

TRANSNATIONAL

ASSOCIATIONS

TRANSNATIONALES



De l'assistance
à l'ingérence humanitaires?

Europe and Latin America 1992:
the Trade Union Dimension

1992 - n° 6

The review of international
associations and meetings

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This publication, produced by the UAI, appears six times a year.

The purpose of the studies, surveys and information included in this periodical concerning the international and transnational networks of nongovernmental organizations is to promote understanding of the association phenomenon in a human society which continues to grow and evolve.

The programme of the review, in accordance with the principles of the UAI, is intended to clarify general awareness concerning the associative phenomenon within the framework of international relations and, in particular, to inform associations about aspects of the problems which they tend to share or which are of common interest to them.

The columns of this review are open to association officers, research workers and specialists of association questions. The articles do not of course necessarily reflect the point of view of the publisher.

Cette publication, éditée par l'UAI, se présente à ses lecteurs sous la forme d'une revue de période bimestrielle.

Son objet associatif d'études, d'enquêtes, d'informations, au service des réseaux internationaux et transnationaux d'organisations non gouvernementales, s'attache aux idées et aux faits d'un phénomène de société humaine en expansion continue et en évolution hâtée.

Son programme, conforme aux principes et aux méthodes de l'UAI, vise, en général, à éclairer les connaissances du grand public sur la vie associative dans la perspective des relations internationales et, en particulier, à informer les associations des divers aspects de leurs problèmes propres et d'intérêt commun.

Les colonnes de la revue sont ouvertes à la fois aux responsables d'associations, chercheurs, spécialistes des matières associatives, dont les articles n'expriment pas nécessairement le point de vue de l'éditeur.

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TRANSNATIONAL ASSOCIATIONS ASSOCIATIONS TRANSNATIONALES

1992 - N° 6

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President's Message

Attentive readers of this Review will no doubt have noticed changes which have occurred, since the last issue, in the composition of the Council and in the attributions of certain of its members. Our members and friends have a right to the explanations which must be "de règle" in any association careful to practice transparency,

The General Assembly held in Brussels on 8th October 1992 had to make good the spaces left in the ranks of the Council due to the resignation of three of its members. The new Council had then to face an unexpected situation: its President, A. Vanistendael, asked to be released from his duties which should normally only have come to an end in 1994. No-one could be ignorant of the difficult circumstances in which Mr Vanistendael had to assume the interim Presidency after the tragic death of our regretted President F. Casadio. He then agreed, at an age when one no longer looks for honours, to maintain the Presidency so as to ensure continuity and prepare for the constitution of a new team. It is for pressing personal and family reasons that he has decided to cut short his mandate.

I believe I can speak for all those who knew and worked with Mr Vanistendael when I express our regret at his premature departure and also our recognition of the work which he has accomplished at the head of the UIA. His personality radiated a naturalness and a courteous authority so that storms, if there had been any, would have been immediately shattered on the rock of his serenity. Wisdom, experience, the art of conciliation, a sense of continuity, have marked his all-too-short reign. Fortunately he who would so well deserve the title of Honorary President, if we were able to confer it upon him, is not leaving us, and we are sure, for at least the next two years, of benefiting from his valuable advice as member of the Council.

Is there any need to say that I was not a candidate for a post that was not even vacant? Further, that I did not carry out a campaign or draw up the least electoral programme. It was on the recommendation of M. Vanistendael that the Council was good enough to place its confidence in me to take over the duty. I am grateful to my Colleagues for the regard in which they hold me; but I am not so naive as to hide from myself that the task brings as many duties as honours. When one reaches retiring age one can benefit from a certain experience and one is guarded against the temptation of personal power; but one is not guarded from the depredations of time. I should not have accepted this new responsibility if I did not have the feeling of having been indebted, over at least two decades, to the UIA. If I have given a little of my time and my thought, I have learned much through contact with personalities as outstanding as G. Speeckaert, F. Casadio, R. Fenaux and those around them, both in the Council and in Headquarters. It was above all to pay this debt that I agreed to take over. I have done so in the confidence that I can count on the cooperation of the members of the Council and on the assistance of the team who, under the wing of our dedicated Secretary-General, carry out the main tasks on which the world-wide reputation of the UIA is founded.

My first duty will be to ensure continuity. But I am not, however, hostile to innovations. These can be considered in the vast framework of research, study, information, consultation, promotion and service to which we are invited under Article 3 of our statutes. Our field of action is effectively without limits and we currently only master a small fraction. Any new suggestion will therefore be welcome. But we must also be aware of the limits of our resources and the priority which must be accorded to those activities on which our credibility rests with others. It is for the Council to gather suggestions and filter initiatives, referring to the requests of a network of members, who we sometimes wish were more "active". I believe that to maintain good management we must, from now on, hold firm to the following points: no new project without prior guarantee of appropriate resources; no improvisation without extensive and concerted study of all the implications of a project; no dispersal into a multitude of activities which use up our energy and wipe out our identity.

To these rules of conduct, dictated by the wisdom of nations, I will add a wish: that our Review should henceforth be a closer link among our diverse categories of members and those in charge of our Association.

It is in this spirit that I extend to all our readers, in these difficult times, my best wishes for the New Year.

Marcel MERLE

Le message du président

Les lecteurs attentifs de cette Revue auront sans doute observé tes changements survenus, depuis le dernier numéro, dans la composition du Conseil et dans les attributions de certains de ses membres. Nos adhérents et nos amis ont droit aux explications qui devraient être la règle dans toute Association soucieuse de pratiquer la transparence.

L'Assemblée générale qui s'est tenue à Bruxelles le 8 octobre 1992 a dû combler les vides provoqués dans les rangs du Conseil par la démission de trois de ses membres. Le nouveau Conseil a dû, ensuite, faire face à une situation imprévue : son Président, A. Vanistendael, a demandé à être déchargé de ses fonctions, qui ne devaient normalement prendre fin qu'en 1994. Nul n'ignore les circonstances difficiles dans lesquelles M. Vanistendael avait dû assurer l'intérim, après la tragique disparition de notre regretté Président F. Casadio. Il avait ensuite accepté, à un âge où l'on ne cherche plus les honneurs, de conserver la présidence en vue d'assurer la continuité et de préparer la formation d'une nouvelle équipe. Ce sont des raisons personnelles et familiales impérieuses qui l'ont décidé à abréger son mandat.

Je crois être l'interprète de tous ceux qui l'ont connu et qui ont travaillé avec lui pour exprimer à M. Vanistendael nos regrets pour son départ prématuré mais aussi notre reconnaissance pour le travail qu'il a accompli à la tête de l'U.A.I. De sa personnalité émanaient un rayonnement naturel et une autorité si courtoise que les tempêtes, s'il y en avait eu, se fussent immédiatement brisées sur un roc de sérénité. Sagesse, expérience, art de la conciliation, sens de la continuité, auront marqué son règne, trop court. Fort heureusement, celui qui mériterait bien le titre de Président d'honneur, si nous pouvions le lui conférer, ne nous quitte pas, et nous sommes assurés de pouvoir, au moins pendant les deux années qui viennent, bénéficier de ses précieux avis en qualité de membre du Conseil.

Est-il besoin de dire que je n'étais pas candidat à un poste qui n'était même pas vacant ? Aussi bien, n'ai-je pas fait campagne ni rédigé le moindre programme électoral. C'est sur la recommandation de M. Vanistendael que le Conseil a bien voulu me faire confiance pour prendre la relève. Je suis reconnaissant à mes Collègues de l'estime dont ils ont fait preuve à mon endroit ; mais je ne suis pas assez naïf pour me dissimuler que cette tâche comporte autant de charges que d'honneurs. A l'âge de la retraite, on bénéficie d'une certaine expérience, et l'on est prémuni contre la tentation du pouvoir personnel ; mais on ne l'est pas contre l'usure inexorable du temps. Je n'aurais pas accepté d'assumer cette nouvelle responsabilité si je n'avais éprouvé le sentiment d'une dette contractée, depuis deux décennies au moins, auprès de l'U.A.I. Si je lui ai donné un peu de mon temps et de ma réflexion, j'ai beaucoup appris au contact de personnalités aussi marquantes que G. Speeckaert, F. Casadio, R. Fénaux et de ceux qui les entouraient, au Siège comme au sein du Conseil. C'est d'abord pour m'acquitter de cette dette que j'ai accepté de prendre la relève. Je le fais avec confiance, certain que je puis compter sur la collaboration des membres du Conseil et sur le concours de l'équipe qui, sous la houlette de notre dévoué Secrétaire Général, assure l'essentiel des tâches qui fondent la réputation mondiale de l'U.A.I.

Mon premier devoir sera d'assurer la continuité. Mais je ne suis pas, pour autant, hostile aux innovations. Celles-ci peuvent s'inscrire dans le cadre très vaste des activités de « recherche, d'études, d'information, de consultation, de promotion et de services », auxquelles nous invite l'article 3 de nos statuts. Notre champ d'action est effectivement sans bornes, et nous n'en maîtrisons actuellement qu'une petite partie. Toute proposition nouvelle sera donc bienvenue. Mais nous devons être aussi conscients de la limite de nos ressources et de la priorité à accorder aux activités sur lesquelles repose notre crédibilité au regard des tiers. C'est au Conseil qu'il appartiendra de recueillir les suggestions et de filtrer les initiatives, en s'appuyant sur les demandes d'un réseau de membres, que nous souhaiterions parfois plus « actifs ». Mais je crois qu'il faut dès maintenant, pour maintenir une bonne gestion, tenir ferme sur les points suivants : pas de nouveau projet sans garantie de financement préalable par des ressources appropriées, pas d'improvisation sans étude approfondie et concertée de toutes les implications d'un projet, pas de dispersion en activités multiples qui useraient notre énergie et gommieraient notre identité.

A ces règles de conduite, dictées par la sagesse des nations, j'ajouterais un souhait : que notre Revue soit désormais un lien plus étroit entre nos diverses catégories de membres et les rouages dirigeants de notre Association.

C'est dans cet esprit que j'adresse à tous nos lecteurs, en ces temps difficiles, mes meilleurs vœux pour l'année nouvelle.

Marcel MERLE

Assemblée générale de l'UAI

Bruxelles, le 8 octobre 1992

L'Assemblée générale statutaire de l'UAI s'est tenue à Bruxelles le 8 octobre 1992 à la Maison des associations internationales, sous la présidence de M. le Ministre d'Etat A. Vanistendael, Président de l'UAI.

L'Assemblée réunit les membres actifs qui y ont seuls droit de vote. Une minute de silence est d'abord observée à la mémoire des membres décédés dans la période 1990-1992: M. Robert Fénaux, le Baron Jean de Broux, le Professeur Donald Blaisdell, le Professeur John Gange et M. Jean-Maurice Chevallier. Le Président tient à rappeler les qualités et le dévouement de l'ancien Secrétaire général de l'UAI, M. Fénaux, à qui l'UAI doit beaucoup de son audience et prestige actuels.

Sont successivement présentés: le rapport du Secrétaire général par l'Ambassadeur Jacques Raeymaeckers, le rapport sur les publications et les capacités informatiques de l'UAI par M. A.J. Judge, le rapport sur la revue *Transnational Associations* et un projet de bibliographie par M. P. Ghils, le rapport sur les congrès et services par Melle G. de Coninck, le rapport financier par M. P. Hiernaux. Ces rapports font chacun l'objet d'un débat et sont approuvés. Les comptes de recettes et de dépenses pour 1990 et 1991, ainsi que les prévisions 1993 et 1994 sont acceptées.

Le Conseil présente ensuite à la cooptation de l'Assemblée trois nouveaux membres:

- le Professeur Mario Bettati (France)
- le Professeur Jean Boulouis (France)
- le Professeur Dusan Sidjanski (Suisse).

Ils sont élus.

L'Assemblée générale détermine ensuite la composition du Conseil pour les années 1992-1994. Trois membres

n'ont pas sollicité le renouvellement de leur mandat. A leur place, trois nouveaux membres sont élus: MM. George Kibedi (Toronto), Dusan Sidjanski (Genève) et Boulouis (Paris).

Le nouveau Conseil ainsi constitué se réunit immédiatement après l'Assemblée et répartit les fonctions entre ses membres de la façon suivante:

Prof. Marcel Merle, Président
M. Frits Hondius, Vice-Président
Melle Raymonde Martineau, Vice-Président
M. Egon Slopianka, Vice-Président
M. Paul Hiernaux, Trésorier général
M. Jacques Raeymaeckers, Secrétaire général

Membres :

Prof. Jean Boulouis
M. Paul Caron
Prof. Christian De Laet
Prof. Philip Everts
M. George Kibedi
M. Georges Malempré
Prof. Grigori Morozov
M. Andrew Rice
M. Cyril Ritchie
Dr S.K. Saxena
Mme Myriam Schreiber
Prof. Dusan Sidjanski
Prof. Gianni Tibaldi
M. Auguste Vanistendael

La prochaine Assemblée de l'UAI se tiendra en 1994, le lieu n'en est pas encore fixé.

Rapport d'ensemble du secrétaire général sur les activités de l'UAI

novembre 1990 - novembre 1992

Le rapport que je vais avoir l'honneur de vous présenter porte sur les activités de l'UAI pendant la période qui s'est écoulée depuis la dernière session de l'Assemblée générale du 29 novembre 1990.

Comme précédemment, j'aborderai successivement les matières qui relèvent des trois départements de l'UAI, introduisant ainsi les rapports plus détaillés qui seront faits à ce propos. Certains chevauchements ne pourront être évités, ils résultent des relations étroites existant tout naturellement entre leurs diverses activités.

Situation financière

Vous aurez trouvé dans vos dossiers les documents comptables relatifs aux années 1990 et 1991, ainsi que les prévisions budgétaires pour les années 1993-1994, établis par Melle Devillé, et soumis à l'approbation de l'Assemblée par M. le Trésorier général.

Pour ce qui est des comptes de recettes et de dépenses pour 1990 et 1991, les chiffres font apparaître qu'à peu de choses près, l'équilibre financier est atteint sur les deux exercices, tout en se situant à un niveau plus élevé que dans le passé.

Le poste des recettes le plus important reste de loin celui relatif aux publications issues de notre banque de données et couvre la majeure partie de ses coûts de fonctionnement.

L'autre part de nos rentrées provient des cotisations et services aux membres associés, et reste en progrès constant.

Enfin, des subventions régulières attestent l'intérêt traditionnel que les principaux Etats-sièges portent à notre institut et revêtent une signification symbolique appréciée.

Les prévisions pour 1993 et 1994 vous sont également présentées. Elles tiennent compte du dépassement des prévisions observé en 1991 et prévisible en 1992. La conjoncture mondiale continue à comporter des incertitudes qui commandent en tout état de cause la poursuite de la gestion prudente suivie jusqu'à présent.

Services généraux, études, revue

Comme précédemment, les services dits «généraux» ont, grâce à l'action irremplaçable de Melle Devillé, rempli les multiples exigences qui découlent, pour l'ensemble de l'UAI, d'une politique du personnel, de l'économie de la maison, des diverses demandes extérieures, des relations avec les services publics et privés, des contacts avec les associations, de l'accueil des visiteurs et bien d'autres tâches. Je voudrais ici rendre hommage une fois de plus au personnel du secrétariat général de l'UAI pour la qualité de

sa collaboration et pour son dévouement à la poursuite des objectifs de notre institut.

Au cours de la période envisagée s'est poursuivie la tradition de rapports confiants, tant avec les autorités du pays hôte qu'avec les instances internationales, à la fois sur le plan officiel et personnel. J'ai notamment rendu visite à Mme Catherine Lalumière, Directeur général du Conseil de l'Europe, et l'ai trouvée très attentive à l'importance toujours croissante du rôle de l'associationnisme dans la conjoncture mondiale, et fort attachée à la collaboration de notre institut avec l'organisation qu'elle dirige.

On sait notamment la part prise par l'UAI et en particulier par le Professeur Merle et M. Speckaert, dans l'élaboration de la Convention de 1986 sur la reconnaissance de la personnalité juridique des associations internationales. L'entrée en vigueur le 1^{er} janvier 1991 de cet important instrument est l'aboutissement d'une action menée de longue date par notre Institut.

Par ailleurs, le Conseil de l'Europe, voué particulièrement à la défense et la promotion des droits de l'homme, a tout naturellement porté son attention sur les développements en Europe centrale et orientale, et sur les possibilités d'y voir l'action associative contribuer à l'évolution vers des structures démocratiques dans cette région. Ce thème était aussi celui d'un intéressant colloque organisé à Paris par l'UOIF en juin dernier et auquel j'ai participé; il sera abordé également lors de notre échange de vues de cet après-midi.

J'ai encore représenté l'UAI à un symposium organisé conjointement par la Société italienne pour l'organisation internationale et le Ministère italien des Affaires Etrangères, qui avait pour objet la mise à jour des structures des Nations Unies en fonction des changements intervenus dans la situation mondiale et où l'importance croissante des OING a été soulignée.

Dans le cadre du présent rapport, c'est ici le lieu de mentionner l'important projet de recherches, dont l'étude a été entamée en 1991 sous l'égide de l'UAI par MM. Rice et Ritchie et qui porte sur les relations entre les organisations internationales non gouvernementales et le système des Nations Unies. On espère recevoir dans un proche avenir le programme détaillé portant sur la réalisation de ce projet.

Par ailleurs, l'UAI a continué à suivre avec attention les travaux de la Commission européenne visant à l'adoption d'un statut d'association européenne dans la perspective de l'ouverture du grand marché le 1^{er} janvier 1993. Les incidences de ce développement du point de vue des associations internationales feront aussi l'objet de nos échanges de vue de cet après-midi.

Enfin, je voudrais relever que pendant la période 1991-1992, le rôle de la Revue, autre facteur de rayonnement de

L'UAI, a continué de s'affirmer dans les milieux internationaux. Ainsi que je le souligne régulièrement, elle est tributaire des contributions extérieures; il y aurait certes intérêt à y développer l'apport original de l'UAI, et j'en suis d'autant plus reconnaissant à ceux de nos membres qui ont ainsi concouru au maintien d'un niveau élevé de cette publication. M. Ghils sera à votre disposition au moment requis pour vous fournir les compléments d'information que vous pourriez souhaiter quant à la rédaction de la Revue.

Communications et recherches

M. Anthony Judge a préparé à votre intention un remarquable rapport sur les activités de ce Département, qui est son domaine et son œuvre et où il peut compter sur l'assistance de l'excellente équipe qui l'entoure. C'est à la fois un bilan impressionnant et une source d'inspiration pour l'avenir.

Sans vouloir anticiper sur son exposé, je relèverai quelques points saillants dans le domaine des publications et notamment le remaniement profond qu'ont subi les trois tomes du *Yearbook* dans la dernière édition. Il s'agissait d'une part de réaliser un compromis entre l'accroissement du nombre d'organisations recensées et des informations les concernant, et les limites de volume de l'ouvrage; et d'autre part, d'en faciliter la consultation sans porter atteinte à sa richesse et à sa valeur scientifique. Ces objectifs me paraissent avoir été heureusement atteints.

Un autre aspect intéressant du rapport du Département concerne l'état actuel de nos relations avec l'éditeur Saur et des négociations en cours quant à l'introduction du disque compact — dont le principe est désormais admis — et à la réalisation d'une édition française de l'*Annuaire*, toujours à l'étude. L'évolution future devra être suivie avec vigilance, sachant qu'aucun contrat n'assure une sécurité absolue.

On notera enfin la richesse du chapitre VI du rapport, qui touche aux recherches entreprises par ce Département pendant la période 1991-1992 dans des domaines de pointe. Je souligne à nouveau combien notre institut bénéficie dans les milieux scientifiques internationaux des invitations auxquelles M. Judge accepte de se rendre et qu'il doit à sa notoriété.

Congrès, services, membres associés

Le rapport que Melle de Coninck vous présentera témoigne de la vitalité de ce Département dont elle a la charge.

La compétence, la réputation internationale de notre Département des Congrès et de son chef sont affirmés par la publication trimestrielle du Calendrier des congrès internationaux, instrument précieux et qui fait autorité. Ce facteur, et la qualité des services qui leur sont rendus, expliquent le nombre toujours croissant de nos membres associés et les rentrées financières qui en découlent.

Autre production de ce Département, très attendue dans le monde des congrès et unique en son genre, celle des statistiques annuelles des Congrès. Un Comité des statistiques, créé en 1990, a établi un projet pilote visant à améliorer encore la valeur scientifique des statistiques et leur utilité pour les membres associés. Les possibilités de coopération avec des organismes spécialisés sont recherchées, et des pourparlers sont menés actuellement avec EUROSTAT, le service des statistiques des Communautés Européennes.

Dans le cadre des activités de ce Département tombent également les réunions régulières et très utiles avec les fédérations d'associations internationales établies en France, en Suisse, en Grande-Bretagne et en Belgique.

En conclusion de ce rapport, je voudrais observer qu'au travers des activités de l'UAI et des trois Départements de son Secrétariat, on retrouve en filigrane deux notions qui se recoupent: l'une est celle des études, des recherches, des activités intellectuelles de l'UAI; l'autre celle de son rayonnement vers l'extérieur.

Au moment où les associations internationales ne cessent de se multiplier, où leur rôle est de plus en plus largement reconnu, la mission de l'UAI s'amplifie parallèlement. Le passage en revue de ses activités amène à conclure que, dans le respect de ses principes et de ses traditions, l'UAI poursuit une action adaptée aux évolutions en cours, et en cette période de grandes mutations, s'efforce d'être prête à faire face aux perspectives qui s'ouvrent au monde des associations.

De l'assistance à l'ingérence humanitaires?

par Maurice Torrelli *

L'affirmation du devoir d'ingérence

Alors que les Etats revendiquent une souveraineté exacerbée, peu favorable à l'amélioration de la coopération internationale, alors que l'application du droit humanitaire dans les conflits armés se dégrade, partout des hommes de bonne volonté s'engagent. Ce siècle finissant est le théâtre d'une véritable explosion d'initiatives privées qui s'organisent et opposent la raison du cœur à la raison d'Etat. De multiples organisations non gouvernementales, dont certaines symboliquement, se proclament « sans frontières », viennent relayer des Etats impuissants dans l'organisation des secours, la lutte contre la sécheresse, la préservation de l'environnement ou l'amélioration des conditions sanitaires. Se mettant volontairement au service de l'homme, elles poursuivent incontestablement un but humanitaire, tel que défini par le premier principe de la Croix-Rouge qui « s'efforce de prévenir et d'alléger en toutes circonstances les souffrances des hommes » et qui « tend à protéger la vie et la santé ainsi qu'à faire respecter la personne humaine ». Affirmant une volonté d'indépendance à l'égard des pouvoirs établis, revendiquant une liberté d'action au profit de toutes les victimes, les organisations médicales d'urgence, fortes de l'exemple d'Henry Dunant et de celui du CICR, n'hésitent pas à inscrire leur action dans un nouveau droit à naître, pour venir en aide, même lorsqu'un Etat la refuse, à des populations civiles privées de l'homme, où qu'il soit et quel qu'il soit, est de pouvoir être soigné; ce droit ne saurait donc avoir de frontières. En attendant la reconnaissance de leur action, le devoir d'ingérence est un impératif moral.

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En 1987, la publication des travaux d'une conférence internationale organisée par le doyen Mario Bettati et le docteur Bernard Kouchner, sous un titre volontairement provocateur: «Le devoir d'ingérence», allait trouver un écho favorable auprès des autorités françaises. Déjà, en 1981, à Mexico, le président de la République française avait évoqué le délit de non-assistance à un peuple en danger pour en déplorer l'inexistence juridique. Le 5 octobre 1987, il affirmait: «Parce qu'elle est celle de chaque homme, la souffrance relève de l'Universel. Le droit des victimes à être secourues dès lors qu'elles appellent au secours et secourues par des volontaires qui se veulent professionnellement neutres, dans ce qu'on a appelé, il y a peu, «le devoir d'ingérence» humanitaire dans les situations d'extrême urgence, tout cela, n'en doutons pas, figurera un jour dans la Déclaration universelle des droits de l'homme. Tant il est vrai qu'aucun Etat ne peut être tenu pour propriétaire des souffrances qu'il engendre ou qu'il abrite ».

Dans cette perspective, le ministre des Affaires étrangères, M. Roland Dumas, allait mettre en branle la diplomatie française aux Nations Unies. La France «pense que le droit de l'humanité prime le droit des Etats, qu'il devrait toujours inspirer ce dernier et que le devoir d'assistance humanitaire, de plus en plus partie intégrante de la conscience universelle moderne, demande donc à s'inscrire dans la législation internationale sous la forme d'un droit d'ingérence humanitaire (1). L'humanitaire devient un des axes de l'action de la France à l'ONU. A son initiative, l'Assemblée générale des Nations Unies adopte, le 8 décembre 1988, la résolution 43/131 intitulée: «Assistance humanitaire aux victimes des catastrophes naturelles et situations d'urgence du même ordre». Le 14 décembre 1990, la résolution 45/100 propose l'étude de la mise en place de corridors humanitaires pour faciliter l'accès aux victimes. Cette poussée normative allait prendre un relief particulier avec l'intervention du Conseil de sécurité, adoptant, le 5 avril 1991, la résolution 688 pour assurer la protection des Kurdes en Irak, « sans précédent dans l'histoire puisqu'elle prévoit et permet un droit d'intervention dans les affaires intérieures d'un Etat (2). Le Conseil de sécurité poursuivra dans cette voie en adoptant, le 23 janvier 1992, la résolution 733 relative à la situation en Somalie.

L'ignorance du droit à l'assistance humanitaire

Assistance, ingérence, intervention, la confusion est à son comble car l'ingérence, même à titre humanitaire, reste en principe condamnée par le droit international. La nouveauté est en grande partie le fait d'une ignorance surprenante des réalités juridiques. Le débat est devenu politique alors que le droit à l'assistance humanitaire en période

de conflits armés est reconnu depuis 1949 par les 168 Etats parties aux Conventions de Genève (3). Le CICR, lorsqu'il n'est pas dénoncé comme s'étant rendu complice des bourreaux par son silence, (4) est présenté «comme une association parmi d'autres, alors qu'il a un rôle singulier, qui a trait précisément au droit d'assistance » (5). Pour dépolitiser le débat, il faut donc commencer par rappeler le droit à l'assistance, avant de se demander ce que pourrait apporter la reconnaissance d'un droit à l'ingérence.

/, Assistance: un droit reconnu ou nom de l'humanité

Par-delà la diversité des expressions utilisées en droit humanitaire, «secours», «action de secours», «opération d'assistance», l'assistance humanitaire, sans être ainsi précisément définie, se traduit notamment par l'apport extérieur de services sanitaires, de biens alimentaires ou matériels au profit des victimes d'un conflit qu'il soit international ou interne. De nombreuses dispositions en prévoient le principe et les modalités qui peuvent varier selon les situations. Dans les limites de cet article, il ne saurait être question de les analyser en détail. Cette étude a d'ailleurs été faite à différentes reprises dans la *Revue internationale de la Croix-Rouge* (6). Il est donc suffisant d'en rappeler les grandes lignes. Le droit de proposer des secours est largement reconnu tout en étant conditionné dans son exercice par la nécessité d'obtenir le consentement de l'Etat. Le droit à l'assistance humanitaire doit en effet se concilier avec le maintien de la souveraineté.

A Un droit général d'initiative

Ce droit d'initiative, c'est-à-dire le droit de proposer ses services, a été reconnu au CICR comme à tout autre organisme humanitaire impartial dans les conflits armés internationaux et non internationaux. Ainsi, aux termes des articles 9/9/9 et 10 des quatre Conventions: «Les dispositions de la présente Convention ne font pas obstacle aux activités humanitaires que le Comité international de la Croix-Rouge, ainsi que tout autre organisme humanitaire impartial, entreprendra pour la protection des blessés et malades, ainsi que des membres du personnel sanitaire et religieux, et pour les secours à leur apporter, moyennant l'agrément des Parties au conflit intéressées». L'article 3 commun aux quatre Conventions prévoit également: «Un organisme humanitaire impartial, tel que le Comité international de la Croix-Rouge, pourra offrir ses services aux Parties au conflit». Si le CICR bénéficie d'une situation privilégiée (7) et apparaît comme le modèle auquel doivent se conformer les autres organismes qui peuvent prétendre offrir leurs services, il n'a pas pour autant l'exclusivité.

A côté de ces dispositions générales, le droit d'initiative est reconnu par d'autres articles qui peuvent en limiter le bénéfice à des acteurs particuliers: ainsi l'article 27 de la I^{re} Convention vise «une société reconnue d'un pays neutre», l'article 64 du Protocole I les «organismes civils de protection civile d'Etats neutres ou d'autres Etats non parties au conflit et organismes internationaux de coordination». Dans d'autres cas, ces dispositions se contentent de prévoir la possibilité ou la nécessité de secours extérieur sans autre précision. Il en est ainsi par exemple des articles 23,

59-62 et 108-111 de la IV^e Convention, complétés par l'article 69 du Protocole I dans le domaine de la satisfaction des besoins de la population d'un territoire occupé. L'article 70 du Protocole I dispose également: «1. Lorsque la population civile d'un territoire sous le contrôle d'une Partie au conflit, autre qu'un territoire occupé, est insuffisamment approvisionnée en matériel et denrées mentionnées à l'article 69, des actions de secours de caractère humanitaire et impartial et conduites sans aucune distinction de caractère défavorable seront entreprises, sous réserve de l'agrément des Parties concernées par ces actions de secours». Dans ces cas l'offre de secours extérieur peut émaner aussi bien d'acteurs publics ou privés, Etats, organisations internationales, CICR, Sociétés nationales de la Croix-Rouge et du Croissant-Rouge, ONG.

Ce droit d'initiative ayant été juridiquement accepté par les Etats ne saurait donc être dénoncé comme une ingérence lorsqu'il est mis en œuvre: en le reconnaissant, les Etats n'ont fait qu'exprimer leur souveraineté. De nombreux articles le rappellent d'ailleurs, tels l'article 27 de la I^{re} Convention, l'article 64 du Protocole I ou encore l'article 70 du même Protocole. La Cour internationale de Justice, dans son arrêt sur l'affaire des *Activités militaires et paramilitaires au Nicaragua et contre celui-ci*, a affirmé qu'une assistance limitée aux fins consacrées par la Croix-Rouge et prodiguée sans discrimination n'avait pas «le caractère d'une intervention condamnable dans les affaires intérieures d'un Etat». La résolution adoptée le 13 septembre 1989 par l'Institut de droit international lors de sa session de Saint-Jacques-de-Compostelle, souligne que «l'offre, par un Etat, un groupe d'Etats, une organisation internationale ou un organisme humanitaire et impartial tel que le Comité international de la Croix-Rouge, de secours alimentaire ou sanitaire à un Etat dont la population est gravement menacée dans sa vie ou dans sa santé ne saurait être considérée comme une intervention illicite dans les affaires intérieures de cet Etat» (Article 5) (8).

