NON GOVERNMENTAL ORGANIZATIONS (NGOS), CONCEPT, FEATURES, CONTRIBUTIONS TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS STANDARDS IN NIGERIA, GHANA AND SOUTH AFRICA.

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ABSTRACT

Generally, NGOs act as implementers, catalysts and partners. Firstly, NGOs act as implementers in that they mobilize resources in order to provide goods and services to people who are suffering due to a man-made disaster or a natural disaster. Secondly, NGOs act as catalysts in that they drive change. They have the ability to "inspire, facilitate or contribute to improve the thinking and action to promote change". Lastly, NGOs often act as partners alongside other organizations in order to tackle problems and address human needs more effectively.

INTRODUCTION

The activities of non-governmental organizations are generally recognized as an important element not only in the initial establishment of a genuine democracy etc. but also in ensuring that, once achieved it remains healthy and flourishing. [1] The NGOs play important role to become a concrete expression of international, national and regional and local level voice to assist and stand up for those who can't speak for themselves. The Non-Governmental organizations work from grass roots level to the national and international level in the promotion and protection of human rights.

NGOs are highly diverse groups of organizations engaged in a wide range of activities and take different forms in different parts of the world. Some may have charitable status, while other may be registered for tax exemption based on recognition of social purposes. Others may be fronts for political, religious or other interests.

It is worthy to note, that the number of NGOs worldwide is estimated to be 3.7 million. Russia has 277,000 NGOs. India is estimated to have had around 2Million NGO's in 2009, just over one NGO per 600 Indians, China is estimated to have approximately 440,000 officially registered NGOs.

[1] This is specifically recognized in Articles 16 and 18 of the UN Declaration on the Right and Responsibility of individuals, Groups and organs of society to promote and protect Universally Recognized Human Right Fundamental Freedoms (Declaration on Human Rights Defenders) (GA Res 53/144, 9 December 1998) and Paragraph 27 of the Document of the OSCE Instanbul Meeting, 1999 (Charter for European Society). The 'essential' nature of their role has also been emphasized by the European Court of Human Rights; see Gorzelik and others v. Poland, 17 February 2004 (GC), Para 92.

Furthermore, NGOs are also traditionally known as, voluntary organizations (VOS), Voluntary Agencies (VAS), Voluntary Development Organizations (VDOS) and Non Governmental Development organizations (NGDOS).

This Seminar Paper is divided into Five (5) Parts, the first being introduction, followed by definitions of NGOs, concept and features of NGOs. The third part deals with contributions of NGOs to the promotion and protection of Human Rights Standards in **Nigeria**. The fourth part deals with contributions of NGOs to the promotion and protection of human Rights standards in other jurisdictions e.g. **Ghana** and **South Africa**, while the fifth and final part deals with conclusion and recommendation.

1.0 OBJECTIVE

The objective of this paper sought is to pin point the contributions of NGOs to the promotion and protection of human rights standards in **Nigeria, Ghana and South Africa.**

1.1 METHODOLOGY

The sources of materials used in this paper include journals and articles.

2.0 NGO DEFINITIONS

In its broadest sense, the term "Non-governmental organization" refers to organizations (i) not based on government and (ii) not created to earn profit[2]. It is worthy to note that the terminology of an NGO varies itself, for example, in the United States they may be called "Private Voluntary Organizations" and most African NGOs prefer to be called "Voluntary Development Organizations"[3].

[2] http://www.humanrights.com>non
[3] Ibid

It is impossible to give one unique definition for an NGO. However, a few have been assembled below for consideration.

World Bank definition of an NGO[4] "The diversity of NGOs strains any simple definition. They include many groups and institutions that are entirely or largely independent of government and that have primarily humanitarian or cooperative rather than commercial objectives. They are private agencies in industrial countries that support international development; indigenous groups organized regionally or nationally; and religion associations that mobilize private funds for development, distribute food and family planning services and promote community organization. They also include independent cooperatives, community associations, water-user societies, women groups and pastoral associations. Citizen Groups that raise awareness and influence policy are also NGOs."

