

30 years after Bangkok NGO Declaration on Human Rights and the Vienna Declaration and the Programme for Action

The long road from Vienna

The issue of Human Rights has never been so much to the forefront of the international scenario as it is today. In the euphoric spirit after the end of the Cold War, the member states of the United Nations passed a resolution to convene the World Conference on Human Rights in Vienna in June 1993.

The Preparatory Committee Meetings and the Vienna Conference brought into sharp focus many facets of human rights reality. Many authoritarian and totalitarian governments continue to rule in Asia. Besides the continuing political suppression, there are more than a dozen of ethnic conflicts across the Asia and Pacific region, while all are seeking varying degree of self determination. Most ethnic conflicts have background of domination, injustice and repressive of one ethnic group by another. The list is long and woeful.

Prior to the Asian Regional Inter-Governmental Meeting (March - April 1993) in preparation for the Vienna World Conference, regional NGOs gathered at the Asia Pacific NGO Conference on Human Rights which took place from 25-28 March 1993 in Bangkok. The Bangkok NGO Declaration on Human Rights reflected the true spirit of the Asian aspiration for fundamental freedoms and human rights. This, despite the fact that the governmental document, the Bangkok Declaration, attempted to trample upon the inalienable human rights of Asian under the cover of cultural, historical and regional particularities.

During the Third Preparatory Committee Meeting, Asia Pacific Human Rights NGOs formed a Coordinating Committee for follow up of the Vienna World Conference.

After the Vienna World Conference, Asia Pacific NGOs were the first to meet again to evaluate Conference and set the agenda for the future. About 107 NGOs participated in the meeting in February 1994 in Bangkok and formed the **'Asia Pacific Human Rights NGOs Facilitating Team'** to carry out the task for a period of 2 years.

Building Asian solidarity

The Asia Pacific Human Rights NGO Facilitating Team had been functioning on an adhoc basis. The Asia Pacific Human Rights NGO Facilitating Team had undertaken several activities. It campaigned for human rights issues during the Association of Southeast Asian Nations (ASEAN) Foreign Ministerial Meeting in Bangkok in July 1994. It also helped organize the Asian Conference on the National Security Laws in Seoul in November 1996.

The lack of institutional set up or module for coordination had stymied the activities of Asia Pacific Human Rights NGO Facilitating Team/ More and more NGOs had been expressing their desire to join the Facilitating Team. however, the expansion of Facilitating Team had been constrained by the necessary for substantive discussion amongst the NGOs in the region.

In response to the urgent need, the Asian NGO Human Rights Congress was held in order to frame and institutionalize a module or medium of coordination to increase the Asia Pacific solidarity to face the emerging challenges of human rights struggle in the region.

The challenges ahead

Asian face many challenges ahead. The most serious challenge is, of course, as many government delegates rightly said cultural specificity, - the peculiar patriarchal pattern of democracy in which an authoritarian government considers itself as the sole guardian of the state and who sees its own good as public good and equate all opposition and criticism as treasons.

In the countries in Asia like China, North Korea and Burma there were simply no independent NGOs while others were still facing the limited political space like Singapore, Laos, Cambodia, Vietnam and Brunei.

The right to freedom of association of the NGOs was greatly curtailed across Asia. Human Rights NGOs have been facing denunciation and physical assault by the state and its agencies, whenever they took up the cause of the democratic rights of the downtrodden, unorganized labourers, minorities and indigenous peoples and when they take up the case of ordinary citizens caught in an armed conflict situation. The state-sponsored hate campaign against human rights NGOs quite often carried out by the bureaucracy, the police and a section of the media had in recent years, somehow, manipulated by the authoritarian governments.

Universality of Human Rights

Because Asian governments over-emphasize on cultural specificities as a means to escape international scrutiny, the need for a regional human rights instruments like the European Commission for the Protection of Human Rights, American Declaration of the Rights and Duties of Man, and the African Charter on Human Rights and Peoples Rights to defend and promote human rights, is not realized. It reflected the hollowness of the self proclaimed Asian Concept of Human Rights. In fact, many of the proponents of Asian Concept of Human Rights cannot articulate the difference with the Universal Declaration of Human Rights except in terms of justifying human rights abuses, legitimizing authoritarian laws and the Patriarchal state.

Asian Governments had never shown any seriousness to the administration of justice, accountability to or compensation for the victims of human rights abuses. Rather, the attempt by Asian governments to strengthen civil and democratic society has excluded the NGOs in the consultation process and still seen NGOs as enemy of the Government.

Attempts to muzzle Asian NGOs

The conspiracy to exclude the NGOs goes beyond the regional human rights instruments for the Asia Pacific region. During the 51st Session of the United Nations Commission on Human Rights in February - March 1995, Asian government created stumbling blocks to prohibit Indigenous peoples NGOs from participating in the Commission-level drafting process of the Draft Declaration on the Rights of the Indigenous Peoples. Their strategies to simply deny the existence of indigenous peoples in the region.

A similar attitude was displayed in the 52nd Session of the United Nations Commission on Human Rights in March - April 1996 on the discussion of the Draft Declaration on Human Rights Defenders.

Despite significant events in Asia, such as the release of Burma Nobel Laureate, Daw Aung San Suu Kyi, and China's hosting of the Fourth World Conference on Women, the human rights situation in Asia had not improved. The illegitimate military government. the state law and order restoration council of Burma is yet to handover the power to the legitimate government of the National League for Democracy and thousands of prisoners of conscience continue to be detained in Burma. The controversial venue of the NGOs Forum in the Beijing Conference and denial of visas to many Tibetan women spoke itself of the Chinese concern for human rights.

The continuing denial of human rights

Human rights violations across the Asia Pacific region continue to be appalling. Arbitrary detention, torture, rape, custodial deaths, disappearances, trafficking of women, sexual exploitation, denial of freedom of expression continued unabated. Workers rights and the International Labour Organization (ILO) guidelines continue to be flouted. The treatment of migrant workers in the Gulf states, Singapore and Malaysia was really bad while the leaders of these countries points their fingers to the west crying racial discrimination.

While human rights violations by any Government should be condemned both nationally and internationally, there is no space for domestic criticism of some of these leaders. However, Asian government feel more confident in arming themselves with further draconian powers and clamping down on human rights, National Security Legislation with sweeping powers to arrest and prosecute, had been used as a tool against political dissidents and to violate human rights of the citizens.

Under the cover of national security, serious human rights were violated in internal armed conflict situations especially in the 1990s. The security forces violated basic principles of International Humanitarian Law by resorting to indiscriminate arrests, killings of innocent people, maltreatment of civilians and in many situations by using rape as a weapon to intimidate, torture and degrade women. Such human rights violations in extremely difficult circumstances had caused large movements of refugees and internal displacement.

With geo-political equations determining the status of refugees, involuntary repatriations had taken place consistently across the region. The principles of the United Nations 1951 Convention Relating to the Status of Refugees and 1966 Optional Protocol, however inadequate, had been constantly flouted. UNHCR in many areas in the Asia Pacific region had not fulfilled in Protection mandate.

There are many challenges before us. Only collective effort will be empowering us to work effectively and successfully. Now, the time is come !