B. L'obstacle du consentement

Expression de la souveraineté, le consentement est donc un principe de base dans l'exercice du droit à l'assistance humanitaire dans les conflits armés.

a) Une compétence liée

Toutefois il ne s'agit pas d'un pouvoir arbitraire. L'expression de ce consentement est soumise au principe de la

bonne foi. Il est conditionné par le respect des droits que l'Etat a reconnu à ses ressortissants victimes du conflit sur la base des articles 7/7/7 et 8 des quatre Conventions ou sur celle de l'article 18, paragraphe 2 du Protocole II. Conformément aux articles 54 du Protocole I et 14 du Protocole II, il lui est interdit d'utiliser la famine comme méthode de guerre. Ce consentement est encore conditionné selon la nature et les circonstances de l'assistance humanitaire. Tel est notamment le cas de l'article 23 de la IV^e Convention qui impose à tout Etat partie aux Conventions de Genève l'obligation d'accorder le libre passage de biens sanitaires, d'objets de culte et de biens indispensables aux enfants et aux femmes enceintes ou en couches. De même l'article 59 de la IV^e Convention s'applique à la situation d'un territoire occupé et impose à la puissance occupante d'accepter les actions de secours si la population est insuffisamment approvisionnée. La formulation de l'article 59 est impérative. L'article 70 du Protocole I dispose que : « 2. Les Parties au conflit et chaque Haute Partie contractante autoriseront et faciliteront le passage rapide et sans encombre de tous les envois, des équipements et du personnel de secours fournis conformément aux prescriptions de la présente Section, même si cette aide est destinée à la population civile de la Partie adverse ». Enfin, dans les conflits armés non internationaux, l'Etat n'a plus l'exclusivité du consentement.

b) Une compétence partagée

L'article 3 commun aux quatre Conventions a bien été une véritable révolution juridique puisque désormais l'Etat accepte, dans cette situation humiliante où son autorité est bafouée, que ses rapports avec la partie de la population en révolte contre lui soient régis par le droit international humanitaire. En termes d'assistance, trop souvent encore on méconnaît l'exacte portée de cette disposition. C'est d'autant plus regrettable que dans cette situation, la plus fréquente depuis 1949, le besoin d'une aide extérieure, notamment médicale, se fera sentir le plus souvent du côté des rebelles.

Rappelons que, d'après l'article 3 commun aux quatre Conventions, « un organisme humanitaire impartial, tel que le Comité international de la Croix-Rouge, pourra offrir ses services aux Parties au conflit ». Deux hypothèses peuvent être envisagées :

- un organisme humanitaire impartial veut intervenir sur la partie du territoire soumise à l'autorité du gouvernement légal; celui-ci doit donner son accord;
- cet organisme veut intervenir sur la partie du territoire contrôlée par les rebelles. Il faut, mais il suffit que les autorités de ces derniers donnent leur consentement, sans qu'il soit nécessaire d'obtenir aussi celui du gouvernement légal, dès lors qu'il est matériellement possible d'accéder à ce territoire sans passer par celui contrôlé par le gouvernement.

Comme l'a écrit Yves Sandoz (9), le système de l'article 3 « autorise pratiquement le CICR (ou un autre organisme humanitaire impartial) à pénétrer sur un territoire sans l'accord d'un gouvernement qui représente encore l'ensemble de l'Etat sur le plan international ». Sans doute, le problème de la mise en œuvre de cette disposition se pose-t-il lorsque le gouvernement refuse de reconnaître l'existence d'une situation de conflit armé; cependant, le CICR « ne saurait renoncer à agir sur une bonne partie du territoire de

l'Etat, qui échappe au contrôle du gouvernement, sous prétexte que ce dernier nie l'évidence ».

Ce régime juridique n'est-il pas cependant remis en cause par l'article 18 du Protocole II aux termes duquel l'Etat prétend désormais avoir le monopole du consentement? Le Protocole n'étant qu'additionnel, les dispositions du traité principal, les Conventions de 1949, continuent à l'emporter d'après la Convention de Vienne sur le droit des traités, d'autant plus que les Protocoles ont été faits pour améliorer le sort des victimes et non pour le remettre en cause. Le CICR n'a pas hésité à déclarer qu'il faut rejeter cette formule drastique et espérer qu'elle ne donnera lieu en aucun cas à des interprétations restrictives qui limiteraient des actions de secours en faveur des victimes innocentes. A l'occasion de sa X^e session, la Commission médico-juridique de Monaco a adopté à l'unanimité une résolution dans laquelle il est affirmé: « Dans les conflits armés non internationaux, aux termes de l'article 3 commun aux quatre Conventions de Genève, une organisation médicale non gouvernementale a le droit d'agir auprès de chacune des Parties, gouvernementales ou non gouvernementales, à condition d'avoir obtenu l'accord de la Partie auprès de laquelle elle intervient » (10).

c) Un accord sous réserve

L'Etat est, en effet, en droit de donner son consentement sous réserve du respect de certaines conditions.

De manière générale, l'action de secours doit être humanitaire, impartiale et non discriminatoire: elle est exclusivement destinée à venir en aide aux victimes en étant distribuée proportionnellement selon les besoins et en subvenant en priorité aux détresses les plus urgentes. Les actions de secours doivent également être menées dans le respect des lois du pays, sans gêner les opérations militaires.

L'Etat dispose ainsi d'un pouvoir de contrôle dont les modalités peuvent varier selon les situations. H ne s'agit d'ailleurs pas seulement de l'Etat sur le territoire duquel l'action se déroule, mais encore de celui qui autorise le passage. Ce contrôle pourra alors être effectué soit par un Etat neutre, soit par le CICR, soit par un autre organisme humanitaire et impartial, [article 61 de la IV^e Convention, par une Puissance protectrice, article 70, 3, b) du Protocole I, article 23 de la IV^e Convention].

Globalement, il est possible de dire que la condition de contrôle de la distribution des secours, qu'elle soit imposée par le droit ou exigée par la Partie qui autorise les secours, apparaît bien « comme étant liée à l'obligation d'accepter les secours dont elle serait le corollaire » (11).

Sans doute, en dépit de la reconnaissance de ce droit à l'assistance, trop souvent encore la souveraineté tient-elle l'humanité en l'état. L'Etat peut toujours avoir la tentation de refuser de reconnaître l'existence d'un conflit armé, l'urgence et la nécessité de secours extérieurs, de dénoncer l'ingérence. Il ne peut pour autant dégager sa responsabilité devant la communauté des Etats parties aux Conventions de Genève. Sur ce plan, le droit humanitaire est un précurseur de nouvelles tendances du droit international. Bien avant que l'on ait découvert l'existence d'une communauté internationale, l'article 1 commun aux quatre Conventions de Genève l'avait déjà fondée en droit en obligeant les Etats, au titre d'une véritable *actio popularis*, « à faire respecter » les Conventions « en toutes circonstances », non seulement par des pressions diplomatiques

sur tes Etats en situation de conflit, qui viendraient à oublier leurs obligations, mais aussi par des mesures économiques ou autres, admises par le droit international et ne comportant pas l'emploi de la force armée en violation de

la Charte des Nations Unies (12). Il suffirait donc que les Etats veuillent bien prendre conscience de leurs obligations, sans qu'il soit nécessaire de les effaroucher d'avantage au nom d'un devoir d'ingérence humanitaire.

II. L'ingérence: un devoir contesté au nom de la souveraineté

« Le devoir de non-ingérence s'arrête où naît le risque de non-assistance » déclarait le président de la République française, le 30 mai 1989, à l'ouverture de la réunion de la Conférence sur la sécurité et la coopération en Europe (CSCÉ) sur les droits de l'homme. L'ingérence est ainsi justifiée au nom de l'humanité. Il faut alors que les ONG en particulier (13), mais aussi le cas échéant un Etat tiers, puissent intervenir lorsque l'urgence et les besoins essentiels d'une population le requièrent, même à rencontre de la volonté de l'Etat. A défaut d'accepter ce principe, les Etats ne peuvent-ils pas rechercher une amélioration des modalités de l'assistance humanitaire ?

A. L'ingérence au nom de l'humanité

Nous sommes en effet en présence d'une poussée normative de l'humanité dans le domaine des droits de l'homme qui retentit sur celui du droit humanitaire. Le droit d'ingérence devrait trouver son assise dans l'affirmation d'un droit à la vie en dépit des frontières. Par la résolution 43/131, l'Assemblée générale de l'ONU a notamment reconnu « que le fait de laisser les victimes de catastrophes naturelles et situations d'urgence du même ordre sans assistance humanitaire représente une menace à la vie humaine et une atteinte à la dignité de l'homme ». Par les résolutions 688 et 733, le Conseil de sécurité tirera les conséquences de la prise en considération par l'Organisation des Nations Unies de la dimension humanitaire.

a) La poussée normative de l'Assemblée générale

Au cœur de la tension entre humanité et souveraineté, les droits de l'homme tendent en effet à apparaître comme :

1. Le fondement d'un nouvel ordre humanitaire

La résolution adoptée par l'Institut de droit international à Saint-Jacques-de-Compostelle affirme que « les droits de l'homme bénéficiant désormais d'une protection internationale cessent d'appartenir à la catégorie des affaires qui relèvent essentiellement de la compétence nationale des Etats » ; que l'obligation « internationale » de respect des droits de l'homme est une obligation *erga omnes*, investissant tout Etat d'un « intérêt juridique » à la protection des droits de l'homme. Après avoir rappelé en son article 5 que l'offre de secours ne constituait pas une ingérence, elle précise : « Toutefois, de telles offres de secours ne peuvent, notamment par les moyens mis en œuvre, revêtir des apparences d'une menace d'intervention armée ou de toute autre mesure d'intimidation ; les secours seront accordés et distribués sans discrimination. Les Etats sur le territoire desquels de telles situations de détresse existent ne refuseront pas arbitrairement de pareilles offres de secours humanitaires ».

Pour autant, les Etats ont-ils renoncé à invoquer la résolution 36/103 votée par l'Assemblée générale le 9 décembre 1981 sur « l'inadmissibilité de l'intervention et de l'ingérence dans les affaires intérieures des Etats » qui souligne « le devoir d'un Etat de s'abstenir d'exploiter et de déformer les questions relatives aux droits de l'homme dans le but de s'ingérer dans les affaires intérieures des Etats et d'exercer des pressions sur les Etats ou de susciter la méfiance ou le désordre à l'intérieur des Etats ou de groupes d'Etats et entre eux » ? L'ingérence et a *fortiori* l'intervention dès lors qu'elle peut revêtir la forme d'une coercition armée, sont toujours condamnées par le droit international. L'interdiction, rappelée notamment par la résolution 2625 du 24 octobre 1970, n'a pas été jugée suffisante pour rassurer les Etats dans un domaine aussi sensible que celui des conflits armés non internationaux. L'article 3 du Protocole II réaffirme donc les principes d'inviolabilité de la souveraineté nationale et de non-intervention dans les affaires qui relèvent essentiellement de la compétence d'un Etat, « pour quelque raison que ce soit », au motif notamment que des organisations privées auraient commis des abus sous couvert d'activités humanitaires. L'interdiction est générale et « s'adresse donc non seulement aux Etats, mais aussi à d'autres entités, organisations internationales ou non gouvernementales, qui prendraient prétexte du Protocole pour s'immiscer dans les affaires de l'Etat sur le territoire duquel se déroule le conflit armé » (14).

2. Le principe de subsidiarité

Les résolutions de l'Assemblée générale ont d'abord le mérite de souligner l'importance de l'aide que des ONG peuvent apporter à côté des Etats ou des organisations internationales dans des situations d'urgence. Ces résolutions, comme celles de l'Institut, élargissent considérablement le champ d'intervention puisque ce droit pourrait être exercé non seulement en temps de conflits armés (15), de troubles et de tensions internes, mais aussi en cas de catastrophes naturelles ou pour faire face aux conséquences d'une violation massive des droits de l'homme. Cet élargissement comporte cependant un risque : l'Etat réfractaire à cette approche pourrait avoir tendance à tout rejeter, y compris le droit humanitaire dans une situation de conflit armé.

L'objectif fondamental ainsi poursuivi vise à imposer le libre accès aux victimes en cas d'urgence. On retrouve alors le problème du consentement et il faut essayer d'amadouer les Etats pour leur faire admettre ce principe. Il en résulte cependant une situation juridiquement confuse. Le consentement de l'Etat est toujours requis. La résolution 43/131 « réaffirme... la souveraineté des Etats affectés et le rôle premier qui leur revient dans l'initiative, l'organisation, la coordination et la mise en œuvre de l'assistance humanitaire sur leurs territoires respectifs ». Mais en

cas de refus, intervient alors le principe de subsidiarité. « C'est seulement 'en second' que l'aide internationale intervient, en substitut des actions qu'aurait dû entreprendre l'Etat territorialement compétent, que cette action soit subie ou délibérée » (16). Il en résulte que « le fait de laisser les victimes... sans assistance humanitaire représente une menace à la vie humaine et une atteinte à la dignité de l'homme » (préambule de la résolution, paragraphe 8). L'urgence commande la rapidité d'intervention et le document exprime le souhait que la communauté internationale puisse « répondre rapidement et efficacement aux appels à l'assistance humanitaire d'urgence lancés notamment par l'intermédiaire du Secrétaire général » des Nations Unies (préambule, paragraphe 5). Ces dernières se déclarent convaincues que... « la rapidité permet d'éviter que le nombre de ces victimes ne s'accroisse tragiquement » (*idem*, paragraphe 10). Dès lors, s'impose le principe de libre accès aux victimes qui est du même coup la partie la plus « révolutionnaire » de ce texte (17). La résolution 43/131 demeure, il est vrai, limitée à l'énoncé du principe selon lequel le rôle 'premier' revient à l'Etat sur le territoire duquel la catastrophe a eu lieu. On pourrait en déduire que l'exercice d'un rôle 'second' dévolu aux organisations humanitaires est automatique dès lors que le 'premier' ne s'est pas exercé. Une telle interprétation se déduit de la logique d'ensemble de la résolution 43/131 qui repose tout entière sur l'intérêt des victimes. La pratique subséquente confirme cette interprétation » (18).

L'idée qui a sous-tendu le raisonnement du doyen Bettati, lorsqu'il a présenté et défendu ces résolutions, s'inspire directement de l'article 17 de la Convention de Montego Bay qui, dans le cadre du droit de passage inoffensif dans la mer territoriale, autorise l'arrêt et le mouillage « en cas de force majeure ou de détresse ou dans le but de porter secours à des personnes, des navires ou des aéronefs en danger ou en détresse ». L'idée est séduisante; encore faudrait-il qu'elle soit consacrée par un texte de droit positif. Quant à l'interprétation logique de la résolution 43/131 dont les modalités sont développées par la résolution 45/100, elle s'inscrit dans une approche *de lege ferenda*, en attendant que cette *opinio juris* soit confirmée par la pratique.

3. Les principes de conduite: la revalorisation nécessaire de la neutralité

Si le CICR apparaît comme le modèle des organismes humanitaires impartiaux, il faut donc commencer par rappeler qu'il doit respecter les principes du Mouvement. Ces principes ont d'abord une valeur interne incontestable puis, d'après le préambule des Statuts du Mouvement international de la Croix-Rouge et du Croissant-Rouge, « le Mouvement, dans la poursuite de sa mission, est guidé par ses Principes fondamentaux ». Tous les Etats, parties aux Conventions, l'ont reconnu en adoptant ses Statuts.

La Cour internationale de Justice, dans son arrêt sur le Nicaragua, en a ensuite confirmé la portée en faisant des principes d'humanité et d'impartialité, proclamés par la Croix-Rouge, les conditions essentielles de toute action humanitaire. Il est alors parfaitement regrettable qu'elle n'ait pas cru bon d'inclure dans ces modalités le principe de neutralité qui est pour le moins aussi important que celui d'impartialité. Certes la neutralité peut être mal comprise; elle n'en est pas moins la condition première de l'action humanitaire.

« La vie n'est pas neutre, engagez-vous ». Cet appel du quotidien ne peut qu'aviver la frustration profonde de ceux qui, dans l'action humanitaire, doivent respecter le principe de neutralité. « Ce principe est peut-être une incongruité au sein de l'humanitarisme moderne qui se réclame davantage de l'engagement. H est également isolé au sein des Principes fondamentaux de la Croix-Rouge qui sont tous des principes d'action, des principes positifs. Seule la neutralité est une notion négative, un concept d'abstention. Pour les uns, il est synonyme d'indifférence, pour les autres, il n'a plus cours dans un monde qui presse l'individu à participer activement par un engagement personnel. Transférée au niveau du conflit armé, de troubles intérieurs, la neutralité mal comprise apporte des arguments à ses détracteurs, prêts à clamer après Loysel : « Qui peut et n'empêche, pêche! » (19).

C'est elle qui pose problème avec des ONG qui prétendent en même temps apporter des secours et dénoncer les violations des droits de l'homme (20). « La neutralité est certes une condition essentielle de l'action humanitaire. Mais on ne saurait aujourd'hui s'en faire, comme jadis, une conception intégriste aux conséquences funestes dans certaines situations. La seconde génération de l'action humanitaire, celle des *French doctors* et des multiples ONG médicales et sanitaires nées à la fin des années soixante, refuse les effets d'une neutralité paralysante aux conséquences passives. La neutralité ne saurait désormais, sauf au prix d'une perversion, fonder l'inaction, justifier l'abstention, conforter l'attentisme en matière humanitaire » (21).

Or, la neutralité est à la base du droit humanitaire qui interdit de prendre position sur les causes du conflit. Sans doute, si elle dicte au CICR sa discrétion, elle ne signifie pas cependant indifférence à l'égard des victimes. Dès lors, lorsque devant des violations flagrantes du droit humanitaire il n'y a plus rien à espérer, on sait que le CICR en appellera publiquement à l'ensemble des Etats parties aux Conventions. Mais il ne s'agit que de cas extrêmes, car il ne suffit pas d'accomplir des missions humanitaires pour être accepté par les Etats. Ces derniers sont toujours prompts à dénoncer l'ingérence dans leurs affaires intérieures, surtout dans les situations de conflits armés internes; il faut donc gagner la confiance et la conserver: se déclarer neutre n'est pas suffisant, encore faut-il le prouver par son comportement. Le CICR est donc à titre incité à obtenir l'accord des deux parties dans un conflit intérieur, même si l'impartialité l'oblige à accorder un traitement « paritaire » aux deux camps, voire à donner la priorité aux rebelles lorsque ceux-ci en ont le plus besoin; il sait alors que sa neutralité risque d'être contestée par l'Etat, avec, comme conséquence immédiate, l'impossibilité de continuer sa mission.

Il est donc heureux de voir réapparaître la condition de neutralité dans la résolution 43/131 qui rappelle que « les principes d'humanité, de neutralité et d'impartialité devraient faire l'objet d'une particulière considération pour tous ceux qui dispensent une assistance humanitaire ». Tous, c'est-à-dire aussi bien le CICR que les services publics humanitaires et, bien sûr, les ONG. Le respect de ce principe est d'autant plus nécessaire que l'action du Conseil de sécurité politique encore plus le débat,

b) L'action du Conseil de sécurité

L'unanimité des cinq membres permanents, rendu pos-

sible par une conjoncture favorable, a permis au Conseil de sécurité de pouvoir enfin exercer sa fonction de Directeur international. Autre nouveauté: avec la résolution 688/1991, il intègre les préoccupations humanitaires dans le droit des Nations Unies. Cette «tendance à l'expansion de l'humanitaire hors du droit des conflits armés» (22) ne va d'ailleurs pas sans soulever de nombreux problèmes.

1. La confirmation de l'ingérence dans les affaires intérieures

La résolution 688/1991 «exige que l'Irak... mette fin sans délai» à la répression, «exige de l'Irak qu'il coopère avec le Secrétaire général». Visant l'article 2, paragraphe 7 de la Charte, le Conseil estime que «la répression des populations civiles irakiennes dans de nombreuses parties de l'Irak, y compris très récemment dans les zones de peuplement kurde, (...) a pour conséquence de menacer la paix et la sécurité internationales dans la région». On a, en effet, parfois tendance à oublier que l'article 2, paragraphe 7, qui consacre en principe le domaine réservé à la compétence nationale, ne saurait faire obstacle «à l'application des mesures de coercition prévues au Chapitre VII», dès lors que le Conseil a constaté une menace à la paix.

Dans l'ordre juridique de la Charte, la qualification des situations et les décisions que le Conseil de sécurité peut être amené à prendre sont incontestables, même si politiquement elles peuvent être critiquées. Comme l'écrit le doyen René Jean Dupuy, sur ce plan, «l'ingérence ne constitue en rien une nouveauté. Elle est parfaitement légale» (23). Pour autant, ce rapprochement, voire cette intégration, du *jus 3d bellum* et du *jus in bello* est-il heureux?

2. L'humanité à la carte?

Cette action reste, en effet, aléatoire; elle peut toujours être paralysée par le veto; elle dépend d'une appréciation d'opportunité par les membres du Conseil. Cette approche sélective ne peut être que discriminatoire (24) et il est évident qu'elle ne peut être menée contre n'importe quel Etat en fonction de sa puissance: on peut alors penser que «le droit humanitaire était jusqu'ici un droit universel; le droit d'ingérence est, lui, un droit de l'inégalité» (25).

3. La diplomatie humanitaire des Etats

Cette action du Conseil de sécurité illustre les ambiguïtés qui peuvent découler du passage de l'action humanitaire des organismes privés à celle des Etats. Parallèlement à l'opération d'assistance sous l'égide des Nations Unies, sur la base de la résolution 688, et sous l'autorisation du Conseil de sécurité, les Etats-Unis, répondant à la pression de la Turquie, de la France et de la Grande-Bretagne, vont monter l'opération «Provide Comfort», opération armée même si elle est à finalité humanitaire. Certes des moyens militaires peuvent être utilisés à des fins humanitaires, lorsqu'il s'agit par exemple pour un Etat d'évacuer ses ressortissants. En Yougoslavie, la présence d'un ministre français et du bateau de guerre «La Rance» a pu inciter le gouvernement yougoslave à faire quelques concessions. Des bateaux humanitaires avaient fait auparavant route vers le Liban... Mais la présence d'un navire de guerre, si elle peut être nécessaire, a toujours une signi-

fication ambivalente. «Les Etats ont compris tout le profit qu'ils pouvaient tirer d'une diplomatie de la charité et de l'urgence. Peu coûteuse, de fort effet médiatique, consensuelle, une telle activité est idéale pour des gouvernements en mal de perspectives politiques. L'opération de secours aux Kurdes a été surtout l'occasion de consacrer l'ingérence de l'Etat dans l'action humanitaire. Je suis de ceux qui ne s'en réjouissent pas. Quand des armées entrent en action — quelle que soit cette action —, je crains que des motifs bien autres qu'humanitaires soient en cause» (26). Pour Rony Brauman, président de *Médecins sans frontières*, il est impératif de lutter contre la tentation des Etats d'assurer la mise en œuvre de l'action humanitaire, qui doit rester l'apanage des ONG, pour qu'elle ne soit pas réduite à un outil parmi d'autres de la panoplie diplomatique.

4. Une consécration coutumière du droit d'ingérence humanitaire?

Le Conseil de sécurité semble confirmer le droit d'accès aux victimes mais il le fait avec une certaine retenue. Il n'exige plus, il «insiste pour que l'Irak permette un accès immédiat des organisations humanitaires internationales à tous ceux qui ont besoin d'assistance dans toutes les parties de l'Irak et qu'il mette à leur disposition tous les moyens nécessaires à leur action» (résolution 688/1991, paragraphe 3). Cet accès doit être autorisé par le gouvernement irakien conformément au respect de la souveraineté et de l'indépendance politique de l'Irak, rappelle le Préambule.

Si la résolution fait appel aux Etats, aux institutions spécialisées comme aux organisations humanitaires internationales pour qu'ils participent à l'assistance humanitaire, c'est néanmoins au secrétaire général de l'ONU qu'incombe la responsabilité de réaliser l'opération d'assistance; ce dernier conclura un accord le 18 avril 1991, avec le gouvernement irakien. Ainsi, même dans ces circonstances exceptionnelles, la nécessité du consentement semble bien être confirmée.

On peut enfin se demander si les actions du Conseil de sécurité en Irak et en Somalie peuvent être considérées comme ayant valeur de précédent. Le ministre français des Affaires étrangères semble en douter. Après avoir déclaré que le Conseil de sécurité dit le droit (27), il écrit: «L'application de ce plan de secours d'extrême urgence humanitaire a exigé que l'on franchisse, dans le cadre de la résolution 688, les strictes limites du droit international en matière d'ingérence; il s'est en effet agi de l'exercice de facto d'un droit d'intervention dans les affaires intérieures d'un Etat. Quarante-cinq ans après l'initiative française de San Francisco, c'est un progrès décisif. Mais cette résolution a été prise pour un cas particulier, par un organe unique, le Conseil de sécurité, qui ne pose pas de principes généraux mais édicte des injonctions et engage des actions. Elle se différencie donc des résolutions adoptées par l'Assemblée générale qui posent, elles, des principes généraux, des normes de conduite éthiques et politiques» (28).

Le doyen Bettati partage cette incertitude: «Le pragmatisme de l'action humanitaire internationale enferme encore celle-ci dans les improvisations diplomatiques. Mais la multiplication des opérations de plus en plus souvent acceptées et saluées nous encourage. Le droit international positif n'a pas encore codifié une norme contraignante dans ce domaine. Les embryons des éléments

constitutifs d'une coutume sont-ils à l'œuvre? Tout ceci en a l'odeur, la saveur, la couleur comme dit une certaine publicité, mais est-ce vraiment la coutume » ? (29) Ce contexte ne permet-il pas cependant l'amélioration des modalités de l'assistance?

B. L'amélioration des modalités de l'assistance

Si le droit à l'assistance humanitaire existe depuis longtemps en droit humanitaire, il est par contre incontestable que ses modalités de mise en œuvre doivent être améliorées pour faciliter l'accès aux victimes, protéger le personnel des actions de secours et coordonner ces dernières.

a) L'accès aux victimes

Par-delà la question de savoir si l'urgence peut justifier l'oubli du consentement, les résolutions de l'Assemblée générale ont le grand mérite de rappeler l'exigence de la rapidité dans les secours apportés. La résolution 43/131 a invité les Etats qui ont besoin d'une assistance à faciliter l'accès aux victimes. Elle « 6. Prie instamment les Etats situés à proximité des zones victimes de catastrophes naturelles et situations d'urgence du même ordre, particulièrement dans le cas de régions difficiles d'accès, de participer étroitement aux efforts internationaux de coopération avec les pays touchés, en vue d'autoriser le transit de l'assistance humanitaire » (30). La résolution 45/100 demande aux Etats d'étudier l'établissement de « couloirs d'urgence » humanitaires qui devraient assurer un droit de passage limité dans le temps, dans l'espace, dans l'exercice et par une déontologie. Cette recherche doit être encouragée car elle peut contribuer à résoudre nombre de difficultés pratiques rencontrées par les opérations de secours.

b) La protection du personnel

Si cette question n'est plus au centre du débat actuel, elle était une des revendications majeures des ONG médicales qui ont présenté « une charte pour la protection des missions médicales » au Conseil de l'Europe, le 29 février 1984. Sur ce point encore, le droit humanitaire offre des garanties certaines.

Ainsi, l'article 71 du Protocole I pose en principe que le personnel participant aux actions de secours « 2. (...) sera respecté et protégé ». De même, les ONG à caractère médical (31) peuvent bénéficier de la protection générale conférée par l'article 16 du Protocole I et par l'article 10 du Protocole II : « Nul ne sera puni pour avoir exercé une activité de caractère médical conforme à la déontologie, quels qu'aient été les circonstances ou les bénéficiaires de cette activité ». Elles peuvent même bénéficier de la protection de l'emblème dès lors qu'elles respectent les modalités prévues à cet effet. Certes, les modalités de cette protection mériteraient encore d'être précisées. Lors de sa X^e session, la Commission médico-juridique de Monaco a aussi souligné « l'importance de la mise en place d'une procédure permettant,

1. rétablissement de l'identité des membres composant les missions de secours;

2. le contrôle de la compétence professionnelle du personnel médical et para-médical;

3. la préparation de la missions dans le cadre d'une appréciation globale de la situation sanitaire [...].

[La Commission] insiste pour que toute utilisation de l'emblème protecteur soit strictement conforme aux dispositions prévues à cet effet par les Conventions de Genève et les Protocoles additionnels;

appelle tout particulièrement l'attention des organisations médicales non gouvernementales sur le fait que tout usage abusif de l'emblème porte atteinte à la protection de ceux qui l'emploient légalement;

réaffirme qu'en aucune circonstance, l'acte médical conforme à la déontologie ne peut être une cause de poursuite ni de condamnation pénale;

demande qu'en cas de capture, le personnel des organisations médicales non gouvernementales soit rapatrié sans délai » (32).

Mais une fois encore, c'est à partir des bases juridiques des Conventions de Genève et de leurs Protocoles additionnels qu'une amélioration de la protection devrait être recherchée.

c) La coordination des actions

La nécessité d'une meilleure coordination des opérations de secours est reconnue par tous. Elle doit permettre une appréciation des besoins en fonction de la situation d'urgence, pour éviter toute duplication des efforts déployés et améliorer l'efficacité de chacun. Elle devrait permettre aussi de faciliter le contrôle de la distribution des secours afin qu'ils ne soient pas détournés vers d'autres fins. Il est en effet difficile de contester dans ce domaine le partage de responsabilités entre l'organisme humanitaire et les autorités du pays receveur:

— vis-à-vis des victimes, l'organisme humanitaire doit veiller à ce que l'assistance ne parvienne qu'aux bénéficiaires;

— vis-à-vis des autorités elles-mêmes, l'organisme humanitaire fournit la garantie qu'il n'y a pas eu de trafic illicite;

— vis-à-vis des donateurs, par sa présence et son action dont il doit rendre compte, l'organisme humanitaire peut leur fournir l'assurance que les envois ne servent pas d'autres buts que ceux auxquels ils sont destinés.

En ce sens, la création par l'Assemblée générale, le 19 décembre 1991, d'un poste de coordonnateur chargé des affaires humanitaires est certainement un progrès, même si elle suscite la méfiance des Etats non alignés.

Le CICR ne saurait être opposé à une amélioration de la coordination des actions de secours sous l'égide des Nations Unies. Son statut d'observateur ne peut d'ailleurs que faciliter la coopération pratique qu'il entretient depuis longtemps avec l'Organisation, sous réserve cependant que sa spécificité ne soit pas méconnue dans un contexte normatif incertain parce qu'ambigu ou dans des situations de cohabitation avec des tiers (Etats ou ONG) dont l'action sur le terrain ne correspondrait pas aux principes de conduite de l'assistance humanitaire.

Comme le dit Paul Grossrieder : « Dans son domaine propre, le CICR mène des opérations qui présupposent une neutralité et une impartialité totales. L'imbrication de ces interventions propres au CICR avec d'autres types d'initiatives politico-militaires dénature et ensuite discrédite la fonction d'intermédiaire neutre, car lorsque l'humanitaire et le militaire veulent se marier, l'on est proche de la quadrature du cercle » [...] « Ayant besoin de toute son indépendance et de sa neutralité pour agir en intermédiaire neutre entre les parties à un conflit, le CICR ne saurait en

même temps être coordonné par un organisme intergouvernemental » (33). On peut encore se demander avec la Commission médico-juridique de Monaco, lors de sa XI^e session, en mai 1991, s'il n'est pas nécessaire de « définir les modalités d'application de la notion d'ingérence humanitaire » en prenant soin de maintenir la distinction entre les situations de conflits armés et celles de catastrophes naturelles ».