- **Fanyana D. Mazibuko[5]** defined NGOs as "any grouping of people who have a common mission to meet a particular need in their society or community, and are not formed or controlled by government."
- **Olena P.M[6]** defines NGOs as "an organization of private individuals who believe in certain basic social principles and who structure their activities to bring about development to communities that they are servicing."
- Also it is defined as a social development organization assisting in empowerment of people.[7]
- An organization or group of people working independent of any external control with specific objectives and aims of fulfill tasks that are oriented to bring about desirable change in a given community or area or situation.[8]
- An organization not affiliated to political parties, generally engaged in working for aid, development and welfare of the community.[9]

[4] http//www.cohre.org
[5] Fanyan D.M "The role of Non-governmental organizations in educational advancement in developing countries.
[6] Olena P.M (1999) Research paper UNDP/Tale collaborative programme, Research Clinic, New haven.
[7] www.greenpeace.org.
[8] Ibid
[9] Ibid

- Organization committed to the root causes of the problems trying to better the quality of life especially for the poor, the oppressed, the marginalized in Urban and Rural areas.[10]
- Organizations established by and for the community without or with little intervention from the government; they are not only a charity organization, but work on socio-economic cultural activities.[11]
- An organization that is flexible and democratic in its organization and attempts to serve the people without profit for itself.[12]

2.01 CONCEPT OF NGOS

At last it can be said that NGOs are those organizations who are not affiliated to political parties but non-profit, voluntary and development oriented. The concepts of NGOs include, but are not limited to, environment, social, advocacy and human rights work[13]. They can work to promote social or political change on a broad scale or very locally. NGOs play a critical part in developing society, improving communities, and promoting citizen participation.[14] Offering direct assistance to those who rights have been violated, lobbying for changes to national, regional or international law. Helping to develop the substance of those laws. Promoting knowledge of and respect for human rights among the population.[15]

2.02 FEATURES OF NGOS

Some of the features of NGOs include the following below:-

1. It is a non-profit making, voluntary, service – oriented/development oriented organization, either for the benefit of members (a grassroots organization) or of other members of the population (an agency).

[10] Ibid
[11] Ibid
[12] Ibid
[13] https://socialworkeducationbd.blogspot
[14] Ibid
[15] Ibid

2. It is an organization of private individuals who believe in certain basic social principles and who structure their activities to bring about development to communities they are servicing.
3. It is a social development organization assisting in empowerment of people.
4. An organization or group of people working independent of any external control with specific objectives and aims to fulfill tasks that are oriented to bring about desirable change in a given or areas or situation.
5. An independent, democratic, non-sectarian people's organization working for the empowerment of economic and/or socially marginalized groups.
6. An organization not affiliates to political parties, generally engaged in working for aid, development and welfare of the community.
7. An organization committed to the root causes of the problems trying to better the quality of life especially for the poor, the oppressed, the marginalized in urban and rural areas.
8. Organizations established by end for the community with or without little intervention from the government; they are not only a charity organization, but work on socio-economic-cultural activities.

2.03 TYPES OF NGOS

There are numerous classifications of NGOs. The typology the World Bank uses divided them into Operational and Advocacy[16].

NGOs vary in their methods. Some act primarily as lobbyists, while others primarily conduct programs and activities. For instance, an NGO such as **Oxfam**, concerned with poverty alleviation, might provide needy people with the equipment and skills to find food and clean drinking water, whereas an NGO like the **FFDA** helps through investigation and documentation of human rights violations and provides legal assistance to victims of human rights violations and provides legal assistance to

[16] https://www.academia.edu>csos

victims of human rights abuses.[17] Others, such as **Afghanistan Information Management Services**, provide specialized technical products and services to support development activities implemented on the ground by other organizations.

