

Transnational Associations

The review of the Union of International Associations



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NGOs : Losing the Moral
High Ground

AMI :
l'accord omnivore

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Associations transnationales

La revue de l'Union des associations internationales

Transnational Associations

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Transnational Associations is a unique bilingual journal whose aim is to deal with major current problems within the perspective of international nongovernmental organizations. It is intended to provide a forum for authoritative information and independent reflection on the increasing role played by these organizations in the international system, and on its philosophical, political, economic or cultural implications.

The approach is intrinsically interdisciplinary, and calls for both specialist expertise and practitioner experience in transnational association matters. *Transnational Associations* provides background information about the actions and achievements of international associations, and insight into their interrelations with intergovernmental organizations. It covers a wide range of topics, among which social organization, humanitarian law, scientific cooperation, language and culture, economic development, to cite just a few.

The programme of the review, in accordance with the principles of the UIA, clarifies general awareness concerning the association phenomenon within the framework of international relations and, in particular, informs associations about aspects of the problems which they tend to share or which are of common interest to them. Contributors to the journal review include association officers, research workers and specialists of association questions who engage only themselves.

Founded in Brussels in 1907 as the Central Office of International Associations, the UIA became a federation under the present name in 1910 at the 1st World Congress of International Associations. Activities were closely associated with the Institut international de bibliographie, which later became the International Federation for Documentation. Its work contributed to the creation of the League of Nations and the International Institute of Intellectual Cooperation (the predecessor of UNESCO). During the 1920s, the UIA created an International University, the first of its kind.

The UIA has consultative relations with UNESCO, UN/ECOSOC, and ILO. It collaborates with FAO, the Council of Europe, UNITAR, and the Commonwealth Science Council.

Associations transnationales est la seule revue traitant des grands problèmes contemporains dans la perspective des organisations internationales non gouvernementales. Elle se propose d'apporter des éléments d'information provenant des sources les plus autorisées, propres à susciter une réflexion indépendante sur l'affirmation du rôle joué par ces acteurs dans le système international et sur les aspects philosophiques, politiques, sociaux et culturels de cette évolution.

La visée adoptée est essentiellement interdisciplinaire et fait appel au savoir comme à la pratique des spécialistes du champ d'action des associations transnationales. Les documents, articles et études publiés par Associations transnationales traitent également des liens établis entre celles-ci et les organisations intergouvernementales. Les domaines couverts s'étendent aux problèmes de société, au droit humanitaire, à la coopération scientifique, aux questions linguistiques et culturelles, au développement économique ou à tout phénomène affectant la vie de ces associations.

Le programme de la revue, conformément aux buts de l'UIA, vise à éclairer l'opinion sur la signification de la dimension associative des relations internationales, notamment en informant les associations au sujet des questions qui relèvent de leurs domaines ou affectent leurs intérêts communs. Les textes des auteurs publiés par la revue (dirigeants d'associations, chercheurs et spécialistes des questions associatives) n'engagent que leur opinion.

L'UIA a été créée officiellement en 1910 à Bruxelles au cours du premier congrès mondial des associations internationales. Ses fondateurs, le Sénateur Henri La Fontaine, prix Nobel de la Paix 1913 et Paul Otlet, Secrétaire général de l'Institut international de bibliographie, avaient mis sur pied en 1907 l'«Office central des institutions internationales» auquel l'UIA succéda sous la forme de fédération. En 1914, elle regroupait 230 organisations, soit un peu plus de la moitié de celles qui existaient à l'époque. L'UIA devait incarner, dans l'esprit de ses fondateurs, les aspirations internationalistes et les idéaux de paix qui animaient les associations et qui allaient aboutir en 1920 à la création de la Société des Nations.

L'UIA a obtenu le statut consultatif auprès de l'ECOSOC, de l'UNESCO et de l'OIT. Elle collabore avec l'UNITAR, la FAO et le Conseil de l'Europe. Elle entretient des relations générales et ponctuelles avec les organisations régionales.

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Transnational Associations *Associations transnationales*

Of democratic security

by Frits Hondius *

The Council of Europe in Strasbourg is approaching its 50th birthday. On 5 May 1999, Hungary will be in the chair. Who would have dreamed only some years ago that the Council would encompass the near-totality of States of geographical Europe? At present forty States (24 in Western Europe and 16 in Eastern Europe), with only 6 more in the waiting room¹. The Budapest anniversary meeting will examine proposals by a group of Wise Persons headed by Dr. Mario Soares on how the Council can best function in its new configuration and in full harmony with its younger sisters, the European Union and the Organisation for Security and Cooperation in Europe (OSCE).

The Council of Europe and the European Union might never have seen the light if it were not for NGOs and democracy. It was the European Movement, an NGO, which set the agenda in its «Message to Europeans» (The Hague 1948). And it was civil society leaders such as Churchill, Schumann, Brugmans, who called on governments and parliaments to create a collective guarantee for human rights, democracy and the rule of Law. How much would Europe have missed, had Churchill not been democratically defeated in the 1945 election! Freed from the tedium of government he became champion of European unity.

The central pillar of the Council of Europe is the European Convention of Human Rights which entered on 1st November 1998 a new phase with the merging of all powers into a single permanent Court of Human Rights. It has taken many years before even Western States fully complied. France, «homeland of human rights», waited more than 30 years before accepting the Court's jurisdiction! However today, no State can join the Council which does not on the same day sign the Convention.

The checklist

On 5 April 1977, the European Community institutions in a joint declaration in Luxembourg confirmed that there is no case for a separate EU catalogue of human rights and that in the pursuance of the aims of the Communi-

ties they would respect the Human Rights Convention. The European Union being committed to «liberty, democracy, respect for human rights and fundamental freedoms and the rule of law» (Treaty of Amsterdam) prior admission to the Council of Europe is considered a *conditio sine qua non* for EU candidates. In 1998, the Council of Europe codified the long-standing checklist of its own admission requirements as a contribution to the EU's enlargement process.

The breakdown of communism led to a rush of Central and East European countries (CEECs) to the gates of the Council of Europe. While the disintegration of their economies and social fabric offered these countries not a shred of hope for early EU membership, their will to return to democracy and human rights qualified them for admission to the Council. Understandably, Western governments were wary to admit countries like the DDR, Soviet Union or Czechoslovakia into their circle, even as observers, but the Council's Parliamentary Assembly responded to CEEC expectations by creating a «special guest» status as a «school for democracy», for delegations of CEEC national parliaments. The transition to democracy after generations of communism, and the conversion to market economy, compounded by processes of break-up or re-unification of States, is a herculean task which will take many years. However, nothing prevents a CEEC from seeking membership while continuing the learning process.

The Council admission procedure is almost entirely in the hands of its Parliamentary Assembly. Its checklist includes renunciation of war, conformity of constitution and laws with common European principles, especially those governing the electoral process, the media, independence of the judiciary and the legal professions, abolition of capital punishment, compliance with the Human Rights Convention and the Social Charter, as well as protection of national minorities and minority languages (the latter two being political taboos when the Council was exclusively Western). The legal system of each country is scrutinised by eminent lawyers, whose reports may run into several hundred pages. Sometimes, a can-

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(1) Member States of the Council of Europe in Western Europe (population 370 million): Andorra, Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey and the United Kingdom; in Eastern Europe (population 317 million): Albania, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Lithuania, Macedonia, Moldova, Poland, Romania, Russian Federation, Slovakia, Slovenia and Ukraine. Membership applications are pending from Armenia, Azerbaijan, Bosnia and Herzegovina and Georgia. Relations with Belarus and Yugoslavia have been frozen.

didate country is asked to sign a list of specific conditions before accession (21 for Croatia).

Assistance, development and control

Assistance, development and control mechanisms are operated before and after accession of CEECs. In 1989 a programme for new member and applicant States, called «Demos-thenes», was set up to advance democratic development, human rights and common legal standards. Several sub-programmes such as LODE (local democracy) and Confidence building-measures, and special institutions such as the Commission for Democracy through Law, were added. Some parts of the programme are conducted jointly with the European Union. In 1997, the second Summit of heads of state and government emphasised that these programmes are the Council's contribution to 'democratic stability', an aim pursued by the OSCE. Moreover, they discontinued the notion of «assistance» which has a slightly paternalistic ring. The new title for the programme «Activities for the development and consolidation of democratic stability» (ADACS)² rightly emphasizes that the aim of democratic stability applies as much to Western as to Eastern Europe. One only has to think of the peace process in Northern Ireland or the endeavour to end terrorism in the Basque country.

The term 'democratic stability' has the advantage of underlining the inherent interdependence of the State and the civil society. The situations in Albania and neighbouring Kosovo can best illustrate the point. In Albania, due to the weakness of the State no measure of primitive democracy can secure stability. Conversely, in Kosovo the clamp-down of the State on democracy also creates instability.

There is no end to development and cooperation programmes in favour of CEECs. This is a reflection of the civil society itself. In 1993, a «coordination meeting» between Council of Europe, European Commission and OECD attempted in vain to document the myriad of programmes. Mission impossible. The author attended in June 1998 a meeting of

French NGOs on cooperation projects with CEECs. Those for Romania alone filled a 93-page book.

Apart from good intentions and learning efforts, there are hard facts. To monitor compliance with human rights standards there exists already, since almost half a century, the machinery of the Human Rights Convention. However, apart from the fact that not all legal norms are covered by the Convention, (e.g. political asylum or protection of national minorities) the controls are ex post facto, case by case. Hence the introduction of new monitoring mechanisms, such as the Secretary General's Monitoring Unit, the Follow-up Committee of the Assembly and the European Human Rights Commissioner.

And the NGOS?

What is the place of the NGOs in all this? Their role is anchored in five basic texts:

[1] The Human Rights Convention guarantees in Article 10 freedom of expression and in Article 11 freedom of association. Moreover, Article 25 of the Convention grants the right of petition not only to individuals but also to NGOs. [2] The rights and prerogatives of international NGOs are anchored in Resolution (93)38 of the Committee of Ministers of the Council of Europe, modeled after article 71 of the United Nations Charter. It grants NGOs consultative status. Sadly, an analogous provision lacks from the EU Instrumentarium. In the European Union, the term 'économie sociale', redeemed from long-forgotten French social doctrine, simply notes the fact that voluntary organisations fulfil an important and useful rôle in the economy, but this has not been followed up by any institutional rôle for NGOs within the EU. The NGOs within the Council of Europe have a liaison committee which is their channel of communication with the organisation. For its part, the Council has set up at its highest political level, the Committee of Ministers, a Rapporteur Group on NGOs.

[3] Resolution (76) 3 of the Committee of Ministers of the Council provides for participation of NGOs in committees of experts (e.g.

(2) Council of Europe, Activities for the development and consolidation of democratic stability, Programme 1998.

Amnesty International in the Committee for Human Rights). This arrangement is independent of consultative status.

[4] International recognition of NGOs is provided for by Convention n° 124 of 1986 to which Slovenia acceded as the first CEEC. This Convention, which has now seven States parties and two more signatories³, has been amply documented in the pages of *Transnational Associations*, thus emphasizing the fact that the Union of International Associations is the proud parent of this Convention. The latest development on this subject is that on 2 July 1998 the Committee of Ministers of the Council of Europe urged those member States which

have not yet done so to sign and ratify this Convention. The Committee of Ministers thereby stressed that the Convention is closely linked with the realisation of human rights and consequently a matter of priority.

[5] Last but not least, in the implementation of the ADACS programme, NGOs - mostly associations but also foundations - are active participants. On the one hand, there is an important input by professional NGOs (judges, police, notaries, health care etc.) and on the other hand the contribution of 'NGOs of NGOs' deserves credit. On several occasions, the Secretariat General of the UIA has participated in advisory missions, inter alia to Slovenia and Russia.

(3) States Parties to Convention n° 124: Austria, Belgium, Greece, Portugal, Slovenia, Switzerland, United Kingdom, Cyprus and France have signed the Convention. We note that four European countries which have a high concentration of international NGOs: France, United Kingdom, Belgium and Switzerland are, or will shortly become (France), parties.

NGOs: losing the moral high ground

Corruption and misrepresentation

by Richard Holloway*

Introduction

Occupying the moral high ground

Transparency International generally thinks of NGOs as its allies in the struggle to reduce corruption and initiate or support integrity systems in countries throughout the world. The Organizing Committee of the 8th International Anti-Corruption Conference "emphasizes the need for the state to join hands with non-governmental partners to create coalitions for combating corruption"¹. The NGOs that it has in mind are likely to be those "working at grass roots and policy level in the developing world, promoting democracy, human rights, development and other objectives" which have proliferated greatly over the past two decades².

NGOs are often presented as an important sub-set of civil society, and are generally thought of as being on the side of morality and virtue: they are thought of as naturally occupying the moral high ground (in contrast to Governments and Businesses), and thus organizations like TI which are trying to combat corruption in the State and Business both form themselves as NGOs, and try to find other NGOs who will engage with them in a common struggle. As the *TI Source Book* says, "Civil society encompasses the expertise and networks needed to address issues of common concern, including corruption. And it has a vested interest in doing so. Most of the corruption in a society involved two principal actors, the government and the private sector. Civil society is, typically the major victim"³. It is clear from the literature of TI and this Conference that organizations of civil society (which include NGOs) are part of the forces ranged against corruption, and not themselves part of corruption, although there is a small allowance in the *Source Book* that corruption can appear anywhere, "A triangular relationship exists between government, capital, and civil society. Corruption can take root in all three parties to the relationship"⁴.

The purpose of this paper is to agree that corruption can take root even in civil society - the least expected of the members of the triangular relationship. This paper intends to

- 1 identify the nature and role of civil society in general,
- 2 to look at NGOs as one of the major players within civil society,
- 3 to look at the parts civil society and the NGO sector may, in theory, play a part in the reduction of corruption,
- 4 to look at the pressures on NGOs,
- 5 to look at NGOs as part of the same societies in which corruption flourishes,
- 6 to see what kind of corruption NGOs are party to
- 7 to see what can be done to reduce these kinds of corruption

This is all within the context of heartily agreeing with TI and the Conference organizers that civil society organizations and NGOs are natural allies in the work of combating corruption. The kinds of corruption and misrepresentation that can be detected in the sector are smaller and less significant than the gross corruption of magnitude and extent that can be seen in the other two sectors. Because of the high moral principles of the NGO sector, however, any corruption is an important problem. What we need is a more skeptical, objective view of the sector without both romanticism on the one hand, or cynicism on the other - a clear appreciation of its strengths and weaknesses, and a pragmatic view of what can be done to help civil society organizations regain the moral high ground from which they have, in some cases, started to slip.

It is opportune and timely to look at this subject today and in this gathering. The amounts of funds that have been received by NGOs in the last ten years has increased exponentially, and they are both much more high profile as a sector and individually than they ever were before. This has increased various peoples envy of them, and has attracted charlatans and frauds. Increasingly formers of public opinion in the South are bad-mouthing NGOs, assuming that they are self-serving and slippery, and requiring them to prove that they are not, while there are enough "expose" stories in the press in the North about questionable practices of NGOs for there to be a sizeable number of people prepared to believe the worst of NGOs⁵.

* Senior Associate of Pace, a US PVO which specializes in building the capacity of the NGO sector.

(1) Letter of Jeremy Pope to Pact Inc. 25 July 97.

(2) The *TI Source Book*, chapter 6 on "Civil Society".

(3) *Idem*, chapter 6.

(4) *Idem*, chapter 6.

(5) The most notorious stories in the North recently have involved the excessive salaries paid by to themselves by employees of the United Way and National Association for the Advancement of Colored people in the USA.

Transnational Associations, 5/1998, 233-248.