Il est enfin de la responsabilité du président du CICR de « lutter contre la politisation de l'action humanitaire » : « Je considère toutefois que le CICR doit, pour soi-même et pour l'ensemble du Mouvement de la Croix-Rouge, défendre la spécificité de son mandat humanitaire, un mandat d'impartialité, d'indépendance et de neutralité tel qu'il découle des Conventions de Genève » (34).

Le droit à l'assistance humanitaire, tel qu'il est défini par le droit humanitaire, ne saurait certes donner pleinement satisfaction en raison des limites évidentes qu'il com-

Notes

- (1) Roland Dumas, « La France et le droit d'ingérence humanitaire », in *Relations internationales et stratégiques*, N° 3, 1991, p. 57.
- (2) Roland Dumas, *op. cit.*, p. 60.
- (3) Mario Bettati : « Cette notion, bien que ne figurant pas dans les Conventions de Genève de 1949, n'y est pas conceptuellement étrangère », « Un droit d'ingérence ? », *RGDIP*, 1991, p. 645.
- (4) Ainsi Bernard Kouchner, au Biafra, ira jusqu'à témoigner « contre la Croix-Rouge ~ avec le soutien de Sartre ~ parce qu'elle fermait les yeux sur le blocus alimentaire employé comme arme de guerre. Je ne voulais pas répéter l'erreur de la dernière guerre, lorsque la Croix-Rouge gardait le silence sur les camps d'extermination », *Le Monde aujourd'hui*, 9-10 mars 1986, p. XII.
- (5) Jean-Christophe Rufin, « La maladie infantile du droit d'ingérence », in *Le Débat*, Gallimard, N° 67, novembre-décembre 1991, p. 25.
- (6) Cf. notamment Jean-Luc Blondel, « L'assistance aux personnes protégées »; Bosko Jadovljivic, « Le droit à l'assistance humanitaire »; Michael A. Meyer, « L'action humanitaire : un compromis délicat »; Peter Macalister-Smith, « Les organisations non gouvernementales et la coordination de l'assistance humanitaire », in *RICR*, N° 767, septembre-octobre 1987; Frédéric Maurice et Jean de Courten, « L'action du CICR en faveur des réfugiés et des populations civiles déplacées », in *RICR*, N° 787, janvier-février 1991; Peter Macalister-Smith, « Protection de la population civile et interdiction d'utiliser la famine comme méthode de guerre », in *RICR*, N° 791, septembre-octobre 1991.
- (7) Ainsi l'article 81 du Protocole I prévoit en son paragraphe 1^{er} que « les Parties au conflit accorderont au Comité international de la Croix-Rouge toutes les facilités en leur pouvoir pour lui permettre d'assumer les tâches humanitaires... »; les paragraphes 2 et 3 visent « les facilités nécessaires » aux organisations de la Croix-Rouge des parties en conflit ou, « faciliteront, dans la mesure du possible » l'aide des autres organisations de la Croix-Rouge; aux termes du paragraphe 4 « les Hautes Parties contractantes et les Parties au conflit, accorderont, autant que possible, des facilités semblables à celles qui sont mentionnées dans les paragraphes 2 et 3 aux autres organisations humanitaires ».
- (8) *Annuaire de l'Institut de droit international*, vol. 63-II, 1990, pp. 339-345.
- (9) « Le droit d'initiative du Comité international de la Croix-Rouge », *German Yearbook of International Law*, Volume 22, 1979, p. 365.
- porte encore. C'est la raison d'ailleurs pour laquelle de nombreuses tentatives ont été faites pour essayer d'en améliorer l'exercice ou d'en élargir le champ d'application (35). On doit souhaiter qu'à défaut d'une nouvelle Convention générale qui pourrait être l'occasion pour les Etats d'une remise en cause des règles existantes, soient au moins entreprises la recherche de cette déontologie visée par la résolution 45/100 ou l'élaboration d'un code de bonne conduite rappelant aux Etats comme aux ONG les principes qui doivent être respectés. En attendant, on ne saurait oublier que le droit humanitaire, « notamment dans ses dispositions sur les actions de secours s'est révélé efficace à l'usage car il exprime un compromis généralement acceptable entre les intérêts humanitaires et les réalités du combat ou de l'occupation [...] le meilleur qu'on puisse espérer » (36). Encore faut-il souligner que le respect du droit à l'assistance humanitaire ne doit pas être dissocié de l'observation du droit humanitaire dans son ensemble puisqu'il en est le fondement.
- (10) Cf. Maurice Torrelli, « La protection du médecin volontaire », *Annales de droit international médical*, N° 33, 1986, Palais de Monaco, résolution III, p. 79.
- (11) XXVI^e Conférence internationale de la Croix-Rouge et du Croissant-Rouge, *Mise en œuvre du droit international humanitaire, protection de la population civile et des personnes hors de combat*, document établi par le CICR, Genève, 1991, p. 9.
- (12) Cette interprétation est confirmée par la résolution de l'Institut de droit international de 1989, citée. Il faut également rappeler que l'article 89 du Protocole I prévoit que, dans les cas de graves violations du droit humanitaire, les Etats se sont engagés à agir tant conjointement que séparément, en coopération avec l'ONU et conformément à sa Charte.
- (13) La résolution 43/131 souligne l'importance de leur rôle : « Consciente que, à côté de l'action des gouvernements et des organisations intergouvernementales, la rapidité et l'efficacité de cette assistance reposent souvent sur le concours et l'aide d'organisations locales et d'organisations non gouvernementales agissant dans un but strictement humanitaire ».
- (14) Cf. *Commentaire des Protocoles additionnels du 8 juin 1977 aux Conventions de Genève du 12 août 1949* (Ed. Yves Sandoz, Christophe Swinarski, Bruno Zimmermann), CICR, Martinus Nijhoff Publishers, Genève, 1986 - Protocole II, article 3, p. 1987. Il est donc difficile d'admettre avec Mario Bettati que le principe de non-ingérence « ne vise que les Etats et les organisations intergouvernementales », *RGDIP*, *op. cit.*, p. 651.
- (15) Ces résolutions, sans viser les situations de conflits armés (« assistance humanitaire aux victimes de catastrophes naturelles et situations d'urgence du même ordre »), semblent implicitement inclure les situations de catastrophes créées par l'homme, c'est-à-dire les conflits armés.
- (16) Mario Bettati, in *Trimestre du Monde*, 1992, p. 31.
- (17) *Ibidem*.
- (18) Mario Bettati, *RGDIP*, *op. cit.*, p. 656.
- (19) Jacques Meurant, « Principes fondamentaux de la Croix-Rouge et humanitarisme moderne », in *Etudes et essais sur le droit international humanitaire et sur les principes de la Croix-Rouge en l'honneur de Jean Pictet*, CICR, Martinus Nijhoff Publishers, Genève, La Haye, 1984, p. 899.
- (20) Ainsi en sera-t-il notamment du médecin volontaire qui a prêté le serment modifié par « Médecins du Monde » : « Médecin, fidèle aux lois de l'honneur et de la probité édictées par le serment d'Hippocrate, je m'engage, dans la mesure de mes moyens, à donner mes soins à ceux qui, dans le monde, souffrent de corps ou d'esprit, je refuse que la science ou le savoir médical couvre l'oppression ou la tor-

- ture, que l'on porte atteinte à la dignité de l'homme, que l'on cache l'horreur... Je m'engage à témoigner. Je fais ces promesses solennellement, librement, sur l'honneur ».
- (21) Mario Bettati, « Assistance humanitaire et droit international » in *Les droits de l'homme et la nouvelle architecture de l'Europe*, publication de l'Institut du droit de la paix et du développement, Nice, 1991, p. 169.
- (22) Pierre-Marie Dupuy, « Après le guerre du Golfe... », *RGDIP*, tome 95/1991/3, p. 269.
- (23) *Trimestre du Monde*, *op. cit.*, p. 12.
- (24) Discrimination entre les peuples; ainsi le ministre algérien des Affaires étrangères demande le 25 avril 1991 que l'ingérence humanitaire soit exercée au profit du peuple palestinien; discrimination aussi entre les Chiites et les Kurdes irakiens.
- (25) Jean-Christophe Rufin, *op. cit.*, p. 27.
- (26) Jean-Christophe Rufin, *op. cit.*, p. 229.
- (27) *Le Monde*, 12 mars 1991.
- (28) *Op. cit.*, (voir note 1), p. 62.
- (29) Mario Bettati, « Assistance humanitaire et droit international » in *Les droits de l'homme et la nouvelle architecture de l'Europe*, *op. cit.*, p. 183-184.
- (30) Cette invitation devrait inciter les Etats à se souvenir qu'aux termes de l'article 70 du Protocole I, «5. Les Parties au conflit et chaque Haute Partie contractante intéressée encourageront et faciliteront une coordination internationale efficace des actions de secours».
- (31) En dépit ou grâce à l'imprécision du texte, on peut considérer que certaines d'entre elles sont susceptibles d'entrer dans la catégorie des « organisations internationales impartiales de caractère humanitaire » visée par l'article 9, 2, c) du Protocole I.
- (32) *Annales de droit international médical*, N° 33, 1986, résolution III, p. 79.
- (33) *Bulletin CICR*, décembre 1991, N° 191, p. 1.
- (34) Entretien avec Cornelio Sommaruga, *Bulletin CICR*, N° 192, janvier 1992, p. 2.
- (35) Voir Peter Macalister-Smith, «Protection de la population civile et interdiction d'utiliser la famine comme méthode de guerre — Projets de textes relatifs à l'assistance internationale humanitaire », *RICR*, N° 791, septembre-octobre 1991, pp. 476 et ss.; Michael A. Meyer, « L'action humanitaire, un compromis délicat », *RICR*, N° 767, septembre-octobre 1987, pp. 520-522.
- (36) Meyer, *op. cit.*, p. 523.

Actual and Potential Roles for NGOs in Worldwide Movements for the Attainment of Human Rights

by Chadwick F. Alger *

Transnational human rights movements are not a new phenomenon. The anti-slavery movement and the movement to disband overseas colonial empires are prominent, and successful, examples. On the other hand, "the human rights movement as we know it today is a post-World War II movement; in fact, it is a movement that began to gather momentum only in the 1970s". (Wiseberg, 1990, 2). Certainly the drafting in UN bodies of standards for human relationships on the planet, in numerous declarations and treaties, has been a towering achievement. Future historians concerned for the development and preservation of human potential will record this as the most significant accomplishment of the Twentieth Century. By UN efforts to protect these rights, still very limited, only began with the entering into force of the "World Bill of Rights" (i.e., the covenants on Civil/Political and Economic/Social/Cultural rights) in 1976. At the same time, "from the mid-1970s on, we have had an explosion... so that today there are literally thousands of non-governmental organizations expressing interest and trying to exert some influence with respect to human rights and social justice, and taking their terms of reference from the International Bill of Rights". (Wiseberg, 1990, 4). In addition to organizations focusing on specific rights, this includes increasing involvement in human rights by churches, trade unions, professional organizations, women's organizations and political parties (Wiseberg, 1990, 9).

Those who view the world in terms of the inter-state system paradigm, which assumes that states are "the most important actors" and that the study of international relations is the study of actions of states, tend to assume that the fulfillment of these standards is primarily the responsibility of states. Of course, they recognize that

international governmental organizations (IGOs) were useful in drafting acceptable standards. But the "explosion" in nongovernmental activities now demands that inquiry assume a wider perspective that is inclusive of a movement that extends from the grassroots in all continents to global assemblies, commissions, and working groups.

This paper will give particular attention to the actual and potential role of NGOs in worldwide human rights movements. First, we will provide an overview of human rights NGOs. Second, we will describe and compare four human rights campaigns: anti-Apartheid, infant formula, right to organize in Guatemala and churches against militarism in Latin America. Third, after briefly adding additional concrete material about INGO activity at the UN Sub-Commission on Human Rights, and local perspectives from Africa and the United States, we will discuss the difficulties in describing and analyzing actual worldwide human rights efforts and envisioning alternative models for the future.

1. Overview of human rights NGOs

"The energy, the vision, the drive, the tenacity of the international movement for human rights today lies preeminently with the NGOs". (Livezey, 1988, 19). Before proceeding, it will be useful to illuminate some of the characteristics of the vast array of NGOs involved in human rights. In order to transcend the limits of overviews which focus "almost exclusively on international and Western-based NGOs", Laurie Wiseberg provides a list of seven dimensions: (Wiseberg, 1990, 11-23)

1. Local, National, Regional, International. The geographic scope of organizations can vary in two respects. The first is concerned with the geographic scope of the objectives and mandate of an organization. The second with membership and control.

2. Human Rights Specific and Other Interest Groups, in the "other" category, having agendas that extend beyond human rights, are churches; trade unions and labor organ-

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izations; peasant and farmworker organizations; political parties; professional associations; educational bodies ; youth and student organizations; women's organizations ; organizations of journalists and writers; organizations of, or focused on, indigenous peoples or ethnic communities ; agencies dealing with children, refugees, the homeless , the disabled; and solidarity groups.

3. Broad-based and Single-Issue Groups. Organizations working exclusively on human rights may have a broad-mandate (e.g., all civil/political rights of even the entire "World Bill of Rights") or a specific narrow mandate, as Amnesty International's focus on political prisoners.

4. Differing Professional Perspectives. Examples are the differing perspectives of lawyers (International Commission of Jurists), journalists (PEN) and scientists, engineers, physicians, forensic scientists, and geneticists.

5. Mass-based and Elite Organizations. "With a few exceptions,... the overwhelming number of international, and many national human rights NGOs are still largely of the elite-type. They have been created and are run by a small group of concerned individual, frequently from the professional or middle classes". (Wiseberg, 1990, 19). This is in marked contrast to mass-based organizations such as trade unions, peasant organizations and churches.

6. Ideological Orientation and Political Independence. Human rights organizations are distinguished from other actors in that they do not themselves seek power. They desire to keep the political process open, influencing public policy in a pro-human rights direction. But there are disagreements on what political independence means. Some believe that acceptance of government funds violates independence but others do not. Mass membership may require organizations to avoid unpopular issues, but it may provide funding independent of government.

7. Specialization and Professionalism. Some older organizations in particular have highly professional staffs, whereas others are run mainly by volunteers.

This overview of various dimensions of NGOs involved in human rights illuminates remarkable potential for linking organizations together into global human rights movements. There is tremendous diversity with respect to geographic scope, specificity of mission, professional perspectives, mass-elite distinctions, political independence and professionalism/volunteer attributes. But this diversity is also a tremendous challenge to those who are endeavoring to weave together coalitions and networks inclusive of different perspectives, interests and scopes of concern.

Laurie Wiseberg also enables us to obtain another perspective on this vast domain of actors by providing a list of seven important functions performed by NGOs in both the protection and promotion of human rights: (Wiseberg, 1990, 23-29)

1. Information and/or Monitoring. These functions are viewed as "a precondition for stopping abuses, [particularly by states], and a prerequisite for effective action" because "the main protector of human rights — the authority one must in the end rely on to enforce human rights standards — is also the main violator". (Wiseberg, 1990, 24).

2. Legislation. NGOs are often involved in drafting both international and national legislation and in articulating or defining new issues requiring legislation.

3. Stopping Abuses, securing redress and/or humanitarian assistance to victims - in effect, implementation. This involves an array of methods: denunciation, legal assistance, securing humane treatment for detainees, assist-

ance to their families, and lobbying governments and IGOs.

4. Education/Conscientization. These are fulfilled through consultations, workshops, seminars, training courses for women, trade unionists or peasants, leaders of indigenous organizations or church people. Often NGOs function in a service capacity to other peoples's organizations.

5. Solidarity. Organizations on the front lines of struggle are often very vulnerable and isolated, thus the expression of solidarity by regional and international organizations, and by distant national and local organizations gives visibility and "some small measure of protection for those on the front lines". (Wiseberg, 1990, 26).

6. Delivery of Services. These occur especially — but not exclusively — in the area of economic and social rights. Wiseberg reports that this function has evolved out of the fact that, in the last two decades, some Third World governments have become aware that NGOs are more competent in providing services than government authorities, e.g., disaster relief, refugee assistance, skills for underprivileged, human rights education to military and police. But this poses a dilemma for NGOs who are concerned that cooperation with a government may limit possibilities for simultaneously performing their traditional monitoring function.

7. Keeping open the political system for other actors. Although not seeking power for themselves, human rights organizations do work with other organizations to keep governments accountable so that power is not inordinately centralized or abused.

This list of functions reveals that human rights NGOs offer remarkable potential for construction of global movements responsive to a diversity of needs. The activities of human rights NGOs range from grassroots education/conscientization, to the drafting of national and international standards. They are working to fulfill these standards through monitoring, dissemination of information on violations, stopping abuses, expressing solidarity with those struggling against abuses, and through delivering services to those suffering abuse. But, this diversity of approaches also suggests that in the formulation of global strategies for human rights fulfillment there are bound to be disagreements on where emphasis should be placed at a specific time. Should priority be given to education/conscientization in order to expand support, or solidarity with those already in the front lines? Should priority be given to information and/or monitoring, or should it be given to solidarity? Might the latter emphasis inhibit ability to monitor and collect information?

Of course, there may also be disagreements about which rights should be included in a global effort, and which of those should have priority. There is still intense disagreement between those who view civil/political rights as the essential core of human rights and those who insist that economic/social/cultural rights are a part of this core. At the same time, many now see the two groups of rights as an integrated set, with possibility for achievement of each dependent on progress in the other. Such an interdependent view is taken by Jack Donnelly and Rhoda Howard and they have attempted to devise a short list of ten rights. These offer a usefully succinct overview of the field of human rights. Grouping human rights into four categories, Donnelly and Howard provide this list : Survival Rights (right to life, food, health care), Membership Rights (family rights, nondiscrimination), Protection Rights (habeas corpus, inde-

pendent judiciary). Empowerment Rights (education, free trade, freedom of association). Donnelly and Howard claim "methodological priority" for these rights in that they believe that "taken together they can stand as measures of performance for virtually the entire list of internationally recognized human rights" (Donnelly and Howard, 1988, 215). A state which protects these ten, they believe, will be found to have protected all others. Of course, no short list

would satisfy all. We only use it as an example of the fact that global dialogue and widespread practice is significantly breaking down earlier, and we think quite artificial, tendencies to separate the civil/political and economic/social/cultural domains. Nevertheless, when global movement and network priorities are being set, this division can still be significant.

II. Comparison of four human rights campaigns

Recently there has been a flood of research on international regimes which has illuminated how states work together through IGOs to cope with problems which transcend state borders. (Haggard and Simmons, 1987). But with the exception of some recognition of the significance of transnational corporations, this research has been state-centered. At the same time, this work has tended to be highly concentrated on international political economy and has overlooked human rights. (One exception is Donnelly, 1986). Furthermore, human rights researchers have tended not to focus on the growth, organization, and practice, of regional and global human rights networks. We shall endeavor to offer some insight by examining four case studies which do provide descriptive material on networks of actors which range from local groups to global organizations and which raise questions about the significance of and problems encountered by these networks : (1) campaign against Apartheid in South Africa, (2) campaign to develop and implement a code for marketing infant formula, (3) campaign to obtain the right to organize in a Coca-Cola bottling plant in Guatemala, and (4) campaign by churches against the repressive practices of military rule in Latin America. All have involved to some degree actors and organizations that range from the local to global, and all range to some degree across the civil/political and economic/social/cultural divide.

But these cases have differences which make comparison useful. First, the prime targets of the infant formula campaign and the strike against Coca-Cola in Guatemala were transnational corporations, but the primary targets of the anti-Apartheid campaign and the campaign against militarism in South America were states. Second, in the infant formula and anti-Apartheid movements, IGOs were significantly involved; WHO/UNICEF in the first and the UN and OAU in the second. While relevant in the other two cases, IGOs were not significant arenas of activity (Table I). Third, all four cases involved people from a diversity of kinds of organizations, professions and interests, but each had a prime interest group: infant formula (women), Coca-Cola strike (labor), anti-Apartheid (Blacks), anti-militarism in Latin America (churches). Fourth, the infant formula campaign became an effort to draft a global standard, whereas the other three campaigns could appeal to already drafted standards. On the other hand, the anti-Apartheid campaign supplemented existing standards against racial discrimination with even more specific standards against Apartheid. Fifth, both the infant formula and anti-Apartheid campaigns included extensive local movements in places very distant from the prime violations, but this kind of local action was very limited in the other two cases. Particularly challenging to those who view the world through the state paradigm has been the extensive involvement of local government in the anti-Apartheid campaign.

TABLE 1 : Comparison of Four Human Rights Campaigns

High IGO Involvement	<p>Infant Formula Marketing Code</p> <p>1) Goal : Draft and implement global standard</p> <p>2) Target: Nestlé and other TNC practices in Africa, Asia and Latin America</p> <p>3) Prime Interest Group : women</p> <p>4) UN Involvement: WHO/UNICEF</p> <p>5) INGO Involvement: Int'l Baby Fund Action Network</p> <p>International Nestlé Boycott Committee</p> <p>International Organization of Consumers Unions</p> <p>6) Local Involvement: Local groups in Europe, N. America, Australia, New Zealand</p>	<p>Eliminate Apartheid in South Africa</p> <p>1) Goal : Implement global standard</p> <p>2) Target : South African Government</p> <p>3) Prime Interest Group : Blacks</p> <p>4) UN Involvement : GA, SC, Special Committee on Apartheid</p> <p>5) INGO Involvement: churches, unions, human rights groups</p> <p>6) Local Involvement: Local groups in S. Africa, North America, Australia, New Zealand</p>
Low IGO Involvement	<p>Right of Labor to Strike in Guatemala</p> <p>1) Goal: Implement global standard</p> <p>2) Target: Coca-Cola, bottling plant in Guatemala</p> <p>3) Prime Interest Group: workers</p> <p>4) UN Involvement: ILO standards</p> <p>5) INGO Involvement: churches, unions</p> <p>6) Local Involvement: local union in Guatemala, Belgium, Norway, New Zealand, Spain, Venezuela</p>	<p>Church Anti-Militarism in Latin America</p> <p>1) Goal: Implement global standard</p> <p>2) Target : military governments in Argentina, Bolivia, Brazil, Chile, Paraguay</p> <p>3) Prime Interest Group : churches</p> <p>4) UN Involvement : "UN World Bill of Rights" standards</p> <p>5) INGO Involvement: churches</p> <p>6) Local Involvement: local churchgroups in Argentina, Bolivia, Brazil, Chile</p>

Anti-Apartheid

Because we are dependent upon widely differing kinds of studies of the four cases, we can only draw comparisons with partial validity. Nevertheless, enough information is available to make comparison helpful in illuminating the characteristics of worldwide human rights campaigns. Janice Love's book on *The US Anti-Apartheid Movement: Local Activism in Global Politics* (1985) gives us the most extensive treatment of the Anti-Apartheid movement. Although the volume focuses on the United States, the introduction offers a broad description of the worldwide movement, and her study of local campaigns in Connecticut and Michigan provides a unique insight on local movements. She reminds us that Africans in Southern Africa have actively opposed white domination since their first encounter with colonialism, but the last three decades have brought considerable help from outside. "Among the events that precipitated the beginnings of persistent and organized international efforts were the [founding of the UN] at the end of World War II, the push for self-determination and independence on the part of colonial territories, and the 1948 electoral successes in South Africa of the Afrikaner's National Party, the party that instituted Apartheid as official policy" (1).

Of the four cases, the anti-Apartheid campaign illustrates intensive activity by the most extensive array of actors. IGO actions include the UN Security Council and General Assembly and the Assembly's establishment of a Special Committee on Apartheid. The OAU has also been a key arena of activity. State governments have been extensively involved, as in the case of the Front Line States (Angola, Mozambique, Zimbabwe), other African States, and the actions of states ranging from China and the USSR to the Scandinavians, other European states, Australia and New Zealand. NGO involvement has included the World Council of Churches, a number of international federations of unions and international unions, and international human rights and peace organizations. These efforts have employed sanctions against South Africa, direct aid to South African Blacks (scholarships, legal defense for detainees, financial support for their families, refuge and relocation for army deserters), publicity, research and sponsorship of conferences.

The extensive local dynamism of the anti-Apartheid movement, i.e., local campaigns outside South Africa, seems to signal a growing dimension of local politics, not only in human rights but also in other policy areas such as disarmament (local nuclear free zones) and Third World Development (direct development assistance to Third World communities by European cities). In the case of the anti-Apartheid campaign, local efforts have involved boycotts of banks doing business in South Africa, pressuring university boards of trustees to disinvest in businesses doing business in South Africa, and campaigns for disinvestment by state (province) and local governments (primarily pension funds). These campaigns have been carried out by student organizations, church organizations, labor unions, and Black organizations.

Particularly striking is Jan Love's study of campaigns targeted at the state governments of Connecticut and Michigan and her report that 54 U.S. cities had divested by 1986 and that legislations has been introduced into legislatures of 25 states by 1985. This activity reflects very significant ferment with respect to the role of local government

in human rights, which is particularly provocative when viewed along with related events such as the promulgation of the UN International Covenant on the Elimination of All Forms of Racial Discrimination in Burlington, Iowa in an ordinance adopted by the city council (the *Burlington Iowa Hawk Eye*, September 21, 1986).

Infant Formula

Our information on the infant formula campaign comes primarily from a study by Kathryn Sikkink, "Codes of Conduct for Transnational Corporations : The Case of the WHO/UNICEF Code" (1986). Supplementary information is available from publications of movement organizations and the Nestlé Corporation. Sikkink reports that WHO and UNICEF embraced the issue first, followed by publication of a pamphlet by a British nongovernmental group in 1974, translations of the pamphlet into German by a Swiss group, and the spread of the movement throughout Europe and North America. Eventually this led to a widespread transnational network consisting of the Inter-Faith Center on Corporate Responsibility in New York City (linking churches to the network), the International Organization of Consumers Unions (IOCU), and INFAC (a U.S. organization). These three groups organized the International Baby Food Action Network (IBFAN) which brought together 100 groups working in 65 countries on infant nutrition issues. The potential of grassroots power is reflected by the fact that INFAC evolved out of a group of 20 volunteers and one paid staff member in Minneapolis which eventually grew into one of the three key actors. But its budget "for the seven-and-one-half-year period it waged the boycott probably never exceeded U.S. \$3.5 million" (Sikkink, 1986, 827).

In six years the movement advanced from the British pamphlet to the passage of recommended standards for the marketing of infant formula in the World Health Assembly (1981, by a vote of 188 yes, 3 abstentions, and 1 no) to a 1984 agreement with the Nestlé Corporation in which the corporation pledged to abide by the Code. Sikkink believes that this campaign was successful because of a very special set of circumstances : (1) the issue was "inherently emotional", (2) an increasing level of consensual knowledge emerged, (3) the TNCs involved derived only a portion of their total sales from infant formula and they often did not have an agreed strategy, (4) the effectiveness of NGOs, particularly their ability "to hold a disparate coalition together for over seven years". (Sikkink, 1986, 828), (5) active support of some European states and acquiescence of others, (6) and the reputations of WHO and UNICEF.

She believes that the success of the infant formula campaign does not indicate that this campaign would be a model for other campaigns. Nevertheless, she believes that "opportunities exist within the UN arena for unexpected and vital developments on the regulation of transnational corporations", and she asserts that "too little attention has been given to nonstate actors and their impact in building codes". (Sikkink, 1986, 840). At the same time, she points out that WHO and UNICEF "played crucial roles" and quotes one of "the severest critics of the UN", former U.S. Assistant Secretary of State, Kenneth Adelman : "the drive for international regulation of infant formula and pharmaceuticals surely would exist in a world without the U.N.... But it would not have an institutional, concrete locale. It is the U.N.'s organization and resources that give substance to what might otherwise be merely an abstract wish". (Adelman, 1982, 16; cited by Sikkink, 1986, 840).

Although the infant formula campaign did achieve a victory in the passage of marketing standards in the World Health Assembly, eventually they found code compliance of Nestlé, and other corporations, unsatisfactory. In 1990, Action for Corporate Accountability reported that "Nestlé has gone back on its word", by refusing "to stop the most dangerous marketing practice, providing free formula supplies to hospitals". Thus, the boycott was resumed, and now includes both Nestlé and American Home Products. Significantly, the decision to resume the boycott was based on field monitoring by the infant formula network.

Right to Organize in Guatemala

Information on the campaign for the right to organize in Guatemala is taken from Henry J. Frundt's book, *Refreshing Pauses: Coca-Cola and Human Rights in Guatemala*, 1987. In 1975 workers at the Coca-Cola bottling plant began a union organizing drive, not long after Guatemala returned to a civilian-led government after 30 years of "virtual military rule". (Frundt, 1987, ix). In response, they were locked out of the plant by the president of the franchise, John Trotter, a Houston lawyer. The workers responded by calling a hunger strike along the busy thoroughfare in front of the plant. Wide support stimulated the formation of a national labor conference. After two weeks the president of the Republic intervened and recognized the union. But Trotter joined with other anti-union Guatemalans to inaugurate a government that arranged for the systematic extermination of the Coca-Cola union's leadership". Nevertheless, "this union was able to survive to become a key stimulant of a resurgent labor movement that in turn brought reconsideration of military rule and more respect for human rights. The explanation rests within the dynamics of social organization" between the local union, the international church, the international union, and the international company (x).

Indispensable for the eventual victory of the local union, after six years of struggle, was "its internal style of democratic leadership and its linkage to the broader popular movements within the country" (x). Yet Frundt notes that other strong unions who also exhibited these same characteristics have not been able to survive. In searching for an explanation he cites three factors as responsible for union success in this case: (1) the way the union handled its relationships with a U.S. transnational corporation, (2) the union's use of the international trade union movement and the coalition of transnational religious and human rights groups and (3) the union's ability to utilize the first two linkages to "put pressure on a government increasingly conscious of its image" (224).

Activist church shareholders in Coca-Cola exerted pressure on the company through meetings, shareholder resolutions at six annual stockholder gatherings, visits, and discussions with the workers in Guatemala, and coalitional efforts with human rights groups and unions. These "shareholders, not the union, were the first to bring the human rights abuses to corporate attention". Frundt concludes that "the global movement organized by the international union would not have been nearly as significant without the legitimization, aid, and coordination of the church and other human rights organizations, such as Amnesty International" (226). Also, there was remarkable cooperation among various church organizations: Methodists, Catholics, Baptists and Presbyterians.

NGOs in Worldwide Movements for the Attainment of Human Rights

Significant in networking among the churches on transnational corporation issues is the Interfaith Center on Corporate Responsibility (ICCR) based in New York City. It was the ICCR which consulted various business and labor officials in search for a labor code which could serve as a foundation for shareholder actions. It was concluded that principles of the International Labor Organization (ILO) reflected a "consensus of fundamental rights recognized by employers and workers from various parts of the world that held constant under different political and economic conditions" (75). The shareholders chose ILO Resolution 87 and Convention 9, as a basis for the rights of an interdependent trade union. Both the United States and Guatemala had affirmed these principles twenty years earlier:

- A. The rights of workers to organize and operate their own associations or unions without interference from management in the adoption of rules, election of officers, administration of affairs, and determination of programs
- B. The right of each individual worker to belong to such association or union without discrimination in employment, task assignment, or promotion
- C. The right of such associations or unions to negotiate collective agreements and grievance procedures for and on behalf of the members, and to represent their members before management wherever disputes arise
- D. The right of such associations or unions to join with others to form regional, national, and international trade-union bodies.

