. The dowry tradition is one focus of attention in this context. Consumerism stimulates the demand for dowries and consumerism too is attacked by women's groups. Dowries accentuate son preference and female infanticide. These practices are also attacked by women's groups. The emphasis by environmentalists on the need to deal with deforestation, scarcity of fodder and the increasing difficulty of obtaining water in rural areas, made a big impact on woman's movement. It became clear that these environmental issues had a particularly adverse impact on the work and lives of women. Thus Eco-Feminism was born. The question of gender inequality in the context of deteriorating environment came to the fore.

The Self-Employed Women's Association (SEWA) was established in 1972. It grew out of the women's wing of the Textile Labour Association. SEWA's aim was to unionise women workers in the unorganised sector. 'It deals with issues such as minimum wages, rights to land, occupational health, home-based workers and access to credit. SEWA combines three movements; labour, co-operative and development. SEWA has 30,000 members and it has organized 30 all-women co-operatives. In 1982 an attempt was made to establish SEWA BHARAT, that is women's groups all over India affiliated with SEWA, Ahmedabad. Many organisations were established but some have closed down and others claim complete independence.

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### **8.3 □ Role of NGOs In Promotion of Rights To Dalits, SCs & STs**

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The issue of human rights is a very important component of the socio-economic development programme for the uplift of the dalits and tribals. Basic to all the developmental efforts for the uplift of the dalits and the tribals is respect for their human rights, respect for their right to equality and equal opportunity, their right to a life with dignity, the right to enjoy the rights guaranteed by our Constitution. Statutes and schemes are important, but they become meaningless in the absence of a commitment to enforce them and to implement

them. The annual report of the Ministry of Welfare for the year 1994-95 records not only a higher incidence of poverty among Scheduled Castes and Scheduled Tribes, but also a slower elimination of the extent of poverty among them. Voluntary organizations do have an important role in remedying this situation. There are hundreds of voluntary organizations which work quietly among the less privileged, in the remote areas of our country, satisfied and happy with the changes they are able to bring about. They need to be brought into the national focus, for their work needs to be appreciated, emulated and rewarded.

This brings us to the role of the NHRC in supporting voluntary organizations. In the development of a working relationship with NGOs, the commission has identified specific areas. These cover articulation of complaints of human rights violations; association in matters of inquiry into complaints, awareness creation through education and training; and joint action on issues in respect of which NGOs have specialized knowledge. The commission is firm in its belief that the protection and promotion of human rights in our country require courage and commitment of NGOs, and their ability for sustained handwork. The work of the commission has convinced it of the need for working closely with NGOs. There will be a widening and deepening of the relationship in the years to come. Voluntary organizations are watch-dogs as well as trend setters; watch dogs of what we must protect and preserve; and trend-setters of change and transformation.

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## **8.4 □ Role of NGOs In The Promotion of The Rights of The Children**

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NGOs have played a significant role and have been in the forefront providing services to children. There has been a shift from the welfare approach to thrust on development and empowerment in the interventions for children. The NGOs have developed several strategies based on child rights perspective to intervene on behalf of children and protect their rights. Many NGOs and grass-roots organizations have intervened with various approaches. Some of the interventions have been in the following kinds of activities.

- Research and documentation.
- Advocacy at all levels to bring about structural and policy changes.
- Preparing alternative reports on status of child rights.
- Promoting networking and co-ordination among NGOs to jointly advocate on issues which affect the rights of the child.
- Awareness building.
- Mobilization of public opinion.
- Intervening in special cases of violations.
- Providing a platform for expression of children's concerns
- Direct actions like raids and liberation of children in servitude.

- Building pressure groups.
- Capacity building (building in the necessary skills, structures, attitudes and knowledge, required to work better).
- Lobbying with the government to review existing schemes towards being more child-oriented.
- Running field action projects to reach out to children.
- Direct work with children and their communities.

Several international organizations like UNICEF (United Nations Children's Fund), UNDP (United Nations Development Programme), UNIFEM (United Nations Development Fund for Women) WHO (World Health Organization), ILO (International Labour Organisation), FAO (Food and Agriculture Organization), UNESCO (United Nations Educational, Scientific and Cultural Organization), UNFPA (United Nations Fund for Population Activities), CARE (Cooperative for Assistance and Relief Everywhere), Save the Children and the IBRD (International Bank for Reconstruction and Development) are actively involved in the development and protection of Child rights. Some other important agencies, including Human Rights Watch Defence for Children International (DCI), International Society for the Prevention of Child Abuse and Neglect (ISPCAN) and End Child Prostitution in Asian Tourism (ECPAT), work towards promoting the rights of the child.

NGOs have significant roles and crucial tasks in the struggle for the realization of the rights of children and in the elaboration and further development of the standards and rights affirmed by the national and international laws, developing more effective implementation by monitoring resource allocation, child development programmes and projects and undertaking evaluation thereof helping develop participatory, community level structures for delivering resources and services to meet the basic needs of the children. Advocacy and lobbying will also be necessary in support of proposals for law reform and standard settings. Rights are of limited values unless they can be effectively asserted. NGOs have an important role to ensure effective assertion of rights. Additional tasks include critiquing national reports prepared by governments and where appropriate, preparing alternative NGO reports on the subject/. At the regional level NGOs will also need to explore ways of using regional human rights machinery and instruments to address regional specificities and disparities and developing regional positions and strategies regarding issues relating to children. At the international level, NGOs' vital role will include identifying specific areas for international co-operation and technical assistance to realize the rights of the child. The challenge for child rights NGOs lies in applying a participatory empowerment approach to the development of the rights of the child.