Definitions

T1 defines corruption as "behavior on the part of officials in the public sector, whether politicians or civil servants, in which they improperly and unlawfully enrich themselves, or those close to them, by the misuse of public power entrusted to them"⁶. Obviously this needs radical revision if we are going to talk of corruption within NGOs. NGOs have no public power entrusted to them - but they do have public (and private) resources entrusted to them, and these resources are entrusted because of what NGOs represent themselves to be - organizations that will try to change society for the better which are themselves independent and neither governmental nor profit seeking. Corruption within NGOs and civil society organizations is of two kinds - the simple pocketing of public or private money, on the one hand - but also the misrepresentation of themselves as independent when they are not, on the other. People and organizations support civil society organizations because of what they say they are going to do - if they do this fraudulently, or covertly do something different, this is a their particular kind of corruption⁷.

My suggested definition of corruption for NGOs and other forms of civil society organizations is thus: "behavior for personal gain, or for the benefit of another person or organization on the part of people who claim to represent an independent, not for profit, public benefit organization".

My analysis of the problems of NGOs follows, to some extent, what might be called their present day street credibility. It is common in the South for influential people to denigrate civil society organizations as:

- 8 being formed for the personal gain of the founders or directors
- 9 being political parties in disguise
- 10 being puppets of international donor organizations
- 11 being overly concerned with expansive infrastructure (the "PC and Pajero" NGO)
- 12 having no constituency

It is likely that participants of this conference will have heard such comments, or maybe have made such comments themselves.

It is also common in the North, based on some specific scandals, for influential people to denigrate NGOs as:

- 13 excessively concerned with their overheads
- 14 being misleading in their advertisements

No-one is particularly surprised when government and the private sector is denigrated for being corrupt - to some extent this is, sadly, expected. NGOs and other forms of civil society organizations are, however, expected to be better than that, and thus public censure is the stronger when they are shown to be less than they claim to be.

Clarifying important concepts

The following terms are often confused and treated as if they are synonymous: civil society, civil society organizations, the third sector, non-governmental organizations, NGOs, civic associations. When we are trying to identify the problems of corruption in NGOs and other civil society organizations (which, as we have said, is both financial and misrepresentational), it is important that we are clear who we are talking about, what they are claiming to do, and contrast that with what they are actually doing.

Civil society

Civil society (also called the third sector) is that part of a triangular definition of society that sees a First Sector as the Government (also containing the Armed Forces), and the second sector as business. The definition used by UNDP is gaining increasing popularity: "Civil society is, together with the State and the market, one of the three "spheres" that interface in the making of democratic societies. Civil society is the sphere in which social movements become organized. The organizations of civil society, which represent many diverse and sometimes contradictory social interests, are shaped to fit their social base, constituency, thematic orientations, and types of activity"⁸.

Because part of the problems of corruption of NGOs come when they start behaving

(6) *T1 Source Book*, chapter 1.

(7) The Commonwealth Foundation's *Guidelines for Good Policy and Practice of NGOs* 1995, has the following to say about fraudulent NGOs: "Unscrupulous opportunism. Often occurring when funds are on offer from less than diligent donors has unfortunately led to the emergence of fraudulent NGOs. Whatever their outward appearance, these are in reality the NGO equivalent of phony private companies set up to defraud. (...) They are pesses that need to be stamped out. The greater the transparency of all NGOs, the more they will be exposed."

(8) Quoted in "Heavy hands, Hidden Hands, Holding Hands? Donors, Intermediary NGOs and Civil Society Organizations" by Bebbington and Riddell in *NGOs, States, and Donors - too close for comfort? Save the Children*, London, 1997.

more like businesses or more like governments, it is important for us to be clear in what ways they are different from both. A symbolic way of looking at the triangle which helps us to personify the main actors is to call them "The Prince, the Merchant and the Citizen"⁹. It is important to appreciate the differences in resources, motivation and resource mobilization between the three.

The first sector (the government - or the Prince) is basically motivated by the desire to govern or rule. Its resources are state property, and the laws and the taxes which it can enforce by coercion and control (backed up if necessary by the use of violence). The second sector (business) is motivated by making a profit, and its resources are private property which it trades and exchanges.

The third sector (citizens, or civil society) are motivated by the desire of people in association to work together to change things, and its resources are the time, energy and resources of its members; or the time, energy and resources that are gifted to it by others who share their values and their commitment to action based on those values.

These differences are boldly drawn and blunt, but are an attempt to get to the basic differences between the nature of the three sectors. Obviously some people in a government may be motivated by the desire to change things, but the distinguishing characteristic of government is to rule. Obviously some people in business operate for a part of their lives as citizens, but the distinguishing characteristic of business is to make profits. Civil society organization's distinguishing characteristic is to associate with others to take action on the basis of shared values. As we will see later, sometimes civil society organizations find themselves assuming some of the characteristics of the other two sectors, and this is when problems often arise.

The "action on the basis of shared values" that are described as the distinguishing characteristic of a CSO can range from community singing right through to the elimination of corruption. The term "civil society" says nothing about the objectives of the association - it only refers to the way that it comes into being. A civil society organization is formed by people

freely associating together to do something which they all value and are prepared to act on. It is interesting that many people use the term "civil society" and "civil society organization" as if any organization which is neither governmental nor not-for-profit is on the side of the angels, as if its objectives are bound to be democratic and developmental. Civil society organizations may be distinctly "uncivil" or may have very differing views of actions that are worth doing. The Neo-Nazi groups in Germany who attack immigrants are fully "civil society organizations" which represent associational life amongst a particular section of German society, as are the organized skinheads in the UK who disrupt football matches, and the tribal factions in Kenya and Burundi who kill those who they dislike.

Equally in civil society there are opposing civil society organizations - like those, for instance, who are for and against abortion, those who are for and against gun-control, and those who are for and against genetic manipulation. In some cases those who attack civil society organizations as being corrupt or fraudulent are doing so principally because they disagree with them, or disagree with what they are doing. CSOs which attack corruption in a particular government, for instance, may be seen not as people who are against corruption, but as people who are against that particular government.

"Non-governmental organizations", and "NGOs"

The term "non-governmental organizations" is so loose as to be unhelpful in trying to understand the variety of civil society. A business, a poetry society, a football team, a cooperative, a charity, a peoples movement may all be called a non-governmental organization, as they can also be called civil society organizations. What we need is the term which refers to an organization which has clear values and purposes, i.e. to separate the welfare or development organization from the singing club. The acronym "NGO" or "NGDO" is usually used for this purpose, distinguishing it from the

(9) These terms come from Marc Nerfin's article in IDA's Development Dossier, 1974 'The Prince, the Merchant and the Citizen' and have recently been picked up in ICA's book about civil society called 'Beyond Prince nor Merchant : Citizen Participation and the rise of civil society' by Burbridge, Pact Publications 1997

longer term "non-governmental organization". The World Bank's usage is "the myriad of organizations, some of them formally constituted, and some of them informal, that are largely independent of government and that are characterized primarily by humanitarian or cooperative, rather than commercial, objectives, and that generally seek to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development"¹⁰. An NGO still depends, as does the more general civil society organization, on the free association of citizens joined together for some joint action based upon shared values, but they are useful humanitarian welfare and developmental values. We trust NGOs to have and to practice certain values which we would not expect from a poetry society, and we feel that they have abused that trust when these values are not shown.

NGOs easily separate into two kinds, however, and this division again influences what we think they should do, and our attitude to them if they do not carry this out. This is the division between "mutual benefit organizations" and "public benefit organizations".

Mutual benefit organizations

Mutual Benefit organizations are organizations comprised of members whose purpose is the improvement of the lives and conditions of its members. The members are also therefore the target and the beneficiaries of the organization. Such organizations may be, for instance, cooperatives, community based self-improvement organizations, self-help organizations of particular minorities (e.g. the disabled), professional associations (e.g. teachers, dentists, accountants), trade unions, or chambers of commerce.

Their purpose is usually improvement in the lives of their members, not society as a whole. Such a purpose may or may not conflict with the activities of another mutual benefit organization which represents its own members objectives. A Chamber of Commerce, for instance, which lobbies for a greater liberalization of trade may be diametrically opposed to an association of peasant farmers who see their produce likely to be undercut by cheap imports

and want tariff barriers. A community organization of farmers in one village may have plans for a water source to benefit them which may be in opposition to another community organization further downstream.

Such organizations are sometimes accused of playing politics, and misrepresenting themselves as NGOs by people who take a very limited view of what an NGO is. In fact they are representative and sometimes lobbying organizations for the benefit of their members. Some such organizations may find common cause with political parties (this is often the case with trade unions and student associations, for instance), but such organizations are not political parties per se, and may well eschew the formal political scene, limiting themselves to acting as a non-formal pressure group on behalf of their members. Some experts in this field do not allow that such organizations are "NGOs" although they are obviously non-government organizations, limiting the term "NGOs" to the next category - the public benefit organizations¹¹.

Public benefit organizations

The focus of most of our attention as regards corruption and misrepresentation with NGOs is on the second kind - the public benefit NGO. This is the organization which says publicly that it stands for improvements in the lives of the citizens as a whole, or for particular sections of the citizens - the poor, women, street kids, the disabled etc. The important point to clarify is that the organizers and staff of such organizations are not beneficiaries of the organization, nor are they usually the source of the funding (or other resources) that allow them to help their target group. The organization may be structured around a membership for governance purposes, but being a member does not entitle a person to any benefits. Public benefit organizations are usually intermediaries who collect resources from one group of people (in which they are not counted) in order to be of benefit to another group of people (in which they are also not counted).

Such organizations (which I suggest is what most people actually have in mind when they use the term "NGO") are the ones where

(10) Quoted in *Handbook on Good practices for Laws relat-*

Organizations World Bank and ICNL, 1997.

(11) See, for instance, the Commonwealth Foundations *Guidelines for Good Policy and Practice* 1995 which only allows NGOs to be those which have "clear values and purposes which distinguish them from other organizations existing primarily to serve the interests of members or individuals".

misrepresentation and corruption (when it occurs) are the most worrying. They are organizations which promise to do certain things on behalf of society (or some group in society), which collect funds from people both inside and outside that society who trust them to do such things, and which use those funds to help other people. The fiduciary responsibility that they have to carry out the purpose for which funds have been solicited is a serious one, and one which people take seriously if it has been betrayed. Their legitimacy is that problems exist in society which they have decided to face, and that they have found other people who agree with them and are prepared to help them do something about it.

A useful clarification of the differences between civil society organizations and NGOs as we have described them is in by Alan Fowler's recent book *Striking a Balance*¹².

"Third sector (or civil society) organizations:

- are not established for and cannot distribute any surplus they generate as a profit to owners or staff

- are not required to exist, not prevented from existing by law, but result from people's self-chosen voluntary initiatives to pursue a shared interest or concern.

- formed by private initiative, they are independent, in that they are not part of government nor controlled by a public body

- within the terms of whatever legislation they choose to register themselves, they also govern themselves

- If they are registered, this means that the founders wish to have social recognition - this calls for some degree of formalization and acceptance of the principle of social accountability

- NGOs (or public benefit welfare and development organizations)

- Are legitimized by the existence of the world's poor and powerless and by the circumstances and injustices they experience

- Act as intermediaries providing support to those who legitimize them (on behalf of those who fund them). This distinguishes them from mutual benefit organizations.

- Are predominantly hybrid in nature.

operating on the basis of multiple, partially conflicting, partially re-enforcing organizational principles (some of which come from the government and business sectors)

Recognize that retaining voluntary values and principles are a primary force in their way of working."

There is a further criterion for a true NGO which is rarely explicitly mentioned in definitions of NGOs, but which is very important when we look at issues of corruption and misrepresentation. This is the issue of a constituency and the NGOs accountability to that constituency. The complaints about NGOs, often by politicians, is that they are not accountable to anyone, and this is contrasted with membership groups (or mutual benefit organizations) who are mandated by their membership to take certain actions. Legally NGOs are accountable to their governance structure and to the laws of the land under which they have been registered. There is no legal requirement for them to be accountable to the people they are trying to serve, but this is a very sensitive issue.

The Commonwealth Foundation's *Guidelines* put it like this: "NGOs working with marginalised and disadvantaged people see themselves as representing the interests of such people. Those NGOs which are more involved in a particular aspect of disadvantage or with an issue affecting the well-being of society as a whole see themselves as representing a cause of some kind rather than a specified group of people. In both cases the representation will be stronger where the NGO has a participatory rather than a private structure. Where a more general issue is at stake, the representation of it will be stronger where the NGOs views and actions are well-rooted in knowledge rather than loosely based on opinion.

But issues of the accountability and representativeness of the NGOs are more complex (...)

The "private" NGO may be controlled by a Board which is in reality a rubber stamping device for the employed staff, who in reality, control the organization. Private NGOs, lacking the feature of accountability to membership found in participatory NGOs, can thus

(12) Chapter 2: "Understanding NGOs" in *Striking a Balance - a guide to enhancing the effectiveness of non-governmental organizations in International Development* by Alan Fowler.

in reality be accountable to no-one but themselves. Private NGOs can also be used by individuals to pursue their egotistical or political ambitions under the guise of representing people or causes.

Just as the existence of a small number of fraudulent NGOs can bring the financial integrity and honesty of the great majority of NGOs into needless doubt, so too do the small number of NGOs that are unaccountable and unrepresentative attract unwarranted doubt and criticism to the majority. Most NGOs are controlled by people acting out of a genuine personal concern and commitment, and operating with high standards of honesty and integrity.¹³

While in complete agreement with the words of the Guideline, the truth is that such accountability to the NGOs constituency does not feature in many NGO definitions and does not feature in any of the NGOs registration regulations that I have seen. It does feature in many "Codes of Conduct" that NGOs have made for themselves, and it features in some of the templates for good NGO practice that have been developed¹⁴, but it is not mandatory. I suggest, however, that many accusations of corruption and misrepresentation in the NGO sector arise from people who question who the NGO is, on whose behalf it is acting, and what mandate it has to do so. The World Bank has been faced with this problem when inviting NGOs to become involved in policy dialogue. It finds it difficult to ascertain that those who are acting on environmental concerns on behalf of, for instance, poor farmers, actually have their mandate to do so, or are simply arguing their own opinion. An NGO is not simply a front for a particular groups opinion, it must represent a cause that is believed in and endorsed by many people.

The people who support them may well be those affected by the problem, and the NGOs must have in place some method of sounding out such peoples opinion, or it may be supporters who are intellectually and emotionally convinced of the rightness of a cause and are prepared to support it, even if it does not affect them directly. A regular problem is that NGOs are often pioneers and ahead of public

opinion. Those campaigning against, for instance, slavery, cigarette smoking, and clear cutting of rain forests have been "voices crying in the wilderness" when they started, but gained their mandate as they educated public opinion to support their cause. At the time of their starting they may only have the mandate of a small group. In such a case, their continued growth depends on their public support.

The problems occur when the support for an NGO can be disassociated from either the interests of those affected by the issue, or from those who are intellectually and emotionally involved. If an NGO's activities in one country are supported by a foreign funder, for instance, without the involvement of either those affected by the problem, or ratified by public opinion in that country, it is legitimate to ask where the accountability lies. A good NGO should have a constituency in its own country, and some way of involving the constituency in what the NGOs is doing, ostensibly to help them.

Key Concepts

There are three concepts commonly used in describing NGOs which are frequently misunderstood and misused when accusations of corruption or misrepresentation are used, and need to be clarified. These are "voluntary" and "non-for-profit", and "not self-serving"¹⁵.

Voluntary

In many cultures, particularly those with a religious tradition of asceticism (Christian, Hindu, Buddhist, Muslim) there is the inherited feeling that those who are involved with welfare and charity should themselves be ascetic, living in a state of voluntary poverty and renouncing worldly goods. Such people should voluntarily give up ordinary lives to carry out their work. Saints, missionaries, monks, nuns, imams, have in many countries provided the model for such value based charitable behavior which often dependent on the voluntary labor contributions of others. To some people in such traditions, there is a mis-

(13) For instance, Pact's Organizational Capacity Assessment Tool (OCAT), 1996, which is increasingly being used as a template for NGO organizational capacity, has a category, under the heading of Governance, to the effect that: "(a) there is a well defined constituency base, (b) there is a recognition of the constituency as partners, (c) there are regular surveys of constituency needs and findings are integrated into the planning process, (d) the constituency is regularly involved in the review of the NGOs mission and strategies, (e) the Board executes its role of advocate for constituents".