According to Frundt's account, the ICCR also seems to have been responsible for the involvement of Amnesty International, through a communication that resulted in an AI observer mission to Guatemala. And ICCR information reached the Organization of American States, the U.S. Department of State and the U.S. Congress. Inquiries from Congress spurred State Department action, including a phone call to the president of the local Coca-Cola bottling plant expressing dismay over the murder of two local union leaders and concern over allegations of the company's complicity.

With respect to the involvement of international unions, Frundt believes that "this case represents one of the first concrete examples of successful collective bargaining across national boundaries" (227). In this case the key union was the International Union of Food and Allied Workers (IUF). Unlike some of the other international union secretariats, the IUF "had already demonstrated itself to be an independent, activist, and democratic international". It became one of the first to "center its organization on the transnational corporate structure of such firms as W.R. Grace, Unilever, and Nestlé" (227). It saw Guatemala "as an opportunity to build its reputation for creating international solidarity between first world and third world labor movements, and it soon moved into a David-Goliath standoff, slinging telegrams against a well-financed and media-polished corporate empire. The telegrams led to street actions and beverage boycotts" (227:228+). The IUF quickly built communications links with church/solidarity groups, and thoroughly involved many affiliates. Also involved was the International Confederation of Free Trade Unions, headquartered in Brussels, which commenced an investigation of Guatemalan unions. Frundt concludes that the campaign "demonstrates power that did not come from top union bureaucracy, but from affiliate voices in Latin America, Europe, Australia, Canada, and the United

States. Each organization element depended on the other..." (232).

Ironically, it was Coca-Cola's tradition of autonomy for local affiliates which contributed to the deprivation of labor rights in its Guatemalan plant. "It thereby created an image of friendly cooperation that challenged the assumption of exploitative foreign investment and reduced the threat of nationalization" (229). But the Guatemala case illustrates that the vulnerability of a parent company is not only financial. "If affiliate behavior is publicly perceived as parent behavior, and if the appraisal is negative, it can become very difficult to contain, especially if it reaches across national boundaries" (229). In this case, shareholders meetings became a major arena of conflict in which it was revealed that there were labor abuses at many Coca-Cola plants, while the corporation had no corporate-wide labor code for the protection of workers against local management. But under the pressure of a shareholder campaign, Coca-Cola adopted a labor policy which "was clearly meant to reflect three of the ILO principles and to recognize the right of workers to organize without discrimination" (81). Nevertheless, a long struggle was required before these principles were made operable in Guatemala.

Overall, this movement is different from the other three cases in that a sustained struggle by local workers is at the core. Although churches are significant actors in the infant formula and anti-Apartheid campaigns, in the Coca-Cola campaign they seem to be the "linking-pin" in the transnational network. Particularly critical seems to have been inter-church solidarity, as manifested by the ICCR and the ability of churches to collaborate in shareholder campaigns, and to cooperate inside corporate shareholder meetings. At the same time, unusual labor solidarity and mutual action ranged from the local union in Guatemala to international labor secretariats and national affiliates, even stimulating sympathetic work stoppages in five countries. In this case the contribution of IGOs seems to have been limited to the very significant application of ILO labor standards.

Churches Against Militarism in Latin America

For the anti-militarism campaign in Latin America (Argentina, Bolivia, Brazil, Chile, and Paraguay), we draw on Brian H. Smith, "Churches and Human Rights in Latin America", 1979. He focuses on the following church-sponsored human rights commissions and other pastoral programs which have emerged since the early 1970s: (1) Argentina : The Ecumenical Movement for Human Rights and the Permanent Assembly for Human Rights, (2) Bolivia : Justice and Peace Commission and Permanent Assembly of Human Rights, (3) Brazil : Small Base Communities, Justice and Peace Commissions and Land Commissions, (4) Chile: The Committee of Cooperation for Peace and Vicariate of Solidarity, and the Base communities, (5) Paraguay: Peasant Leagues, Small Base Communities, and the Committee of Churches for Emergency Assistance. Notable in the array of organizations included in Smith's study is the focus on "base communities" in Brazil, Chile and Paraguay. These are local church structures which in Brazil "emerged as alternate forms of social participation and human assistance for the poor" (97). Also notable is the fact that organizations including both Catholics and Protestants are listed in Argentina, Bolivia, Chile, and Paraguay. The Committee of

Cooperation for Peace in Chile involved the seven major religious denominations in the country.

After examining these organizations in the five countries, Smith reaches conclusions about their learning experiences and accomplishments. He presents three main conclusions: First, human rights activities of churches in all five countries are basically reactive. National hierarchies did not become activated until they received pressure from below in their own churches. In many cases pressure came from a general public who were suffering from repressive actions of military regimes and had no other place to go for help. Second, in all cases the international linkages of churches gave them important capacity for action. Financial and material support from Western Europe and the United States enabled them to help the persecuted. Much of the financing for new human rights committees came from Protestant churches in Europe and the United States. And information on human rights abuses gathered by religious personnel could be effectively and swiftly transmitted through international church networks. Third, churches are sharing experiences and learning from each other. There is a "growing network of religious and lay personnel across national borders, making churches one of the few effective private transnational actors in the region capable of counteracting the international reach of the military" (116).

Smith is sensitive to the local impacts of these anti-military movements, noting how they have sensitized clergy and religious people to human rights issues, and provided alternative forms of participation which nourish "a critical consciousness as well as a spirit of resistance" (118). But he notes that churches in this region "have only begun the process of penetrating and understanding lower-class culture" (120). At the same time, he insightfully notes the tensions created by international sources of support, which sometimes raise suspicions of external control.

Perhaps it is the fact that Smith's investigation focuses exclusively on human rights activities within the five countries that results in the total absence of IGOs in his analysis. The only exception is a brief mention, in the introduction of the study, that Latin American military regimes have violated United Nations Covenants on Civil/Political and Economic/Social/Cultural Rights. A footnote to this reference to the "World Bill of Rights" takes note of the fact that violations have been documented by the UN Commission on Human Rights, as well as the Inter-American Commission on Human Rights. Mention is also made of documentation by three NGOs, the International Commission of Jurists, the International League of Human Rights and Amnesty International. Importantly, Smith notes that most aid provided by the activities under study has gone for "classic civil rights — the right of habeas corpus, the right to a fair trial, the right to be protected against torture. A broad consensus exists on the legitimacy of these individual rights — especially among funding agencies in Europe and the United States" (117). But he notes that in some cases churches have been able to "promote some economic and social rights; for example the right to work or the right to participate in social organizations of one's own choice" (117).

In overview, as with the anti-Apartheid and Guatemalan campaigns, once again the key role churches are playing in the human rights struggle is underlined. This Latin American study is particularly useful in illuminating the degree to which sectarian divisions do not prevent ecumenical

cooperation. As in the anti-Apartheid and Guatemala campaigns, the impetus in the Latin American case came "from below" as those suffering from abuse by the military challenged the churches to respond. Also, the great significance of transnational networks, in this case those of involved churches, are underlined. On the other hand, Smith sensitizes us to the potential negative aspects of ties abroad. Missing in this case, perhaps an oversight of the inquiry, is the significance of widely proclaimed human rights standards drafted by IGO assemblies. In the other three cases these standards were always a self-conscious concern of at least some of the significant actors.

Overview of the Four Cases

Table 1 has already offered one overview of these four cases, using the prime target of the campaigns (TNC or State) and degree of IGO involvement as organizing principles. Another overview perspective can be gained by appraising the significance of various actors in each case. Obviously, such an effort should not be interpreted as a conclusive judgment about the significance of various actors in these four cases. Instead, the goal is to provide a tentative perspective which might be useful for insights for guiding future research on regional and world human rights campaigns. The cases suggest that the following actors merit consideration: local actors (at the site and abroad), issue-specific organizations, labor, churches, states, TNC and IGOs. We have made a crude effort to code the significance of each kind of actor as either high or low (Table 2).

With respect to local action at the site of human rights violations, action in the anti-Apartheid, Coca-Cola and anti-militarism in Latin America campaigns was obviously of very great significance and provoked the concern of outside organizations. Available material on the infant formula campaign suggests that the impetus for action came from the outside, since there is virtually no mention of organized action by Third World mothers. In regard to local action abroad, the widespread local campaigns in the anti-Apart-

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held and infant formula campaigns, especially in Western Europe and North America, were of great significance. Local union actions abroad in the Coca-Cola case would seem to have been of much lower significance. It could be that the internal Latin American focus of the anti-militarism campaign prevented reporting of relevant activity abroad. Certainly intensive local activity against militarism in Central America has taken place in local communities in the United States and Western Europe. This has included intensive Sister City relationships, and frequent observer and work missions from local communities, particularly to El Salvador and Nicaragua.

Both the infant formula and anti-Apartheid campaigns developed widespread issue-specific organizations. It would seem that the infant formula campaign is the one most centered in issue-specific organizations, such as the Infant Formula Action Coalition (IMPACT), International Baby Food Action Network (IBFAN) and the International Nestlé Boycott Committee (UNBC). The anti-Apartheid campaign also has strong issue-specific organizations, such as the Connecticut anti-Apartheid Committee (CAAC) and the South African Liberation Committee (SALC) in Michigan. On the other hand, the Coca-Cola and anti-militarism in Latin America campaigns could be explained by the fact that the targets of the campaign were limited to Nestlé and a very few other transnational corporations. On the other hand, this explanation would seem to be even more applicable to the Coca-Cola campaign, but this is not the case.

Our case studies have revealed extensive involvement of unions in both the anti-Apartheid campaign and the Coca-Cola campaign. Since labor is not mentioned in the material in the infant formula campaign, we are inclined to regard its significance as low. The special focus of the anti-militarism case on the churches, does not permit us to make a judgment here, since the author may have neglected to seek out evidence of union involvement.

There is no doubt that churches were very significant actors in all four campaigns. Very impressive is the degree to which church involvement ranges from local, to national, to transnational involvement. Significant is the evidence of collaboration among churches of different faiths which also ranges from the local to the global. Because TNC were prominent actors in the infant formula, anti-Apartheid, and Coca-Cola cases, the Inter-Faith Center on Corporate Responsibility has been a prominent actor in all these cases. The Center conducts and organizes corporate responsibility campaigns and provides research and information to disinvestment proponents. It links together 15 Catholic religious orders and 12 major protestant denominations.

TNC were obviously very significant actors in the infant formula and Coca-Cola campaigns because they were the targets of the campaign. Although the South African state was the prime target in the anti-Apartheid campaign, transnational corporations doing business in South Africa also became targets. Indeed, it was the linkage between widespread local communities and the same TNC which made possible local anti-Apartheid campaigns throughout Europe and North America. The material on the anti-militarism campaign does not permit an assessment of TNC significance in this case.

As targets in the anti-Apartheid and anti-militarism in Latin America cases, states were, of course, significant actors. At the same time, the Front Line states, other Afri-

TABLE 2: Significance of Actors

	Infant Formula	Anti- Apartheid	Coca-Cola	Militarism in Latin America
LOCAL: At site	L	H	H	H
Abroad	H	H	L	?
ISSUE-SPECIFIC:	H	H	L	L
LABOR:	L	H	H	?
CHURCHES:	H	H	H	H
STATES:	L	H	L	H
TNC:	H	H	H	°
IGO:	H	H	L	L
LINKING PIN:	IBFAN INBC	UN (?)	Churches	Churches
L - Low Significance		H - High Significance		

can states and many other states were significant actors in support of the anti-Apartheid campaign. But states seem to have been of low significance in the Coca-Cola campaign and in the infant formula campaign.

As has already been indicated, with respect to IGO significance, the UN and OAU were important actors in the case of the anti-Apartheid campaign. And WHO/UNICEF were very significant in the infant formula campaign. Right to organize standards promulgated by the ILO provided a very important globally accepted standard as a basis for an international campaign against Coca-Cola, but no significant ILO activity is reported in this case. In the anti-militarism campaign, note is taken of the relevance of standards promulgated in the "World Bill of Rights", but the degree to which these standards were used as a basis for external involvement, particularly by international church organizations, is not mentioned.

In all four cases, a remarkable diversity of actors was linked together, sharing information, cooperating, and sometimes developing joint strategies. The anti-Apartheid campaign obviously had the greatest array of significant actors supporting the campaign, with all those in Table 2 demonstrating significant involvement. The infant formula campaign revealed remarkable capacity to link local boycotts in industrialized countries : (1) to a campaign for global standards in WHO, (2) to negotiations for an agreement with Nestlé, (3) to monitoring compliance of Nestlé in the Third World. The Coca-Cola campaign revealed great

capacity to link a local labor movement with supportive activities by transnational labor and church organizations. The anti-militarism in Latin America campaign revealed effective capacity to link grassroots church movements with national and international church movements that arched across a number of faiths.

Were there "linking-pin organizations" which served as communications channels between organizations and which coordinated effort (Jonsson, 1986, 42), or were organizations simply held together by open communications channels under conditions of shared goals? The cases do not explicitly answer this question. In the case of the anti-Apartheid campaign, it would seem that the UN-anti-Apartheid Committee, and its information system, might have performed this "linking-pin" role. In the case of infant formula, an INGO especially organized for this campaign seems to have been the "linking-pin", the International Baby Food Action Network (IBFAN). In the Coca-Cola case, it seems to be very clear that church organizations were the "linking-pins", with the likelihood that the Inter-Faith Center on Corporate Responsibility in New York City was the most important. Certainly it was key in coordinating church challenges to Coca-Cola management in shareholders meetings. But the nature of links between churches and significant union networks are not clear. Although it could be a partial artifact of the perspective of the author of the case, the churches seem to have been the "linking-pins" in the anti-militarism campaign.

III. What kind of models for global human rights efforts ?

Our four case studies have illuminated ways in which people suffering human rights abuses have been aided by campaigns which link together local, national, regional and global organizations. In all four cases, people in certain local places were assisted in overcoming these abuses by campaigns that involved international, national and local (abroad) organizations. These movements based their campaigns on standards which had acquired global legitimacy by virtue of having been codified in declarations and treaties formulated in IGOs. They supported victims of abuse by monitoring and publicizing violations, organizing national and international education/conscientization campaigns, extending solidarity to those struggling for their rights, offering a variety of services to victims and their families and working to keep political systems open so as to permit political redress of violations.

In his overview of "The International Human Rights Regime", Jack Donnelly employs a scale of achievement as follows: none, declaratory, strong declaratory, promotional, strong promotional, implementation, and enforcement. Although his extensive analysis reveals different levels of achievement in different regions and variation in success for different human rights issues, his overall assessment in Tale 3 offers a useful perspective. Donnelly concludes that the "International Human Rights Regime" has moved in the past thirty-five years from declaratory (1955) to strong declaratory (1965) to promotional (1975) to strong promotional (1985). Certainly our cases have revealed strong promotional efforts and in that sense confirm Donnelly's overall assessment. We have moved beyond Donnelly's state-centered analysis and have revealed, although very briefly, the highly significant roles played by non-governmental organizations in promotion.

We also discovered that NGOs were vitally important in achieving implementation and enforcement, although of limited scope, in the Coca-Cola and infant formula campaigns.

Our four cases raise questions about the actual, and preferred, models for human rights progress. (We have avoided calling for a model of "the human rights regime", preferring to maintain a more open-ended and pluralistic approach). There has been a tendency to view the worldwide struggle for human rights as a hierarchy of effort, reaching from local, to national, to regional, to the UN at the pinnacle. Donnelly succinctly portrays the latter, in his diagram of major bodies in the international (UN) human rights regime. (Figure 1). To what degree does actual practice conform to the hierarchical model ? There is no doubt that IGO definition of norms, in human rights declarations and treaties, has been an indispensable foundation for international efforts of other actors. But at the same time, there is widespread agreement with Livezey that NGOs have provided "the energy, the vision, the drive, the tenacity of the international movement". (Livezey, 1988, 19). Given what our four cases have revealed about the "linking-pin" performance of NGOs, and their significant roles in enforcement and implementation, are actual implementation and enforcement achievements more decentralized than has been recognized? Relative to other possibilities, is too much attention being devoted to organizations at the pinnacle of the human rights hierarchy, such as the Commission on Human Rights ? In other words, are we attempting to impose an inappropriate centralized state model to a global policy problem which requires a more creative approach ? Underlying this question is another: How can NGO vitality be sustained, particularly at the grassroots,

TABLE 3: Change in the International Human Rights Regime

	1945	1955	1965	1975	1985
	None	Declaratory	Strong Declaratory	Promotional	Strong Promotional
	None	Guidelines	Strong guidelines	Standards with exemptions	Standards with exemptions
Procedures	None	Weak promotion	Promotion	Strong promotion	Strong promotion/ weak monitoring

Source: Donnelly, 1986, p. 634.

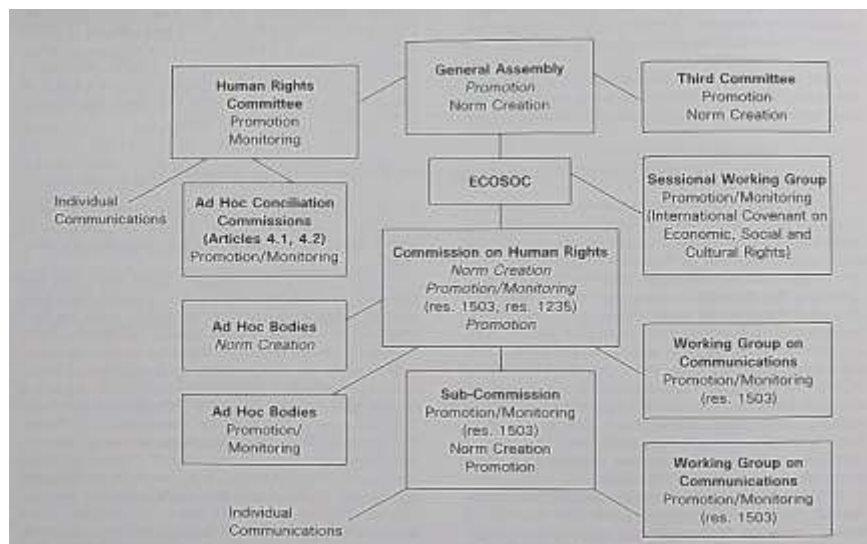


Figure 1 : Major bodies in the international (UN) human rights regime

Note. All the major bodies referred to in this section, and their primary functions, are presented in this figure, nominally *arranged* according to "constitutional" relationships of authority and subordination. The most important point to note is the size of the rectangle allotted to each body, which represents a judgment of its overall importance in the regime. Italicized functions indicate a particularly important role for the body in that area.

Source: Donnelly, 1986, p. 606.

while at the same time strengthening complementary effort in global institutions. It would certainly be assumed that states would continue to play important roles in the global human rights policy process, but, as in our four cases, the activities of NGOs and IGOs would both transcend state borders.

We will conclude with brief consideration of human rights activity at the two poles of global human rights activities, the global and the local, in order to provoke thought about both potential and limitations to be considered in the design of worldwide human rights efforts. With respect to potential in global institutions, we will briefly examine the Working Group of Indigenous Populations (WGIP) of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities. For the most part, UN bodies consist of representatives of states who are appendages of state foreign policy bureaucracies, which are themselves very distant from most people. Nevertheless, there is no doubt that NGOs have greater access to "conference diplomacy" in IGOs than they do to diplomacy and foreign-policy-making processes in most states. Particularly in human rights issues, they are "significant components" of the political process (Kamarotos, 1990, 23). A concrete example is "the leading role of several NGOs in the drafting of the Draft Declaration on the Protection of all Persons Against Enforced or Involuntary Disappearances" (Kamarotos, 1990, 7-8). On the other hand, many also recognize that limits are placed on NGO participation in global arenas by procedures for accreditation of NGO representatives to UN bodies, the ways in which NGO representatives are chosen, and the difficulty of travel to UN sites. But the WGIP reveals remarkable potential for breaking through these constraints, at least under certain conditions.

Now working to complete a Declaration on Indigenous Rights, the WGIP has been described as "a significant international forum" and as "the most open body in the UN system". (Sanders, 1989, 408). With 380 persons taking part in the public sessions in 1988, "the annual sessions of the working group attract more participants than any other UN human rights body". (Sanders, 1989, 410). The 1988 session included representatives of 33 states, 10 indigenous NGOs, 31 nonindigenous NGOs, 76 indigenous organizations and 23 nonindigenous support groups. But despite this array of participants, "probably less than one-third of the world's indigenous peoples have been represented". In 1985, "nearly half the indigenous organizations participating... were from the USA or Canada and to date there have been no participants from India, Burma, Thailand, China, the USSR, anywhere in Africa, Pakistan or the Pacific". (Burger, 1987, 268). In response to this problem, the United Nations General Assembly established a UN Voluntary Fund for Indigenous Populations in December 1985. Contributions have been received from Australia, Canada, Finland, the Netherlands, New Zealand, the Baha'i International Community, the Grand Council of the Crées of Quebec and the Shimin Gaikou Center of Japan. These contributions will be used to support the travel of 21 indigenous representatives to the 23 July to 3 August 1990 meeting of the Working Group in Geneva, from Argentina, Australia, Belize, Bolivia, Canada, Chile, Colombia, Costa Rica, Ecuador, India, Malaysia, Mexico, New Zealand, Nicaragua, Panama, Paraguay, Peru, the Philippines, Sri Lanka, the United States and Venezuela. (UN Department of Information, 1990). This example reveals a remarkable capacity of the General Assembly and the Commission on

Human Rights to support direct access to UN bodies by certain interest groups. Thus, overall, the WGIP has established procedures which make it remarkably open to indigenous peoples around the world.

Turning to a more local perspective, our cases have, in general, offered encouraging evidence of grassroots potential. Remarkable has been the degree to which effective grassroots campaigns have been mobilized at places very distant from the locales of human rights violations. The infant formula and anti-Apartheid campaigns have been very successful in using the "global reach" of transnational corporations as an opportunity for designing their own "global reach" strategies. Of course, this strategy will only work in situations where transnational corporations are key actors. We have also encountered the "global reach" of churches and unions. At the same time, these efforts have linked together local efforts in industrialized countries and Third World countries in efforts that have transcended the divide between civil/political and economic/social/cultural rights. On the other hand, the literature on local perspectives and efforts suggests that local and regional differences are still very significant and that global effort must be prepared to deal with them.

Using African examples, we would first like to illuminate not only that different regions may have different priorities, but also that different observers may reach significantly different appraisals of progress in specific areas. After surveying, "Human Rights NGOs in Black Africa", Harry Scoble concludes that there are few human rights organizations in Black Africa and that these few are weak. He attributes this condition to the territorial nature of ethnic communities in Africa and the "complex internal political process of patronage and clientage... Individual achievement is irrelevant... citizenship, and the specification of all rights and duties attaching thereto, is defined wholly in terms of membership in the ethnic community". (Scoble, 1984, 187). While admitting that "discussion about the presence and impact of human rights NGOs in Africa demands further research", he concludes that "their relative weaknesses calls for a pessimistic outlook on both the magnitude and nature of violations of human rights in Black Africa". (Scoble, 1984, 188).

In offering an African perspective on "international human rights", Chris C. Mojekwu notes that "human rights as a basic concept was very much present in pre-colonial African society well before the eighth and ninth centuries". He agrees with Scoble by observing "that the concept was fundamentally based on ascribed status. It was a person's place of birth, his membership or belonging to a particularly locality and within a particular social unit that gave content and meaning to his human rights — social, economic and political". (Mojekwu, 1980, 86). He notes that communalism and communal rights are still very much a part of African life and culture. But Mojekwu then goes on to reveal that his human rights perspective penetrates an aspect often overlooked by Westerners, as he complains of the double standard in application of self-determination in Africa, noting that various peoples and ethnic nations in Africa are denied "freedom to choose", in contrast with those in Eastern and Southeastern Europe. (Mojekwu, 1980, 90).

In a study of NGOs in Kenya, Bard-Anders Andreassen perceives African potential which is not recognized by Scoble, when he notes that "Kenya has a vital non-governmental sector, with an estimated total of 400 operating

NGOs and several thousand local self-help and women's groups...". (Bard-Anders Andreassen, 1987, 212). He observes that most NGOs in Kenya are "community-based, located in remote areas with a high propensity toward catering for the basic needs of the rural poor" and that the government has "been generally favourable to NGOs" as they have been perceived as useful supplements to governmental programs. Focusing his study on the Kenya Red Cross, Andreassen notes that it has extended beyond disaster relief to youth training and primary health care and that "since 1983 initial steps have been taken to evolve programmes and working methods for dissemination of humanitarian law and principles of human rights within the society as well as among important target groups within the state apparatus". (Andreassen, 1987, 212).

Tending to support Andreassen is Jan Egeland's analysis of "Indigenous humanitarian organizations" in which he concludes that "examples of NGO effectiveness in Africa abound". (Egeland, 1987, 112). Using the Mauritanian Red Crescent Society as an example, he notes that although it is known externally "primarily as a disaster relief network", it has made significant contributions to "long-term development" (113). Furthermore, he reports that in 1983 the Red Cross and Red Crescent Societies undertook a major survey of the human rights work on National Red Cross and Red Crescent Societies. "The accumulated data showed that the International Red Cross is actively involved in supporting the full range of human rights in most countries. The priority given to the work for the different human rights is an assessment of local needs." (116).

It would seem that Scoble and Andreassen/Egeland discern different degrees of both achievement and potential in Africa because they observe different phenomena. As a result, they would seem to infer different future strategies. Scoble's analysis would tend to suggest that "overt human rights organizations" (Scoble, 1984, 188) are required in order to directly assault priority given to communal over individual rights. On the other hand, Andreassen and Egeland, would seem to support the notion that a response to local needs will provide opportunity for activity which will eventually lead to the network of interconnected human rights. And, in the process, institutions will be constructed which are consistent with local culture and conditions.

By moving the venue of observation to the United States, we will sharpen our understanding of variation in local perspectives. In an effort to assess the activities and significance of the international human rights programs conducted by American nongovernmental organizations, Lowell Livezey intensely studies, through both documentary research and dialogue with participants, fourteen prominent organizations. With respect to emphasis on individualism, as contrasted with communalism, his results are a reverse image of factors in the African context as described by Scoble and Mojekwu. Three of his conclusions are particularly salient: First, he is "impressed with the overwhelming dominance of liberal ideology in the movement within the United States to promote the international recognition of human rights". Second, as a corollary to the first, "there is remarkably little work being done either to promote economic, social and cultural rights or to promote the active recognition of these rights by the American public or by government or international agencies". Third, "the right to self-determination has a unique place in human rights advocacy and is the source of great

confusion concerning the relation between individual and collective rights. Some organizations support self-determination specifically as a right of individuals to political means of shaping their common future. The term is also used in support of movements for national independence (or "liberation") or to advocate the noninterference of states in the affairs of particular groups".

Livezey then ends his study with this trenchant conclusion :

... this analysis of their programs suggest that the rights they actually promote are virtually all to be found in the United States Constitution. (Livezey, 1988, 151).

Livezey also offers insight on links between the international human rights activities of US-based NGOs and worldwide programs, by concluding that "relatively little time and energy are devoted to advocacy within the U.N. system, or to advocating greater or more positive participation by the United States in the U.N. human rights regime". (Livezey, 1988, 141). Of course, there are organizations (e.g., International League for Human Rights, American Jewish Committee) who promote UN human rights programs, and other organizations are affiliates of international NGOs through which they are represented at the UN (e.g., Amnesty International, World Council of Churches, Pontifical Commission of Justice and Peace). "Yet the more impressive reality is the degree to which the U.S.-based human rights programs adopt the nationalistic perspective of their country, even by directing their principal criticisms of their country to its conduct of bilateral relations". Livezey notes the "tension if not contradiction between the development of an international standard, the specification of a universal concept of international law, and the use of national means to do so". This leads him to conclude that "the persistent use of national means inevitably has consequences for the ways the ideas of human rights become specified and established in the international order" (Livezey, 1988, 142). These brief excursions into one global arena (the WGIP) and into the local context of human rights activity in Africa and the United States is challenging to those attempting to understand current efforts to implement human rights standards worldwide, as well as those desiring to identify potential for creating more effective models. The WGIP case suggests that there may be more potential for opening global (UN) human rights organs to the direct participation of local groups than is generally recognized. Given the fact that indigenous peoples are in many respects the most peripheral peoples of the world, it would seem that they might be the last to have direct access to organs of the "trade union" of states. Why did they succeed in establishing "the most open body in the UN system"? (Sanders, 1989, 408). Will their direct access be limited to the drafting of standards, and not extend into promotion and implementation stages? Answers to these questions would be helpful in discerning which other rights might be achieved by a more direct approach.

Our brief examination of human rights perspectives in Africa and the United States reveals the variation of human rights priorities in different cultural contexts. At the same time, variation in perception of African NGO potential reveals some of the difficulties encountered in efforts to develop worldwide movements. The potential perceived by Andreassen and Egeland would suggest that focus on needs expressed in Third World contexts is the way to build human rights relationships with these parts of the world. They imply that, if the interconnected network of

human rights is kept constantly in view, opportunities will emerge which can lead to progress on the whole set. The differences between this perspective, and Scoble's insistence on giving priority to "freedom of association" and "political pluralism" (Scoble, 1984, 177) also raises fundamental questions for those desiring to create worldwide movements. One perspective suggests that in certain contexts local opportunity will determine which human rights should be given priority. The other tends toward the notion that, in all contexts, certain rights must be achieved, as a foundation for moving on to the rest.

Livezey's analysis of the international human rights activities of US-based NGOs raises challenging questions about the consequences of how nationally-based organizations divide their attention and effort between attempts to influence the behavior of their own state directly and efforts to participate in and build worldwide standards and a worldwide movement to implement these standards. In this case, efforts to influence the worldwide, and often unilateral, activities of the U.S. government, have tended to encapsulate the efforts of U.S.-based organizations. Thus, while supportive of the worldwide movement in spirit, their efforts to influence a powerful state have engaged them in discourse which gives priority to the rights guaranteed in the United States Constitution, i.e., civil/political rights. Ironically, the unilateral and bilateral tendencies of their own national government have made a significant imprint on the programs of U.S.-based organizations. Thereby, U.S. organizations have limited their capacity to contribute to the development of worldwide human rights standards and institutions. At the same time, by not being adequately immersed in these international human rights activities, they are not able to facilitate the dissemination of developing worldwide human rights standards at home. For those concerned about strengthening the worldwide human rights effort, this example raises significant questions about the importance of a balance between efforts targeted toward various levels of government, and other institutions, within one's own country, and efforts rooted in international institutions and networks.

Conclusion

In examining four human rights campaigns (infant formula, anti-Apartheid, Coca-Cola and anti-militarism in Latin America), we discovered a remarkable diversity of actors involved, including not only states, TNC and IGO's, but also churches, labor and issue specific human rights groups, and even local governments. In three of these cases, it seems that NGOs served as the "linking-pin organization" in the transnational effort. At the same time, in these issue-specific campaigns, which were targeted at specific states or TNC, NGOs played significant roles not only in promotion of international standards, but also in implementation and enforcement. Particularly notable was the way in which local campaigns, in regions very distant from the locale of violations, actively supported these worldwide campaigns.