On the basis of certain factors such as size, class, life span, location, status of personnel's and characteristics of the beneficiaries, NGOs are divided into some particular types. Here is given a brief description of the classifications of NGOs[18].

a. Classification on the basis of orientation

i. **Charity oriented NGOs[19]**: The activities of these NGOs are based on the philosophy of charity and those activities include distribution of food, clothing, medicine, educational facilities, relief work etc.

ii. **Development Service Oriented NGOs[20]:** The activities of these NGOs include provisions of health care, family planning or education services.

iii. **Participatory NGOs[21]**: These NGOs are characterized by self-help projects where local people are involved by contributing cash, tools and materials, labour etc.

iv. **Empowerment Oriented NGOs[22]:** These NGOs work to strengthen the awareness of the target group and their potential to control their lives.

3.0 CONTRIBUTIONS OF NGOS TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS STANDARD

In this Section of the seminar paper, the writer would look briefly at the contributions the NGOs have made to the promotion and protection of human rights throughout the World.

[17] Ibid
[18] Ibid
[19] Ibid
[20] Ibid
[21] Ibid
[22] Ibid

It is worthy to note that the contribution of NGOs is important not only in terms of the result that are achieved and therefore for the optimism that people may feel about the defence of human rights in the world, but also because NGOs are in a very direct sense, tools that are available to be used by individuals and groups throughout the world[23]. They are managed and co-ordinate as many organizations are by private individuals but they also draw a large part of their strength from other members of the community offering voluntary support to their cause. This fact give them great significance for those individuals who would like to contribute to the improvement of human rights in the world.

In a nutshell, at nearly every level of the different attempts to preserve the dignity of individual citizens when this is threatened by the power of the state, NGOs play a crucial role in:

1. **Direct Assistance[24]:-** It is particularly common for NGOs working on social and economic rights to offer some form of direct service to those who have been victims of human rights violations. Such services may include forms of humanitarian assistance, protection or training to develop new skills. Alternatively, where the right is protected by law, they may include legal advocacy or advice on how to present claims. In many cases, however, direct assistance to the victim of a violation or a human right defender is either not possible or does not represent the best use of an organization's resources. On such occasions, and this probably represents the majority of cases, NGOs need to take a longer term view and to think of other ways either of rectifying the violation or of preventing similar occurrences from happening in the future.
2. **Campaigning and lobbying [25]** :- International actors often engaged in campaigning and advocacy in order to bring about a policy change. Again, there are numerous forms, and an NGO will try to adopt the most appropriate one, given the objectives it has in mind, the nature of its "target", and of

[23] https://www.researchgate.net>2
[24] Ibid
[25] Ibid

course, its own available resources. Some common practices are outlined below:

- Letter-writing campaigns are a method that has been used to great effect by Amnesty International and other NGOs. People and organizations "Bombard" government officials with letters from thousands of its members all over the world.
- Street actions or demonstrations, with the media coverage that these normally attract, may be used when organizations want to enlist the support of the public or to bring something to the public eye in order to 'name and shame' a government.
- The media will frequently play an important part in lobbying practices and social media and the internet are now assuming an increasingly significant role.
- Shadow reports are submitted to UN human rights monitoring bodies to give an NGO perspective of the real situation regarding the enjoyment of human rights in a particular country.

In addition to demonstrations of support or public outrage, NGOs may also engage in private meetings or briefings with officials. Sometimes the mere threat of bringing something to the public eye may be enough to change a policy or practice, as in the story below. Whilst this used to be mobilized, at one time, through tapes, posters and faxes, it is now mobilised through email campaigns and petitions, internet sites, blogs and electronic social networks[26].

In general, the greater the backing from the public or from other influential actors (for example, other governments), the more likely is it that a campaign will achieve its objectives. Even if they do not always use this support directly, NGOs can ensure that their message is heard simply by indicating that a large

[26] Ibid

popular movement could be mobilized against a government or many governments[27].

3. **Human rights education and awareness[28]:-** Many human rights NGOs also include, at least as part of their activities, some type of public awareness or educational work. Realizing that the essence of their support lies with the general public, NGOs will often try to bring greater knowledge of human rights issues to members of the public. A greater knowledge of these issues and of the methods of defending them is likely to engender a greater respect and this, in turn, will increase the likelihood of being able to mobilize support in particular instances of human rights violations. It is that support, or potential support, that lies at the base of the success of the NGO community in improving the human rights environments.