(14) This was clearly seen in the case of the Flood Action Plan in Bangladesh where a huge infrastructural flood control plan promoted by the Government was opposed by NGOs representing both poor farmers. The Government questioned the bona fides of their position until public opinion endorsed the NGOs position (and convinced the donors of the rightness of their cause).

(15) These are three of the four "Key Defining Characteristics of NGOs" from the Commonwealth Foundation's *Guidelines*. The other is "Independent".

match in the concept of people who are making a living from alleviating poverty or helping the poor and powerless. They see paid staff of NGOs on the one hand, and they hear the NGO sector or the NGO organization being called "voluntary" on the other - and feel a breach of trust. The NGO sector has not publicly clarified this situation openly and frequently enough, and a distrust has resulted.

In fact an NGO can use justifiably use the word "voluntary" on two counts:
a. Those who are in the governance position for the NGO (typically the Board, or Executive Committee, or Trustees) operate for no pay, in a voluntary capacity. This distinguishes them from business where the Directors or Board members are paid for their services,
b. The NGO succeeds by mobilizing a great deal of voluntary (i.e. unpaid) activity - either in the target group who use a variety of self-help methods to achieve their objectives, or in supporters who give their time and energy "for the good of the cause". They are prepared to do this because they share a belief in and a commitment to the values of the organization. NGOs do not have to be, and should not be entirely dependent on voluntary labor (although NGOs which are only created as a way of self-employment of the staff, of course, go too far in the opposite direction - see later).

Not-for-profit

Spectators see NGOs raising money either locally or internationally - sometimes more than they need for immediate programs. They may also see NGOs engaging in trade and exchange like businesses (for instance selling T-shirts or Calendars) and making a profit on their outlay. Such people claim that NGOs are betraying their trust and are actually profit-making.

Again the NGOs have not addressed the need for educating the public about the ways they work, and have allowed this issue to breed suspicion. The important (and often ignored) principle is that NGOs are not best simply described as "non-profit organizations" so much as "not-profit-distributing organiza-

tions". An NGO obviously needs to gain income: one of the ways it may do this is by running a business: but the profits of this fund-raising or fund-generation must be ploughed back into the organization to help it achieve its goals. None of the profits made are distributed into the pockets of the Board, staff or shareholders - and this distinguishes them clearly from Businesses.

Some of the accusations that are made about the probity or breach of trust committed by NGOs is thus based on an incomplete understanding of what NGOs are and what they do - and this can be relatively simply cleared up so long as NGOs realize that their values and principles are an important part of their existence, and need to be addressed, explained and communicated, just as much as their achievements.

Not self-serving

This refers again to the contrast between "mutual benefit organizations" and "public benefit organizations". NGOs are not supporting people who are the same as the membership of the organization - they are supporting people different from the Board, staff, and membership of the NGO. Of course as citizens they may be affected by the issue or the cause with which the NGO is concerned, but they are not doing so in order to serve themselves. To use the language of the Commonwealth Foundations Guidelines again:

- "The aims of NGOs are:
- (a) to improve the circumstances and prospects of disadvantaged people who are unable to realize their potential or achieve their full rights in society, whether through direct or indirect forms of action; and/or
 - (b) to act on concerns and issues which are detrimental to the well-being, circumstances, or prospects of people as a whole".

The position of government

The State in many countries of the world has taken an unclear position about NGOs. As a

result members of the public are unclear about what NGOs are, and what they can do, and this has given rise to accusations of corruption and misrepresentation, which may simply be based on miscomprehension. In some countries governments have been very authoritarian and controlling, and in other places (notably newly emerging democracies in eastern Europe) have provided laws that through lack of usual checks and balances have allowed many spurious people and organizations to call themselves NGOs.

In most countries of the world the term "NGO" does not legally exist (South Africa is a notable and recent exception) and NGOs are lumped together with charitable welfare organizations, religious organizations, cooperatives and a host of other, often historically anachronistic organizations.

Where governments have regulated very tightly what NGOs can and cannot do, accusations of corruption are made about activities that in other countries are quite acceptable. For instance, in Bangladesh, NGO's proper and listed activities do not cover the subject of small scale credit, and yet this activity is not only very prevalent amongst NGOs there, but also very successful. Islamic extremists, who take a narrow view of interest payments, denounce NGOs as corrupt organizations not only practicing usury, but also being against the law.

The usual activities of NGOs are generally classified as "developmental" and yet the laws which in most cases offer the legal background to NGOs were created before the term "development" existed in its present form.

Where there is a variance between NGOs practice and what they are legally allowed to do, there will always be the opportunity for special interests to claim that they are abusing their trust, and breaking the law.

On the other hand, in countries where the government has wanted to support and promote non-government organizations, often in response to their suppression for two generations under communism, the laws and the regulations have sometimes been too loose so that the aims and objectives of those claiming to be NGOs are not sufficiently examined. This has resulted, particularly in respect of tax conces-

sions and tax relief, in large numbers of commercial companies, even criminal organisations taking advantage of these loop holes to call themselves NGOs. If the public realizes that those who call themselves "NGOs" are more likely to be importing cars, or smuggling cigarettes, then there will be great suspicion leveled at those who are, in fact, carrying out activities of public benefit.

The pressures on NGOs

Before specifying in detail the particular sins of corruption and misrepresentation that NGOs are prone to, and without in any way trying to make excuses for them, it is salutary to look at the pressures that there are on NGOs which may steer them from the path of public trust on which they have embarked.

The biggest pressure is without doubt the pressure of raising funds. At the present the largest sources of funds for Southern NGOs is northern governments (bilaterally or through the UN system) and northern NGOs (who in turn receive a large proportion of their funds from their governments). We would expect that a value based NGO in the north or south would start through identifying locally like minded people who share their values and have a shared commitment to action. We would expect them to raise resources locally from such people who would have to be convinced not only of the worth of the objectives of the NGO, but of the worth of the individuals involved. We would expect them to start their operations in a small way, learning from experience, and in time, with a clearer understanding of what can be done with what resources, to identify the possibility of larger resources, and make representation to professional funding agencies either local or external. Such a scenario has a local NGO basing itself in some local constituency learning from doing, and, after a period of learning, seeking larger resources.

A worrying scenario often played out, however, is the formation of an NGO swiftly being followed by an application for funds to a foreign donor, leaving out the involvement of a local constituency and the learning experience.

Partly this is because sizeable funding is available from external sources, and is indeed aggressively looking for ways in which it can be spent: and partly this is because in many countries local philanthropic institutions are not well developed. Let us take these one by one:

The pressure from donors to fund NGOs

Following the collapse of communism a powerful paradigm shift occurred in the donor countries of the world - the future of foreign aid moved from supporting governments to supporting markets and democratic governance. Donors distaste for sending good money after bad (their experience with many governments) disposed them to finding another channel for their development aid. A combination of particular success stories (like Grameen Bank and BRAC in Bangladesh) together with a faith that NGOs would be able to implement development programs for the poor better than governments, persuaded aid donors to earmark funds for NGOs, and particularly for democracy and governance. "Civil society" was the cry, and money was the tool. The new paradigm was, in many cases, simply based on faith, as there was no previous experience in many countries of working with NGOs, or even understanding what NGOs were¹⁶. The newly emerging countries of Eastern Europe had a two or three generations gap in experience of NGOs, and this was echoed (with a shorter time span) in the African countries which moved from one party to multiparty democracy.

What happened with NGOs was that the forces of the market prevailed. Money was being offered to existing NGOs and so money was accepted, even if they were not ready for it, and even if, by taking it, they eroded their relations with their own people. Furthermore people saw how easy it was to get such money and started to play the game of learning the right words to speak which would access the funds. Funds were accessed by an increasing number of people whose motivation was not a desire to improve the world by a value based association of committed people, but a desire to earn some income for themselves. The new paradigm was

being acted out against the background of the rolling back of the State assisted by structural adjustment programs which resulted in less funding for the government and the wholesale retrenchment (read sacking) of large numbers of educated people.

Lack of domestic funding for NGOs

A model common to the NGOs of many industrialized countries is a range of sources of domestic funding for welfare and development purposes. There is money collected from a mosaic of sources - the public, balanced by money from the State, and by money available from foundations that have been endowed by businesses or by individual businessmen or women. The important point about this domestic funding is that it comes from people of the same country, people who have to be convinced of the value of the work of the NGO, and people who are able to lobby and advocate on behalf of the cause that the NGO is fighting for in a variety of the different circles that they inhabit. This mosaic is rare in the South, and has (together with the easy availability of external funds) served to distance NGOs work from the people of the NGOs' own country, and served to engender distrust.

The public

In many countries of the south, philanthropy is very much a family matter. It is traditionally people's responsibility to look after their own relatives, kin, and extended family, and this is done through personal giving and a web of reciprocal relations. People give, and give generously, but through their own networks, not through or to professional organizations that strangers have set up to help. The tradition of helping organizations as opposed to individuals has not yet been well developed.

The government

In spite of the fact that the new paradigm of the supremacy of the market, and the rolling back of the States' functions, has convinced many within governments in the North and South, many governments have been generally

(16) A case in point is Tanzania. During the period of one party rule, NGOs were banned or subsumed into the party. Generations of Tanzanians grew up with no experience of what it meant to be part of an NGO. Donors in about 1990 came to Tanzania with instructions from their head offices to spend their funds through civil society organizations, and searched in vain for such bodies. Not surprisingly their complaint now is that Tanzania's NGOs are self-interested income generation agencies for their directors.

unhelpful to their own NGOs. Instead of seeing them as means by which Governments' functions can be carried on more efficiently and effectively, they have seen them as competitors, as upstarts, as people who will potentially shame them and claim the peoples allegiance from them. Rather than taking the position that governments have a most useful role in funding their own NGOs to do what government cannot do, or cannot do well, many governments in the South have not only refused to fund their own countries NGOs, but have created all sorts of bureaucratic and procedural barriers to their smooth operations. India is a notable exception, which has set up CAPART as its own funding arm for Indian NGOs with the explicit intention of taking the place of foreign funding.

The business endowed foundations

Linked to the personal and kin basis of philanthropy mentioned above, it has been common in the south for rich business people (including politicians) to put their wealth into improvements in their own home area, and not to set up institutions which could benefit the nation as a whole. Africa, Asia, and Latin America are replete with examples of churches, mosques, temples; possibly schools, clinics, orphanages; and less likely, roads, electrification, and water supplies being built by rich business people in their own home village or town.

The lack, therefore, of a tradition of domestic philanthropic institutions, together with a plethora of foreign funding agencies, has pulled NGOs more and more into foreign funding which has deformed and in some cases destroyed the essence of civil society organizations as home grown organizations with a constituency, objectives born of an analysis of local problems, and local accountability to both constituents and the public.

The most notable exception to this observation is the Islamic tradition of "waqf" which is an institution by which small scale endowed foundations can be set up for humanitarian purposes. Unfortunately the institution has been used in a limited way for welfare work, and has not been adapted to some of the longer

term developmental needs of the people in such countries (like self-employment, literacy, malnutrition).

NGOs within a culture of corruption

Many NGOs are created by rebellious people who are fed up with the level of poverty or powerlessness that they see around them. Many NGOs are born from a reforming zeal which dislikes the status quo, and wants to improve things - not simply by taking over power from the present power holders, but by changing the ways that development is carried out, and by initiating a better way of doing things.

The reforming zeal of such an individual or individuals, however, exists within the culture of the country in which he or she lives. When such an individual is surrounded by a culture in which corruption is very persuasive, his or her resolution can be eroded, and he or she can start accepting practices which were previously unacceptable. It is not unreasonable to expect that if NGOs fail and become corrupt, they are likely to fail in line with the kinds of corruption that are common in those countries. If it is common in a certain country for citizens to have to bribe government officials to carry out their duties, it is the rarer NGO which will refuse to capitulate. Particularly if there is pressure on the NGO by a donor to carry out some particular activity, this pressure will be transmitted through the NGO which may well end up with corrupt activities to (e.g.) get a phone connection, get a particular permission for activity, get a land title etc etc.

As we have mentioned before NGOs are the target for a lot of resources globally, and it may well be that a local NGO (or more commonly a foreign NGO working locally) has more resources under its control than a government department, or local citizens. The possibility is real that the NGO starts to behave in a similar fashion to the commercial investor who "buys" ease and fluency of services, and a reduction in roadblocks through bribery - in order to carry out its intended work. In such a case the

NGO should be the target for anti-corruption lobbying, not just government and business.

Examples

To sum up and to, in some cases, localize the practices of NGOs which bring them down from the moral high ground, and show them not to be practicing what they preach, I will use the amusing, but sad collection of NGO acronyms that Alan Fowler has collected in his book "Striking a Balance" that he has called "NGO Pretenders"⁽¹⁷⁾. Each of these will illustrate the points that I have been making in the previous text. They are BRINGO, ComeNGo, CONGO, GRINGO, DONGO, FANGO, GONGO, GRINGO, MANGO, MONGO, PANGO, PHANGO, PONGO, QUANGO. In the following text, the italics denotes the quotations from Alan Fowler's book.

BRINGO (Briefcase NGO): an NGO which is no more than a briefcase carrying a well written proposal

The currency of NGOs is projects - designs for activities that are intended to improve the lives of other people. This can be direct through specific operational activities implemented amongst the target group, or much more indirect such as through advocacy activities that are designed to change public policies. Spurious proposals will not show overtly that the project is designed to improve the life of the sponsor, but what we are dealing with here is people who have either lost, or never had a commitment to the essential work of NGOs - to improve the lives of people, but have cynically used the availability of money for NGOs as a means by which spurious proposals can be made and by which money can be unlocked.

In defense of proposals that seem to benefit individuals more than a target group, some would say that a professional and competent develop worker who is receiving a salary and benefits pertinent to his/her experience and competence, is likely to do a better job than a person long on commitment, but perhaps short on professionalism. This may objectively be

true, but contrasts with the basic principle of NGOs that they are value driven, not driven by the desire for personal income. It is in such areas that NGOs start to overlap with the motivations of the business world. The contrast is not whether the person should or should not be paid an appropriate wage, but whether the basis for the person's involvement is one of principle or one of selfishness.

A way to ascertain the real motivation of the person involved is to find out how the proposal, which includes the persons salary, has been written. A common occurrence with self-motivated proposals is that they are written from start to finish by the person concerned, and have not involved the constituency which they are meant to serve. An NGO by definition should be seeking the involvement and the participation of its constituency, and it should be relatively easy to spot a proposal, program or project which does not have any mechanism to gain their participation.

ComeN'GO (Come and Go NGO) An NGO that appears spasmodically: only used by the owners when the NGO pasture looks greener

Here again, the purpose of the NGO is not public benefit, but private benefits and self-serving. The "owners" of the NGO may well have another form of employment, but when times are hard, or when there is a donor driven push for some activity for which this individual can qualify, he or she will resurrect the NGO. Again the lack of a constituency can clearly identify such pretenders.

CONGO (Commercial NGO): NGOs set up by businesses in order to participate in bias, help win contracts, and reduce taxation

These are organizations which claim to be NGOs, but which are actually controlled by businesses - usually in order to avail themselves of tax concessions that are available to NGOs, but not to businesses, or not to businesses on such advantageous terms. This frequently focuses on import permits and import tax, but can also reflect advantages NGOs have in respect of VAT. The motivation is a cynical appreciation of the legal and fiscal advantages of the NGO status, and a desire to optimize

(17) In his Acknowledgments, he says "My thanks go to people too numerous to mention who have contributed to this list".

profits by wearing NGO clothes. We should clarify the difference between this, however, and an NGO funded by a commercial organization, but with its own governance. Sometimes an NGO can be set up to benefit the people in a certain area in which a business works. The problem is if the NGO is put forward spuriously as an independent body when, in fact, the decisions are completely in the hands of the business. A third kind of CONGO is a front organization set up by a commercial business or federation of businesses to lobby for pro-business policies.