In order to extend the insights gained from these four cases, we very briefly examined NGO activities in one UN body and perspectives on human rights NGOs in Africa and the United States. Examination of NGO participation in the Working Group on Indigenous Populations revealed surprising possibilities for peoples whose rights are being violated to participate directly in UN bodies. The African case

revealed striking differences in how observers may assess potential for the development of NGO human rights activity in specific locales. At the same time, differences between the communal rights emphasis in Africa and the individual rights emphasis in the United States, underlined the difficulties in developing worldwide movements with common goals. Also, the American case illuminated the necessity for some kind of balance in the activities of NGOs based within countries — balance between activities supporting a national movement and activities supportive of a worldwide movement.

Based on our admittedly very selective case material, we have reached a few tentative conclusions about future potential for worldwide human rights efforts. First, although there seems to be broad agreement by many scholars and practitioners that the whole spectrum of human rights, particularly civil/political and economic/social/cultural, consist of an integrated whole, people in local settings have difficulty in building programs which integrate them. Second, nongovernmental organizations have become significant participants in "conference diplomacy" focused on human rights at IGO meetings and headquarters, but the available potential for transcending state restraints in this way has not yet been fully exploited. Third, based on the assumption that the spectrum of human rights are tightly linked, response to local needs may be the best strategy for beginning a human rights movement in places where human rights specific organisations may seem to be a violation of local culture. Fourth, while divisions between those emphasizing civil/political and those emphasizing economic/social/cultural rights may be significant, issue-specific campaigns seem able to bridge this gap, as exemplified by cooperation between groups in industrialized countries and those in Third World countries, in the anti-Apartheid, infant formula and Coca-Cola campaigns. Fifth, under present world conditions, legitimization by IGOs of standards for worldwide campaigns is indispensable. Sixth, it would seem that successful human rights campaigns require a network of actors; reflecting varying territories (local, national, international); involving NGOs, IGOs and states; and also involving an array of kinds of NGOs, such as issue-specific, churches and unions. Seventh, this network should not be viewed as a hierarchy, with IGOs (UN) at the top. Although it seems that IGOs may be at the top of a hierarchy for legitimization, NGOs may play key roles in promotion, and even in implementation and enforcement.

Finally, the tentativeness of this exploratory effort certainly reveals the desperate need for better descriptions and analyses of existing worldwide human rights networks, toward the end of illuminating how they operate, and offering insight on why they succeed and fail. Various actors in these networks are much in need of maps that reveal where they fit. Both scholars, and those more directly involved, need richer visions of alternative ways in which this dimension of global politics might be organized, so as to increase the possibilities for success. It is obvious that this will require more penetrating concern for the role of NGOs. In particular, scholarly research must catch up with the creative institutional inventions of local human rights activists throughout the world - as demonstrated in the anti-Apartheid, infant formula and Coca-Cola campaigns. There must be an explicit place for local NGOs, and local governments, in any model of worldwide human rights effort. To their credit, the drafters of the two prime human rights covenants (Civil/Political and Economic/Social/Cul-

tural) foresaw this need in their appeal in the preamble of both covenants :
Realizing that the individual, having duties to other indi-

viduals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant.

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Europe and Latin America 1992 : The Trade Union Dimension

Préface

The year 1992 provides an important opportunity to deepen the links between the peoples of Europe and Latin America. Governments are seeking to use this anniversary to strengthen ties at international levels; workers, trade unions, and all who support the struggle for social justice can also take this year as the occasion for a renewed effort to tackle and where possible find a definitive solution to the problems which continue to plague Latin America.

Creating the basis for better future relations between Europe and Latin America will require support in both regions. In Europe, people are presently preoccupied with issues close to home : the continuing high level of unemployment, efforts to construct closer union within the European Community (EC) and between the EC and the other countries of Europe, and the struggle of the countries of Central and Eastern Europe to achieve a successful democratic transition. In Latin America, some of the paramount issues are the debt crisis, unemployment, poverty and exploitation of workers in the informal sector, the problems of women and indigenous peoples, deteriorating export prices, environmental degradation, the threats to democracy, in some countries the need for land reform, and so forth. Yet there is a close link between the future prospects for workers in both regions, and it is the purpose of this document to explain this link and so build closer cooperation between Europe and Latin America.

This document is designed for all those concerned with the development of Latin America, from the people of Europe to those of Latin America themselves. It provides a guide to the concerns of the peoples of both regions as a basis for more successful cooperation in the future. The three organizations sponsoring this publication are International Workers' Aid (IWA), a European coalition of non-governmental organizations, the International Confederation of Free trade Unions (ICFTU), the worldwide trade union body, and the Inter-American Regional Organization of Workers (ORIT), which represents trade unions in North, South and Central America and the Caribbean. IWA, the ICFTU and ORIT welcome this opportunity to produce a joint document as a testament to their common resolve to make this anniversary a success.

Chapter One :

The Involvement of European Non-Governmental Organizations in Latin America

I. The Importance of 1992

As Latin America awaits the Fifth Centenary of the arrival of Columbus to its shores, the people of Europe anticipate the beginning of the single European market and have just witnessed the Maastricht Agreement where the countries of the European Community committed themselves to increased economic and political unity by the end of the century.

Though the two events are unrelated, in many ways there is a close connection between them. The Single Market which is to come into force at the very end of 1992 is the continuation of a process of integration of European nations which is deeply rooted in their economic and political development, of which the past colonial relationship and the current links in the affairs of the Third World are essential components.

October 1492 signalled the start of European influence

in five centuries of development in Latin America and the Caribbean. From that date, five European countries colonized different parts of the so-called "New World", while other parts of Europe benefitted indirectly from the colonization. Although most of the countries of Latin America are now independent, there remain parts of the region, particularly in the Caribbean, ruled by France, the Netherlands and the United Kingdom.

Although the United States of America is the main individual economic partner of most countries in Latin America and the Caribbean, it is in fact Europe which as an economic block has the biggest share of trade and cooperation with Latin America and is the most important creditor of the huge external debt. A great proportion of the multinational corporations with investments and operations in Latin America are European, and multilateral financial institutions such as the International Monetary Fund (IMF) and the World Bank are strongly influenced by European governments.

The closer integration of Europe will consolidate its position as a world power alongside the United States and Japan following the end of the Cold War and the collapse of the Soviet Union and the regimes in Central and Eastern Europe. Therefore, the Single European Market and subsequent phases in the process of integration are bound to produce considerable effects not only internally in Europe, but also in the Third World.

However, closely related as the two events of 1992 are for the peoples of Europe and Latin America, the contrast between the two continents could not be more evident. 1992 has the potential to create a Europe stronger, more united and more influential than ever before in world affairs. Latin America, on the other hand, will commemorate five centuries since its first encounter with Europe with a stagnant and dependent economy, still divided and frustrated at the very limited success of its many attempts at integration, and with no important role to play in the new world order.

The workers of both Europe and Latin America have good reasons to reflect on the meaning of 1992. For the latter it is a crucial moment to assess their past experiences and history and find the strength to confront the difficult future ahead, not only for themselves and their organizations but for their societies at large. For European workers, on the other hand, it is an opportunity to integrate their efforts still further, and prepare themselves for a new era of relations with employers and governments under the aegis of the Social Charter and the Social Protocol agreed upon at the December 1991 Maastricht Summit which, if their provisions are applied, will consolidate the rights gained from centuries of workers' struggles worldwide. It should also be an opportunity, however, to increase understanding of and support for the problems of workers in Latin America, in particular where European interests are involved.

1992 should, therefore, be a year of workers' solidarity, of increased cooperation between trade unionists in Europe and Latin America. European workers should make sure that a stronger Europe makes a decisive commitment to raising the standard of working and living conditions of Latin American workers by helping to solve Latin America's most severe problems, and by promoting European commitment to a more just international economic order.

The most urgent problems of Latin America are rooted in its economic relations with the most industrialized coun-

tries (the US, Japan and Europe) and in the structure of economic and political power in Latin American society. The external debt reached the sum of US\$ 436 billion by the end of 1991. Aid programmes did little to reduce the grinding poverty and deprivation of the majority of Latin American people, and new foreign investment failed to curtail the growing tide of unemployment or to protect the environment.

Expectations that improvements would come with the advent of political democracy, which has been coupled with free market policies and neo-liberalism, are yet to be satisfied. The prospects for the 1990s do not look very encouraging, and the threat of social instability and turmoil is as near as ever, endangering the democracies so hard fought for and re-opening the possibility of dictatorial regimes.

1992 offers Europe, and particularly European workers, a historical opportunity to play a vital role in the solution of the above problems and in building a better future for the people of both continents.

//. International Workers' Aid and the Labour Movement

International Workers' Aid (IWA) is deeply rooted in the labour movement and the democratic socialist parties of Western Europe. The first attempt at founding an association of workers' welfare organizations coincided with meetings of the Socialist Workers International in the late 1920s. It was inspired by the need for cooperation in the areas of social legislation, workers' rights, exchange of experiences and promotion of common international objectives.

The Second World War interrupted these initial developments. It was only when the Socialist International was founded in the early 1950s that efforts for collaboration between workers' welfare organizations were relaunched, first with the name of "International Socialist Aid" and later under its current name of "International Workers' Aid". Activities were initially coordinated from a base in Belgium, then Switzerland, and in 1970 moved to Bonn where the Secretariat has been based ever since.

During the 1950s and 1960s, IWA paid special attention to helping refugees and peoples displaced by war and the subsequent political events in Central and Eastern Europe, as well as replying to natural disasters. IWA provided support to political exiles from Central and Eastern Europe, Greece, and Spain during the 1970s, and in the latter it helped to establish the Spanish member organization Solidaridad Democrática.

In the first three decades IWA's work and internal debate centred on Europe and issues of social welfare and legislation, the role of the state and private institutions, and so on.

IWA expanded considerably during the 1970s and 1980s, and gained recognition by the International Labour Office, the Council of Europe, and the European Community as a non-governmental organization concerned with labour welfare, emergency aid, and cooperation for the poor in developing countries.

Support for projects in Third World countries and educational/campaigning work in Europe on development issues started in the 1980s and has occupied much of the energy, resources and internal debate of IWA since then. It has also increased cooperation between member agen-

cies. The international profile of IWA has risen due to its work through a network of hundreds of non-governmental organizations and grassroots groups in Africa, Asia and Latin America and the Caribbean.

IWA participated in 1988-89 in the North-South Campaign of the Council of Europe with the support of the European Community. It has now launched a second European education campaign entitled "From a Common Past to a Better Future" designed to mark two historical events in 1992, namely the Fifth Centenary of Columbus' arrival in Latin America and the beginning of the European Single Market.

The 1992 Campaign has the sponsorship and support of the trade union movement worldwide, through the involvement of the ICFTU and ORIT, its Latin American regional organization. The launch of the Campaign in October 1991 in Bonn was supported by the German trade union centre, the DGB, and the Friedrich Ebert Foundation. Member agencies of IWA are working closely with trade unions affiliated to the ICFTU in several European countries. The ICFTU, the ORIT and the Spanish UGT will participate in the IWA international conference in Huelva in March 1992, and IWA will be involved in the ICFTU World Congress in Caracas in the same month.

The 1992 Campaign is a joint effort which reflects a high point in the collaboration between IWA and the European labour movement. The hope is that it should also mark a closer cooperation between IWA and trade unions in Latin America and the Caribbean.

III. IWA and Support for Development in the Third World

IWA is a non-governmental organization representing 21 agencies of 14 European countries, all with strong links with trade unions and socialist parties, and as such forms part of a wide and diverse network of similar institutions concerned about development and the people of the Third World.

Most European development NGOs were founded after the Second World War and developed interest in the Third World during the 1960s and 1970s. Some are linked to the Catholic or Protestant Churches and others are non-confessional, influenced by humanist and socialist principles. They support projects in different countries in Africa, Asia and Latin America and the Caribbean, and many of them carry out educational and campaigning work on behalf of the people of the Third World and press for change in the policies of European governments.

European NGOs are important expressions of social concern and of civil society, and they represent the interests of millions of people who support and contribute to their work both domestically and at international level. Their action has been recognized by grassroots groups in the Third World who benefit from their support, as well as by opinion and decision makers, the media, political par-

ties, governments and supranational institutions, who are the targets of campaigning and lobby work.

In this way European NGOs represent a valid, legitimate and effective intermediary between the North and the South, and also a channel of cooperation and solidarity between the people of Europe and the people of the Third World, who through the exchange of experiences of the last three decades have learnt from each other and have built up a relationship of mutual support and partnership which goes beyond government and official initiatives.

IWA is one of the most important networks of European NGOs, which reflects the need for collaboration between institutions which share democratic and socialist principles and have links with political parties linked to the Socialist International and unions affiliated to the ICFTU. This identifies IWA with influential forces in the campaign against poverty and under-development in the Third World. This coalition was first to put on the agenda the need for a new international economic order based on a more just relationship between the North and the South.

IWA has contributed to efforts at bringing fundamental reforms in the policies of industrialized countries and supranational financial institutions towards the Third World, especially in areas such as trade, debt, aid and the environment. There is still much to be done to translate into action the awareness that people in the North have of the plight of the poor and dispossessed in the Third World and of the urgent need for change.

The 1992 Campaign "From a Common Past to a Better Future" is part of IWA's work designed to persuade decision-makers in Europe of the need for a change in attitude and policies. The Campaign is rooted in the work of several member agencies in Latin America. This experience of direct contact and cooperation with hundreds of groups all over the continent has allowed IWA to witness the reality of poverty and deprivation in which the majority of Latin American people live, and has given it the authority to demand reforms in the policies of their respective governments which are largely responsible for the state of affairs.

IWA has supported many groups in Latin America through humanitarian and development projects which aim at improving their living conditions and organization. The projects have covered a wide range of areas including income generation, agricultural production, primary health care, education and training, housing, sanitation, protection of human rights, support for democracy, cooperative development and so on. Support has been channelled through a diversity of groups and institutions, including many trade unions and associations in urban and rural areas.

The 1992 Campaign is designed as a Campaign in Europe to bring about positive changes in policies towards Latin America and as a vehicle for strengthening the relationship between the people of Europe and grassroots groups in Latin America and promoting an increase in cooperation between the IWA and trade unions.

Chapter Two :

1992 and the International Trade Union Movement

Introduction

The preoccupations of the workers of Europe are the main concern of this chapter, while the following chapter covers the priorities of the Latin American trade union movement in 1992. This chapter begins by looking at the development of the international trade union movement and particularly at the activities of the European Trade Union Confederation (ETUC). The second part examines the actions of the ETUC in the move towards increased social, economic and political integration in the European Community in the light of the Maastricht Summit of December 1991. It also describes the role trade unions are playing in the changes in Central and Eastern Europe. Finally, relations between Europe and Latin America are studied in greater detail, with particular attention to trade, aid and development and to the views of the ETUC on the priorities for constructive cooperation in the future.

1. The International Trade Union Movement

The present structure of the international trade union movement consists of a sophisticated variety of interlinked institutions to correspond to a large number of different needs. Specialized trade union organizations exist oriented towards particular international institutions; different industries each have their own international trade union representatives; every region and many sub-regions of the world have their own trade union body; and at worldwide level stands the largest organization of all, the International Confederation of Free Trade Unions, which in 1992 comprises 101 million Workers organized in 152 affiliated trade union centres in 108 countries and territories around the world.

The History of International Trade Unionism

The origins of the international trade union movement go back to the 19th century. As trade unions in different countries gradually overcame the considerable obstacles to their formation and established increasingly stronger trade union organizations, so they became aware of the need for international links. The first successful agreement was between trade unions from the countries of Scandinavia when in 1886 trade union leaders from Sweden, Denmark and Norway began to hold regular meetings, later to be joined by representatives from Finland and Iceland. However, apart from this Scandinavian success, international trade union unity began at the level of individual industries or sectors. In Antwerp in 1889, workers from the cigar and cigarette industry created the Tobacco Workers' International. In the following years, similar Internationals were set up by the tanners, the miners, the tailors, transport workers and others.

In 1901 the first international trade union organization made up of central union federations was set up. Various conferences followed without producing really tangible results and the divisions between trade unions caused by the First World War resulted in an interruption of activities.

In 1919 the Amsterdam Conference revived the International Federation of Trade Unions (IFTU) which brought together the majority of unions of the time. However even then two sectarian trade union internationals existed, claiming to represent on the one hand Christian unions and on the other unions aligned to the newly created Soviet Union. Following the Second World War there was a brief effort to unite all unions in one international, but this was little more than a reflection of the shortlived alliance between governments of the time. Soon the differences of views regarding above all the question of trade union independence from political parties became clearly incompatible and so in 1949 the democratic socialist and other non-communist unions broke away to form the International Confederation of Free Trade Unions (ICFTU). For the first time a large number of trade unions from developing countries formed part of this new international.

In the period since then, the ICFTU has been the most representative of the three global trade union internationals. The Soviet-aligned World Federation of Trade Unions (WFTU) has now more or less disintegrated following the democratic revolutions of 1989 and 1990 in Central and Eastern Europe and the collapse of the Soviet Union itself in 1991. The World Confederation of Labour (WCL) continues as an international grouping of unions and associations linked mainly to Christian social thinking. In 1992, therefore, virtually all genuinely free and democratic national trade union centres are affiliated to the ICFTU. The Fifteenth World Congress of the ICFTU (17-24 March, 1992, in Caracas, Venezuela) provides a reference point for a new programme of actions to advance the demands of the trade union movement worldwide.

The International Trade Union Movement Today

The world headquarters of the ICFTU is in Brussels. The ICFTU has regional organizations based in Singapore for the Asian and Pacific Regional Organization (APRO), in Mexico for the Inter-American Regional Organization of Workers (ORIT), and in Sierra Leone for the African Regional Organization (AFRO). In addition the ICFTU maintains offices in Geneva, New York and in a number of countries around the world. There is no longer an ICFTU regional organization for Europe, in view of the existence of the European Trade Union Organization (ETUC) which cooperates closely with the ICFTU. The ETUC evolved from the European Trade Union Secretariat, set up in 1958 by the ICFTU's European affiliates. The ETUC was created in 1973 with affiliates from a wide range of independent, democratic trade unions. While the overwhelming majority are affiliates of the ICFTU, the ETUC also has affiliates from the WCL and non-affiliated national centres.

The task of the ICFTU is to undertake actions to meet the goals of the ICFTU Constitution, summed up in the words: Bread, Peace and Freedom. ICFTU activities are financed basically by the affiliation fees paid by member organizations. In addition some affiliates are able to channel resources from their government's development assistance into ICFTU projects.

A large part of the ICFTU's work is in the defence of trade union rights and of trade unionists when they are under attack. This entails urgent action campaigns by the ICFTU and its affiliates, seeking to use every conceivable channel to put pressure on repressive governments. It can mean missions by the ICFTU to provide advice and moral support and apply further pressure on government authorities. Legal assistance can be provided to unionists on trial, as well as material support. Through the world's media, the ICFTU gives maximum publicity to violations of trade union rights.

Economic and social policy work constitutes a second major area for the ICFTU. The ICFTU provides its affiliates with informative reports on the pressing issues of the day, from the GATT trade negotiations to the debt crises and the effects of the European internal market on developing countries. On the basis of such information, debates, seminars and conferences are held, such as the ICFTU/ORIT Conference on "Integration, Development and Democracy" in San José, Costa Rica from 31 October-2 November 1991. The ICFTU Executive Board then decides on the policies for the ICFTU to promote. The task of the ICFTU is then to work for implementation of those policies. International organizations like the IMF and the World Bank are lobbied and experts' meetings are convened to convince them of the union point of view. The actions of ICFTU affiliates are crucial, and the ICFTU maintains close contact with them as it seeks to influence world opinion. The links of affiliated unions to governments and political parties can enable them to mould their countries' policy on key economic issues. The ICFTU works together with the Trade Union Advisory Committee (TUAC) to the OECD in Paris in providing an input to that organization's activities.

The ICFTU undertakes a number of projects to build strong trade unions in the developing world. These comprise basic trade union education, research, leadership training, organizational support, advisory services, social and economic projects and efforts to broaden the base of free trade unions in the rural sector. In addition the ICFTU coordinates the trade union input to the International Labour Organisation (ILO). The ICFTU places a major emphasis on improving the situation for particularly disadvantaged groups of workers, including women, young workers and migrant workers. The ICFTU is engaged in trade union actions to build cooperation to face transnational corporations, often working together with the international trade secretariats (ITS). The 16 ITS operate at a parallel level to the ICFTU, though completely autonomously, and represent workers in a particular sector at international level, as follows : building and woodworkers (IFBWW); professional, technical, commercial and clerical workers (FIET); food workers (IUF); graphical workers (IGF); chemical and energy workers (UADW); plantation and agricultural workers (IFPAAW); postal and telecommunications workers (PTTI); public sector workers (PSI); teachers (IFFTU); textiles and leather workers (ITGLWF); transport workers (ITF); and arts and entertainment workers (ISETU).

The European Trade Union Confederation

Today, virtually all free trade union centres in the established democracies of Europe are members of the European Trade Union Confederation (ETUC). In 1992, the ETUC represents some 47 million workers, gathered in 45

national trade union confederations in 22 European countries. Thereby, the ETUC represents some 95 per cent of all unionized workers in these countries.

The major aims of the ETUC are established in the Preamble to its Constitution as being to work for:

- the extension and consolidation of political liberties;
- the respect of human and trade union rights of working men and women;
- the elimination of all forms of discrimination and the promotion of equal opportunities, regardless of sex, colour, race, nationality, or political or religious opinions and beliefs;
- geographically-balanced and environmentally-sound economic development;
- freely-chosen and productive employment for all;
- the democratization of the economy;
- a steady improvement in living and working conditions;
- a European society based on the principles of freedom, justice and solidarity.

ETUC priorities for the current period were set by the Seventh Congress (Luxembourg, May 1991) in its General Resolution on "The European Trade Union Movement at the Heart of the Changes in a Changing World" and in a series of 14 specific resolutions covering subjects such as transnational companies, migration, equal rights and opportunities for men and women, and so on. At the present time, the ETUC's work is very closely oriented towards the completion of the internal market of the EC. In October 1989, an ETUC rally for a Social Europe in Brussels drew 17,000 participants from all over Europe. The campaign for a social dimension to the internal market has entailed major efforts to inform, mobilize and coordinate actions by ETUC affiliates and to convince the European media of the ETUC's position.

One of the major concerns of the ETUC is to prioritize the need to reduce unemployment and poverty. The average level of unemployment in Europe stands at almost 9 per cent, and it is rising. In its regular discussions with heads of government, such as before the summit of the EC every six months, the ETUC has lobbied intensively for a high-growth programme and an EC industrial policy, pointing out that the benefits of the internal market and stronger economic, social and regional cohesion will only be realized in a context of high growth and falling unemployment. However the present dominance of conservative economic policies in EC member states has meant that the response of governments has been far from enthusiastic.

The ETUC has fifteen industry committees, which essentially consist of European equivalents of the ITS described above and are closely linked to the ITS for their sector. The industry committees inform, coordinate and plan trade union actions for particular sectors. In addition, inter-regional trade union councils bring together trade unions from different sides of particular border regions, such as between the Netherlands and Germany and between France and Spain.

Employers have taken an increasingly confrontational approach towards trade unions in many European countries. Emboldened by economic recession, many employers have been far more aggressive in their collective bargaining. Many have demanded pay reductions or freezes and more flexible working practices, sometimes with the deliberate intent of provoking strike action and breaking the union. In this context, it has been difficult to

advance joint ETUC initiatives with employers at an EC-wide level. But despite the very negative attitude of employers, the ETUC has succeeded in establishing a "social dialogue" to enable direct discussions with the European employers' organizations in the framework of the EC. A major future role for the ETUC and especially the European industry committees could be in the negotiation of EC-wide collective agreements so as to create a genuine European industrial relations area. However, the employers have so far strongly resisted direct collective bargaining at EC level.

The ETUC works to support human rights in Europe. It was active, for example, in securing condemnation of Turkey by the Council of Europe. The ETUC's standing committees and working groups discuss policies to support disadvantaged groups, such as women, pensioners, youth and migrant workers. Other committees consider the improvement of the environment in Europe, improving working conditions and health and safety at work, and how to promote industrial research and development and vocational training.

The ETUC is active in devising policies for the improvement of economic and social conditions in Central and Eastern Europe. Together with the independent trade unions of the region the ETUC informs the European institutions on social, economic and trade union developments in Central and Eastern Europe and lobbies for a stronger social component in the different assistance programmes. The ETUC has set up a European Trade Union Forum as a basis for building contacts with and between the new free trade unions of the region, as well as an observer status for a growing number of them within the ETUC.

The ETUC's activities are financed by its member organizations' affiliation fees. The work of the ETUC is implemented by various means. The ETUC undertakes direct trade union actions in individual countries and at European level. Trade unions have statutory representation on various EC bodies, such as the tripartite Economic and Social Committee, and the ETUC and its affiliates can influence the content of EC policy through this channel. The ETUC holds consultations on specific matters, in accordance with already agreed rights or newly won opportunities. Formal or informal political meetings are held with heads of government and ministers. An ETUC delegation regularly submits its demands to the President-in-office before the summit meetings of heads of state or government of the EC. Over the years close cooperation has developed between the ETUC and sympathetic political groups in the European Parliament.

The ETUC's work is assisted by various specialized institutes. It has a research, documentary and educational arm, the European Trade Union Institute (ETUI), established in 1978. The ETUI undertakes research into a wide variety of topics of concern to trade unions including employment policy, introduction of new technologies and collective bargaining. They have frequently made an important contribution to collective bargaining and trade union policy. The European Association for European Training of Workers in Technology (AFETT), set up in 1986, contributes to trade union education in the field of new technologies. The European Trade Union Technical Bureau, founded in 1988, covers health and safety in the workplace and technical standardization. Its task is to make an input to the EC, to provide information and to encourage exchanges between trade unions together with the ETUC

and its industry committees. The European Trade Union College, founded in 1990, has the responsibility of systematically developing European trade unions' educational work. It organizes residential courses and seminars and encourages cooperation between trade unions and schools and colleges.

II. The Trade Union Role in the 1992 Process

The seventh statutory congress of the ETUC (Luxembourg, May 1991) took place at one of the most momentous times in the history of the European trade union movement. On the one hand, the ETUC was contending with the dramatic moves to greater union within the European Community, and with the need to ensure that social concerns were adequately represented in the structure of the post-1992 Europe. On the other, for the first time free and independent trade unions from the formerly communist countries of Central and Eastern Europe, now struggling to shape a new society from the debris left by over forty years of misconceived central planning, were able to participate in the debates of the ETUC Congress. This part of the report takes as its theme the actions of trade unions in Europe in the face of this situation.

European trade unions and the European Community

In 1992, the European Community (EC) stands on the verge of a challenging new era. Decisions taken at the Maastricht Summit in December 1991 point the way forward to ever-closer cooperation at social, economic and political levels and perhaps finally towards political union in a federal Europe. As part of this process, controls at the frontier on the movement of goods, persons, services and capital are due to be lifted as the "internal market" of the EC is set up for completion by 31 December, 1992. The ETUC and its affiliates have, throughout this process, made it clear that trade unions will only support the process of European integration if there is increased democratic accountability and a full social dimension. The ETUC led the campaign for social elements to be incorporated into the European integration process through a "Social Charter". The Social Charter, concluded in 1989, was a declaration of principles and less strong than the ETUC had called for. However, it looks set to be strengthened as a result of the decisions of the Maastricht Summit.

In the 1950s, trade unions were one of the foremost groups calling for the creation of the European Community. As a result, when the Treaty of Rome was signed in 1957 by Belgium, France, West Germany, Italy, Luxembourg and the Netherlands, so creating the European Community, it included social elements right from the start. Article 2 of the Treaty of Rome calls for the EC "to improve employment opportunities for workers and to contribute to the raising of their standard of living". Article 117 further covers the need to promote improved working conditions, while Article 118 gives the European Commission the task of promoting close cooperation between member states in the social field, particularly with regard to employment, labour law, social security, the right to freedom of association and collective bargaining. To this end, the EC has passed "directives" — legally binding instruments — con-

cerning social conditions and has taken direct actions, using common EC funds, to improve conditions in different regions and for particular groups of the population.

The EC's measures aimed at improving working conditions comprise several directives on safety and health in the workplace; on the need to provide unions with prior notification of collective redundancies; on the continuation of existing collective agreements in the event of takeover of a firm; and on information and consultation rights. In 1975, the European Foundation for the Improvement of Living and Working Conditions was established, which has led to the creation of various advisory committees and safety and health commissions in other areas. In 1980, a fund was set up to guarantee employee wage claims when firms go bankrupt. The EC has been particularly active in the area of elimination of discrimination against women, and has passed directives which have rendered illegal discrimination on grounds of sex with regard in particular to collective agreements, access to employment, training or promotion, and social security schemes.

The EC has maintained a European Social Fund since its creation, although until the 1980s it operated on a very small scale. It has assisted with the redeployment of workers thrown out of work, including cases where the cause of unemployment was the higher level of competition in the internal market. Nowadays nearly three million people benefit from assistance for retraining every year. Likewise, a European Regional Development Fund set up in 1975 provides loan and grants for the development of backward regions of the Community.

Consultation of the social partners has been provided for ever since the creation of the European Community, partly through the Economic and Social Committee, a permanent institution of the EC based in Brussels. The Committee is made up of employers, workers, and a third group covering other interests (farmers, consumers, the self-employed, and so on). Its members are nominated by governments, normally after close consultation with trade unions and employers' organizations. They sit for a period of four years, which can be renewed. The Committee has to be consulted before legislation can be passed in a wide range of areas, including economic and financial questions, social issues, external relations and regional development. Its opinions have frequently influenced the content of EC legislation on technical issues where the expertise of its members can be brought to bear. In recent years, however, the Committee has met difficulties in advancing its views in the face of the neoliberal policies prevailing in several member states.

A potentially important institution for democratic control over the EC is the European Parliament, although its powers remain fairly limited. The European Parliament has, since 1979, been directly elected once every five years. The most recent elections, in 1989, returned the Socialists as the largest single party grouping. Before the elections the ETUC had asked prospective candidates to state their views on a range of trade union demands, and ETUC affiliates then called on their members to vote for those candidates who supported these policies. Since the election, the ETUC has stepped up the frequency of its meetings with the parliamentary groups. The ETUC often takes part in the meetings of the specialized committees of the Parliament. Unfortunately, the Maastricht Summit did not give the European Parliament the full rights to function as a normal parliament, as the ETUC had demanded.

1992 and the Creation of a Social Europe

Ever since the Treaty of Rome was signed in 1957, the member states of the European Community were supposed to move towards the creation of a truly common market. Yet for nearly thirty years there was a lack of the political will to take the necessary measures to set it up. This period of drift came to an end at the Versailles Summit in 1985, when a precise timetable was established to complete the single internal market by the end of 1992. Although this is supposed to require an end to barriers to the movement of goods, persons, services and capital within the Community, there is no agreement over whether this should mean that physical controls on the entry of people should be abolished. However, the intention is to create a single economic area in which there is no difference for a company or worker between one country and another. Because of these changes the EC member states are in the process of harmonizing their legislations in a variety of areas.