4. **Collecting accurate information[29]:-** If there is a fundamental strategy lying at the base of the different forms of NGO activism, it is perhaps the idea of attempting to "show up" the perpetrators of injustice. Governments are very often able to shirk their obligations under the international treaties, or other rights standards, that they have signed up to because the impact of their policies is simply not known to the general public. Collecting such information and using it to promote transparency in the human rights records of governments is essential in holding them to account and is frequently used by NGOs.

   They attempt to put pressure on people or governments by identifying an issue that will appeal to people's sense of injustice and then making it public. Two of the best known examples of organizations that are reputed for their accurate monitoring and reporting are **Amnesty International and the International Committee of the Red Cross**. Both of these organizations possess authority not only among the general public but also at the level of the UN, where their reports are taken into account as part of the official process of monitoring governments that have agreed to be bound by the terms of international treaties.

[27] Ibid
[28] Ibid
[29] Ibid

Furthermore, below are some of the NGOs!

1. **Amnesty International**[30]**:** This is a worldwide movement of people who campaign for internationally recognized human rights for all more than **22 Million Members** and subscribers in more than **150 Countries**, they conduct research and generate action to prevent and end gave abuses of human rights and to demand justice for those whose rights have been violated.
2. **Children's Defense Fund (CDF)**[31]**:** The CDF is a child advocacy organization that works to ensure a level playing field for all children CDF Champions policies and programs that lift children out of poverty, protect them from abuse and neglect and ensure their right to equal care and education.
3. **Human Right Action Center**[32]: The Human Rights Action Center is a nonprofit organization based in Washington, DC headed by **Jack Healey**, world-renowned Human rights activist and pioneer. The Center works on issues or the universal Declaration of Human Rights and uses the arts and technologies to innovate, creates and develop new strategies to stop human rights abuses. They also support growing human rights groups all over the world.
4. **Human Right Watch**[33]**:** Human Rights Watch is dedicated to protecting the Human rights of people around the world. They investigate and expose human rights violations, hold abusers accountable, and challenges governments and those who hold power to end abusive practices and respect international human rights law.
5. **Human Rights without frontiers (HRWF)**[34]**: HRWF** focuses on monitoring, research and analysis in the field of human rights, as well as promotion of democracy and the rule of law on the national and international level.
6. **National Association for advancement of colored people (NAACP)**[35]**:** The mission of the **NAACP** is to ensure the political, educational, social and

[30] www.anesty.org
[31] www.childrensdefense.org
[32] www.humanrightsactioncenter.org
[33] www.humanrightsactioncenter.org
[34] www/hrwf.net

economic quality of rights of all persons and to eliminate racial hatred and racial discrimination.

7. **Simon Wiesenthal Centre**: This prestigious International Jewish Human Rights Organization is dedicated to repairing the world one step at a time. The centre generates changes by confronting anti-Semitism, hate and terrorism, promoting human rights and dignity, standing with Israel, defending the safety of Jews worldwide, and teaching the lessons of the Holocaust for future generations.

3.01 NIGERIA

Below are the lists of NGOs in Nigeria:

1. Amnesty International
2. Human Rights Action Centre
3. Human Rights Water
4. Human Rights Without Frontiers (HRWF)
5. Federation Of International Female Lawyers
6. Centre For Democracy and Development
7. Social Economic Rights Accountability Project (SERAP)
8. Human Rights Monitor
9. Network For Justice
10. Gender And Youth Rights Initiative
11. Coalition Against Corrupt Leaders (CACOL) etc.

At this junction, it is worthy to note, that the contributions of NGOs in Nigeria to the promotion and protection of human rights are in tandem with other NGOs across the globe. For example

(1) They offer direct assistance to those whose rights have been violated (That is, they act as the voice to the voiceless).

[35] www.naacp.org

(2) The lobby for changes to national, state and local government laws.