CRINGO (Criminal NGO): organization established for illegal purposes - especially import-export (i.e. smuggling); common in transition economies

Because of the confused and complicated nature of NGO laws in countries in eastern Europe, particularly, criminal smuggling gangs have taken on the public image of an NGO in order to bring goods into a country tax free. As mentioned before this very quickly brings into disrepute anyone who calls themselves an NGO. In some Eastern European countries it is difficult to find a "clean" word to describe the kind of organization which elsewhere can be called an NGO for this reason.

DONGO (Donor NGO): created and owned by donors to do their job while shifting overhead costs outside

These are NGOs which are organized by donors - again they give the impression that they are local and national NGOs, but the source of decisions, and the controlling authority is a foreign donor organization. The reason why a donor would try and put forward their own operation as a local NGO is interesting and reflects the donor pressure referred to earlier. The usual reason for this particular deception is that the donor in country is under pressure to spend their aid allocation via NGOs, but cannot find any or enough indigenous NGOs to fund. In desperation the donor "creates" NGOs that it can fund, but keeps control of them itself.

A different kind of reason for the creation of a DONGO might be for a donor to re-allocate some portion of his offices' funds from

operational to overheads by creating a shadow organization.

FANGO (Fake NGO): NGO used as a front for something else; not uncommon in Eastern Europe,

Because NGOs are the target for increasing amounts of donor funding, or have established concessions for themselves in the legal and tax environment, there are advantages for different groups to spuriously put themselves forward as independent NGOs in order to take advantage of either the funding or the concessions. There is also the possibility of an NGO which acts as a front for some group or another to crowd out the genuine independent NGO which may be troublesome to those in power.

GONGO (Government owned NGO): Type of GRINGO used to capture or redirect non-profit funds allocated by the official aid system

These are government controlled NGOs which claim to be independent organizations founded by the people, but which are in fact, controlled by the government. The reason why government will try to do this is in order to avail itself of some funding which is not otherwise available to a government department

GRINGO (Government run and initiated. NGO): variation of a QUANGO, but with the function of countering the actions of real NGOs; common in Africa

Here the government realizes that an NGO is getting a large measure of public and popular support for a particular issue which may be troublesome to the government concerned. One tactic is then to set up a countervailing NGO which will try and attract the NGO's followers (and denigrate that particular NGO), but which is controlled by the government.

MANGO (Mafia NGO): a criminal NGO providing services of the money laundering and enforcement and protection variety; prevalent in Eastern Europe

This comes from the same stable as those who tried to argue that the Mafia in the US was a cultural organization for Italian identity. As mentioned previously, if the public starts to

think of NGOs as MANGOs, it makes the work of genuine NGOs very difficult indeed.

MONGO (My own NGO) and NGI (non-government individual): These are NGOs which are the personal property of an individual, often dominated by his or her ego, and a person who operates as if he or she is an NGO, but without an organizational affiliation.

Again, the touchstone of a constituency is the feature that can expose such pretenders

PANGO (Party NGO): an aspiring, defeated, or banned political party or politician dressed as an NGO: species of Central Asia and Indo-China

This is for people who no longer have a legitimate platform for their political ideas, and so they hide behind the name of an NGO to keep their name current.

PHANGO (Phantom NGO): NGO only existing in the mind of the speaker: used to bolster an argument.

PONGO (Politician's NGO): Established to capture or direct NGO funding to the home constituency as a defense against incursion by opponents

QUANGO (Quasi NGO): para-statal body set up by government as an NGO, often to enable better conditions of service for those running it, or to create political distance

You could probably add to this list. The fact that there are so many ways in which people pretend to be NGOs says something about the strength of the NGO sector. It is likely that people who are motivated by different ideas that public benefits to the poor and disadvantaged will find a pretense that fits in with practices and pressures common in their home country.

Other pretenders

Some more complicated NGOs that are not identified by Alan Fowler are those which do useful work, but which have elements of corruption or misrepresentation in them. I would add:

BENGO (Bent NGO):

Such an NGO behaves in many ways like a corrupt government body - it does the work that it is required to do, but so organizes the rates of pay for the job that the benefits that come to the staff or Board are way beyond what good practice would dictate, by such means as over-invoicing, sweetheart deals with contractors, or other abuses of the procurement systems. In some cases the rates of pay are simply way higher than the market. In such cases, of course, the people who suffer are the target groups who have fewer resources available to them than would otherwise be the case.

MENGO (Mercenary NGO):

In such a case an NGO has no constituency, has no particular set of values, has no particular vision or mission, but makes itself available as a contractor which will take on any job in the development arena in which funding is available. Here the problem is not that the "NGO" is stealing money from the people that it is intending to help; the "NGO" may well efficiently implement the work that it was contracted to do. The problem is that the spurious organization has no links to the people, not constituency, and no involvement of the people in working on a joint approach to solving their problems. If an NGO proclaims itself as an organization which designs proposals in partnership with the target group, then it cannot jump from client to client in the way that a contractor does.

How to fight NGO corruption and misrepresentation

After looking so extensively at the forms of corruption and misrepresentation that exist, we must think how this can be combated. There are, I think, two ways: firstly through encouraging more and more good practice amongst NGOs of two types - community organizations, and advocacy organizations; and secondly by means of some useful checks and balances that can limit the scope for corruption and misrepresentation.

More NGOs

Although this paper is about corruption and misrepresentation in NGOs, I am in danger of overstating the issue simply by concentrating on it. The majority of NGOs are principled and committed to useful work. Thus a two pronged attack on bad NGOs should consist of the strategy of encouraging more quality NGOs, and reducing the number of corrupt NGOs.

More good community based organizations

Most NGOs use the strategy of helping to develop community level organizations as a way of achieving their objectives. They help to develop, for instance, irrigators associations, family planning acceptors associations, small savings and credit associations, neighborhood development associations, parent/teacher associations. By so doing they are helping to set up action oriented associational life - sometimes grafted onto indigenous associations, sometimes started from scratch. Such associations exhibit all the problems and possibilities of basic democracy. People involved and concerned with the community association have to think about leadership, accountability, group responsibility, planning, monitoring, and all the problems which are part of a larger democracy. Robert Putnam has called this the essential "social capital" that is required for the democratic governance of a country¹⁸. What it means is that people become used to social norms that do not include corruption i.e. the behavior of elected officials to improperly enrich themselves by the misuse of the public power entrusted to them. The NGO acts as both the initiator, the social change agent, and the monitor of this process of developing social capital.

A community experienced in the ways of running an action oriented community association and educated by the experience they have undergone, is a community that will be less easily accepting of others corruption, particularly the corruption of those who are in power over them. They know from personal experience what the norms should be, and they are prepared to make a fuss when these norms are vio-

lated. Once a community has become energized for some development purpose, they have scant respect for those who may be corruptly siphoning off some of the funds or resources that should be coming their way.

NGOs thus have an important task in their community level work to establish norms in the ways that elected officials should properly behave and to illustrate the differences between the ways in which the community associations own officers behave, and the ways in which government officials behave.

More public advocacy organizations

Such organizations are the ones that publicly advocate for reforms and against corrupt behavior and practices and are the immediate and likely partners of Transparency International. It is important for us to think about the reasons that such organizations are created, and carry out their work - because this may clarify some of the accusations of corruption and misrepresentation. Typically such organizations have arisen :

- from their own analysis of the problems of the country
- out of a particular political ideology
- out of a particular ethical or religious set of beliefs
- in response to particular injustices, or a build up of substantial injustices
- in response to outside encouragement
- in response to a particular historical juncture (like revolution)

Such organizations are the more effective when they are broad based networks of sympathizers from many different backgrounds linked by their distaste for current practices, than when they are vocal, but limited groups of people who can be picked off or neutralized by the existing power structure without serious repercussions. Such organizations are successful when they are able to make the issue one which large portions of the population buy into, and not one which is associated in citizens eyes with a particular individual or small grouping.

The obvious backlash from an established and corrupt government is to try and show that the accusations are personally inspired, rather than arising from a moral

(18) Robert Putnam :
*Making Democracy Work :
civic traditions in modern
Italy.* 1993.

stance, and failing that, to try and buy off the most vocal with a share of the spoils.

Checks and balances

The principle to be applied is that of pragmatism informed by experience. Because it is common knowledge that some NGOs have been involved in the kinds of corruption and misrepresentation mentioned in this paper, it should not be difficult to design structures and systems that diminish the opportunities for such corruption while at the same time allowing as much space as possible to those good NGOs that will help them to build democracy and development.

The following are my suggestions:

Self-regulating bodies.

We have reached the stage of sophistication amongst NGOs now that it should be possible for NGOs to set up their own self-regulating bodies such as are common with doctors, accountants and other professional bodies. Such bodies would set standards for entry into the NGO sector, set standards for managing NGOs and equally important set sanctions that can be applied to those who contravene the standards. This would involve something like a licence to be an NGO with clear ideas of what being an NGO involves. It is best for such standards and sanctions to be set by NGOs because they know their brothers and sisters, and they know those who will abuse peoples trust and how.

While many NGO coordinating bodies have agreed voluntary standards and "codes of ethics", even the best have been seemingly unable to set up a system with teeth, which will actually sanction those who break the Code¹⁹. One interesting variation is the situation in Kenya where the government asked NGOs to create a code of conduct and then, to the surprise of the NGOs, turned this into law. Every NGO has to be registered with the government and this registration automatically makes them a member of the NGO Council of Kenya. If they then break the code of conduct they are

committing a civil offence and can be taken to court. Unfortunately in the Kenyan context this hopeful process came out of a long struggle against a control minded government, rather than a government interested in improving the NGO sector, but it offers a model for further improvement elsewhere.

Improve the legal and regulatory environment

It is indeed unfortunate that nearly all NGOs are suspicious that any government's attempts to modify the legal and regulatory environment arise from a desire to further control NGOs - but this suspicion is not so surprising since this has so often been the case.

If there was a better and more open relationship between governments and NGOs then some consensus on a better and more enabling environment would be accomplished more easily. All those who are interested in so doing now have a substantial body of assistance in the document recently produced by the World Bank and the International Center for Non-Profit Law, "Handbook on Good practices for Laws Relating to Non-Governmental Organizations". Mr Leon Irish will be speaking more about this book in his presentation. I do not want to go into the details - but the Handbook is comprehensive and valuable.

Improve the professionalism of funders

As mentioned above, those who provide funds to Southern NGOs (mostly northern NGOs and Northern bilateral and multilateral organizations) seem to have more money than they have a professional understanding of the NGO sector. They are often understaffed, and over pressured by their head offices to spend money on and through NGOs. Negotiations are nearly always based on submission of proposals - usually to the head office of the organization in the capital city, and decisions are often made on the basis of the written proposal. Field visits are rarely made, and after some time an evaluation is done following written reports.

This is not a useful way to behave. Firstly funders need to understand more about the dynamics of the NGO sector, more about the ways in which NGOs are considered by nationals of the country involved, and more about the

(19) One of the best NGO coordinating bodies in the world is ADAB (the Association of Development Agencies in Bangladesh), but they have yet to sanction a single corrupt NGO, although admits that there are such in Bangladesh, and knows who they are.

NGO making the proposal. It does not seem a complicated matter for donors to establish and agree to work with a check list for the features of a responsible NGO, nor a complicated matter to agree a checklist for a project proposal. One fundamental element, which is so often ignored by donors, is to ascertain that the constituency has been involved in some way in a discussion about the project proposal, and preferably have fully participated in the design of a proposal.

Furthermore, if an NGO proves corrupt, and if the money disappears, or is spent on something other than what was agreed, donors frequently complain, but do little about it apart from make an internal note not to fund such an organization again. Donors will do the NGO sector a great deal of service if they are more responsible in the way that they deal with corrupt NGOs - by taking them to court to retrieve the money, by informing other NGOs of their corruption, by informing the government of the particular NGO's corruption. When donors allow corruption to go unpunished, it encourages other unscrupulous individuals to try and take advantage of the funds, and gradually brings the NGO sector into disrepute.

Summing up

The NGO sector, which we expect to have high moral values, and to occupy the moral high ground, has started to have increasing numbers of crooks, charlatans and impostors within its ranks. Each person should make their own estimate of the degree that this has happened in their own country. In some cases the accusations are based upon a mistaken assumption of what NGOs are meant to be and do: in other cases the accusations are based upon a fear of the possible power of NGOs which competes with the power of those making the accusations.

What is certain is that a certain illness has crept in, and the illness seems to be infectious. NGOs should be mature enough to diagnose the illness, and consider what they can do to treat it, and restore the NGO sector to health, and to its proper position of the high moral ground. There are many fine and admirable NGOs, but they are in danger of being overshadowed by the increasing number of self-interested pretend NGOs, or NGOs who represent something other than the non-governmental, not-for-profit, not self-serving, public benefit organizations that they should be.

L'AMI : l'accord omnivore

par Valérie Peugeot *

NDR - Le texte qui suit est la version réactualisée pour Associations transnationales d'un article paru dans la revue Transversales Sciences Culture N°50 et qui faisait suite à la tenue d'un séminaire organisé par le Centre International Pierre Mendès France autour de Susan George, présidente de l'Observatoire de la mondialisation et de Christian Chavagneux, chargé de mission au Commissariat général au Plan (France).

De la simplicité au simplisme

L'idée qui sous-tend l'AMI - Accord multilatéral sur l'investissement - semble a priori bonne : puisque les investissements directs à l'étranger se multiplient, tentons de substituer aux quelques 600 accords bilatéraux existants un cadre multilatéral équitable et d'encourager le développement de ces investissements croisés qui ne peuvent que contribuer à la croissance mondiale.

Pour ce faire, il s'agit d'appliquer aux investisseurs les règles habituellement utilisées pour le commerce international : le traitement national (accorder à toutes les entreprises ce que l'on accorde aux entreprises nationales) et le principe de la clause de la nation la plus favorisée (accorder à toutes les parties contractantes ce que l'on a accordé à l'une d'entre elles). Tout obstacle et toute forme de discrimination à l'égard des investisseurs étrangers doivent ainsi être levés.

A cette simplicité apparente s'arrête les qualités de l'AMI Sans entrer ici dans le débat sur la croissance mondiale et le partage de ses bénéfices, l'AMI semble être une illustration pour manuels scolaires des deux grands dangers interdépendants qui traversent la mondialisation : l'abandon du politique face à l'économique et la déperdition démocratique. De la genèse de l'accord, à son modus operandi, en passant par sa protection juridictionnelle, tout nous ramène à ce double constat.

L'accord caché

L'idée de cet accord remonte à la fin des années 80, mais c'est en 1994 que les travaux préparatoires démarrent et au printemps 1995 que les ministres des pays membres de l'OCDE (aujourd'hui au nombre de 29) donnent mandat aux experts de cette organisation pour préparer un projet de traité. C'est la première fois que

l'OCDE se prête à la négociation d'un traité international, alors que jusque là l'organisation opérait plutôt comme un «think tank».

Pourquoi le choix de l'OCDE plutôt que celui de l'OMC (Organisation du commerce mondial) ? Les Etats-Unis, principaux instigateurs de l'accord, estiment que l'organisation qui rassemble des pays de niveau de développement similaire permettra d'avancer plus rapidement. Charge aux pays non membres, en l'occurrence des pays du Sud, d'adhérer ou non a posteriori, c'est à dire sans avoir eu la capacité d'influer sur le contenu de l'accord. Avec ce retour au «love it or leave it», l'accord est déjà entaché d'un premier vice de fond : sous couvert de mondialisation, le Nord impose une fois de plus ses règles du jeu au Sud.