Initially, the internal market programme was almost wholly market-oriented and provided for no social dimension to the process. There has been some improvement, largely due to the sustained efforts by the ETUC. In December 1989, all member states except the United Kingdom adopted the Community Charter of the Fundamental Social Rights of Workers, otherwise known as the Social Charter, at the Strasbourg Summit. This is a declaration of basic rights in the areas of freedom of association and collective bargaining; social protection; improvement of living and working conditions; occupational safety and health; information, consultation and participation; employment and remuneration; equal treatment for men and women; freedom of movement; vocational training; and the protection of children, young workers, the elderly and the disabled. It was not designed to be translated directly into national law but served as a basis for the elaboration of the Social Action Programme of the EC, covering 47 different areas. Since then the European Commission has come up with a variety of proposals for different measures to put the multi-fold aspects of the social charter into practice. The UK and other conservative governments have continued to seek to obstruct and block these efforts, with some success.

The effect of integration on the EC's eight million non-European Community nationals and on asylum seekers is not yet clear. While EC nationals have recently had their rights to freedom of movement within the EC strengthened by new directives, migrants have been explicitly excluded from their provisions. Thus migrant workers in the EC will be unable to leave the country for which their employment permit is valid, so increasing the differentiation between them and EC nationals. A joint conference organized by the ETUC and the Union of Arab Maghreb Workers (USTMA) in 1991 called for all common rights of EC citizens, including residence and free movement, to be extended to migrants.

At the same time as the internal market process continues, the EC member states have embarked upon a further level of deepening their integration. Following one year of discussions in intergovernmental conferences on Political Union and Economic and Monetary Union, in December 1991 the Maastricht Summit of EC member states took place. They agreed on a series of significant decisions to move the EC further towards closer union by the end of the century. All member states except the United Kingdom committed themselves to the creation of a common cur-

rency by the year 1999, while the UK postponed its decision for a later date. Increased finance for the poorer states of the EC was agreed, primarily for environmental and certain trans-border projects. Cooperation is to be increased in other areas including defence and security policy (moving towards a common EC defence) and the environment. On immigration, all that was agreed was to set up a common EC visa, with identical requirement for entry to all twelve states. The possibility of transferring further powers regarding asylum or immigration to EC level is to be considered at the end of 1993.

The Summit agreed that any European state founded on principles of democracy could apply to join the EC. It is expected that Austria and Sweden will shortly become members, while Cyprus, Malta and Turkey have also applied. The seven countries of the European Free Trade Association (EFTA) - Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland - have negotiated a European Economic Area with the EC which gives them free access to the EC market provided that they adopt EC laws in a range of areas. It could also constitute a half-way house towards full membership of the EC. Association treaties with the Czech and Slovak Federal Republic, Hungary and Poland were concluded in December 1991, providing for cooperation in a range of areas including free access for all goods apart from textiles, steel and coal, and agriculture.

At the same time, the Maastricht Summit produced a Protocol on Social Policy, agreed by every Member State except the UK. This takes social policy a step further in the fields of vocational training, working conditions, information and consultation provisions for employees, equal employment opportunities for men and women, and integrating excluded people into the labour market. It provides for majority voting on the above issues. The ETUC had called for this as a result of bitter experience since the election of a right-wing government in the UK in 1979 with extremely negative views on European actions to improve social conditions. In effect, since then virtually every new initiative in this area has been blocked by the veto of the UK, indicating the significance of the Maastricht decision for advancing social policy in the EC. Moreover, the UK will not be eligible to take part in discussions or voting on social issues. The ETUC has therefore welcomed the outcome of the Maastricht Summit as the best possible outcome for the advancement of social policy in 11 countries of the EC, while hoping that the political climate in the UK will become more favourable so allowing it to join at a later date. The Social Protocol further provides an extension of Article 118, giving a greater role to the social partners and allowing for the possibility for employers and workers' organizations to conclude agreements at a European level. The ETUC has stated that the Social Protocol must be an integral part of the new Treaty of Rome to be concluded by early 1993.

Trade Unions and the Changes in Central and Eastern Europe

In 1989 and 1990, democratic revolutions in Central and Eastern Europe brought an end to over forty years of repression in one party states. These momentous events were watched the world over. In many cases, workers were at the forefront of these popular movements. In

Poland, the Solidarnosc trade union had in 1980 led the largest movement for freedom since the Communists came to power. Solidarnosc then maintained the struggle for democracy during the long years of martial law and repression when Solidarnosc was driven underground. In 1989, the communist government finally recognized that it could not defeat Solidarnosc and accepted to negotiate accords leading to democratic elections. These historic developments in Poland were followed by spontaneous movements of rebellion in one country after another in the region and then in the Soviet Union itself. Often the revolutions were followed by the formation of new trade unions or the wholesale restructuring of the old, so that a new generation of trade union leaders untainted by the old regimes have taken over. Where these unions have met the criteria for independence, democracy and a genuine capacity to represent their members, they have affiliated to the ICFTU. The ETUC has created a special observer status for the new unions. The ICFTU has taken a major role organizing an educational programme for thousands of trade unionists in Central and Eastern Europe, with courses ranging from basic issues of collective bargaining and health and safety to questions of conversion of arms industries to peaceful ends and general economic policy.

However, now the initial euphoria is over, the peoples of these countries are facing the immense task of constructing a new society from the ruins of the economic legacy bequeathed to them by forty years of bad central planning. Unemployment in the region has risen alarmingly, going from near-zero two years ago to 11 per cent in Poland and 6 per cent in Hungary and the Czech and Slovak Federal Republic. This is taking place in countries whose economic and social systems were not designed to cope with any unemployment at all. Unfortunately, many of the governments are taking the advice of the people least able to provide any effective policy recommendations, namely those same free market ideologues responsible for economic disaster in the countries of Africa and Latin America undergoing structural adjustment.

The ETUC and the ICFTU are calling on governments in the region and the European and international institutions concerned to recognize the need to implement different, socially-oriented policies if catastrophe is to be averted. The countries of the region must undertake large-scale retraining programmes as part of an active industrial restructuring policy; put in place comprehensive social safety-nets to protect those suffering from the economic transition; and encourage the development of genuinely free trade unions with full rights to organize and to go on strike, so that workers can defend themselves against the worst effects of economic crisis. The established market economies should support such measures with increased aid and by generous treatment of debt, just as they should with the countries of the developing world. Such measures are urgent if social and economic calamity, causing extreme political instability, is to be avoided.

III. The Interdependence of Europe and Latin America

The coming of the fifth centenary of the arrival of Europeans in Latin America finds the two continents linked in a multiplicity of ways. Europe provides most of the development assistance received by Latin America, which is par-

ticularly important for the least developed countries. European banks hold the largest single part of the debt of Latin America, and hence European actions can provide the key to resolving the debt crisis of the region on a definitive basis. Europe is an important trading partner for Latin America, and so any changes in the trading regime of the European Community resulting from the 1992 process are of major concern to Latin America. Developments in Latin America are also of great importance for the people of Europe, primarily because unless a range of problems in Latin America can be solved, they risk spilling over at international level with consequences for peace and stability worldwide. The resolution adopted at the last ETUC Congress on "Europe and Latin America" indicates the commitment of European trade unions to development, and it is included in this chapter as part of a discussion of the nature of relations between the two regions in 1992.

Development Cooperation

A considerable amount of aid is provided for the countries of Latin America and the Caribbean both from individual European countries and from multilateral bodies such as the EC. Indeed, aid from the European Community and its member states represent 62 per cent of the total received by South America, and 20 per cent of the total for Central America and the Caribbean. Aid from the EC is concentrated in the poorest countries. It comprises several types of project. Humanitarian aid entails emergency food and other types of aid, assistance to refugees and displaced persons (often in collaboration with the office of the UN High Commissioner for Refugees), aid for reconstruction after natural catastrophes or wars, and aid in anti-drug measures (prevention, control, alternative crops, etc.). General food aid is given to satisfy basic needs for the poorest, while seeking to promote self-sufficiency and food security. Financial and technical aid is provided to improve the living conditions of the poorest and to promote rural development and increase food production. The STABEX scheme provides aid to the poorest countries to compensate them for sudden falls in the world price of primary commodity exports. Scientific cooperation takes place in the areas of research in agriculture and tropical medicine. Other forms of cooperation include industrial development, help for small and medium sized enterprises, technology transfer, the ecology, energy, training, trade promotion, and strengthening regional cooperation and integration. The EC supports land reform and measures enabling grassroots communities — and in particular indigenous communities — to take charge of their own development. In future, the EC intends to increase the amount of aid for projects relating to protection of the environment and in particular the tropical rain forests. Greater attention is to be paid to the problems of indigenous ethnic groups and to the role of women in development.

While most EC aid is channelled through governments, the EC has also provided aid to local and traditional communities and co-financed a series of projects with non-governmental organizations (NGOs). In addition to allowing NGOs access to their general funds for development projects, a form of cofinancing which has increased in recent years, the EC has opened special budget lines of support through NGOs on issues such as human rights, refugees and displaced people, protection of tropical rain forests, the fight against drug trafficking and addition, and the

strengthening of democracy in Chile and Central America. The EC supports projects to inform public opinion through development education campaigns, including the IWA 1992 Campaign "From a Common Past to a Better Future" for which this document has been produced.

Among the projects the EC has co-financed with NGOs have been some involving trade unions in Latin America, for example in Bolivia, Brazil and Panama. In Central America, the EC has for several years been supporting an ORIT project for training of trade union educators. Now that the EC has stated that it will place increasing emphasis on "decentralizing cooperation", it should become easier for unions to apply for finance, whether for socio-economic projects such as cooperatives or in order to improve their own capabilities through training in administrative and financial abilities, and perhaps support for training in collective bargaining. This would form part of the EC's emphasis on institution-building in developing countries. One of the objectives of this report is to encourage unions to consider applying to the EC for funds to support their activities. With the assistance of a cooperation partner in the EC, facilitated by the ICFTU, unions in Latin America should be as eligible as any other agency for assistance for valid projects.

However, several recent developments give cause for concern that the commitment of European countries to aiding Latin America is under threat. Only four countries in the world have reached the U.N. target to give 0.7 per cent of gross national product (GNP) as aid: Denmark, the Netherlands, Norway and Sweden. Many other countries have reduced their level of aid in recent years. The most dramatic example in Europe is provided by the United Kingdom, whose aid fell from 0.34 per cent of GNP in 1980 to 0.27 per cent in 1990. At the same time as this decline in willingness to provide aid, there are growing demands on aid resources stemming from the need for assistance in the once communist countries of Central and Eastern Europe and particularly in the desperately poor areas of the former Soviet Union. In late 1991, the Council of Ministers of the EC increased the allocation of aid from the EC to the Soviet Union (now the Commonwealth of Independent States), while cutting that going to developing countries by over \$100 million.

This danger had already been recognized by the international trade union movement. In its resolution of December 1989 on "A Development Programme for Central and Eastern Europe", the ETUC stated that it "recognizes that the needs of the developing world must continue to have priority for the industrialized countries and reconfirms its call to the governments of Western Europe to meet in full the U.N. target for official development aid", and the ICFTU has made similar statements in its representations to the EC, the United Nations, the IMF and the World Bank. In response to calls such as these, some countries of the European Community stated that there will be no reduction of aid from present levels. However, their actions since seem to belie this earlier commitment. It is clear that total resources for development must be increased to meet the increased need. Sustained pressure and campaigning from the trade union and NGO movements will be necessary to convince governments and public opinion of the importance of giving aid. One possible source of resources for development should come from the reduction of military spending, although to date these cuts have been disappointingly small.

Beyond the Debt Crisis

The debt crisis has now continued for one decade. Yet even after all their efforts, the countries of Latin America remain as enmeshed in unpayable debt obligations as ever. Between 1982 and 1988, Latin America transferred some \$208 billion abroad, much of it to European banks. In 1989 alone, the region spent some \$25 billion — 20 per cent of export earnings — on debt servicing. In consequence, spending has been cut in virtually all other areas. Poverty has increased and spending on health and education has fallen. Investment, so vital if Latin America is to develop, actually fell over the 1980s.

Far-reaching actions are needed to bring an end to this situation. The ICFTY Statement to the 1991 Annual Meetings of the IMF and World Bank called for the following urgent measures:

- a major expansion in the resources available to "Brady Plan"-type debt reductions;
- a new issue of special drawing rights (SDRs), as called for by President Francois Mitterrand, which would be placed in a special fund for debt reduction;
- recognition that the commercial banks should assume a large part of the costs of debt reduction, and must be compelled by law to take part in such negotiations;
- full implementation of the "Trinidad Terms" proposed by Prime Minister John Major for the debt of the poorer countries;
- priority to the cancellation of the debt of those least developed countries where unrepresentative or dictatorial regimes have now been replaced by democratic governments.

The role of Europe in the debt crisis is often overlooked, due to the higher profile taken by the large US banks involved. Yet the debt of Latin America to banks in the countries of the European Community is greater than to banks in the United States. European political leaders need to take a major role in initiatives to write off debt and give a fresh chance to development in Latin America.

Trade Links in the Light of the 1992 Process

Europe and Latin America are important trading partners. At present, there is a marked imbalance between the two: Latin America exports much more to Europe than it imports. In 1989, Latin America exported goods to a value of US \$28 billion to the EC, while importing goods worth \$17 billion. Such was not always the case; in 1980, the balance between the two was very nearly equal. However, the result of the debt crisis was a major reduction in Latin America's capacity to import. The imports of the fifteen most highly indebted countries almost halved over 1981-85. Otherwise put, while European banks have received large amounts of debt service, the price paid has been lost jobs for the workers of Europe's industries which could otherwise have maintained their exports to the indebted countries.

The countries of Latin America have faced an extremely unfavourable economic environment for many of their exports. The prices of primary commodities have been extremely low over the last ten years, and according to the World Bank the prospects for the period up to the year 2000 are for a continuing gradual decline in primary commodity prices. The effect of this can be illustrated by the fact that while in 1985, 93 sacks of coffee were required in

order to buy a small van, by 1990 a total of 333 sacks of coffee were needed. In addition, countries such as Argentina, Brazil and Colombia which are major agricultural exporters have suffered from import restrictions and dumping of cheap agricultural produce on world markets under the EC's common agricultural policy (CAP).

In this doubly negative context of the debt crisis and the depressed market for primary commodities, concern has been particularly great among the countries of Latin America that they will be frozen out of the single internal market of the EC after 1992 if its concerns turn inward. At present, however, little is certain concerning the effects of the internal market on Latin America; all that can be done is to list the positive and negative possibilities arising from it.

On the positive side, there is no obvious reason why the internal market should result in any increase in protectionist barriers, and indeed the countries of the European Community have gone to great lengths to insist that there will be no such effect. Rather, the internal market will have some favourable results for exporters, since it will mean that with just one set of documents, exports will have access to the entirety of the EC's internal market of 340 million consumers; there will be no further need to contend with a different set of bureaucratic obstacles for each of the twelve EC countries. Moreover, a successful resolution to the Uruguay Round of GATT trade negotiations would provide the countries of Latin America with guaranteed and more open access to the single EC market.

On the negative side, there is expected to be an increase in competition as a result of the internal market, which may not favour the less technically-advanced Latin American exporters against their better-placed European competitors. And regardless of guarantees, the reality is that if recession hits hard during the 1990s and European industries face contraction or downright collapse, a momentum of pressure for trade barriers may well build up which is unstoppable.

In recognition of the above, the ICFTU Executive Board adopted a statement in May 1990 on "The Effects of the Single European Market on Developing Countries" which, while recognizing "that the successful creation of a unified European Community market would bring about higher growth, employment and incomes within the European Community and would be beneficial to all parties, enabling developing countries to increase their exports to the European Community", expressed the expectation of the ICFTU "that the European Community will maintain its stated policy of 'No Fortress Europe', and indeed will reduce its barriers to the entry of imports from developing countries, in particular the least developed". In similar vein, the 7th ETUC Congress in May 1991 stated that "The opening of markets is of vital importance and existing barriers to trade must be removed... Europe, on account of its prosperity, must assume responsibility for helping to reduce the increasing gap between the North and the South. The ETUC demands that trade policies should take account of this priority objective".

A Common Interest in Development

The problems of workers in Latin America are equally those of European workers. It is not only a matter of solidarity for the people of Europe to promote increased aid to Latin America, improved access for Latin American

exports, and an end for the debt crisis; there is a clear link between the well-being of both peoples, and this link is all too rarely recognized. First of all, higher growth and production in Latin America would provide jobs for workers in the industrialized countries as well. As noted above, the imports of the most highly indebted countries from the European Community fell markedly as a result of the debt crisis. There are no estimates yet of the number of jobs which could have been created by these imports. But in the United States, it is estimated that 1,700,000 jobs were lost as a result of these reductions in imports. The figure for the European Community must be similar. It is clear that an end to the debt crisis would allow the indebted countries to increase their imports and so result in benefits for workers worldwide.

It must, furthermore, be recognized that many of the common dangers the world faces will worsen unless there are solutions to the problem of global poverty. The first of these problems relates to drugs. The increase in the supply of drugs since the 1980s is linked to poverty in Latin America, leaving many people with no other choice than to take part in growing trading, processing and exporting the drugs. This problem cannot be tackled simply by using military force to burn crops and to arrest the farmers responsible. People must be given real alternatives in the form of constructive employment possibilities. The EC has stated that it will devote higher priority to such policies in future, and now it must back this up by providing adequate resources for their implementation.

The second danger resulting from underdevelopment concerns the risk of epidemics. At present, the world is experiencing its worst outbreak of cholera for some time, in Latin America and especially in Peru. It is striking the people of Peru because the economic crisis has destroyed the infrastructure and so left the country unable to provide clean water supplies. This and other diseases like AIDS are able to spread far more quickly in the developing world because people are poor, weak and malnourished. It is in the interests of all to raise living standards and welfare and eliminate areas of poverty where such diseases can develop. This requires increased resources as well as a wholesale reform of structural adjustment programmes so that they maintain adequate levels of spending on basic health needs.

Thirdly, a failure of development will increase the desperate migration of poor people with no prospects for good employment at home. When people are prepared to risk their lives in order to make the journey, and in these days of ever-closer communications, there is no way that the

industrialized countries can just completely close their frontiers and stop the movement of such people, known by the name of economic refugees. Even to try and stop them would require the construction of new Berlin Walls, this time around the whole of their frontiers, something which is clearly unthinkable and anyway would not work. What the industrialized countries need to do is help to improve economic prospects so as to give people a real alternative to migration and so allow them to stay at home, where the vast majority would prefer to remain anyway.

Fourthly, it is becoming clear to everyone that the world must take far-reaching measures if it is to stop the worsening of the twin problems of the depletion of the ozone layer and the increase in global temperature. These measures will require a change in consumer habits as well as investments in new technologies which are less harmful to the environment, both in the industrialized countries which are responsible for most environmental damage to date, and in the developing countries which need to adopt development strategies which do not worsen the situation still further. However, developing countries are wholly unable to take such measures when all their resources are spent on paying their foreign debt. Thus it is again clear that the poverty of most of the people of the world is not only their problem, but is a global problem, and that the common future of people in Europe and Latin America is closely linked.

Finally, the low wages and poor working conditions which result from underdevelopment have direct consequences for workers in the industrialized countries as well. In an increasingly interdependent world economy, the existence of low-wage areas puts pressure on all countries to reduce wages and working conditions and compete on the basis of the lowest wage. This concern was summed up as long ago as 1948 in the Philadelphia Declaration of the International Labour Organisation, stating that "Poverty anywhere constitutes a danger to prosperity everywhere". The situation is currently being exacerbated by the unscrupulous practices of certain multinational corporations and by the predominance of neo-liberal governments which are all too ready to change labour laws to weaken trade unions and so reduce labour costs. Eliminating production on the basis of worst labour practices will require active measures by all governments to implement international labour standards, reinforced by increased aid and other measures to establish higher sustainable growth levels, higher wages and better employment worldwide.

(To be continued)

From a Common Past to a Better Future*

Why a campaign on 1992

Two historical events of profound significance for the people of Europe and Latin America occurred in 1992. It was the Fifth Centenary of Columbus' arrival in the "New World", and the beginning of European involvement in Latin America and the Caribbean. It also marked a further stage of European integration, which will signal the opening up of internal frontiers and the freer movement of people, goods, capital and services between the member states of the European Community.

International Workers' Aid (IWA), an association of more than 20 European non-governmental organisations, who support humanitarian and development projects in Third World countries, many of which are in Latin America, organised an educational campaign in Europe to mark 1992. It reflected on five centuries of European colonisation of, and modern relations with, Latin America and the Caribbean, and it assessed the effects of the European Single Market on the Third World in general, and Latin America in particular.

IWA campaigned for these effects to be positive and to improve, rather than diminish cooperation between Europe and Latin America. The 1992 Campaign was an expression of IWA's development educational work in Europe. The main objective was to raise awareness about important issues which affect the lives of ordinary people in the Third World. The Fifth Centenary and the Single Market were two such issues.

The contrast between the two events is stark. Europe is united, prosperous, stable and strong. The realisation of the Single Market is likely to increase Europe's influence in world affairs, particularly in the new realities of the post-Cold War era. Latin America and the Caribbean have good reasons to celebrate the retreat of military dictatorships and the advent of democratic governments. On the other hand, 1992 found it weak, divided and unstable, with its future mortgaged to the banks, multilateral institutions, and governments to whom it owes the huge external debt, which is crippling its economies and deepening the crisis of the last decade.

1992 highlighted the contrast between a healthy, powerful Europe and a weak Latin America. The former reaps the benefits of five centuries of an unjust relationship and looks forward to an even better deal for its people. The

latter still feels the effects of its first contact with the "Old World", and is still making a sizeable contribution to the wealth of the already rich European nations through interest payments on the debt, high prices for imports and low prices for exports. These injustices ought to stop.

1992 offered a prime opportunity for the relations between Europe and Latin America to be objectively assessed, and for new ones to emerge which are mutually beneficial.

The above is the main message of the title of the Campaign. IWA hopes that the common past of Europe and Latin America, unjust as it was, and in the main still is, the shared history of five hundred years, and the commonality of values and traditions will provide the political will to lead to a better future for both the people of Latin America and the Caribbean, and also for the poorer people of Europe.

The Campaign was designed as a constructive contribution to a debate which is both necessary and unavoidable, and which should result in practical and positive measures to improve the cooperation between Europe and Latin America. For these measures to be possible, the European people, and especially those in power, should be persuaded of the justice of the cause, and the need for a change of attitude. Only then will new policies and new programmes be drawn up, which will hopefully lay the foundations for a common and a better relationship between Europe and its former colonies in Latin America and the Caribbean.

The Issues of the Campaign

The Campaign revolved around the two events of 1992 as outlined above. The Fifth Centenary and the Single Market provided the framework and the main terms of reference. The Campaign, however, focused on some important issues in the relationship between Europe and Latin America.

First, the Campaign concentrated on economic issues, which are paramount to bringing about a more just relationship between Europe and Latin America. The most crucial factors here are trade and debt. Protectionist barriers, low and variable prices for European manufactured goods and technology will keep Latin America with an endemic trade deficit, a reduced income and a distorted economy for a long time to come. The billions of US dollars paid to service interest payments on the external debt alone, and the grossly inequitable trading relationship between Europe

* Adapted from various documents produced by International Workers' Aid (IWA).

and Latin America lead, at present, to cash raised from hard won Latin American exports only ending up in the coffers of the banks and the rich industrialised nations.

Lack of a comprehensive and radical solution to these problems will reinforce the cycle of poverty and underdevelopment, and will make European-Latin American relations even more unequal than before. The moment has to come when the net transfer of resources from poor to rich countries stops. This could only come about as a result of negotiations aimed at finding a lasting solution to the injustice of Latin American and European relations.

Closely related to trade and debt, are the issues of investment, environment, and cooperation for development. Both investment and official development assistance from Europe to Latin America are showing signs of a market decrease following the recent changes in Eastern Europe, and the resulting shift in interests and priorities. There is much concern, for example, in Western Europe about the tropical rain forests in Latin America, and especially in the Amazon. Such concern does not always extend to the operations of European multinational companies and the way they threaten the environment and the health of the Latin American people.

Secondly, the Campaign focused on political and social issues. The democratisation of Latin America, and the temporary retreat of the military, is a welcome development, which should provide a better framework for the solution of economic and social problems. Continuous and solid support is needed from the democracies of Western Europe, if this trend is to flourish. The democratic institutions and values, which are now resurfacing in Latin America, need all the support they can get from their counterparts in Europe.

The issue of ethnic diversity is one which is seen as part of the democratic process. The legitimate claims of the indigenous peoples of Latin America must be heard and resolved. The autonomy granted to ethnic minorities of the Atlantic Coast of Nicaragua during the Sandinista period, is perhaps the only initiative implemented in Latin America which attempted to comprehensively address this issue. Europe, because of its historical responsibility for the current situation of Latin American indigenous peoples, and

also because of its long experience of dealing with its own minorities, has much to offer.

Drugs are another major issue which concerns both the people of Europe and Latin America. Though positive approaches have been adopted to deal with the problems internally in Europe and in Latin America to address the issue at its root, much remains to be done. The drug question is mainly one of consumption and education and not of production. The fight against drug trafficking should not become synonymous with repressing the peasant producers of coca leaves or marijuana, nor by counter-insurgency campaigns.

Finally, the Campaign, reflecting the wishes of the supporters of IWA aimed to create an encounter of people, a strengthening of relations and cooperation between the grass-root organisations of Europe and Latin America. The association of IWA member agencies with the labour movement, and its endorsement of democratic, humanist, and socialist values was expressed in a renewal of "people to people" relations and cooperation.

How the Campaign was organised

The Campaign operated at two levels, both in terms of its policy and practice. IWA is made up of more than 20 agencies from 14 European countries. The Campaign, therefore, had a European dimension, produced materials and lobbied decision-makers at a European level, who are in a position to introduce changes in the relations between Europe and Latin America.

The main events organised for the 30-month Campaign took place in different European cities: the launch in Bonn, October 1991; an international conference in Huelva, Spain, March 1992; and a day of action in Brussels, October 1992. The educational materials planned for the Campaign included a joint publication with the International Confederation of Free Trade Unions (ICFTU) on trade unions and 1992, all of which were translated into several languages and available for use all over Europe. Campaign offices will be based in Bonn, Brussels and London. There will also be a research/information office in Brussels to investigate and follow up EEC policies towards Latin America.

Cooperation for Development

International Cooperation

The concepts of "international cooperation", "development aid", and "third world" appeared on the international scene only after the Second World War and the post-war process of decolonisation in Africa, Asia and the Caribbean. This was the consequence of the widening gap between industrialised nations (some of whom are former colonial powers) and the majority of countries in what has become known as the "Third World" or the "South".

What is the rationale behind the cooperation between the richer industrialised countries and less or non-industrialised ones? A number of points of view on this question exists. On the one hand, it is said that industrialised countries recognised their role in the impoverishment or underdevelopment of some countries, especially their former colonies. Their aid in the post war period can thus be seen as making just amends whilst at the same time enhancing

their reputation on the international relations network. More pessimistically, however, it is said that the primary reason behind cooperation for development would be the advancement of the economic and geopolitical interests of the provider of that cooperation.

Whatever the politics of aid, it is a fundamental factor in the world's economy and in the field of international relations today. The issue takes on a particular meaning for both Europe and Latin America in the context of the Fifth Centenary of the beginning of European involvement in Latin America and the Caribbean. The advent of the Single Market in the EEC Member States and the greater expansion of European political and economic integration scheduled for 1992 calls for a review of the state of cooperation between Europe and Latin America.

Cooperation between Europe and Latin America in the development field comes from three main sources: bilateral and multilateral assistance from governments and

supranational institutions, and cooperation from non-governmental organisations.

Bilateral and Multilateral Cooperation

Individual European countries and multilateral bodies such as the EEC, have provided considerable aid to many countries in Latin America and the Caribbean. This has particularly been the case during the last decade as a return to democracy has paved the way to Latin America being chosen as a special region of cooperation. Previously, only Caribbean countries benefited from the provisions of the Lomé Convention, a special treaty to support the ACP (Africa, Caribbean and Pacific) countries. In general, assistance has taken the form of support for specific projects for priority areas, food and emergency aid, and technical cooperation.

The EEC in general, and certain individual European countries have played an important role in promoting and supporting peace initiatives and democracy for regions such as Central America. They have also made development assistance available for the most needy nations and for regional cooperation and integration.

There are, however, some aspects which are already a matter of concern for Latin America. According to a recent report from the United Nations (UNDP Report on Human Development, 1991), the richer nations are decreasing rather than increasing cooperation towards the Third World, and the assistance is not being directed to the areas of greatest social needs.

With the exception of the Scandinavian countries, all of whom exceed the 0.7% proportion of GNP set aside for official development assistance recommended by the UN, many countries in Europe have substantially reduced their level of international cooperation. For example the United Kingdom has reduced its amount of development assistance from 0.42% of GNP in 1970 to 0.3% in 1989. Germany has cut its level of cooperation towards Latin America by a third over a period of three years from 1989 to 1991.

Though the EEC has assessed the likely effects of the Single European Market on its own members, very little has been said about the effects it will have on relations and cooperation with Third World nations. Nor are there indications yet of a comprehensive, coherent set of policies for Latin America, as a result of further economic integration in Europe and the need for a collective rather than a national approach. Latin American nations are anxious about the effects of the Single Market on crucial issues such as trade, the external debt, economic and technical cooperation. It is also not known to what degree cooperation policies and programmes of individual European countries on Latin America will be affected by the Single Market.

The profound changes in the world's economy and international relations are also bringing about changes in the order of priorities for economic cooperation and support for development. There are well-founded fears in Latin America that changes in Eastern Europe will relegate the former in the order of priorities. An example of things to come is suggested by the decision of the EEC to commit US\$ 10 billion to Poland over a period of 5 years, whilst the 66 countries under the Lomé IV Convention will only receive US\$ 12 billion over the same period. This is not encouraging, if one considers that Latin America has been the lowest, and the countries of the Lomé Convention the

highest of the EEC's priorities in the allocation of resources during the 1980's. It is hoped that 1992 will bring an improvement in bilateral and multilateral cooperation from European countries to the Third World in general, and to Latin America in particular.

Cooperation from Non-Governmental Organisations

Non-governmental organisations (NGO's), now key actors in the area of cooperation for development, are relatively new on the international scene. Most of them were established during the 1950's and 1960's and have evolved during the last two decades into important intermediaries for the people of the Third World.

Be they non-confessional, humanist or linked to the Christian churches, NGO's in Europe have many things in common and carry out similar types of work in Third World countries. They support development projects, offer technical assistance, inform their own supporters, and public opinion in Europe about the reality and experiences of organisations in the Third World. They campaign and lobby for a just and equal relationship between peoples and for a solution to the main problems of Third World countries by acting as vehicles for a more direct cooperation.

The interest of NGO's in Latin America and the Caribbean developed during the 1960's and 1970's, and was motivated by the stark poverty of some countries and the advent of military dictatorships and widespread violation of human rights. The conflicts in Central America, the Sandinista revolution in Nicaragua, liberation theology, and the involvement of grass-roots Christian groups, and the fight for democracy and survival expanded the commitment of European NGO's and radicalised their positions in support on the poor and oppressed of Latin American and Caribbean countries. The arrival in Europe of thousands of immigrants and exiles from Latin America and the Caribbean contributed largely to increased interest in a continent hitherto largely ignored or forgotten.

The work of NGO's has been recognised by European decision-makers, in particular their real and close links with grass-roots groups and social actors in Third World countries. The experience of Latin America has been particularly rich in this regard. Government and multilateral institutions have both listened to what the NGO's have had to say, and have provided them with resources for programme work.