(3) They help to develop the substance of those laws made by the above mentioned institutions.

(4) They promote knowledge of and respect for human rights among the population.

In summary, it could be said that NGOs in Nigeria have not done much as regards to the promotion and protection of human rights in Nigeria. These could be attributed to some factors like some defects in the constitution and the lackadaisical attitude of our courts. For example **Section 6 (6)(c) of the 1999 Constitution of the Federal of Nigeria** (as amended) stated that the provisions of **Chapter II** of the constitution shall not be legally enforceable which has been judicially upheld.[36] Also in the case of **Gbemre v Shell Petroleum Development Company Nigeria Limited & 2 ors**[37] and **Abacha v Fawehinmi**[38] equally pointed out the non committal attitude of our Courts towards the promotion and protection of human rights.

4.0 CONTRIBUTIONS OF NGOS TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS STANDARDS IN OTHER JURISDICTIONS E.G. GHANA AND SOUTH AFRICAN

4.1 GHANA

NGOs in Ghana in the past and in recent times is playing a dominate role in the promotion and protection of human rights. Their activities have always been in-pari material with other NGOs globally. It must be pointed out at this juncture that the NGOs in Ghana have achieved a lot in the promotion and protection of human rights

[36] See Archbishop Olubunmi Okogie (Trustee of Roman Catholic School) & Others v. Attorney General of Lagos State (1981) 1 NCLR 218, where it was held that the Directive Principles of State Policy in Chapter II of the Constitution have to conform to and run subsidiary to the fundamental rights and that Chapter II is subject to legislative powers conferred on the state. The Nigerian Supreme Court has however assented to the Federal Government's use of the provision of Chapter II section 15(5), which stipulates that "the State shall abolish all corrupt practices and abuse of power', as a platform to legislate on corruption in Nigeria. See Attorney-Gen, Ondo State v. Attorney General Federation (2002) FWLR (Pt. 111) 1972.

[37] Unreported Suit No. FHC/B/CS/53/05 Judgment of the Federal High Court sitting in Benin, delivered on 14 November, 2005 by Justice C.V. Nwokorie.

[38] Supra

in their country. This could be attributed to the cooperation between the **bar** and the **bench to use the provisions of Chapter II together with those of Chapter IV in a community way**. Their courts have always applied the provisions of their own **chapter II,** by reading them in conjunction with other enforceable parts of the constitution unlike the courts in Nigeria[39]. Below are some of the **NGOs in Ghana – African Calabash volunteer, African centre for peace building (AFCOPB), African Human Right Heritage, African Solution Network Inc., Akrowa Aged – Life Foundation Centre for Disease Control and Prevention in Africa (CDC Africa) Change 1 Child, Alliance for African Women Initiative, Bogoso Area Township Associatio**n etc.

4.2 SOUTH AFRICA

Like many countries, South Africa has a turbulent history when it comes to human rights. During the apartheid era, which lasted from 1948 – 1991, a system of segregation and discrimination against the black population reigned[40]. In **1994**, a few years after apartheid legislation was repealed, the South African Constitution laid out strong protections for human right. It effectiveness, however, is often thrown into question. According to the Human Rights watch page on the country, South African's dedication to human rights, specifically regarding its foreign policy practice, is unclear[41]. Issues like police brutality, the treatment of refugees and migrants and xenophobic violence remain prevalent, while the protection of **LGHTO (Lesbian, Gay, Bisexual and Transgender)** rights is also inconsistent. In summary human rights activist are doing good work in the promotion and protection of human rights in South Africa. Below are some Human rights NGOs in South Africa.

[39] See Obiagwu C & Odinkalu C.A. "Combating Legacies of Colonialism and Militarism", in Abdullahi Ahmed An-Na'im (Ed.) Human Rights under African Constitutions; Realizing the Promise for Ourselves, (University of Pennsylvania Press, 2003) P. 226.