De 1994 à fin 1997, la préparation de cet accord va se dérouler dans la clandestinité puisque ni les parlements nationaux des pays membres de l'OCDE, ni les syndicats et ONG, ni les médias ne seront informés de ce projet. De fait qui produit ce texte ? Certainement pas les politiques qui se sont contentés de donner mandat au cours de la Ministérielle de l'OCDE, mais une série d'experts sans légitimité démocratique, bien entourés des membres du BIAC (Business and Industry Advisory Committee). Le BIAC, lobby le plus actif dans la préparation de l'accord rassemble des représentants de la Chambre de commerce internationale, du patronat japonais, du US Council for International Business, du European Round table of Industrials (40 grands patrons européens) et du World Council for Sustainable Development (groupement d'entreprises qui prétend gérer les questions environnementales et crée à l'occasion de Rio en 1992). On cherchera en vain dans ce panel des organismes ou personnes susceptibles de porter, une vision politique globale, c'est à dire d'intégrer une réflexion autre qu'économique.

Ce n'est qu'en octobre 1997, sous la pression des ONG nord-américaines, que le projet d'accord sera présenté à un collectif d'ONG.

* Secrétaire générale d'Europe 99. Projet de civilisation.

Transnational Associations, 5/1998, 249-252.

Les experts de l'OCDE découvrent alors - ils n'y avaient pas pensé avant - que, non seulement les citoyens s'intéressent à ces questions, mais que l'accord pose des problèmes sociaux, culturels et environnementaux.

Investisseurs : des droits sans devoirs

Le champs de cet accord et ses principes de mise en oeuvre laissent pantois.

Les investissements concernés sont tous les types d'actifs : entreprises, part de capital, tout titre d'emprunt, droit de propriété intellectuelle, bien immobiliers, ressources naturelles etc. Dans tous les secteurs de l'économie, le capital doit pouvoir circuler comme il veut, sans entrave. Deux exceptions générales toutefois : la défense nationale et la police ou les Etats auront encore le droit de privilégier des investisseurs nationaux le cas échéant.

Il existe également des exceptions temporaires (ainsi l'Union européenne a obtenu de conserver une préférence communautaire), mais qui devront progressivement disparaître au nom du principe du «rolling back» : toutes les législations en contradiction avec l'AMI doivent progressivement être démantelées. En revanche et paradoxalement, la fiscalité est exclue d'entrée de jeu, ce qui veut dire que la course au moins disant fiscal reste possible entre Etats. En l'absence d'une réglementation internationale, l'économie mondiale se structure autour d'économies off shore. Si un seul domaine ne devait pas être exclu, c'était celui de la fiscalité !

Par ailleurs, l'accord s'applique à tous les niveaux politiques : Etats-nations, régions, départements, autorités locales...

De plus l'investisseur peut se retourner lorsqu'il estime qu'il y a discrimination suite à l'adoption d'une mesure par une autorité politique, mesure qui sera jugée de jure mais aussi *de facto*, c'est à dire non seulement sur leurs intentions, mais aussi sur leurs effets. Concrètement, un gouvernement qui décide d'interdire la publicité pour le tabac au nom d'une politique de santé publique peut se voir attaquer par une entreprise étrangère sous prétexte que

les entreprises du secteur déjà implantées dans le pays y ont obtenu un avantage discriminatoire, en ayant effectué auparavant de la publicité. Le principe du «stand still» est appliqué : un Etat ne peut faire de nouvelles réglementation en matière d'investissement, même s'il découvre ultérieurement de nouveaux problèmes (besoin de protéger une réserve naturelle par exemple) qui appelleraient à une limitation.

Un investisseur peut également obtenir la condamnation d'une autorité publique alors même qu'il a seulement envisagé un investissement sans le réaliser.

Enfin, cet accord est de fait à très longue durée puisque toute partie contractante doit attendre un délai de 5 ans après son adhésion pour décider d'en sortir et que le contenu de l'accord restera applicable pendant une période de 15 ans aux entreprises et aux autorités publiques après la sortie !

En échange de ce champs d'application quasi illimité, aucune contrainte ne pèse sur l'investisseur : ni obligation de présence sur le territoire (une firme peut racheter une entreprise d'un autre pays qui lui fait concurrence et simplement la fermer), ni obligation en terme sociaux (l'investisseur peut importer l'ensemble de la main d'oeuvre si cela lui chante), ni en terme de réinvestissement local (les pays du Sud qui avaient réussi parfois à négocier des obligations de développement local contre le droit d'implantation des entreprises, devront y renoncer), ni de transfert de technologies...

Vous entrez dans une zone de non gouvernance !

On le voit cet accord ne se contente pas d'une compréhension large de l'investissement. Il s'attaque au coeur même du pouvoir politique et contribue au démantèlement progressif des politiques publiques : en effet les pays signataires renoncent à des pans entiers de compétences. Une loi demandant au nom de critères environnementaux d'intégrer un pourcentage de produits recyclés dans des emballages est attaquant (Ethel Corp. a déjà assigné le gouvernement canadien qui interdit que soit intro-

duit dans l'essence un produit considéré comme cancérigène) ; une mesure réclamant l'emploi de certaines catégories de personnes, telles que les handicapés, peut être remise en cause. Ou encore une législation favorisant des entreprises en raison de leur taille (PME) ou de leur contribution au lien social (entreprises d'insertion) pourra être contestée. Sans parler de services publics !

Encore plus antidémocratique, le fait qu'une entreprise peut demander à être protégée des mouvements locaux de protestations, de boycott ou de grèves. Ceci implique qu'il incombe à l'autorité publique d'empêcher ce type de mouvements. Le politique retrouve alors aux yeux des investisseurs un rôle : celui du briseur de grèves. Mais alors ce sont les libertés publiques qui sont ainsi indirectement attaquées.

Tout aussi antidémocratique apparaît la procédure de règlement des différends qui concerne les éventuels désaccords entre États, ou entre entreprises et États. Ni les citoyens, ni les associations, ni les collectivités locales, ni même les États (!) ne peuvent avoir accès au mécanisme de règlement des différends pour mettre en cause les multinationales. Seules ces dernières peuvent se plaindre du non respect du traité. De plus, les investisseurs peuvent choisir de porter leurs différends devant plusieurs instances internationales dont la Chambre de commerce internationale (composée comme toute chambre de commerce de représentants des patronats des différents pays), dont on imagine mal l'impartialité dans un conflit opposant une entreprise à un Etat !

L'enjeu de l'AMI, on le voit bien, est donc d'abord politique et culturel, plus qu'économique. L'AMI participe de cette vision misanthropique de la société, dans laquelle le marché se prétend l'élément fondateur de tout lien humain.

La stratégie anti Dracula

L'avenir de cet accord peut aujourd'hui prendre plusieurs directions.

Pour le moins le processus a été ralenti, puisque le tollé soulevé par le projet auprès des

syndicats et des mouvements civiques dans de nombreux pays (Canada, Norvège, France...) mais surtout aux États-Unis a permis que cet accord ne soit pas adopté à la Ministérielle de l'OCDE qui s'est tenue en avril 98. En sortant ce texte de sa clandestinité, en l'exposant à la lumière du débat public - la stratégie anti Dracula -, les adversaires de L'AMI ont emporté une première manche.

De plus les Etats qui avaient à l'origine accepté le principe de l'accord ne veulent plus du projet initial d'accord, malgré ses annexes et amendements : en effet, à l'origine, les États Unis comptaient sur celui-ci pour s'ouvrir les marchés asiatiques, démanteler les monopoles de services publics européens et remettre en cause le principe de l'exception culturelle acquis dans le GATT. Or l'ouverture des marchés asiatiques, notamment financiers, a été obtenue par les programmes d'ajustement structurel du FMI, suite à la crise financière. L'Union européenne a obtenu une exception culturelle temporaire. Et surtout les États-Unis craignent que l'accord ne remette en cause les législations de leurs Etats et des municipalités de même que les lois extra-territoriales Helms-Burton et d'Amato, qui leur permettent de punir toute entreprise investissant en Libye, en Iran ou à Cuba. Ou l'arroseur arrosé...

La France, qui au départ était très favorable au traité, et plus généralement l'Union européenne qui espéraient également se frayer le chemin des marchés asiatiques et attaquer les réglementations protectrices sub fédérales américaines, sont aujourd'hui moins enthousiastes. Le Parlement européen a adopté à une large majorité une résolution, qui tout en acceptant le principe d'un accord multilatéral sur l'investissement, en conteste sévèrement les modalités.

La porte de derrière

Malgré ces hésitations, le principe même d'un accord n'a pas été abandonné, loin s'en faut. En réalité les négociations bilatérales se sont poursuivies tout au long de l'été (Ottawa début juillet, Londres le 13 Juillet...), toujours dans la clandestinité, et ceci afin de préparer la

reprise des négociations officielles qui vont se tenir à Paris à l'OCDE au cours de la troisième semaine d'octobre.

Simultanément des négociations convergentes ont été ouvertes dans d'autres espaces : que ce soit l'ALÉNA, zone de libre échange existant déjà entre les États-Unis, le Canada et le Mexique, ou feu le projet de NTM (New Transatlantic Market), reconverti en PET (Partenariat transatlantique), qui vise à libéraliser les échanges entre l'Union européenne et les États-Unis, ou encore le projet de création d'une zone de libre-échange allant de l'Alaska à la Terre de feu, discuté lors du sommet des Amériques réuni à Santiago en avril dernier, l'esprit demeure le même : constituer une économie mondiale unifiée.

Tout aussi importante est la mise en travaux, cette fois-ci dans le cadre de l'OMC (Organisation mondiale du commerce), d'un projet d'AIM (Accord sur l'investissement multilatéral), frère jumeau de l'AMI, mais qui devra être négocié avec les pays du Sud. L'OMC pourrait alors servir de base de repli en cas d'échec de la négociation à l'OCDE.

A cet égard les pays sont divisés sur la stratégie à adopter : la France, le Canada et une majorité de pays au sein de l'Union européenne sont favorables à une négociation menée dans le cadre de l'OMC, alors que les États-Unis et la Grande Bretagne restent fermement attachés à l'OCDE. Les pays du Sud ne veulent ni l'un ni l'autre, et si négociation il doit y avoir, proposent qu'elle se tienne sous les auspices de la CNUCED.

L'appel à la gouvernance mondiale

L'AMI aura eu au moins un mérite, celui de contribuer à l'émergence de campagnes de protestation mondiales, à la mise en réseau d'ONG qui agissaient jusqu'ici en ordre disper-

sé et ce faisant à une reprise en main par les citoyens d'une mondialisation trop souvent perçue comme une fatalité inflexible.

A cet égard, certaines des ONG impliquées ont mené une démarche particulièrement innovante. Consciente du fait que l'AMI n'est pas, contrairement à ce qui est trop souvent et trop rapidement affirmé un accord de déréglementation, mais au contraire une nouvelle réglementation au profit de certains intérêts bien spécifiques, - en l'espèce ceux des acteurs économiques et des penseurs du néolibéralisme-, ces ONG ont voulu dépasser l'étape de la «simple» campagne de protestation et proposer un contre accord.

On citera à cet égard l'AMI des citoyens rédigé par le Polaris Institute et le Texte martyre «Accord international sur l'investissement» préparé par le CUTS.

Cette démarche est symptomatique d'un changement d'attitude qu'on ne peut que saluer : face au recul du politique, les mouvements civiques ne se contentent plus d'interpeller leurs gouvernements, de regretter leur inaction ou d'en critiquer le contenu, mais s'arrogent une sorte de «droit d'initiative populaire» *de facto*. Simultanément de nouvelles campagnes internationales sont aujourd'hui lancées, telle la campagne ATTAC qui appelle à lutter contre les dérives spéculatives et réclame une régulation de la finance internationale ; les réseaux mondiaux se multiplient, depuis les ONG spécialisées jusqu'au mouvements de citoyens ouverts comme l'Alliance pour un monde responsable et solidaire. Propositions alternatives pour l'avenir de la planète, réseaux mondiaux, campagnes internationales... Ces manifestations spontanées de démocratie participative planétaire ne sont-elles pas la meilleure incitation possible à la création de nouvelles formes de gouvernance démocratiques et représentatives à l'échelle du monde ?

Modernisation et mutations sociales dans la Chine post-maoïste

par Marie-Claire Bergère *

Les transformations qui découlent de la modernisation économique de la Chine sont, à première vue, très évidentes : élévation du niveau de vie, libéralisation partielle des activités sociales, en particulier dans le champ économique et dans celui extrêmement important de la vie privée. Des espaces de liberté ont été créés dans des « zones d'indifférence » de l'Etat, là où les enjeux ne paraissent pas brûlants ; dans ces espaces de liberté surveillée, les initiatives sont venues de la société. Cette évolution s'est accompagnée de transformations multiples, avec la faillite généralisée des entreprises du secteur d'Etat. Alimenté par l'exode rural, un sous-prolétariat s'est développé, population flottante exploitée par un capitalisme sauvage.

Dans la société rurale, rendue à l'exploitation familiale, une polarisation extrême entre riches et pauvres est apparue, en même temps que s'affirmait la tyrannie des cadres locaux, contre lesquels les paysans tentent de s'élever, parfois à travers des comités de village élus, parfois en fomentant des émeutes. On assiste par ailleurs à une professionnalisation croissante de la bureaucratie. Le rôle dévolu aux experts est symbolisé par la carrière du vice-premier ministre chargé de l'économie, Zhu Rongji, qui est un gestionnaire et n'aurait pas fait une telle carrière du temps de Mao Zédong. En même temps, cette bureaucratie s'implique de plus en plus dans les affaires. Les « fils de princes », c'est-à-dire des hauts cadres, servent souvent d'intermédiaires avec les milieux d'affaires internationaux. Les nouvelles élites, apparues à l'occasion de la réforme, s'intègrent à la classe dirigeante qui était en place. Les anciens bourgeois d'avant la révolution, ceux qu'on appelait *les bourgeois nationaux*, lorsqu'ils étaient encore en activité avant les nationalisations de 1956-1957, sont revenus. De nombreux entrepreneurs d'outre-mer, en particulier de Hongkong, se sont ralliés. Parallèlement, la marginalité s'est développée, qu'il s'agisse des pauvres, des migrants, des délinquants, de la mafia.

Toutes ces évolutions complexes associent des tendances extrêmement divergentes. On voit resurgir des pratiques anciennes et renaître des solidarités traditionnelles - claniques, géographiques -, ainsi que les religions

populaires. Les réseaux de relations personnelles retrouvent toute leur importance.

L'étude d'une telle société soulève des problèmes importants : celui des relations, des tensions entre tradition et modernité, par exemple, ou celui du sens, s'il y en a un, de l'évolution en cours. Cette évolution est-elle porteuse de démocratisation ? Va-t-elle favoriser l'émergence d'une société civile ? Ou au contraire, va-t-elle conforter le régime autoritaire, en l'aidant à assurer la consolidation de ses bases économiques, c'est-à-dire en renforçant sa légitimité ?

Questions très vastes, que je voudrais essayer d'aborder à travers l'analyse d'un secteur précis, celui des associations non gouvernementales (*minjian xiehui*) liées aux activités de l'économie urbaine et plus précisément de son secteur non étatique (privé ou collectif). Ces associations ont un rôle particulièrement significatif, puisque l'apparition du secteur non étatique est considérée à la fois comme le symbole et la conséquence du développement de l'économie de marché.

Le rôle des associations d'entrepreneurs

Ces associations qui regroupent les entrepreneurs du secteur non étatique se distinguent les unes des autres par la taille des entreprises qu'elles représentent. L'Association des travailleurs indépendants regroupe les petits entrepreneurs, les marchands des rues, les réparateurs de bicyclettes travaillant sur le trottoir, ceux qui dans l'ensemble n'ont guère d'autre main-d'œuvre que leur famille et, en tout cas, n'ont pas plus de huit employés, y compris la main-d'œuvre familiale. Cette association date de 1982. Elle a été organisée sur directive du gouvernement central. En 1985, on la retrouvait dans 91 % des districts de Chine. En 1986, la création d'une fédération nationale sanctionne le succès de cette opération bureaucratique.