The EEC has been both generous and flexible in its support for NGO's in Latin America. In addition to the normal funds for development projects, which has gradually increased during the last few years, the EEC has opened special budget lines of support through NGO's on issues such as human rights, refugees, and displaced people, protection of tropical rain forests, the fight against drug trafficking and addiction, and the strengthening of democracy in Chile and Central America.

Also the EEC has provided support to many initiatives designed to inform public opinion through development education campaigns, including the IWA 1992 Campaign "From a Common Past to a Better Future". Perhaps the most important feature of EEC cooperation with European NGO's is the flexibility it shows in allowing NGO's to determine the type of project and the priority areas for their support within the broad guidelines of EEC cofinance.

Many NGO's have understood that whatever success they may have in the support of small-scale projects, the most pressing issue is to persuade decision-makers in Europe of the need to make fundamental changes in their relations with the Third World. In the case of Latin America, action has been concentrated on issues such as debt, trade and economic cooperation as well as on raising sup-

port for peace and democracy.

A welcome development in 1992 would be for EEC member state governments, other European countries, and supranational institutions to adopt positive policies towards Latin America, and show the sensitivity and flexibility for the problems of Latin American people, which the EEC/NGO cofinance scheme has successfully demonstrated.

Popular Organisations

During the last few decades there has been a proliferation of popular organisations in Latin America. Since the 1960s a diversity of new groups have emerged which have joined the traditional political parties, professional associations and trade unions. They include landless peasants, shanty town dwellers, the unemployed, families of political prisoners, refugees and displaced persons, grass-root Christians and small farmers. These groups have played a fundamental role in the defence of human rights and the struggle for social justice and democracy.

The deterioration of the economy and the imposition of military regimes in many countries during the 1960s and 1970s contributed to the formation of these new groups. Massive unemployment, deprivation and hunger, forced many to organise around fundamental demands for housing, drinking water, electricity, roads, schools, health posts, jobs and bread. Thus, committees for the unemployed and for the homeless were formed. Women, for example, organised collective soup kitchens (*ollas comunes*), workshops and community health groups.

The heavy repression by military dictatorships and systematic violation of human rights in many countries led to the formation of groups concerned with democracy and fundamental freedoms. The closing of parliaments and the abolition or curtailment of political parties and democratic institutions, as well as the interference in the running of universities and manipulation of the judiciary, left those affected by persecution without established channels for complaints about injustice. Hundreds of human rights committees, exiles and groups of friends and relatives of political prisoners and of the "disappeared", became organised to denounce human rights violations and protect those affected by them. As repression and civil war spread across the continent, new organisations emerged among the hundreds of thousands of refugees and displaced.

Thus, a combination of economic hardship and absence of civil liberties were behind the wave of new popular organisations. Though they have much in common, there are also some important differences. These depend upon such factors as whether they are in rural or urban areas, the social groups they identify with, their demands, the support they have from other sectors in society and the reaction of the authorities.

The Rural Sector

Many of the Latin American economies, particularly those which depend heavily on the export of agricultural commodities, face two important issues. The first is one of land distribution. The second is one of autonomy for the ethnic minorities (or majorities in some cases). Land tends to be concentrated in the hands of a few powerful families

or multinationals involved in agri-business. This leaves millions of landless peasants who through generations have been deprived of land, forced into subsistence small holdings and into work as seasonal labourers in big plantations. Sometimes land deprivation is coupled with the suppression of the cultural identity and traditions of the indigenous groups, as for example in Guatemala, Peru and Ecuador.

Peasants have organised themselves around their basic demand for aid. They form all kinds of groups but the common demand is for sufficient land to feed their families. From small committees of a handful of members, to cooperatives and national associations including such powerful groups as the Sem-Terra (Landless) Movement of Brazil with over ten million affiliates, peasants share an aspiration for land. When the peasants are part of indigenous groups, demands for land tend to be linked to broader struggles for autonomy and national and cultural identity.

With the introduction of big agri-business in many Latin American countries came the rural and seasonal workers. With them came the formation of trades unions modelled on their urban counterparts and the demand for higher salaries and better conditions of work and living.

The peasantry and rural workers have been the main social forces behind the revolutions in Mexico (1920s), Bolivia (1950s), Cuba (1950s), Nicaragua (1970s) and guerrilla insurrections in Peru, Colombia, El Salvador and Guatemala during the last decade. Traditionally, and especially during the periods of military rule, the peasantry has been persecuted, forcibly expelled from their land, or massacred in response to their legitimate demands. However, they have survived exploitation, discrimination and repression, and continue organising themselves hoping for a better future. This has happened even in the worst conditions, such as when they have been uprooted from their homes as a result of the influence of economic interests or civil warfare. For instance, peasants displaced from their communities because of the conflicts in Central America adapted to new conditions and resorted to new forms of organisations to pursue their basic interests.

The Urban Sector

Popular organisations in the urban sector can be found now in three main areas: in industry; in the "informal economy" or "marginal sector"; and in the general area of human rights. They are more diverse and heterogeneous than their counterparts in the rural sector.

Trades unions started in Latin America at the end of the 19th century and like the peasantry, their history is tainted with persecution and massacres. They were established in the mining sector, the early manufacturing industry, transport and communications, export and shipping, and in

some social services. They were strongly influenced by socialists and anarcho-syndicalists and Christians from Europe who came to Latin America as immigrants.

Today, there are unions in most economic activities, but they do not have the number nor the influence in national affairs, that they had in past decades. Gradual de-industrialisation, the heavy repression of trade unions by military regimes, and the advent of monetarism and free market models have conspired to reduce considerably the role and power of trade unions.

The "informal economy" and the marginalisation of vast numbers of people, are the results of economic stagnation and crises, massive migration from rural to urban areas, and the widening of the social divide between the rich and poor. This has produced a new type of urban group whose main concern is the fight against hunger and for survival.

The big cities of every Latin American country have experienced the mushrooming of shanty towns where people live in sub-human conditions, deprived of all or most basic services, with extreme unemployment, and without protection of any kind. They look for jobs, sell anything on the streets, turn to crime and send their children to search for food or to prostitute themselves. Despite the squalor and poverty, people have organised to solve their immediate problems. Tired of promises from governments and politicians, they have taken their destinies into their own hands in the certainty that nobody else will do it for them. Potentially, they constitute a tremendous social force, which far outnumbers the organised trade unions. They are a force which could go in different political directions and explode with unpredictable consequences if their situation should deteriorate even further.

Both economic inequality and political repression are

the roots of a mass movement for human rights which involves people from every walk of life in Latin America. Lawyers, doctors, academics, leaders of grass root groups, Christians and thousands of ordinary people who happen to be the friends or relatives of those who have suffered repression, have formed committees for human rights. Their work has been fundamental in the denunciation of human rights violations, in putting pressure on the international community, and in keeping the historical records that one day might bring justice to the victims.

The NonGovernmental Organisations

An important factor in the formation of popular organisations in urban and rural areas lies in the work of thousands of non-governmental organisations, both domestically and internationally. They have supported projects for income generation, training and marketing. Their main objectives have been the strengthening of social organisations, democratic methods of work and decision-making, and community participation.

The work of international non-governmental organisations has also been important in disseminating information about the reality of the Latin American people, and in building links between grassroots groups of different continents. This has allowed people in Europe to become aware of the rich experience of the Latin American people in finding solutions to their problems. 1992 offered a further opportunity for the deepening of this cooperation, so the people of Europe and Latin America can learn from each other and can offer those in power the basis and principles of a more just relationship.

What can be done

How the Campaign was conducted

The success of any educational campaign usually depends on the following: clear and easily available materials, a plan of action, definition of the aims of the campaign, and concrete and practical objectives, which can be realistically achieved. The essential factor however, is the ability to organise a movement of support for those objectives, to persuade ordinary people and grassroot groups of the necessity and justice of the campaign, and to translate that support into actions which can reach those in positions of power, who can take decisions which bring about change.

This is the fundamental approach of the 1992 Campaign "From a Common Past to a Better Future". It planned to mobilise its own network of groups and supporters around the objectives of the Campaign, to stimulate the maximum public exposure, and to encourage institutions, the media, trade unions, and politicians to discuss and endorse the demands of the Campaign. The sponsorship of the International Confederation of Trade Unions and its Latin American counterpart, ORIT, helped enormously to disseminate information about the Campaign, as will be the involvement of IWA's partner organisations in Latin America.

There were many other organisations in Europe concerned about 1992. IWA made efforts to coordinate actions, share materials and resources, and participate in activities of common interest. There is a basic consensus

amongst non-governmental organisations and pressure groups in Europe about the need for a change in European policies towards Latin America, and on the main issues where change is required. This consensus and cooperation must be maintained for the various initiatives in Europe to achieve maximum results.

IWA is aware that grass-root involvement and mobilisation is not sufficient, and that a direct approach to opinion and decision-makers is necessary to ensure that they are properly informed of the proposals of the Campaign. The information and research office, which is operating from Brussels, will carry out research and provide information about EEC policies towards Latin America, identifying the areas where change is possible, and the mechanisms to move things forward.

It is, therefore, a two track approach which provided the impetus to the Campaign, combination of grass-root mobilisation, coordination and joint actions with like-minded institutions, and direct pressure on the centres of power and decision-making.

Useful Contacts and Resources

What follows is a list of contact addresses for further information on issues related to the Campaign. Separate lists of addresses and resources for the individual countries represented by IWA will be added to this pack by the member agencies.

Addresses for the Campaign

Internationales Arbeiter-Hilfswerk,
Marie-Juchacz-Haus, Oppelner Strasse 130,
5300 Bonn 1, Germany.

Entraide ouvrière internationale.
37-41, rue Montagne aux Herbes Potagères,
1000 Bruxelles, Belgium.

International Workers' Aid
(1992 Campaign Coordination),
Fenner Brockway House,
37-39 Great Guildford Street,
London, SE1, OES, United Kingdom.

1992 Conference, Solidaridad Internacional,
Glorieta de Quevedo 7, 6 D,
28015 Madrid, Spain.

1992 Research/Information Office, FOS,
Grasmart 105, bus 46
1000 Bruxelles, Belgium.

Useful Addresses - General

500 Years of Indigenous and Popular Resistance,
Secretaria Operativa,
Apartado Postal 7-B, Sucursal El Trébol,
01903 Ciudad de Guatemala, Guatemala.

Emancipación e Identidad de America Latina,
1492-1992, Apartado Postal 80-bis,
Mexico/Koordination in der BRD, Verein
Nonimbo, c/o Bruni Hofer,
Darmstadterstr. 23,
D-56057 Dielenbach, Germany.

National Commission of the Fifth Centenary,
Comision Nacional del Quinto Centenario,
c/Serrano 187, 28002 Madrid, Spain.

Alliance of Northern People for
Environment and Development,
Siegfried Leopoldstrasse 53,
D-5300 Bonn, Germany.

CIDSE, Brussels Secretariat,
1-2, avenue des Arts, Bte 6,
1040 Bruxelles, Belgium.

Commission of the European Communities,
Rue de la Loi, 200,
B-1049 Bruxelles, Belgium.

Concerted Action for Relations Europe-Latin America (CREAL),
4 Rue Jean-Lantier,
75001 Paris, France.

Council of Europe,
Palais de l'Europe,
67006 Strasbourg, France.
Development Centre of the OECD,
94, Rue Chardon Lagache,
75016 Paris, France.

European Centre for Global Interdependence and
Solidarity,
Palacio das Necessidades, Largo do Rilvas,
1300 Lisboa, Portugal.

European Network on Debt and Development,
145 Avenue Road,
Portswood, Southampton, S02 ABD, United Kingdom.

European Parliament,
79-113, rue Belliard,
B-1040 Bruxelles, Belgium.

Eurostep,
Rue Stévin 115,
B-1040 Bruxelles, Belgium.

International Confederation of Free Trade Unions (ICFTU),
37-41, rue Montagne aux Herbes Potagères,
1000 Bruxelles, Belgium.

IRELA, c/Pedro de Valdivia, 10,
28004 Madrid, Spain.
NGO-EC Liaison Committee,
62, avenue de Cortenbergh,
B-1040 Bruxelles, Belgium.

Organización Regional Interamericana de Trabajadores (ORIT),
Villarta 8 (Tercer Piso), Colonia Tabacalera,
Mexico DF, Mexico.

Socialist International, Maritime House,
Old Town, Clapham, London, SW4 0JW,
United Kingdom.

Transnational Institute,
Paulus Potterstraat 20,
1071 DA Amsterdam NL, Netherlands.

UNCED (United Nations Conference on Environment and
Development),
NGO Liaison, 160 Route de Florissant,
PO Box 80, CH 1231 Conches, Switzerland.

UN Non-Governmental Liaison Service,
Palais des Nations,
CH-1211 Genève 10, Switzerland.

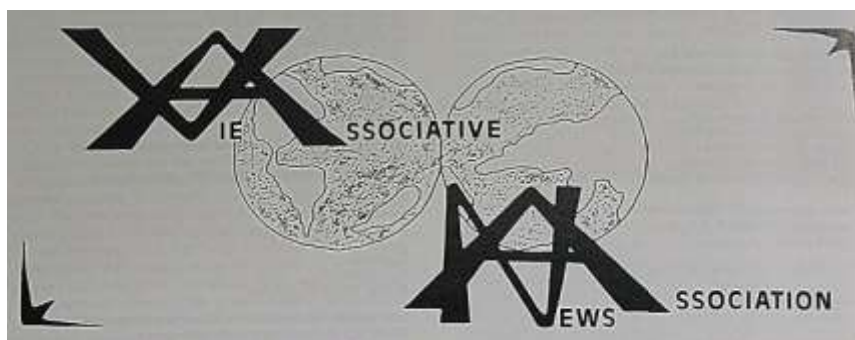
World Bank, European Office,
66 avenue d'Iéna,
75116 Paris, France.

World Council of Churches,
150 Route de Ferney,
1211 Genève 20, Switzerland.

Member agencies of International Workers' Aid (IWA)

Entraide Ouvrière Internationale (EOI),
Ayuda Obrera Internacional (AOI),
Internationales Arbeiter-Hilfswerk (IAH),
Oppelnerstrasse 130,
D-5300 Bonn 1.
AFE Association Française d'Entraide, France • ASAS Associa-
cao de Servico de Apolo Social, Portugal • ASB Arbeiter-
Samariter-Bund, Germany • ASBO Arbeiter-Samariter-Bund-
Osterreich, Austria • AWO Arbeiterwohlfahrt, Germany • CISS
Centre Italiano di Solidarieta Sociale, Italy • DFJ Dansk Fol-
kehjaelp, Denmark • EVS Evert Vermeer Stichting, Netherlands •

FCD Fonds de Coopération au développement, Belgium • FOS
Fonds voor Ontwikkelingssamenwerking, Belgium • ISF Interna-
tional Solidarity Foundation, Finland • Na'amat, Israël • NFJ Norsk
Folkehjelp, Norway • OFFICO Office central pour la coopération
culturelle internationale, France • OWA One World Action - The
Bernt Carsson Trust, Britain • OVH Osterreichischer
Wohlfahrtsverband Volkshilfe, Austria • SAH Schweizerisches
Arbeiterhilfswerk, Switzerland • SD Solidaridad Democrática,
Spain • SI Solidaridad Internacional, Spain • SIL Solidarité Interna-
tionaliste, Luxembourg • WOW Wor on Want, Britain.



Building of Information and Counselling Centres in the Countries of Central and Eastern Europe

By Milan Hagovsky, director, Youth Information Centre, Bratislava.

Structures of information and counselling services have been in existence for many years in the countries of Western Europe. In the countries of the Council of Europe, international structures of youth have been developing for years on an international level. This creates conditions for young people's free development and enables them to influence the most important European structures and thus contributes to a unified Europe.

The transformation of the political system and the introduction of a market economy also has effects on the living conditions of the population in Central and Eastern Europe, its social and demographic groups, and youth in particular. The continuing process in these countries brings along many problems for young people: unemployment, retraining, mobility of work force, social and economic insecurity, and the stagnation or decline of living standard. For young people, these problems are multiplied by the general lack of access to information.

The fall of the "Iron Curtain" marked the end of the uniform politi-

cal system which sought to meet the interests and needs of young people, particularly from the perspective of only one political philosophy. The destruction of the totalitarian regime has initiated the democratisation of society and along with this, the formation of new youth structures, new youth organisations, movements, associations, groups and initiatives. Young people have begun to look for new ways to become active and participate in their society.

The development of associative life is also marked by specialised services for youth in the form of building new organisations which provide services for young people. The first country from behind the "Iron Curtain" to develop such centres was Hungary, which currently boasts a fairly good and developed network of youth information and counselling centres. The second Eastern European country to actively develop its youth information and counselling centres was Czechoslovakia.

Management in the countries of Eastern and Central Europe was based on strictly centralised system.

Most of the relevant information was available only to select people within this system. The information market did not exist and most of the information was inaccessible to common people, especially young people. Very often, information was selected on the basis of whether or not it agreed with the at the time existing uniform ideology. Free access and selection of unfiltered sources was impossible.

After the big changes, a large part of the population found it hard to get used to the fact that information should be freely accessible and that in this sphere free market principles should function as well. As far as creating new principles of the information market in Central and Eastern Europe, the situation is considered polarised. A fairly large number of institutions have been formed. Nevertheless, there are no set rules for their cooperation, which can also be said about governmental, communal, and private profit-seeking information systems.

Together with the information the demands for a goal-seeking quantita-

tive and qualitative classification of information with a concrete definition of the addressee of the target groups of the society, in our case young people start to appear. Here in Eastern Europe countries have a possibility of using experience from youth information centres in Western Europe which have a long tradition and transformation and adjust it according to their needs, possibilities and experience.

Ineffective use of information by various subjects complicates young people's access to information. Very often, the question of information and counselling services takes place at separate institutions: youth organisations, ministries, self-government organisations, specialised institutions etc.

These institutions are founded in an information chaos and often more time and effort is spent on gathering and classifying information to a form which is suitable for use by young people. In Slovakia, a youth information system is being built which will link youths to the existing information and counselling centres in the society. Thus, creating the idea of meta-information system in the society.

Perhaps, this is why the information of youth information and counselling centres in Eastern Europe is characterised as "from the bottom", where it includes activities of various local organisations, social associations, youth organisations and individuals. Many organisations in the Czech and Slovak Federal Republic have founded or are currently founding such centres.

Founders are usually organs of state administration, self-government organisations, youth organisations, associations of children and young people and even private entrepreneurs who are interested in building these centres in accordance with a developing "social market".

Formation of these centres is complicated by incomplete and slow legislation in the sphere of youths, where there are often no created conditions present for the effective development of a system of such services on a national, regional or local level.

Formulation of the state juvenile policy is still on the periphery of society's interest, which is to deal with more "serious" problems. The lack of information about young people deteriorates the little developed research in this sphere.

Another problem encountered by the forming centres is their economic situation. Often, they function on an incredible combination of financial resources from various organisations on different levels. There are only a few examples when an organisation is able to finance itself (it is usually a self-government organisation). One of the examples is the Youth Information Centre in Bratislava. The Youth Information Centre was founded from the initiative of two youth organisations: Akademos and the Youth Information Employment Service (IPS) with the support of the Local Authority Bratislava Old Town. Each one of the three subjects covers different types of financial resources of the centre.

Although the situation is improving

I think that the possibilities of youth information and counselling centres and their associations are currently not given adequate attention from current governments in Eastern Europe.

One of the Centre's advantages is that with its open system it is able to react promptly to constant and continuous change. They are able to create a new service through which the Centre can solve not only a concrete problem, acquiring of working (studying, job location, family problems, acquiring of working habits, orientation in market conditions), but they also help young people get an entrance ticket to the social life of adults.

Information centres in countries with no systems of learning about the reality of life of young people and identification of their problems can be a significant sign of the needs of young people for local, regional and national administrations. This will enable young people to monitor and to get the latest information on a quickly changing society.

Perspectives

One of the basic factors of the formation of such services is their ability to participate through their own activities in the "trans-European mobility" of youth, which aims at enabling young people access to information. The participation of young people in regional and local life is an important part of democracy. Young people in Europe have the right to "full, comprehensive and reliable information, without reservations, and

News from UIA members

Fernanda Monti, Secretary General and Director of ESOMAR, has been awarded a Lifetime Honorary Membership of the American Marketing Association in recognition of her contribution to the internationalisation of market research. Jeff Heilbrunn, President of the AMA travelled to Madrid to be amongst the many who gathered together to pay tribute to Fernanda Monti at the Gala Dinner held on Wednesday evening, 30th September in her honour during ESOMAR's 45th Annual Congress which was held in Madrid.

Fernanda Monti was also appointed an Honorary Member of ESOMAR, the fifth to be so honored, in recognition of her enormous contribution to the successful development of the Society, to make it the leading international body for marketing research. Fernanda, who opened the ESOMAR Secretariat office in 1966, has been ESOMAR's Secretary General for 27 years. During that time she has seen great changes in the world of marketing research, and enabled ESOMAR to keep abreast of all these changes.

Fernanda Monti last November was appointed as Honorary Member of the Japan Marketing Association during the 35th Anniversary of the JMA. She is the only person to hold three Honorary Memberships.

UIA is proud to have Fernanda Monti among its members and addresses to her its heartiest congratulations.

to counselling on all problems concerning them... so that they may have complete freedom of choice, without any discrimination or ideological or other influence" (Recc. of Committee of Ministers of Council of Europe No. (90) 7).

The network of centres on national or international level (cooperation with EYRICA) can become a propagator and mediator for ideas of democracy, protection of human rights, building of European awareness, accessibility to experience of developed democracies in Europe, to prompt social structure reacting to changes in Europe. These structures of co-operation already exist in Hungary and Slovakia.

Many centres in Central and East-

ern Europe cooperate effectively with the media. The media can influence the velocity of the development of society because of its ability to influence great number of people. This informatisation of society is connected with increasing communication among people, regions and nations. It enables increasing of communication among different people, nations, and cultures, which contributes to mutual knowledge, understanding and cooperation.

Information and counselling centres in Eastern Europe can mediate information about the life of young people in different countries, to make learning about cultural heritage of this part of Europe for young people throughout Europe accessible and

cooperate as partners with similar structures for work with young people throughout Europe.

The building of youth information and counselling services can sign up countries of Central and Eastern for fulfilling basic of democracy and human rights concretely expressed in relations with young generations e.g. in significant document of the Council of Europe such as Recc. of Committee of Ministers of Council of Europe No. (90) 7, Charter on the Participation of Young People in Municipal and Regional Life (CLRAE).

For more information contact:

Youth Information Centre,
Radlinskeho 51, CS-82107 Bratislava
Tel/Fax: +42.7.49.78.42

ECB File No. 11, Aug. 92

After five years, NGOs take a critical look at the African Commission

By Laurie S. Wiseberg

The African Commission on Human and Peoples' Rights is now five years old. Therefore, it is no longer acceptable to temper critical appraisal on the grounds of youth.

African and international non-governmental organizations (NGOs), spearheaded by the Geneva-based International Commission of Jurists (ICI), began just such a critical review in Banjul, in October 1991, at a workshop held prior to the 10th session of the Commission. The assessment was carried forward at a second workshop, in March 1992, before the 11th session in Tunis.

In seeking to find more effective ways to influence the work of the Commission, NGOs have decided to do some plain talking. Commissioners present at the two workshops heard detailed, critical assessments of the Commission's achievements and failures.

While a few Commissioners and a member of the Secretariat questioned the right of NGOs to criticize the work of this august inter-governmental body, the President of the Commission, Dr. Ibrahim A. Badawi, and most of the Commissioners saw the NGO initiative for what it was: constructive criticism to make the Commission more effective.

The Commission has been remarkably open to granting Observer Status to both African and international NGOs. Over 50 have now been registered, giving them the right to

attend and address the 11-member body. That is a definite plus on the Commission's balance sheet, because the role of NGOs will be at least as critical to the implementation of the rights under the African Charter as the role of NGOs is in the United Nations system. If the Commission is to tackle the question of protection, holding governments accountable for how they treat their own citizens, NGOs will have to feed it the information and ideas, and prod the Commissioners into action. Inter-governmental bodies cannot be expected, on their own initiative, to act forcefully to investigate violations in member states or to call their fellow statesmen to account for their violations.

This reality coloured the 11th session. Although the Commission meeting in Tunis took place only days after Amnesty International released a major report on prolonged incommunicado detention and torture in Tunisia, the Commission made no mention of it.

Similarly, there was no comment on the Tunisian government's move to amend its law of association, perceived by many as a direct attack on the Tunisian League for Human Rights. The Commission drafted a general resolution on freedom of association at the 11th session. Yet Tunisia's human rights record was praised, not censured, in both the opening and closing sessions.

Established by the Organization of African Unity (OAU) in July of 1987, the Commission's mandate is to monitor the implementation of the African Charter on Human and Peoples' Rights. It meets for 10 days twice a year (in March and October). Of the 51 member states of the OAU, 43 have adhered to the Charter. Two years after a state accedes to the Charter, it must submit an initial report describing its constitutional and legal framework. Subsequent reports are to examine implementation of the Charter's provisions.

The proceedings of the African Commission are not like those of the UN Commission or Sub-Commission on Human Rights, where NGOs can comment, under various agenda items, on alleged violations. (To date, the Commission has not directly dealt with specific violations in public session).

In Tunis, NGOs were invited to address the Commission before any substantive issues were debated.

NGOs also contributed to the discussion over two substantive resolutions adopted by the Commission and initially drafted by NGOs: one on freedom of association by the Arab Organization of Human Rights, and the other on the right to recourse by Interights.

Still, formal input of NGOs into sessions of the African Commission is fairly limited. During the most important public sessions, when Com-

mission members question state representatives about their reports (which provide the essential foundation of the Commission's protective functions) NGOs can only listen.

The other major protective mechanism of the Commission is consideration of communications alleging breaches of the rights guaranteed by the Charter. These may come from State parties, victims, or individuals representing victims, or NGOs on behalf of victims. But, consideration of all such communications takes place in confidential sessions of the Commission where NGOs are again excluded.

However, formal participation is only part of the picture. Informally, NGO input is considerable. One can confidently assume that almost all, if not all, communications under consideration have been prepared by NGOs. (Thus far, no inter-state complaints have been submitted).

NGOs also provide reports, background material and technical assistance. For example, the Commission's Program of Action was prepared with the aid of the Secretary General of the ICJ and a member of the Austrian Committee Against Torture; the African Centre on Democracy and Human Rights Studies co-sponsored Commission seminars; the ICJ prepared a booklet on how to address a communication to the Commission; Amnesty International wrote a guide to the Charter; and the Commission's documentation centre is being established with assistance from Human Rights Internet.

One of the most fundamental NGO concerns pertains to the Commission's role in the area of protection. Here the Commission's work is circumscribed by Article 59 of the Charter which states that all protective measures remain confidential until the Assembly of Heads of State and Government of the OAU decide otherwise. The Tunis session ended, however, with no indication that the Commission is prepared to challenge the OAU on the issue of confidentiality.

To date, almost no information has been released about the nature of the communications received, the offending states, or the Commission's action. The Final Communique of the 11th session states only that "the Commission recorded five new communications"; and that "22 communications are still pending as the Commission meets".

Before the Commission's effectiveness can truly be assessed, it is important to know if the procedures are being used, how they are being used, and who is using them. Therefore, NGOs are calling for an indication of the total number of communications; their nature — do they deal with torture, extra-legal-executions or disappearances; and some idea as to the states named in the allegations. Of special interest is any step the Commission takes to halt egregious human rights violations.

NGOs have recommended that "the confidentiality of procedures... should be the exception, publicity being the general rule" and urged the Commission to revise its rules of procedure with a view to making them more flexible.

NGOs acknowledge that the Commission may be engaged in quiet diplomacy. They are even prepared to concede that, in some cases, quiet diplomacy may be effective. But the diplomacy of the African Commission is so quiet it appears non-existent.

NGOs also called on the Commission to establish procedures which would enable it to intervene promptly in emergency situations, rather than waiting for the annual OAU summit. The Commission's response was to set up an intersessional working group of 3-5 members to reduce current delays, funding permitting. It also decided to begin a review of its rules of procedure.

The 11 Commissioners (currently 10 sitting, because of a death), are "chosen from amongst African personalities of the highest reputation" by the Assembly of Heads of State and Government of the OAU from nominations made by states parties. Members are to serve in their personal capacities, not as representatives of states.

To date, all Commissioners have been men. To remedy this, NGOs have recommended the adoption of an affirmative action policy on the appointment of women Commissioners. During a discussion on that issue in Banjul, the Commissioner from Botswana staunchly opposed such a measure. Affirmative action or quotas for women were, he said, meaningless since women could and should make it on merit alone. The Commission has still taken no action on this issue.

NGOs are also concerned that some Commissioners hold govern-

ment positions which raises conflict of interest issues. When the Commissioner from Congo was made Minister of Interior, NGOs felt he should have resigned as Commissioner. (He continues to serve though rarely attends meetings).

To avoid conflicts of interest and to preserve the independence of the Commission, appointments should have due regard to the incompatibility of certain government functions with membership on the Commission. NGOs were, however, reluctant to specify what government functions were incompatible. In part, this is because Badawi, the current president, is highly respected by NGOs and is giving the Commission much needed direction and leadership. He is also Egypt's Ambassador to Zimbabwe.

There has, for some time, been broad NGO consensus that the Commission's Secretariat in Banjul, headed by a Secretary appointed by the OAU, has not been functioning adequately and that this was only partly due to a lack of resources. Problems include: states scheduled to discuss their reports before the Commission were not notified in time for them to send representatives (hence no state reports were considered at the 10th session and two reports that should have been heard in Tunis were deferred to the next session); that communications addressed to the Secretariat frequently go missing; that the Secretariat transmits little information about the work of the Commission to NGOs or the press; and that there are no summary records of the proceedings.

While recognizing the difficulties posed by the Commission's lack of resources — the OAU's allocation for the Commission is woefully inadequate, and the Commission has neither a Legal Officer nor an Information Officer — NGOs nonetheless felt that the performance of the Secretariat could be improved.

But bright spots remain.

With democracy sweeping the continent, there is hope some of the most egregious violators and violations will be removed. Indigenous African NGOs have begun to articulate the issues. In almost every African country, grass-roots organizations have sprung up from the base.

The creation of the African Commission, with its mechanism of promotion and protection, has raised expectations about its potential impact.

Commissioner Kisanga, in discussing the right to recourse, singled out poverty and ignorance as the formidable obstacles to the right to have one's issue heard. But even if the Commission can do little about the

poverty, it can, through its program of promotion, begin to dispel the ignorance by helping people know their rights.

The big question remains to be answered. Will the Commissioners

have the courage and imagination to make their Commission a forum where Africans can have their issues heard and have the right to recourse?

(*Tribune des droits humains*,
été 1992)

"One World" plans ahead

Ideas for a third One World action campaign were aired at a meeting of the One World Group of Broadcasters in Bonn from 29 to 30 June, following a positive evaluation of the recent One World 92 season and a pledge to continue awareness-raising activities on global issues.