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## **8.5 □ NGOs And Child Labour**

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Non-government organization have played an active vital role in making child labour visible, raising levels of public concern, and protecting the working children. They have mentioned the conditions in which the children work and helped launched the long indispensable process of changing public attitudes, providing alternatives and access to justice. A number of NGOs have taken up the issue of child labour and bonded labour and carried out programmes to throw light on this issue. The interventions are in the areas of counselling, awareness raising, social mobilization, encouraging community participation, releasing children from work providing vocational training, enrolling children in schools and ensuring their retention monitoring the function of school, bringing children into the formal mainstream schooling system, preparing educational fits'and facilitating interaction between the various stake holders like government officials, teachers, employers, etc.

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## **8.6 □ Role Played By NGOs in the Areas of Exploitation And Trafficking**

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NGO initiatives in India have been restricted primarily to networking, lobbying /advocacy and welfare services to the victims and their children. There are some organizations which have tackled the issue of trafficking for prostitution but in a different perspective, like sensitizing and taking preventive measures among caste based communities of prostitutes, through programmes for their children, specially the girl child. Intervention by NGOs and Women's groups on the issue of trafficking take the following forms :

- Advocacy for the rights of those who are trafficked for the purpose of prostitution.
- Advocacy for the rights of migratory labour or for those who are trafficked for labour.
- Networking for united action to prevent trafficking by like minded groups.
- Lobbying for changes in legislation.
- Advocacy for rights of women in prostitution.
- Providing welfare services for health, education and childcare.
- Running of shelter / safe homes.
- Facilitating rehabilitation and repatriation.
- Providing information about laws, policies and programmes.

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## **8.7 □ NGO Interventions in the Juvenile Justice System**

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There are several Central and state government schemes and NGO interventions in the administration and implementation of the Juvenile Justice Act. The interventions are

in the areas of preventive, institutional, non-institutional, as well as rehabilitative work. Observation homes; Juvenile homes, special homes and aftercare homes are run by the government as well as by the NGOs. The government also provides grant-in-aids to the NGOs to run the homes. The services provided by these homes might include medical treatment, education, accommodation, vocational training, recreation and job placement. The intake of children depends on the age and category of the child. Some of these categories are : street children, orphans, semi-orphans, girl children, children from broken families, children of anwed mothers, and school dropouts.

The interventions seem to be concentrated within urban areas prime cities and in certain geographical areas. The NGOs appear to be working in an individualized, small scale manner and their efforts are thus fragmented and confined to certain areas and to certain specified-categories of children. There are network organizations as well working with street children and other underprivileged children for their survival, protection and development. A good example of evolving partnerships reach out to children is the childline intervention, a national twenty four-hour, free phone emergency outreach service, which tries to link children in need of care and protection to long-term services. Any child/adult concerned can call 10-9-8 (1098) free of charge. This include regular follow-up. It is a project of the Ministry of social Justice and Empowerment, Government of India, in partnership with NGOs the UNICEF, and the corporate sector.

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## **8.8 □ NGO Interventions in Elementary Education**

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Pioneering initiatives by NGOs have drawn attention to new models of classroom pedagogy, teacher training, school management, and so on. NGOs have played a crucial role in advocating for the right to education to be a fundamental right and helping to foster public participation in schooling matters. NGO interventions are generally concerned with activities relating to primary education, literacy, non-formal education, education for street children, child labour, education for groups with physical or mental disability, 1 education for the marginalized or socio-economically deprived groups, education for the girl child, networking and advocacy.

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## **8.9 □ Conclusion**

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The conventional theory of Human Rights presumes a homogeneous civil society and a strong and legitimate democratic state that will protect the rights of life, liberty and freedom of the individual. This is a very narrow perspective of human rights. Our ideology is based on a perspective and practice of human rights that is universal in its applicability but accommodates the specifics of our pluralistic society. It is based on the indivisibility of I human rights rooted in the mandate laid down in the Universal Declaration of Human Rights



the Indian Constitution, the two main UN conventions of Civil and Political Rights and Economic, Social and Cultural Rights and several International Treaties ratified by India. Human Rights are also collective rights of communities and people for continuing sustainable development, eco-system and livelihoods. The human rights mandate is heard in the voices of the oppressed and exploited, of indigenous people, fishing communities, women, dalits, children, workers, artisans and peasants; it is the voices from below of the resurgent civil society of sustainable livelihood and eco-system, popular governance and equitable development.

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### **8.10 □ References**

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- i) Child Rights in India Law, Policy and Practice : Asha Bajpai Oxford University Press.
- ii) Human Rights In India : C.J. Nirmal (editor) Oxford University Press,
- iii) NGOs As Prime Movers : Shivani Dharmarajah Kanishka Publishers.

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### **8.11 □ Exercises**

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- i) What is human rights ? Write in details about the available human right protection measure in Indian soil.
- ii) What roles can be played by NGOs protecting the human rights connected with the women of our society.
- iii) Do you think dalits are deprived of human rights ? How and why ? Illustrate the role of NGOs in promoting the rights of dalits SCs and STs.
- iv) Write an essay on role of NGOs in the promotion of the rights of the children.