A côté de cette association de tout petits entrepreneurs, existe une association de PME-FMI, dite Association d'entreprises privées. Elle regroupe les entreprises moyennes. Leurs patrons sont des gens plus éduqués que ceux

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Transnational Associations, 5/1998, 253-255.

concernés par l'association précédente. Ils disposent également de davantage de capitaux, davantage d'employés (plus de huit). La ligne de démarcation est assez nette. Cette association a été aussi organisée à l'initiative du gouvernement, à la fin des années quatre-vingt.

Enfin, une association réunit les grands entrepreneurs. Elle s'appelle la Fédération de l'industrie et du commerce. Ce n'est pas une association nouvelle : elle est ancienne et date du tout début des années du régime, de 1953. Elle est même antérieure dans certaines régions, comme Shanghai, où elle s'est organisée des 1951-1952. Elle était devenue moribonde après les nationalisations de 1956 et avait quasiment disparu après le mouvement anti-droitier de 1957. Elle ressuscite en 1979 par la volonté de Deng Xiaoping. Cette renaissance se fait avec la collaboration des grandes familles capitalistes pré-révolutionnaires et des capitalistes nationaux : les mêmes que ceux qui avaient activement contribué à sa création en 1953. Par exemple, Rong Yiren, qui avait été un de ses principaux fondateurs, joue un rôle actif dans sa renaissance. Après la Révolution culturelle, lorsque Deng est arrivé au pouvoir, il a indemnisé les capitalistes qui avaient été dépouillés pendant cette période de chaos et de violences. Il a rendu leurs biens, leurs pensions et leurs dividendes, peu élevés mais néanmoins importants au fil des années, aux capitalistes victimes des nationalisations. Après la Révolution culturelle, l'arriéré des dividendes leur a été remboursé. Ce sont ces indemnités compensatoires que les capitalistes ont reversées à la Fédération, de manière qu'elle fonde ses propres entreprises et puisse ainsi s'autofinancer.

Lorsqu'elle renaît, cette Fédération apparaît liée, comme elle l'était à l'origine, au Parti démocratique. Ce petit parti, lui aussi ressuscité par Deng Xiaoping, a pour rôle de regrouper les capitalistes et d'assurer leur participation symbolique au régime. Fédération et Parti démocratique dépendent l'un et l'autre du Comité central, plus précisément du département du Front uni du Comité central. En 1992, la Fédération compte 620.000 membres : soit des membres individuels, soit des entreprises. La continuité avec les années cinquante est symbolisée par la présidence qui échoit à Rong Yiren en 1988.

Cette Fédération étend ses organisations à l'ensemble du pays. Elle est présente dans les provinces, dans les grandes villes où elle crée des chambres de commerce locales, qui dépendent directement d'elles et non du Parti communiste. Elle crée aussi des associations dites «de recherche sur le développement économique», dont les congrès contribuent à développer les liens horizontaux entre elles organisations régionales de la Fédération.

Le problème de l'émergence d'une société civile

Ces trois associations couvrent le domaine du secteur privé. Leur rôle est variable, plus important en ce qui concerne la Fédération que les deux autres associations, ce qui souligne le rôle particulier des grands capitalistes dans la nouvelle société chinoise. De façon générale, ces associations semblent plus indépendantes et plus actives dans le Sud que dans le Nord, à proximité de Pékin.

Le problème qui se pose à leur propos est de savoir si leur présence signale vraiment l'émergence d'une société civile. Faut-il appliquer à la Chine le schéma élaboré à l'époque où les événements de l'Europe de l'Est ont commencé à déstabiliser les régimes communistes ? Schéma selon lequel on voyait une société civile s'affirmer à travers le développement d'associations volontaires spontanées, capables d'établir au sein de la société des relations qui n'étaient plus médiatisées par la hiérarchie politique du Parti et de l'Etat, mais qui étaient stimulées par le développement du marché. On a essayé de transposer cette analyse à la Chine. Il n'a pas manqué d'articles, rédigés en particulier par les universitaires américains, sur le développement de la société civile en Chine. Les spécialistes français ont été plus prudents, ne serait-ce que parce que, au moment de Tiananmen, en 1989, la réforme urbaine avait cinq ans, ce qui n'est pas très long pour faire mûrir de telles évolutions.

Il y a aujourd'hui un reflux de ce genre d'analyses. Mais elles restent cependant dans l'air. Reconnaisant le relatif échec de sa politique d'«engagement constructif» et méditant

sur le 20e rapport annuel du Département d'Etat sur les droits de l'homme qui dénonçait les nombreuses violations de ces droits en Chine, le président Clinton, le 28 janvier 1997, déclarait néanmoins : «*Je pense que les aspirations de la société et la nature du changement économique se conjugueront pour accroître l'esprit de liberté au fil du temps. Cela est inévitable comme il était inévitable que tombât le mur de Berlin*».

Tout le problème est de savoir quel terme on envisage. Si l'on réfléchit sur le court et le moyen terme, on ne peut que constater l'échec de cette société civile, comme en témoignent la répression de la dissidence, la reprise en main de la pensée, le développement de la censure, la lutte contre les journaux, le contrôle du cinéma, etc.

Un instrument de contrôle social?

Faut-il alors concevoir ces associations simplement comme des instruments de contrôle social, qui seraient maniés par le Parti ou par l'Etat? Certains aspects du fonctionnement de ces institutions peuvent porter à un tel diagnostic. Parmi les institutions citées, l'Association des travailleurs indépendants est chapeauté de très près par le Bureau de l'industrie et du commerce, organe gouvernemental dont on retrouve les instances au niveau local, au niveau régional et au niveau central. Si un entrepreneur privé demande une licence, automatiquement il est inscrit dans l'association. Il n'a pas d'autre choix et sa cotisation est prélevée d'office.

L'association est née de l'initiative gouvernementale, est contrôlée par le gouvernement, est financée par les organismes gouvernementaux

Orientations bibliographiques

Margaret M. Pearson, *China's New Business Elite*, Berkeley, University of California, 1997.
Jonathan Unger Bridges, «Private Business,

et ses responsables, bien que théoriquement élus, sont présélectionnés par le Bureau de l'industrie et du commerce, et sont très souvent des fonctionnaires de ce même bureau. Il y a là un accaparement total de l'association. La même situation prévaut au sein de l'Association des entreprises privées. Dans le cas de la Fédération de l'industrie et du commerce, en revanche, la négociation se substitue au simple contrôle. En dépit de la surveillance à laquelle elle est soumise, la Fédération de l'industrie et du commerce conserve en effet une certaine marge de manœuvre dont elle profite pour défendre les intérêts de ses membres. La représentation de ces intérêts coexiste avec le contrôle exercé par l'Etat et le Parti communiste.

En résumé, ces associations fonctionnent actuellement plutôt comme instruments de contrôle et d'intégration des élites au service du pouvoir, tout en préservant certains intérêts vitaux de leurs membres. C'est là un équilibre instable, sans cesse renégocié en fonction du contexte. Si le contexte changeait beaucoup, s'il y avait de graves luttes fractionnelles au sommet, s'il y avait de graves incidents en politique extérieure, ou une grave crise économique, la négociation pourrait alors se faire dans d'autres termes et déboucher sur d'autres résultats.

Pour l'instant, le développement de ces associations s'effectue dans le contexte d'un pouvoir autoritaire et policier, avec l'appui de nouvelles élites sociales dont le recrutement déborde ainsi très largement le cadre de la bureaucratie. Face à cette collaboration entre les élites économiques et la bureaucratie en vue de la croissance économique, on peut se demander si Jiang Zemin n'est pas en train de réussir là où Chiang Kai-shek a échoué.

The Chinese Government and the rise of New Associations», *The China Quarterly*, n° 147, septembre 1996.

From M. Tocqueville to Mme Clinton : civil society at risk

by Benjamin R. Barber *

This document is the original version, still unpublished, of the author's introduction to the Desclée de Brouwer French edition of Hillary R. Clinton's remarks at the Davos Conference, 1998, which appeared in the previous issue (4, 1998) of Transnational Associations. Given the broad look and the relevance of this text, the editors have decided to also publish the English version of Benjamin R. Barber's remarks on the urgent need to revitalize civic institutions.

In the eighteen-thirties in a period of rapid democratization under President Andrew Jackson (America's first President from outside the original thirteen colonies), Alexis de Tocqueville celebrated America's civic institutions and municipal freedom as the very spirit of liberty in the new world. "The township seems to come directly from the hand of God", he wrote (*Democracy in America*, chapter 5); and while "a nation may establish a free government, without municipal institutions it cannot have the spirit of liberty".

In 1998, at the World Economic Forum in Davos, Hillary Rodham Clinton, the first Lady of the United States, also made a powerful appeal to the spirit of civil society, calling on leaders from the government and market sectors to reconstitute that civil society's institutions comprise the third leg of a stool that cannot stand alone on the other two legs, however sturdy they are. But in the more than 160 years that have passed between these two celebrations of civil society, the world has undergone fundamental changes. Whereas de Tocqueville was merely describing a new social reality that seemed to have come into existence naturally in the new world, "directly from the hand of God", Mrs. Clinton is urging a revitalization and recovery of institutions being put in jeopardy by the unnatural evolution of overweening markets and gargantuan state bureaucracies.

Two years earlier, in his *Between Hope and History*, (page 115), President Clinton himself posed the same dilemma. Tocqueville, he wrote, "marvelled at our eagerness to form associations and called it perhaps our most distinctive characteristic as a nation. Yet there are so many loud voices (today) that seek to divide us for political and commercial purposes". These are the voices Mrs. Clinton was seeking to address in Davos, the voices of big government and big business. "Comment créer des associa-

tions qui trouvent une place entre les marchés et l'Etat", she asked her startled audience in the Swiss Alps, "et qui donnent l'occasion aux gens d'exercer leurs compétences, de devenir de vrais citoyens?" Her theme was the retrieval of citizenship in the age of global markets. How things have changed since Tocqueville's simpler times.

America in the age of Jackson boasted a plethora of civic institutions. Family, church, school and municipality dominated the everyday world (along with, we must not forget, the institutions of slavery). The Federal government in Washington was still a modest affair, with the postal service as its largest bureaucracy. The Cabinet was small and the President's administrative staff numbered in the dozens. Nor was there, standing over and against government, an extensive sector of corporations. Small businesses, modest firms and thrifty shopkeepers comprised the marketplace in this age prior to industrialization. In short, in the 1830's, civil society was not just one leg of a three legged stool, but a central pillar of society where government and the market minor were but slender struts stabilizing society from either side.

Only after the Civil War, with its abolition of slavery and the plantation economy, were the forces of industrialization liberated. Only in the second half of the nineteenth century did first the economic sector and then government expand their domains, pushing into the gentler sphere of civil society and pressuring civic freedom with the demands of productivity and wage-labor on the one hand, and encroaching governmental and bureaucratic business on the other.

The locus of economic activity was no longer the local firm or the town shop, but the national corporation - elephantine firms like U.S. Steel, Standard Oil, Ford Motor, and the great railroad companies. As business grew, so

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Transnational Associations, 5/1998, 250-258.

coo government grew - trying to break up the new trusts and monopolies (President Theodore Roosevelt), trying to regulate and restrain trade so as to protect capitalism from itself (Presidents Wilson and Hoover), trying to protect citizens from the harsh consequences of market competition and secure a social safety net under those exposed to risk (President Franklin Delano Roosevelt). As capitalism's restless productivity created its ironic mixture of great wealth and still greater inequality, alongside the expanding empire of commerce rose up the compensatory welfare state - first in Bismark's Germany and then throughout the democracies of the Western World.

Today, civil society remains the zone of neighbors, parishioners, kinspersons and citizens - a place for voluntary activity, worship, recreation, culture, friendship and play. But its spaces are everywhere challenged, the time for civic leisure under assault. Where once villages, towns and cities afforded us extended civic spaces, today more and more people live in suburban zones that are neither urban nor rural, where civic space is scarce and where "gated communities" appear as sanctuaries from which the privileged majority flees the inroads of minorities swollen by high birthrates and immigration. The suburbs turn out to be not merely an escape from the problems of the city but an escape from the public sphere. Hence, the universal privatization of goods and services typical of suburbs everywhere.

In the American suburbs, where the automobile is king, there are few sidewalks, but many malls. The mall is a town square converted to total commerce, a space where the only activity permitted is shopping and the only value ratified is consumption. No wonder that Mrs. Clinton worries about an aggressive consumer materialism swamping other human values and needs; a stubborn dedication to present consumption destroying the world in which our children must live. In her best-selling book *It Takes a Village*, she reminded us that civil society is above all a sanctuary for children, the garden of our future where the innocent and the vulnerable can be protected from the ravages of an anarchic market sector. Her attachment to civil society is thus a natural out-

growth of her concern for children; just as her concern for the vulnerability of children leads her to a spirited defense of civil society, where the inequality of wealth can be balanced by the civic equality of citizenship. After all, she reminds us at the end of *It Takes a Village*, children are citizens too!

Even in the far less commercial Jacksonian era, Tocqueville worried about America's obsession with wealth. "I know of no country where the love of money has taken stronger hold on the affections of men", he warned, "and where a profounder contempt is expressed for the theory of the permanent equality of property". (*Democracy in America*, Chapter 3). In Mrs. Clinton's words, we face the danger that "clients" will take the place of "citizens". Unless civil society can become a "contre-poids au matérialisme inhérent à cette culture" - a global consumer culture that I have called "McWorld" - we risk losing our democratic freedoms.

It has been the mark of the new democratic governments in the United States, England and France, the governments of President Clinton, Prime Minister Blair, and Prime Minister Jospin, to associate the continued viability of democracy not just with the state and its programs or the private commercial sector and its economic health, but with the viability and stability of civil society. Thus does President Clinton call for private/public partnerships around activities that engage citizens in taking responsibility for their communities - the Americorps program of the Corporation for National Service, for example; thus does Prime Minister Blair argue for greater responsibility by corporations for safety and environmental standards once a responsibility only of the state; thus does Prime Minister Jospin call for the creation of civil society jobs as part of his effort to shorten the work week while protecting the right to work of all French citizens.

These are all lessons drawn from Tocqueville, who is more often quoted than understood. He grasped that economic freedom and political liberty both depend on the free associations and open spaces and public venues and civic activities of our local communities and neighborhoods - of civil society. Its autonomy

(and Mrs. Clinton speaks explicitly about the need for autonomy) is the condition for the viability of the other two sectors. Yet autonomy for civil society has become ever more difficult. Consumer civilization advancing under the banner of economic democracy threatens to realize one of Tocqueville's gravest prophecies : "Fetters and headsmen were the coarse instruments that tyranny formerly employed", Tocqueville had noted, in worrying about the soft tyranny of the new era, "but the civilization of our age has perfected despotism itself..." has "rendered it as entirely an affair of the mind" where "... the body is left free, and the soul is enslaved", (chapter 15). When the market and its material, consumerist values invades civil society, we lose our civic autonomy. In the brief selection below from my *Jihad vs. McWorld*, I argue precisely that civil society needs to be protected from McWorld for democracy to survive, and needs to be strengthened and expanded for democracy to flourish.

Tocqueville insisted that the struggle for freedom was always daunting, never to be taken for granted. "There is nothing more arduous", he wrote (in chapter 14), "than the apprenticeship of liberty". But in laying out the challenge, he also promised the solution. Civil society is where citizens go to school to learn the arts of liberty. In families, schools, churches, voluntary associations and other neighborhood institutions we learn not just what freedom is, but how to be free; we learn to be citizens in the most important local sense, which in turn allows us to become effective voters and efficient producers and consumers.