Just as One World 92 was organised around the UN Earth Summit, it was suggested that One World III be linked to a major event such as the World Population Conference in 1994 or the 50th anniversary of the United Nations in 1995. An interim planning group for action "on the air" will meet in Brussels to determine the exact dates and agenda of the coming season. Mikko Lohikoski from Finland, a country where One World 92 was particularly successful, was elected by the "One World Sub-Committee on NGO Liaison and back-up"

to represent the NGOs at the interim group meeting.

The One World Sub-Committee, (comprising representatives of NGOs and broadcasters, as well as two members of the North-South Centre), held its first "on the ground" evaluation meeting in Bonn prior to the broadcasters "on the air" session. The Education Pack "Making One World", produced for the North-South Centre by the International Broadcasting Trust, was judged to be one of the most important elements of the One World 92 season and one to be used way beyond the television broadcasts. To date, this material has been printed in English, French, German, Portuguese and Hungarian. (The Greek, Italian, Spanish, Finnish, Lithuanian and Russian versions should be available in the near future). The Sub-Committee also ac-

knowledge the role of the One World Group in contributing to the success of the Tree of Life at the Global Forum in Rio de Janeiro.

The international framework of the One World campaign and the liaison it has nurtured between NGOs and broadcasters are key factors contributing to the success of the project. Early in October 1992, the North-South Centre organised a general evaluation meeting bringing together all the One World national contact points to discuss the successes and shortcomings of the 1992 season and to look creatively at the future of the group.

The Interdependent, Summer 1992,

European Centre for Global
Interdependence and Solidarity,
Avenida da Liberdade, 229-4°,
P-1200 Lisbon.

Tel.: 351 1 52 29 03. - Fax: 351 1 531329.

The legal status of European associations, cooperatives or mutual societies

At its plenary session on 26 and 27 May 1992 in Brussels, the Economic and Social Committee of the EC adopted by a large majority three opinions on three proposals for regulations concerning cooperatives, providing a legal status for a European association, cooperative society or mutual society.

These regulations are intended to enable these various entities to benefit from the advantages of the internal market in the same way as stock companies, while retaining their specific features. They are com-

plemented by directives on worker participation, and information of consultation of workers. These proposed regulations do not contain any tax provisions. The fiscal problems likely to arise with the formation or operation of European associations, cooperative societies or mutual societies, including those relating to transferring their head office to another Member State, will have to be governed by these directives.

When adopting these measures by a large majority, the Economic and Social Committee emphasized that it

was absolutely essential that the three regulations should be adopted simultaneously. It also stressed that the principle of "gateways" enabling an association, cooperative or mutual society in a Member State to be converted into a European entity.

For further information :
Commission of the European
Communities
DG XXIII — Cooperatives -
Paul Ramadier
Rue de la Loi, 200
B-1049 Brussels
Tel. : 235 23 04

La Fédération de Russie signe un accord de siège avec le CICR

Le Gouvernement de la Fédération de Russie et le Comité international de la Croix-Rouge (CICR) ont signé le 24 juin 1992, à Moscou, un «accord de siège».

Suite à cet accord, le CICR va ouvrir une délégation à Moscou à partir

de laquelle il pourra développer ses activités traditionnelles, notamment dans le domaine de la diffusion du droit international humanitaire.

L'accord de siège a pour but de fixer le cadre général des rapports du CICR avec les autorités d'un pays

afin de lui permettre d'accomplir les tâches inhérentes à son mandat. L'engagement avec la Fédération de Russie porte à 43 le nombre des pays qui ont signé des accords de siège avec le CICR.

New... Plans... Creations... New... Plans... Creation... New... Plans...

Asian nations must unite to defend themselves against regional groupings emerging in the Americas and Europe, Malaysia's Foreign Minister said at Kuala Lumpur on June 26, 1992.

Abdullah Ahmad Badawi said the Asia-Pacific region would be led in the 1990s by three growth "epicentres" -- Japan and South Korea, China together with Taiwan and Hong Kong, and the Association of South-east Asian Nations (Asean). Malaysia's proposal for an East Asian Economics Caucus (EAEC) — opposed by the United States — could contribute to cooperation among the region's economies, he told a meeting of leader of Asia-Pacific chambers of commerce and industry. Malaysia has asked fellow Asean members — Brunei, Indonesia, the Philippines, Singapore and Thailand — to study the EAEC plan. (*The Muslim World*, 4-11 July 1992)

A special session "Epilepsy in Asia" was organized during the 25th Anniversary Congress of the Japan Epilepsy Society held in Shizuoka, Japan from 4 to 5 October, 1991.

About 200 members of the Association attended the meeting.

Following the session, a small meeting was held on Sunday, October 6, 1991. In this meeting, all participants from Asian countries had a formal discussion.

This meeting led to the formation of an Asian and Oceanian Epilepsy Organization (AOEO). The goals of this organization are to develop mutual cooperation, exchange of scientific information and better understanding amongst the Asian countries and surrounding regions. The organization would welcome the individual doctors, neuroscientists and national epilepsy societies to join. The first meeting of this organization is planned to be held in 1994-1995.

(Dr. M.C. Maheshwari, Secretary AOEO, Department of Neurology, Neurosciences Centre, All India Institute of Medical Sciences, New Delhi - 110 029, India).

(*International Epilepsy News*, March 1992)

L'Association européenne pour la vente à distance a pour objet de promouvoir les possibilités de développer en Europe les offres faites directement au public en vue soit de vendre, d'acheter ou de louer des produits, soit de fournir des services essentiellement par des moyens sonores ou audio-visuels, mais également toutes techniques de diffusion existantes ou à venir; de faciliter la solution des problèmes posés par ce type d'offres. L'association qui bénéficie de la loi belge du 25 octobre 1919 a son siège: rue Fernand Neuray 8, B-1060 Bruxelles.

(*Annexe au Moniteur Belge*, 16 juillet 1992)

L'Annexe au Moniteur Belge du 16 juillet 1992 publie les statuts de Terre des Femmes. Bénéficiant de la loi belge sur les associations internationales, celle-ci a pour buts «la pleine intégration des femmes dans les structures socio-économiques, la mise sur pied de programmes d'auto-suffisance destinés aux femmes, le développement de technologies appliquées au Tiers-Monde, l'éducation à la santé préventive, principalement destinée aux femmes vecteurs de la santé, la création au niveau européen d'un programme d'aide aux femmes du Quart Monde, y compris par l'enseignement de l'éducation».

La présidente est Mme Anne-Marie Lizin (Belgique), la secrétaire générale Mme Linda Weil-Curiel et la trésorière Mme Annie Sugier (France). Le siège est établi : rue Grégoire Bodart 4, B-4500 Huy.

Le Comité européen des ligues d'improvisation (CELI) a pour objet la promotion artistique sur le territoire européen de la pratique des techniques d'improvisation selon le modèle canadien de la Ligue nationale d'improvisation du Québec. Les trois personnes constituantes qui forment le premier conseil d'administration sont de nationalité belge, française et italienne.

Le siège est établi : rue J.B. Colyns 57, B-1060 Bruxelles.

(*Annexe au Moniteur Belge*, 16 juillet 1992)

Solidaridad sin Fronteras a été constitué afin de « promouvoir au niveau européen le regroupement des associations de migrants d'origine espagnole afin de faciliter le dialogue entre le milieu migrant et les institutions; assurer la coexistence harmonieuse de ses membres espagnols avec la population d'accueil ». L'association a été constituée sous le régime de la loi belge du 25 octobre 1919. Le siège est établi: rue de Waelhem 71, B-1030 Bruxelles.

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L'Association d'étude des relations industrielles en Europe (EURI) créée le 1^{er} février 1990 à Paris, où elle a un siège social et un secrétariat, a sollicité la reconnaissance de la personnalité civile auprès des autorités belges. Elle a obtenu cette reconnaissance au titre de l'article 8 de la loi belge du 25 octobre 1919.

L'association a pour objet l'étude comparée des relations industrielles en Europe. Elle collecte toutes informations afférentes à ce domaine et les rassemble dans une banque de données créée à cet effet. L'association se compose d'associations et de personnes physiques. L'adresse du siège social en Belgique est: avenue Rogier 323, B-1030 Bruxelles; à Paris: rue La Boétie 42, F75008 Paris. (*Annexe au Moniteur Belge*, 9 juillet 1992)

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Après deux ans de négociations laborieuses, une cinquantaine d'associations tziganes de quatorze pays d'Europe de l'Est et de l'Ouest ont créé le 27 août à Budapest, le premier Parlement européen des Tziganes. Baptisée EUROM cette organisation veut agir comme un lobby pour défendre les droits des minorités tziganes, qui représentent en Europe environ 10 millions de personnes.

A la lumière des derniers incidents racistes à Rostock, en Allemagne, les organisateurs de cette rencontre ont dénoncé «la montée de la xénophobie» sur le Vieux Continent et la «discrimination» qui frappe toujours les Tziganes dans les anciens pays socialistes. Se considérant comme «la plus grande minorité ethnique d'Eu-

rope de l'Est» (près de 5 millions de personnes, dont 3,5 millions en Roumanie), les Tziganes ont demandé, à l'issue de leur réunion de trois jours à Budapest, que les pays de la CEE et les organisations tziganes de l'Ouest aident à «*évacuer les Tziganes de Yougoslavie, de Roumanie et de Bulgarie, où leurs vies sont sérieusement menacées*».

Après la chute des régimes communistes, de nombreuses organisations tziganes ont vu le jour, mais elles sont souvent divisées et se heurtent à une certaine passivité de leurs communautés. La création de ce «*Parlement européen*» est la première tentative pour donner une expression collective aux Tziganes. Pour l'instant, ce «*Parlement*» ne dispose pas encore de siège mais compte en installer un dans les trois prochains mois en Europe centrale. En attendant la première réunion plénière de ce «*Parlement*», une direction par intérim est assurée par des délégués de trois pays: Allemagne (Rutko Kawtchinsky), Slovaquie (Jeremias Dusan) et Hongrie (Jozsef Radai).

(Le Monde, 2.9.92)

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Vingt-et-une personnalités du monde de l'éducation, de la science, de la littérature et de la communication ont accepté de faire partie du Forum de réflexion nouvellement créé à l'Unesco afin d'essayer de «*dégager les tendances nouvelles qui pourraient inspirer l'Organisation durant la décennie à venir*». Ce forum a été mis en place par le conseil exécutif à la demande de la conférence générale de l'UNESCO en vue de rassembler les points de vue d'intellectuels du monde entier.

Les membres de cette nouvelle instance consultative sont: le juriste algérien Ahmed Bedjaoui, membre de la Cour internationale de justice de La Haye depuis 1982; l'historien russe Anatoly Derevianko, membre de l'Académie des sciences de son pays; le romancier italien Umberto Eco; la magistrate australienne Elizabeth Evatt, ancienne présidente du comité des Nations unies pour l'élimination de la discrimination féminine; le professeur de sciences politiques et ancien ministre égyptien Mohamed Fathallah El Khatib; le Prix Nobel de littérature 1982 Gabriel Garcia Marquez (Colombie); le zoologiste et an-

cin ministre zambien Lamick Goma; le juriste Hector Gros-Espil, actuel ministre des affaires étrangères d'Uruguay; l'ancien président de Tchécoslovaquie Vaclav Havel; l'économiste Reimut Jochimsen, président de la banque centrale allemande en Rhénanie-Westphalie-Nord; l'ancienne ministre mozambicaine de l'éducation, Graca Machel; le philosophe et diplomate argentin Victor Massuh, membre de l'Académie des sciences de son pays; la spécialiste tanzanienne de l'éducation, Marjorie Mbilinyi; le Prix Nobel de médecine 1974, Georges Palade (Roumanie); l'universitaire américano-palestinien, Edouard Said; le biologiste israélien Michel Sela; le philosophe et historien des sciences français, Michel Serres; José Israël Vargas, président du comité des sciences et de la technologie de l'Organisation internationale du travail et président de l'Académie brésilienne des sciences; l'historienne de l'art, spécialiste de la danse hindoue, Kapila Vatsyayan; Aristide Velompanahy, ancien ministre de l'éducation à Madagascar; l'ingénieur Wei Zhang, membre de l'Académie chinoise des sciences.

La Colombie et la France ont offert d'accueillir les premières réunions du Forum de l'Unesco prévues en 1993.

(Le Monde, 13.11.92)

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Dans une déclaration conjointe publiée le 28 janvier, à Singapour, les six membres de l'Association des nations de l'Asie du Sud-Est (Brunei, Indonésie, Malaisie, Philippines, Singapour et Thaïlande) ont décidé de former une zone de libre-échange. De nombreux obstacles devront, cependant, être surmontés pour que l'AFTA (ASEAN Free Trade Area) se réalise dans le délai de quinze ans retenu par l'ASEAN.

Les dirigeants de l'ASEAN redoutent depuis quelque temps que la création d'un marché unique européen en 1993 et la formation d'une zone de libre-échange en Amérique du Nord attirent les investisseurs y compris japonais, taïwanais ou sud-coréens. Ce serait autant de perdu pour leur économie, dont la vitalité — avec un taux de croissance annuel moyen de 8 % ces dernières années — se nourrit de capitaux étrangers. Qui plus est, ces économies, orientées vers l'exportation, veulent conserver et si possible augmenter

leurs parts de marché en Europe comme en Amérique du Nord.

Il fallait donc réagir, se doter d'une nouvelle dynamique. Ce fut l'objet de ce sommet de l'ASEAN - le quatrième depuis la fondation de l'Association en 1967 — réuni à Singapour. Proposée par la Thaïlande, l'AFTA a été adoptée. La réalisation de cette zone de libre-échange se fera dans un délai de quinze ans, par le biais d'un mécanisme de réduction progressive des tarifs douaniers, baptisé CEPT (pour *Common Effective Preferential Tariff*). Les premières réductions, négociées par un conseil interministériel créé à cet effet, auront lieu le 1 janvier 1993. Un taux maximal de 20 % a été retenu pour les cinq premières années. L'objectif est de parvenir à 5 % au plus en l'an 2008.

La Malaisie et la Thaïlande étaient partisans d'une intégration plus rapide, mais elles ont dû tenir compte des objections de l'Indonésie. Dans un premier temps, deux secteurs importants, les services et les produits agricoles, ne seront pas affectés par les réductions des tarifs douaniers. La négociation du CEPT risque, en outre, de se heurter à de sérieux obstacles dans d'autres domaines, Manille et Djakarta entendant notamment protéger leur économie, jugée plus vulnérable. Pour amorcer la pompe, les Thaïlandais, qui souhaitent réaliser l'AFTA dans un délai de dix ans seulement, ont déjà annoncé qu'ils réduiraient à 30 %, à compter de 1993, et à 20 %, dès l'année suivante, les taxes sur les produits manufacturés en provenance des autres Etats de l'ASEAN.

Les six pays ont en outre réaffirmé leur volonté de renforcer leurs liens avec les Etats indochinois, confirmant que la signature du traité d'amitié et de coopération de Bali (1976) constituait la première étape vers une adhésion à l'Association. Le Vietnam et le Laos ont déjà indiqué qu'ils souhaitaient signer ce traité. En outre, l'ASEAN s'est engagée à tout faire pour que l'intervention des Nations Unies au Cambodge soit un succès.

En revanche, l'opposition de l'Indonésie au projet malaisien d'EAEC (East Economic Caucus), dont les Etats-Unis seraient exclus, laisse penser que ce forum, s'il voit le jour, n'aura que le caractère «*consultatif*» que lui accorde la déclaration de Singapour. En outre, contrairement à ce que souhaitaient les Etats-Unis et la CEE, le sommet n'a pas abordé la

question birmane; l'ASEAN en reste donc à sa politique d'*«renforcement constructif»*, définie en Juillet 1991, à l'égard de la junte de Rangoun.

(Le Monde)

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Une cinquantaine de scientifiques de 17 nationalités ont fondé l'Institut mondial des sciences et se sont réunis pour la première fois au Collège de France, à Paris, les 29 et 30 novembre 1991. Présidé par le Pr André Lichnerowicz de l'Académie des sciences française, l'Institut compte de nombreux membres des Académies des sciences françaises et étrangères et une dizaine de prix Nobel parmi ses fondateurs. Selon la chartre de cet Institut, la communauté scientifique mondiale « doit veiller d'une manière active aux conséquences humaines de l'œuvre scientifique » et « montrer à tous ce qui est de la Science et ce qui n'en est pas ». L'Institut a pour objectif de proposer une éthique scientifique qui soumettrait à la critique les applications techniques des découvertes scientifiques.

(Universités, décembre 1991)

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Les 29 et 30 septembre dernier, à Bruxelles, les représentants des employeurs, des travailleurs et des activités diverses des Républiques Tchèque et Slovaque, de la Hongrie et de la Pologne ont rencontré pour la première fois leurs homologues du Comité économique et social des Communautés européennes. Etaient également présents des délégués de Roumanie et Bulgarie.

L'objectif de cette rencontre était de renforcer la coopération alors que les accords d'association déjà conclus entre la CE et la Pologne, la Hongrie et les Républiques Tchèque et Slovaque prévoient la constitution de groupes de travail composés de membres du Comité économique et social et des structures équivalentes — qui restent à créer — dans les pays associés.

Un consensus s'est dégagé en faveur de la participation des partenaires sociaux dans le cadre d'un mécanisme consultatif adapté à la situation de chaque pays et dans le cadre d'un mécanisme qui rassemblerait le Comité économique et social de la Communauté européenne et

les partenaires sociaux des pays d'Europe centrale et orientale. Un système tripartite de consultation constitue un élément essentiel d'un dialogue social constructif et requiert que les organes consultatifs soient pleinement autonomes. Pour favoriser la constitution d'organes consultatifs au niveau national, il faut continuer ce genre de contacts. Toutes les parties en présence feront le maximum pour qu'un organe consultatif rassemblant les partenaires sociaux de la Communauté européenne et des pays d'Europe centrale et orientale voie le jour.

(Lettre du Comité économique et social des Communautés européennes, octobre 1992)

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The second round of negotiations between cocoa producing and consuming countries, which ended on 24 July 1992, registered good progress towards a new international agreement with economic provisions. The latter will replace the 1986 Agreement which is due to expire in a year's time. An important basis for progress was an agreement in principle on the issue of production policy. The proposal calls for the creation of a Standing Committee which would deal with the problem of structural overproduction of cocoa. Major outstanding issues are the intervention mechanism for dealing with short-term problems, the price levels to be defended and the duration of a new agreement.

Some 160 representatives of 45 countries, including all major producers and consumers, as well as the Cocoa Producers' Alliance, attended the meeting.

(UNCTAD Bulletin, Jul-Aug 1992)

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Engagées depuis janvier 1991, les négociations entre le Secrétariat professionnel international de l'enseignement, le Spie, et la Confédération mondiale de la profession enseignante, la Cmope, forte chacune de dix millions d'adhérents, sont sur le point d'aboutir. Les exécutifs des deux entités tiendront ce mois-ci à Genève une réunion conjointe pour discuter les dernières modalités de fusion et de l'organisation du congrès constitutif de l'Internationale de l'Education prévu en janvier 1993 à Stockholm.

Dès 1985, lors de son congrès mondial à Marseille, le Spie, un secrétariat professionnel associé à la CISL, avait lancé un appel à la coopération et à l'unité. L'année suivante, l'assemblée des délégués de la Cmope faisait de même et s'engageait dans des discussions multilatérales avec le Spie, avec la Fédération internationale des syndicats d'enseignants, liée à la FSM communiste, ainsi qu'avec la Confédération mondiale des enseignants rattachée à la CMT. A l'issue de ce tour d'horizon, l'assemblée de la Cmope, réunie au Costa Rica en 1990, opta pour le Spie.

Les deux organisations se connaissent bien. Elles collaborent depuis longtemps au sein de l'Unesco et dans le cadre du Comité syndical européen pour l'éducation.

L'existence de deux structures distinctes était cependant une source occasionnelle de frictions et de rivalités qui, de l'avis des deux protagonistes, affaiblissaient leurs efforts de promotion du syndicalisme enseignant.

Pour Fred Van Leeuwen, secrétaire général du Spie, l'objectif de la nouvelle formation est de « rassembler le maximum d'organisations syndicales nationales sur un certain nombre de principes et de valeurs communes; la lutte en faveur de la démocratie et des droits syndicaux, l'indépendance syndicale, la promotion du service public d'éducation et de formation et l'aide aux syndicats des pays en voie de développement ».

Avec 20 millions d'adhérents, la nouvelle Internationale de l'éducation deviendra l'un des plus puissants secrétariats professionnels internationaux associés à la CISL, les deux organisations fondatrices souhaitant maintenir ce lien avec le mouvement syndical international.

Ce nouvelle internationale établira son siège à Bruxelles.

(Monde du Travail Libre, sept. 92)

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Réunis le 7 février 1992 à Moscou pour le deuxième Congrès international des petites et moyennes entreprises (PME), des représentants de PME de Bulgarie, de Chine, de Hongrie, de Pologne, de Tchécoslovaquie et de sept pays de la CEI ont décidé de s'unir pour former un organisme non gouvernemental. Ils entendent

ainsi surmonter certaines de leurs difficultés économiques. Le nouvel organisme s'appelle Ligue euro-asiatique des petites et moyennes entreprises,

La Ligue est ouverte aux associations et fédérations européennes et asiatiques et aux PME individuelles. Dans sa Charte, il est déclaré que ses objectifs sont de promouvoir l'organisation de services techniques, commerciaux et publicitaires pour les PME; de mener des recherches économiques et techniques propres à ces entreprises; et de faire valoir les PME par des publications et des actions bénévoles.

Dans la poursuite de ces objectifs, la nouvelle Ligue pourra compter sur l'aide de l'Assemblée mondiale des petites et moyennes entreprises (WASME), établie à New Delhi, qui se propose de créer un centre d'information internationale à Moscou. Ce centre sera doté d'une banque de données indiquant les occasions qui se présentent et la marche à suivre pour tisser des liens commerciaux propres à promouvoir l'intégration des entreprises naissantes au marché mondial. La création de cette banque de données sera financée par un fonds de développement de l'esprit d'entreprise, lui aussi implanté à Moscou. Ses ressources serviront à lancer des programmes de promotion de l'esprit d'entreprise dans les pays en développement.

(Bulletin d'Informations sociales 3/92 et *Ekonomika i Jisn*, Moscou, n° 7, Fév. 1992)

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La gestion des transformations sociales est le titre du futur programme international de sciences sociales (ISSP) dont la création a été recommandée par le Conseil exécutif de l'UNESCO, au cours de sa 140^e session (du 12 au 30 octobre 1992), suite à une étude de faisabilité.

Le choix du titre, dont le sigle sera MOST (en anglais: Management of Social Transformations), est dicté par le fait que ce thème « est applicable à toutes les sociétés du monde, quels que soient les problèmes de transformations particuliers auxquels elles doivent faire face, tout en permettant la conduite de recherches interdisciplinaires et comparatives à l'échelle internationale ».

Le Conseil exécutif a recommandé à la Conférence générale de l'UNESCO, qui se réunira en octobre 1993.

de prévoir un budget de 300.000 dollars US par an en vue du lancement du MOST, conformément aux propositions faites dans l'étude de faisabilité.

Si la Conférence générale ratifie ce projet, MOST commencera à fonctionner en 1994 avec les objectifs suivants: accroître la pertinence et l'utilité des sciences sociales pour l'élaboration des politiques nationales et internationales; favoriser la production de connaissances fondamentales et renforcer les capacités scientifiques et institutionnelles, en particulier dans les pays en développement.

En soumettant les résultats de l'étude de faisabilité du MOST aux membres du Conseil exécutif, Mme Francine Fournier, sous-directeur général pour le secteur des Sciences sociales et humaines, a rappelé qu'une grande partie des activités de l'UNESCO est « basée sur l'utilisation interdisciplinaire des méthodes, outils, concepts, indicateurs et analyses des sciences sociales ».

Elle a ajouté qu'il existe « une étroite corrélation entre les programmes des sciences sociales d'une part et les programmes d'éducation, de science, de technologie, de culture et de communication d'autre part. L'UNESCO ne saurait être efficace sans un solide programme des sciences sociales et le MOST pourrait lui permettre d'atteindre ce but ».

MOST serait dirigé par un conseil intergouvernemental et un comité directeur de dix membres composés de spécialistes de haut niveau. Il fonctionnerait avec une gestion largement décentralisée, grâce à un financement initial du budget ordinaire de l'UNESCO ainsi que des fonds extra-budgétaires.

(Unesco Presse, 6 nov. 1992)

*

Les organismes européens d'ingénieurs-conseils CEBI (Comité européen des Bureaux d'Ingénieurs) et CEDIC (Comité européen des Ingénieurs-conseils) ont fusionné le 22 mai 1992 pour devenir la Fédération européenne des Associations d'ingénieurs-conseils EFCA (European Federation of Engineering Consultancy Associations) représentant plus de 200.000 ingénieurs qualifiés et autres professionnels. Le secrétaire général de l'EFCA est M. S. M.

Knudsen, avenue de Cortenbergh 79, bte 7, 1040 Bruxelles.

(Actualités FEANI, automne 1992)

*

La Fédération européenne des étudiants âgés aux universités/European Federation of older students at the universities EPOS, créée récemment à Bruxelles selon la loi belge sur les associations internationales, a pour objet:

« 1. d'encourager le perfectionnement et les études dans les universités des personnes du troisième âge aux côtés des jeunes générations. Notre époque a besoin du dialogue entre les générations. Etudier en commun permet aux différentes générations d'apprendre à se tolérer, se connaître et se comprendre;

2. une université pluraliste du point de vue de l'âge. La participation de personnes âgées aux études a pour conséquence que les expériences et les connaissances humaines et professionnelles refluent à l'université;

3. d'aider à assurer à ces personnes âgées après leur vie professionnelle l'accès à l'université à condition qu'elles aient les qualifications ou qu'elles les acquièrent dans des cours spécifiques d'introduction;

4. de représenter en public les problèmes de formation;

5. d'améliorer, par la participation ou discours scientifique par le développement de la productivité intellectuelle des personnes âgées, la perception de l'âge, l'aptitude à savoir s'aider dans la vieillesse, l'indépendance et la qualité de la vie. »

Le président est le Prof. Dr R. Sprung (Autriche) et le secrétaire général Dkfm L. Auinger (Autriche). Le siège principal est à 1040 Bruxelles, avenue A. Lacomblé 69 et une succursale à Innsbruck 6020, Josef-Hirnstrasse 7/II.

(Annexe au Moniteur Belge, 17 sept. 1992)

*

Constitué en mai 1992, l'association internationale qui a pris le nom de Extrême a pour objet de concevoir et réaliser tout programme, projet, recherche sur les causes présumées ou certaines, prévention ou traitement des conditions et souffrances extrêmes dans le sens le plus large. Le siège est établi: rue Pirenne 23, B-1180 Bruxelles.

(Annexe au Moniteur Belge, 20 août 1992)

New International Organizations

Nouvelles organisations internationales

INDEX 1992

Dans chacun des six numéros de l'année 1992, nous avons publié une chronique intitulée «New... Plans... » qui donne les informations reçues de sources diverses concernant la création ou le projet de création de nouvelles organisations internationales. Pour aider les utilisateurs, nous en donnons ci-dessous un index selon le mot clé principal avec référence au numéro et page de la revue. Dans la majorité des cas, ces organisations n'ont pu encore prendre place dans notre Yearbook (dernière édition: 1992-93).

In each of the six issues for the year 1992, a regular feature has been published under the title « New... Plans... » which gives information received from various sources about new, or plans for new, international organizations. With a view to facilitating research, a subject index is given below covering this feature and referring to the number and page in *Transnational Associations* 1992. It should be added that, in the majority of cases, these organizations are not yet described or mentioned in the *UIA Yearbook* (latest edition: 1992-93).

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Cheminements d'une action de développement,

par Etienne Beaudoux, Geneviève de Crombrughe, Francis Douchamps, Marie-Christine Guéneau et Mark Nieuwkerk, L'Harmattan, Paris, 1992, 203 p.

Réalisé par une équipe de conseils socio-économistes, une journaliste et un agronome, cet ouvrage réunit les conclusions et enseignements tirés de nombreuses enquêtes menées sur le terrain auprès d'organismes de développement œuvrant en Afrique, en Amérique Latine, en Asie et en Europe. Il s'inscrit dans le cadre d'une étude sur les organisations non gouvernementales menée par la direction générale du Développement (division Evaluation et cofinancement avec les ONG) de la Commission des Communautés européennes. La coordination du travail a été assurée

par deux organisations, elles mêmes non gouvernementales, le Collectif d'échanges pour la technologie appropriée (COTA) de Bruxelles et l'Institut de recherches et d'applications des méthodes de développement (IRAM) de Paris.

Divisé en deux sections, l'ouvrage analyse dans un premier temps les différents types d'actions de développement menées par les différents acteurs de l'aide, à l'exclusion toutefois de l'aide dite d'urgence. La deuxième section emprunte un schéma d'analyse reprenant les quatre grandes étapes de l'action de

développement: identification, programmation, suivi et évaluation, dont les interactions révèlent non pas une progression linéaire, mais plutôt un mouvement cyclique. A l'issue de chacun des chapitres consacrés à ces étapes, les auteurs tentent de définir une orientation méthodologique destinée à appuyer les ONG dans la mise en œuvre de leurs actions de développement, mais qui se veut également applicable à d'autres types d'intervention, pris en charge par d'autres acteurs de l'aide.

P.G.

***Directory of Non-Governmental Environment and Development Organisations in OECD Member Countries/
Répertoire des organisations non gouvernementales dans les pays membres de l'OCDE pour
l'environnement et le développement,***

with an introduction by Henry Helmich and Shamita Sharma on "Partnerships towards global sustainable development", OCDE, Paris, 1992, 409 pages.

The prominence of environmental problems today has led the OECD to publish this Directory of NGOs concerned with the interactions between the former and development issues. In the 1980s, the focus of the development concept gradually shifted to include that of sustainability, which implies a long term perspective and a concept of social and economic development and growth involving greater sensitivity to environmental concerns. Parallely, NGOs with environmental and development goals have become a strong lobby for the promotion of a so-called sustainable development. Their interest was reflected in the high level of attention they gave to the UN Conference on Environment and Development (UNCED), which took place in Rio de Janeiro in June 1992, 20 years after

the UN Stockholm Conference on the environment.

This *Directory*, which lists 649 NGOs out of a total of 2,746 currently included in the NGO database of the OECD Development Centre, virtually includes all of the larger NGOs in the OECD Member countries. These NGOs are among the 24% of NGOs having reported significant initiatives in the environmental field.

Another feature of NGOs listed in this document is the fact that they increasingly cooperate with governments, more and more of NGO funds being provided by the latter. An annex to the introduction also shows a significant increase in NGO financial resources over the past years, to a total amount of U.S. \$ 7.3 billion in 1990.

Each NGO profile in the *Directory* is presented in either English or French. Profiles are arranged alphabetically within each country, OECD countries being themselves listed alphabetically according to their ISO code. Each profile includes the following categories: name, address, contact, aims, general information (creation date, member organisations, affiliations, working languages, publications, personnel, budget, financial sources), development education, development actions, environmental education, environment actions, environment/development, comments. A final section of the book includes five indexes of subjects in environment and development education and actions.

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Forthcoming topics:

Dans les prochains numéros:

- Les droits de l'enfant
Children's rights
- After Rio
L'après Rio
- Meetings and Membership of international organizations
Les réunions et la composition des organisations internationales

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