[40] www.ngopulse.org>article>guide

[41] Ibid

1. **People Against Suffering Oppression And Poverty (PASSOP)[42]:** This is a grassroots non-profit organization, that works in **Cape Town, South Africa** and focuses on the rights of refugees, immigrants and asylum seekers founded in 2007 by Zimbabweans living in South Africa, the organization was a response to asylum seekers fleeing **Robert Mugabe** and the Xenophobia these vulnerable people encountered.

   In addition, **PASSOP** fights for the rights of all immigrants, including undocumented ones who lack reliable access to essentials like health care and shelter. PASSOP frequently protests current **South African** foreign policies regarding immigration and advocates for change in the Department of Home Affairs.

2. **Lawyers For Human Right (LHR)[43]:** Founded in 1979, the Pretoria based lawyers for Human Rights began as an organization fighting human rights abuse and oppression under apartheid. When South Africa repealed the system, **LHR** helped with voter education and election monitoring, so democracy could be successfully established in **1994. LHR's** primary work is providing free legal services to both non-national and South African victims of human rights abuses.

3. **Centre for Human Right[44]**: In **1986**, the University of Pretoria's faculty of Law established the Centre for Human Rights. It serves as an academic department and an NGO focused on Human Right Education. It was one of the few institutions within South African to speak against apartheid abuses and in **1994**, it served as a technical adviser during the writing of the constitution. In 2006, it was awarded the **UNESCO prize for Human Rights Education.**

4. **Dullah Omah Institute for Constitutional Law, Governance, and Human Rights**[45]: Founded in **1990 by Dullah Omar,** this institute was originally called the community law centre. It was a major player in negotiations between

[42] Ibid
[43] Ibid
[44] Ibid
[45] Ibid

the **National Party Government** and **Democratic Parties** as apartheid came to an end.

5. **The Commission For Promotion And Protection Of The Rights Of Cultural, Religious And Linguistic Communities (CRL Rights Commission)**[46]**:** This Independent Chapter Nine Institution was formed in **2002** under the **South African Constitution**. Its mandate is to "promote respect" and guard the rights of **Cultural, Religious and Linguistic Communities.**

5.0 CONCLUSION AND RECOMMENDATION

Non-governmental organizations play an increasingly important role in the promotion and protection of Human Rights. They can bridge the gap between government and the community. Community-based organizations are essential in organizing poor people, taking collective action, fighting for their rights, and representing the interests of their members in dialogue with NGOs and government. NGOs, on the other hand, are better at facilitating the supply of inputs into the management process, mediating between people and the wider political party, networking, information dissemination and policy reform.

By creating an enabling framework of laws, economic and political conditions, the state can play a fundamental role in helping NGOs to play their roles more effectively and as a result increase the access to infrastructure services for the urban poor. Partnerships between all groups should be achieved without ignoring each other's strengths but make use of each other's comparative advantage.

NGOs often can respond quickly to new circumstances and can experiment with innovative approaches. NGOs can identify emerging issues, and through their consultative and participatory approaches can identify and express beneficiary views that otherwise might not be heard.

[46] Ibid

NGOs often are successful intermediaries between actors in the development arena, building bridges between people and communities on one side, and governments, development institutions and donors and development agencies on the other. In an advocacy role, NGOs frequently represent issues and views important in the dynamics of the development process.

At the same time, limited technical capacities and relatively small resources bases may characterize some NGOs. NGOs sometimes may have limited strategic perspectives and weak linkages with other actors in development. NGOs may have limited managerial and organizational capacities. In some countries, the relationship between NGOs and government may involve political, legal, ideological and administrative constraints. Because of their voluntary nature, there may be questions regarding the legitimacy, accountability, and credibility of NGOs and their claims as to mandate and constituencies represented. Questions sometimes arise concerning the motivations and objective of NGOs, and the degree of accountability NGOs accept for the ultimate impact of policies and positions they advocate.

On the part of Nigeria, **Section 6(6)c of the 1999 CFRN** should be repealed. The **Courts** on the other hand should wake up from their deep slumber and live up to its responsibility in order for the NGOs to function effectively.