The stool needs three legs not two. State and market cannot by themselves support a free society. That is what in Eastern Europe and Russia, despite privatization, commercialization

and the importation of Western political institutions, real freedom and working democracy still seem so far away. That is why democracy seems secure only in Hungary and the Czech Republic, both of which have encouraged the recreation of a vibrant civil sector, changing their civil codes to encourage voluntary and charitable institutions free from state interference. That is why president Havel has continued to plead for civil society safe not just from government encroachments, but from aggressive markets, whose intrusions are always made in the name of liberty. Democracy grows from the bottom up, not the top down; from a spirit of concrete autonomy rather than a desire for abstract consumer choice. Tocqueville believed that this confusion had something to do with why the top down, French revolution in the name of abstract universals failed while the bottom up American revolution in the name of local liberty succeeded.

In the improbable juxtaposition of Alexis de Tocqueville and Hillary Rodham Clinton, we learn a powerful lesson : that modern civilization and its vaunted liberties rest today throughout the world, as they did more than 160 years ago in America, not solely on market freedom or a republican constitution, but on the kinds of free and autonomous municipal institutions that human beings have fashioned to live freely but also together in their neighborhood communities.

Mrs. Clinton spoke a simple truth in Davos : the stool has three legs. Those who think it can stand on only two will likely bear tragic witness to - and major responsibility for - a disaster : in the midst of prosperity and despite apparent political democratization, the abrupt vanishing of our precious liberty.

Les différents types d'organisations internationales
d'après la 35e édition (1998-99)
du *Yearbook of International Organizations*

Types	Intergouvernementales			Non gouvernementales			Total	
	Nombre	% Types	% Ong	Nombre	% Types	% Ong	Nombre	% Total
Organisations de type traditionnel								
- Fédérations d'organisations internationales								
- Membrariat universel	36	6.93	14.17	483	93.06	8.37	519	8.62
- Membrariat intercontinental	35	3.15	13.78	1074	96.84	18.62	1109	18.42
- Membrariat régional	182	4.18	71.66	4172	95.81	72.37	4354	72.33
Total	254	4.21	100.00	5766	95.79	100.00	6020	100.00
Autres organes internationaux								
- organisations fondées à partir de lieux ou de personnes physiques ou morales	775	27.07	48.99	2087	72.92	19.28	2862	23.07
- Formes spéciales	732	17.56	46.27	3436	82.43	31.75	4168	33.61
- Nationales à orientation internationale	75	1.39	4.74	5297	98.60	48.97	5372	43.32
Total	1582	12.75	100.00	10820	87.25	100.00	12402	100.00
Types spéciaux								
- Dissoutes ou apparemment inactives	377	10.43	8.54	3236	89.56	12.68	3613	12.07
- Recensées récemment ou en projet	220	14.60	4.98	1286	85.39	5.04	1506	5.03
- subsidiaires ou internes	555	30.26	12.57	1279	69.73	5.01	1834	6.12
- Nationales	6	.16	.13	3692	99.83	14.48	3698	12.36
- Ordres religieux et instituts séculiers	0	0	0	887	100	3.47	887	2.96
- séries autonomes de conférences	114	17.14	2.58	551	82.85	2.15	665	2.22
- Traités et accords multilatéraux	2001	100	45.35	0	0	0	2001	6.68
- Types non traditionnels sans activité	1141	7.25	25.85	14583	92.74	57.17	15724	52.56
Total	4414	14.74	100.00	25514	85.26	100.00	29928	100.00
Total général	6250	-	-	42100	-	-	48350	-

NGDOs' vision of a renewed ACP-EU partnership

The Lomé IV Convention expires in February 2000. Over its 20 year history the Convention has evolved considerably. There is no doubt that it needs further renewal and improvement but at the same time a number of its core principles, such as partnership, codetermination, contractuality, to name but three, have remained relevant to this date. The Convention is still therefore a very advanced model of development cooperation agreement, which European Union NGDOs are strongly committed to seeing replaced with a new and improved successor agreement, that builds on the lessons of experience.

EU NGDOs see a future ACPEU agreement as a key factor affecting the development prospects of [their partners in the South. They are conscious that the Convention has reached a historic moment in its evolution. The new agreement must be strong enough to confront and surmount the challenges of the new world order that has emerged over the past few

years: globalisation, the WTO, the end of the Cold War, the decline of aid budgets and the recognition that effective development must involve civil society in a central role. At the same time it must clearly and effectively address the fundamental problems facing people in the South and meet their aspirations.

NGDOs will therefore judge the new agreement by whether it leads to effective action against poverty and for social development. They will judge it by whether it addresses gender inequalities and promotes the rights of women and by whether it supports human rights and environmental sustainability.

Furthermore, NGDOs believe that the new Lomé agreement must be properly integrated into a far more consistent and unified approach to EU development cooperation policy. If the Union's cooperation programme and its overall external relations are ever to reach their full potential as a

positive force for promoting a more just and equal world they must be conceived and managed as an integrated, effective whole. This implies not only the conceptual and institutional integration of the new agreement into a coordinated cooperation programme, but also that the EU's agreements with other parts of the South should be premised on similar assumptions and approaches as those that underpin Lomé. One of the key issues of the current debate is precisely that it will see the scene for how an expanding European Union is going to work effectively with its partners not only in the ACP Group but also throughout the South. As European citizens we must have the vision and courage to rise to this challenge so that the EU really becomes a leading and effective actor in international development.

(Liaison Committee of Development NGOs to the EU - Septembre 1997)

La «contribution» des Sept

Parmi les 22 modifications proposées par Cuba, la Chine, l'Égypte, l'Iran, la Syrie, le Soudan et le Yémen au document de synthèse du président, une quinzaine vise à remplacer certaines formulations juridiques précises par des formules plus vagues laissant à l'État une marge de manœuvre suffisante pour régler à sa façon ses relations avec les défenseurs des droits de l'homme. Cinq autres amendements visent à introduire des alinéas et paragraphes supplémentaires. Il s'agit des propositions suivantes :

- *Article 11* : ajouter un nouveau paragraphe. «4. Aucune disposition de la présente déclaration ne peut être interprétée comme autorisant un État, par le financement direct ou indirect d'individus, de groupes, d'institutions ou d'organisations nongouvernementales, ou de toute autre façon, à intervenir dans des affaires qui relèvent essentiellement de la juridiction interne d'autres États».
- *Article 16* : ajouter un nouveau paragraphe : «4. Chacun, individuellement ou en association avec d'autres, a la responsabilité d'exercer

ses activités visant à la promotion, la protection et la réalisation des droits de l'homme et des libertés en tenant pleinement compte des principes d'universalité, d'objectivité, d'impartialité et de non sélectivité ainsi que de la nécessité d'éviter d'introduire des considérations politiques dans ces activités».

- *Article 16* : ajouter un nouveau paragraphe : «5. Les individus, groupes, institutions et organisations nongouvernementales, dans leur domaine de spécialisation, doivent considérer les droits de l'homme globalement, de manière objective et

équitable, les placer sur un pied d'égalité et leur accorder la même importance».

• *Article 17* : ajoutera la fin du paragraphe le membre de phrase suivant : «... ou de ne pas tenir compte des divers contextes historiques, culturels et religieux des sociétés et communautés dans lesquels ils exercent leurs activités».

- *Nouvel article Ubis* : «Aucune disposition de la présente déclaration ne peut être interprétée comme impliquant pour un individu, agissant individuellement ou en association avec d'autres, le droit de prendre part à des activités politiques qui sont réservées exclusivement aux citoyens de l'État dans lequel il est un étranger».

Le lecteur jugera de la façon dont les signataires entendent «faciliter» l'action des ONG. Le sort des défenseurs dans les pays coauteurs des amendements est effectivement peu reluisant.

Texte et commentaires provenant du *Monteur des droits de l'homme*, 1998, N° 41-42

Electronic publishing in science

CSU Press held a workshop in Oxford (UK) at the end of March 1998 to follow up one of the main recommendations of the joint ICSU Press/UNESCO Conference of Experts (February 1996) <http://associnst.ox.ac.uk/~icsuinfo/recommen.htm>) to conduct a technical study on the economics, real costs and benefits of electronic publishing in science.

Invitations were sent to seventy participants of the 1996 Conference and others representing the scientific library, publishing and information sectors, and fifty-five accepted and registered for the event held at Keele College over three days (31 March to 2 April). The first day was devoted to the presentation of eleven invited papers on the benefits and real costs of publishing (the term now used to define digital publications accessible online). The benefits identified by the research scientist were speed of publication and access, rapid retrieval of related papers, accessibility from a wide variety of locations with minimum time constraints compared with print-on-paper research journals and the facility for referees to conduct a more comprehensive review as a result of wider access to data.

Learned society publishers reported on their experience in providing parallel print and online

editions of their publications and generally agreed that the additional costs of online access was in the range of 20-30 percent. This estimate did not include the additional cost to the user of training techniques and access provision.

Some disadvantages of presently available systems were discussed, such as the nonavailability of a universal browser and the many different software packages in use which are not all mutually compatible. Copyright issues and intellectual property rights of authors are in conflict with the demands of some with-profit publishers and European and North American legislators are not always sympathetic to the scientist.

The second day was mainly devoted to discussion in working groups of the issues raised on the first day but there was time for six contributed papers, of which two related experiences from Latin America.

The third day started with group reports by the chairmen and general discussion. This led to the formulation of conclusions and recommendations on which there was general agreement and the conclusions are summarised below.

A dedicated website was established in advance for posting abstracts and comments were invited from those invited who

were unable to attend. This facility was welcomed by many participants and assisted the organisers in distributing the conference material. The members of the programme committee were Ian Butterworth (representing Europaeum), Roger Elliott (Chairman of ICSU Press), Glyn Jones (Director of Portland Press), David Price (Head of Systems at the Bodleian Library, Oxford), John Rodda (President of IAHIS), Dennis Shaw (manager of the ICSU Press website) and Anthony Watkinson (Consultant and former Intellectual Property Director of Thomson Science). The proceedings are published electronically on the ICSU Press website (URL) and can be accessed directly at (URL: <http://www.bodley.ox.ac.uk/icsu>) and site expected to be available when this report is published. An Executive Summary will be produced in hard-copy and distributed to members of the ICSU family.

Summary of main conclusions

1. It is neither practical nor proper for ICSU to attempt to force the pace of development of electronic journals. The current fluid situation should be allowed to evolve at its own pace.

2. Technological progress in electronic journals and the different pricing models as presently envisaged will not per se reduce prices nor allow the potential for increased accessibility to be realized. However, the possible simultaneous access by many readers of a single online subscription is already a reality in many institutions.
3. ICSU should consider preparing a model for the presentation of cost data.
4. ICSU should consider means of informing scientists regarding all the important elements in the publication process so that they were better able to assess its value and their contribution to it.
5. ICSU should consider means for promoting uniform standards in electronic publishing, particularly for digitization of back issues.
6. ICSU should alert national academies to address the problems regarding archiving, which need solving on a national basis.
7. ICSU should facilitate, wherever possible, the visibility of electronic journal sites in developing countries e.g. pointing to websites from the ICSU server
D.F. Shaw, ICSU Press
(*Science international*, n° 68, August 1998)

SADC/ONG: Vers des modèles de coopération UE-ACP plus efficaces et participatifs

L'accord qui succédera à la convention de Lomé IV, lequel prendra effet en 2001, doit introduire de profonds changements dans la coopération de l'UE dans ses volets liés à l'aide et au commerce. Les ONG s'organisent sur une base régionale, pour répondre aux orientations politiques de l'UE et des ACP par le biais de recommandations et pour établir des stratégies régionales afin de promouvoir les vues de la société civile autour des négociations gouvernementales. Une consultation des ONG de la SADC a rassemblé, début avril, des réseaux régionaux d'Afrique australe, des groupes de lobbying et des instituts de recherche axés sur des problématiques nationales, ainsi que des observateurs du secteur privé, des syndicats, des églises et des institutions (inter-)gouvernementales. La rencontre était organisée par l'organisation d'appui régionale MWENGO, en collaboration avec les ONG mozambicaines.

Depuis la publication, fin 1996, par l'Union européenne du livre vert sur Les relations entre l'Union européenne et les pays ACP à l'aube du 21ème siècle, le débat a été élargi aux gouvernements, au secteur privé et aux organisations de la société civile.

La Commission européenne et le Secrétariat ACP élaboreront tous deux leur mandat respectif contenant leurs propositions pour le nouvel accord, de façon à pouvoir entamer les négociations, en septembre 1998.

Les ONG des ACP et de l'UE ont activement contribué au débat, ce qui a donné lieu à une nette amélioration de l'ensemble des orientations politiques élaborées par l'UE. En octobre 1997, la première conférence des ONG, des ACP a débouché sur un document de position ACP assez large sur l'avenir des relations UE-ACP, lequel a été présenté au sommet des chefs d'Etat, au Gabon, en novembre 1997 (voir Liaison Sud n°4). La dernière contribution a été effectuée par le biais d'une consultation d'ONG d'Afrique australe, à Maputo, en avril 1998.

La convention de Lomé a été, à maints égards, visionnaire et en avance sur son temps. Etant donné le rôle clé de l'Union européenne et de ses États membres, les ONG espèrent que l'accord qui lui succédera sera tourné vers l'avenir et annoncera une nouvelle ère marquée par une participation accrue de la société civile dans les accords de coopération internationale.

En matière de droits de

l'homme, de démocratie, de dialogue politique et de coopération décentralisée, les ONG ont mis en lumière un certain nombre de points à aborder au niveau des politiques et des programmes, de façon à contribuer efficacement à l'éradication de la pauvreté et à la transition économique.

Droits de l'homme, démocratie, prévention des conflits

La démocratie dans la région SADC est encore fragile : le rythme du changement observé au début des années '90 semble avoir stagné, voire dans certains cas régressé.

Les ONG apprécient la haute considération de l'UE pour la démocratie et les droits de l'homme en tant qu'éléments essentiels de la coopération. Malheureusement, l'UE tend à imposer des normes, sans faciliter les processus qui doivent être mis en place dans l'établissement d'une démocratie. La déclaration des ONG, des ACP stipule que la responsabilité ultime dans l'établissement et le maintien d'une démocratie relève du groupe ACP, mais il serait souhaitable que l'UE et les ACP s'entendent sur «un ensemble de normes essentielles mutuelle-

ment acceptables comme point de référence dans ce processus», dans le cadre de la nécessité de se rendre des comptes mutuellement et d'assumer une responsabilité partagée.

La prévention des conflits commence par l'établissement de cadres véritablement démocratiques dans lesquels les droits de l'homme, le pluralisme, la transparence et le devoir de rendre des comptes sont respectés. La coopération UE-ACP devrait saisir l'opportunité offerte par les nouvelles négociations pour établir un modèle de coopération qui encourage ce type de démocratie dans les pays SADC. Plutôt que simplement imposer des normes, l'UE devrait utiliser son influence et ses ressources comme facilitateur pour encourager le développement d'un espace réservé aux processus locaux et permettre à ceux-ci de gagner de l'ampleur.

La déclaration des ONG des ACP réclame que les ACP «développent des institutions communes pour surveiller et prévenir les conflits potentiels. Cela doit prendre la forme de structures intégrées incluant l'ensemble des acteurs à tous les niveaux des sociétés des ACP».

Equité entre hommes et femmes

Les documents émanant tant de l'UE que des ACP font référence à l'égalité entre hommes et femmes. Le respect de ces engagements nécessitera de profonds changements dans les structures, les attitudes, les compétences, l'expertise, et la programmation.

La coopération ACPUE s'est montrée insensible à la question du rapport entre les sexes. Les ONG indiquent la manière dont cette situation pourrait être renversée, par des engagements clairement définis et comportant un caractère obligatoire, ainsi que par l'attribution adéquate de ressources dans le cadre du nouvel accord de coopération. La déclara-

tion des chefs d'État et de gouvernement de la SADC sur la place des femmes représente une évolution positive, et fournit à l'UE un cadre de référence régional sur la question.

Un point de discussion important à cet égard, dans ce domaine et dans d'autres, est la réticence de l'UE à recourir à l'expertise locale. Si l'UE souhaite effectivement tenir compte de la place des femmes dans ses programmes, elle doit se montrer disposée à modifier sa préférence exagérée pour l'assistance technique expatriée, et s'engager à utiliser davantage les capacités des spécialistes locaux et régionaux de la question des femmes, tout en renforçant ces capacités.

Sécurité alimentaire - développement rural

Le développement rural a disparu des priorités de la coopération UEACR. Dans la région SADC, les réformes économiques ont peu contribué à améliorer les conditions de vie dans les zones rurales, et constituent une des causes majeures de la migration urbaine. La productivité rurale est encore faible, et les ressources insuffisantes. La mondialisation à l'ordre du jour accorde peu d'attention à la protection des conditions de vie des communautés rurales, qu'il s'agisse de mettre un terme, directement ou indirectement, à la dégradation de l'environnement.

Dans les années quatre-vingt-dix, l'Afrique australe a connu une situation de sécurité alimentaire précaire, en partie due aux conditions climatiques, en partie due aux politiques macroéconomiques. La SADC a développé un cadre stratégique de sécurité alimentaire pour la région, qui aborde le problème à différents niveaux. En se basant sur ce cadre et d'autres recommandations émanant de la société civile, l'accord de coopération ACPUE doit inclure des mesures pour assurer la sécurité

alimentaire de l'ensemble de la population.

On doit s'assurer que les politiques macro-économiques appuyées par l'UE ne fragilisent pas les programmes destinés à renforcer la sécurité alimentaire, mais plutôt s'assurer que la dimension sociale, orientée vers l'éradication de la pauvreté et le développement des ressources humaines, soit intégrée dans le cadre de la coopération.

Politiques macro-économiques : commerce, dette, intégration régionale, mondialisation

Le nouveau régime commercial entre l'UE et les ACP doit servir les besoins en développement des pays ACP. Selon la déclaration des ONG des ACP, «l'UE doit développer un programme d'action pour éliminer la dette dans la région ACP. La participation de la société civile dans les processus de prise de décision, de formulation, de mise en œuvre et d'évaluation est vital pour la réduction de la dette nationale et une croissance économique soutenue».

Dialogue politique, coopération décentralisée

Même si en 1990, la convention de Lomé IV incluait une clause pour «élargir la participation à la coopération», jusqu'à présent peu de choses ont été faites pour atteindre cet objectif. En 1995, à nouveau, ce chapitre a été renforcé par le biais des dispositions en matière de coopération décentralisée. Toutefois, au jour d'aujourd'hui, les progrès observés se montrent peu encourageants.

Dans ses orientations politiques, l'UE a de nouveau émis des propositions pour impliquer davantage de parties prenantes dans l'accord de coopération. La déclaration des chefs d'État des ACP a toutefois «peu fait référence à la participation de la société

té civile, bien que le Conseil des ministres ACP soit chargé de «revoir le rôle des institutions ACP et ACPUÉ, en vue de les rendre plus efficaces et adaptés aux changements de notre temps». Dans les deux cas, les structures et les mécanismes à mettre en place pour étendre le principe du partenariat aux acteurs non étatiques ne sont pas clairement définis.

En matière de dialogue politique, la déclaration des ONG des ACP stipule que «le dialogue politique tend à fonctionner comme un processus d'imposition des visions et des préférences de l'Europe au sein des sociétés ACP. Un dialogue politique convenablement géré peut constituer un outil de véritable partenariat. A cette fin, ce doit être un processus à double sens, transparent et basé sur la responsabilité et la reddition des comptes mutuelle, de part et d'autre. L'interaction à l'échelle des ACP doit être renforcée, tout comme les institutions. La société civile des ACP doit se voir attribuer une représentation et/ou la possibilité de contribuer aux décisions de ces institutions».

La société civile doit clairement formuler les mesures qu'elle souhaite voir adopter pour rendre la coopération UEACP véritablement participative. A l'échelon national, notamment, la tendance est au mieux de considérer les ONG comme des agences d'exécution alternatives, lorsque les gouvernements se sont montrés incapables d'assurer leurs responsabilités. En réalité, à l'échelon national, la prise de décision reste marquée du sceau du secret entre l'UE et les gouvernements ACP, et les organisations de la société civile sont considérées avec suspicion et méfiance, de part et d'autre. Les parties prenantes à l'échelon local ne se voient pas attribuer la possibilité de contribuer aux processus de programmation ou d'allocation de ressources. Il n'existe pas non plus de mécanisme pour les tenir informés des activités entreprises au nom de la coopération UEACP. Globalement, les niveaux de financement mis à leur disposition à travers le Fonds européen de développement restent minimes.

Le développement participatif exige l'ouverture d'un espace

destiné à la société civile et le renforcement de cette dernière. Si les gouvernements de l'UE et des ACP sont véritablement engagés vis-à-vis du développement, il n'existe pas d'alternative à l'implication des groupes et des communautés de parties prenantes. La déclaration des ONG des ACP réclame l'instauration de comités chargés du PIN, lesquels comprendraient des représentants du gouvernement, du secteur privé, et de la société civile, ainsi que des représentants de la délégation de l'UE, et qui seraient assistés par des experts et des conseillers dans des domaines tels que la place des femmes, l'investissement, la promotion du commerce et l'environnement.

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(Liaison Sud, juillet 1998).

La croisade électronique des ONG pour l'interdiction des mines antipersonnel

Dans l'ancienne gare de chemin de fer d'Ottawa (Canada) transformée en centre de conférence, cent vingt et un pays viennent de signer un traité qui interdit l'emploi, la production et le stockage des mines antipersonnel. Ce 4 décembre 1997, un millier d'organisations non gouvernementales (ONG) récoltent les fruits d'un combat entamé il y a six ans. «Cette victoire est en grande partie celle d'Internet», indique Jody Williams, porte-parole de la Campagne internationale pour l'inter-

dition des mines antipersonnel (ICBL). «Sans le réseau, il aurait été impossible d'aller aussi vite et aussi loin; nous n'aurions jamais pu fédérer toutes ces énergies éparpillées aux quatre coins de la planète. Pour la première fois, une coalition d'ONG a eu une influence sur la sécurité dans le monde sans être pour autant une superpuissance». Six jours plus tard, cette Américaine de quarante-sept ans, militante infatigable, s'envolait pour Oslo (Norvège) pour y recevoir au nom de tous les

membres de la campagne le prix Nobel de la paix.

Il faut dire que Jody Williams a remué ciel et terre pour en arriver là. Après avoir travaillé pendant onze ans auprès des victimes des mines pour le compte d'ONG en Amérique centrale, elle rejoint en 1991 la Fondation américaine des vétérans du Vietnam afin de s'occuper de la réinsertion des anciens combattants. En 1992, la Fondation et cinq autres ONG, dont les Français de Handicap international, s'unissent pour

lever une croisade contre «l'arme des lâches». Et naturellement, Jody Williams en devient le porte-drapeau. «Les cent millions de mines disséminées dans le monde font une victime toutes les vingt-deux minutes, explique Sylvie Brigot, de Handicap international. Nous en avons assez de nous contenter d'appareiller les gens et de leur réapprendre à marcher, bref de panser les plaies, nous voulions nous attaquer à la racine du mal. Jody Williams a été la première du groupe à prendre conscience de la force que constituait Internet». Du fin fond de sa maison du Vermont (Etats-Unis), avec pour seule arme son ordinateur connecté à Internet, la porte-parole de la campagne a bombardé d'e-mails toutes les personnalités scientifiques, politiques et morales susceptibles de la soutenir. En 1994, Liz Bernstein, une bénévole américaine installée à l'époque dans un camp de réfugiés sur la frontière thaïlando-cambodgienne, contacte Jody Williams, qui va l'aider via Internet à mettre en place une campagne au Cambodge, pays qui compte plus de mines que d'habitants. En 1995, signe que la campagne est un succès, la conférence annuelle de l'ICBL se tient à Phnom Penh. Un événement que les deux militantes réussissent à organiser uniquement par modem interposé. «Cela s'est avéré à la fois plus économique et plus efficace que le fax ou le téléphone. Du coup, j'ai poussé tout le monde à se doter d'une connexion Internet», raconte Jody Williams.

Très vite les sites antimites ont proliféré sur la Toile. Mais cette épidémie ne constitue que la partie émergée de l'iceberg. Le nerf de la guerre, ce sont les courriers électroniques et les listes de diffusion. Aujourd'hui, les 1300 ONG qui composent l'ICBL ne se réunissent qu'une fois par an. Le reste du temps les échanges se font par courrier électronique, à l'instar de la direction collégiale, baptisée

«comité de pilotage», qui regroupe, outre les six associations de la première heure, dix autres organisations cooptées. Liz Bernstein est désormais l'une des deux coordinatrices chargées de mener cette bataille souterraine du Net. Depuis Maputo, capitale du Mozambique, elle travaille sur son ordinateur portable en relation constante avec l'autre coordinatrice, installée, elle, aux Etats-Unis dans le Minnesota. Rivées à leur écran des journées entières, elles collectent, trient et redistribuent les dépêches électroniques aux autres membres de l'ICBL via des listes de diffusion thématiques. «Nous envoyons aussi les communiqués de presse concoctés par le comité de pilotage à toutes les ONG, qui les adaptent ensuite à leur propre campagne nationale», explique Liz Bernstein. Le courrier électronique s'est également révélé précieux pour tordre le cou aux fausses informations qui circulent sur la Toile. La rumeur selon laquelle le Malawi avait ratifié le traité d'interdiction s'est ainsi attiré sur-le-champ un démenti électronique. Enfin, lors des négociations d'Ottawa, l'e-mail a permis aux organisations non gouvernementales de suivre pas à pas les discussions et de réagir sur le vif. «Pour faire coopérer autant d'ONG de sensibilités diverses et, qui plus est, disséminées dans 75 pays, nous avons mis sur pied une structure peu hiérarchisée, organisée en réseau à la façon d'Internet», indique Liz Bernstein. Jusqu'à l'obtention du prix Nobel, l'ICBL ne possédait même pas de statut juridique !

Jouant la carte de la souplesse, les 1300 organisations non gouvernementales ont pu livrer une véritable guérilla électronique. «Nous n'avons pas attaqué de front les fabricants de mines, préférant opter pour une stratégie indirecte ciblant les institutions», explique Liz Bernstein. L'ICBL a mis en place un système d'alerte électro-

nique qui permet de riposter presque instantanément à chaque fois que la situation l'impose. «En septembre 1997 à Oslo, lors des négociations sur le traité d'interdiction, les Etats-Unis ont fait pression pour imposer un texte minimaliste. Nous avons aussitôt réagi en demandant par e-mail à tous nos membres de développer un argumentaire capable de contrer le gouvernement américain». Ce qui a permis à Jody Williams, présente à Oslo, de harceler en coulisses les autres délégations pour qu'elles ne se laissent pas influencer par les Etats-Unis promus empêcheurs de déminer en rond. De même, le 9 juillet 1998, à la veille de la ratification du traité par la Grande-Bretagne, tous les membres de l'ICBL ont reçu un message électronique leur demandant de faire pression sur le gouvernement pour qu'il annule une clause apportant des réserves à l'application du traité avec, à la clé, un modèle de lettre à adresser au premier ministre Tony Blair. «Dès qu'un gouvernement commence à faiblir, Internet nous permet de soutenir les ONG locales en leur transmettant des informations ciblées», indique Liz Bernstein.

Au siège de Handicap international, Sylvie Brigot reçoit chaque jour jusqu'à quarante courriers électroniques. «Cette masse d'informations nous a été très utile pour le travail d'influence qui a conduit le 26 juin dernier l'Assemblée nationale à avaliser la ratification par la France du traité d'interdiction», reconnaît-elle. Handicap avait même envisagé, à l'instar de ses homologues anglo-saxons, d'adresser une pétition électronique au premier ministre et aux présidents des commissions de la défense et des affaires étrangères. «Nous avons dû renoncer parce que cela supposait d'afficher sur notre site les adresses de ces personnalités politiques, avec le risque que des pirates informatiques les récupèrent Techniquement, nous

n'étions pas encore prêts», avoue Sylvie Brigot. Comme toutes les ONG associées à la campagne, Handicap international a aussi bénéficié de l'aide des quatre groupes de travail multinationaux mis en place par l'ICBL. «Chacun planche via Internet sur un thème précis, qu'il s'agisse du déminage ou de l'application de la Convention» précise l'Américain Brady Lee, qui anime la cellule consacrée à l'assistance aux victimes des mines. «Nous sommes treize dispersés dans le monde, de l'Australie au Cambodge en passant par l'Afrique. La plupart d'entre nous ne se sont jamais rencontrés. Nous travaillons par modem interposé. L'idée est de faire circuler les documents pour que chacun puisse les annoter. Les textes doivent être approuvés à l'unanimité. Cela peut prendre plusieurs jours de mails».

Une chose est sûre, Internet a prouvé qu'il était une arme redoutable aux mains des ONG, puisque à l'heure d'aujourd'hui, 127 pays ont déjà signé le traité d'interdiction des mines antipersonnel et 24 ratifications ont été déposées aux Nations unies. Mais la convention n'entrera en vigueur que lorsque 40 Etats l'auront ratifié. Pour l'ICBL, le combat sur le Net continue avec le ferme espoir de réunir les seize signatures manquantes d'ici à la fin de l'année. Le million de dollars du prix Nobel

servira en priorité à acheter des ordinateurs avec modem pour équiper les ONG qui en sont encore dépourvues...

Les sites en campagne contre les mines antipersonnel

Elsa Carmindo Chela avait neuf ans lorsqu'elle a perdu un œil et une jambe en sautant sur une mine en Angola. Sa photo s'affiche désormais sur la plupart des quarante-sept sites de la Campagne internationale pour l'interdiction des mines antipersonnel (ICBL). «Internet constitue un fantastique levier pour sensibiliser l'opinion publique», explique Tim Grant, un photographe australien de quarante-deux ans, auteur du cliché et coadministrateur du site officiel de l'ICBL. Créé en mars dernier, le site amiral de la campagne propose, outre les courriers électroniques des membres du comité de pilotage, les dernières nouvelles concernant l'application du traité. Avant cette date, l'ICBL avait recours, lors de chaque conférence internationale, à des sites éphémères où le grand public pouvait signer des pétitions et télécharger des lettres de soutien. Mais la vitrine de la campagne sur le Net reste sans conteste l'armada de sites satellites déployés par les organisations non gouvernementales (ONG) ou par des internautes militants. Tim Grant a ainsi lancé

en 1997 son propre site, baptisé «Landmines Page». «J'y expose des photographies de survivants prises entre 1986 et 1997, période pendant laquelle j'ai travaillé dans les pays infestés par les mines, qu'il s'agisse du Cambodge, du Laos, de la Thaïlande, de l'Angola ou du Mozambique». Mais Tim Grant ne se contente pas de sensibiliser les internautes, il livre aussi des informations concrètes sur la manière de reconnaître les différents types de mines et de s'en protéger. «Chaque jour, je reçois une dizaine de courriers électroniques. Beaucoup émanent de bénévoles qui sont sur le terrain en première ligne». Dernièrement Tim Grant a ainsi aidé une Croate à concevoir à distance des brochures de prévention adaptées à son pays.

Christophe Labbé
et Olivia Recasens

www.icbl.org
Handicap international: www.handicapinternational.org
Landmines Page:
www.iinet.ncc.au/pichim/indexICBL.html
Physicians for Human Rights:

Federación americana des vétérans du Vietnam: www.vvaf.org

(Le Monde,

Dimanche 2 - Lundi 3 août 1998)

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