Chapter Seven

Attributes of Successful Human Rights Non-Governmental Organizations (NGOs) – Sixty Years After the 1948 Universal Declaration of Human Rights

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1. Introduction

It is undisputed that human rights non-governmental organizations (“human rights NGOs”) have proliferated dramatically in the sixty years since the United Nations (“UN”) promulgated the Universal Declaration of Human Rights,¹ and that human rights NGOs play a critical role in promoting and protecting human rights in all corners of the globe.² However, the human rights community

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cannot agree on what constitutes a “human rights NGO”, how tidily to categorize them, or even that “NGO” is an appropriate moniker for such groups. 3

Furthermore, despite the omnipresence of human rights NGOs, human rights community stakeholders 4 cannot agree on a framework for vetting NGOs to help ensure their legitimacy. Definitional and other problems make it difficult for stakeholders easily to distinguish between human rights groups deserving support and human rights groups deserving disbandment. The UN, other inter-governmental organizations, and national governments need to know which groups are lawful, legitimate, and worthy of accrediting, licensing, granting tax benefits to, or supporting. Individuals seeking to join an NGO and recipients of NGO largesse need to know which NGOs to trust. Donors need to know which NGOs to fund, and NGOs need to know with which other NGOs they might collaborate to protect human rights.

While this chapter does not purport to develop this much-needed, coherent framework, it advances the framework’s development by identifying and analyz-

Anniversary of the Universal Declaration of Human Rights, recognizing positive NGO contributions in promoting and protecting human rights).

3 Academics, diplomats, governmental bureaucrats, and jurists have struggled on what to call these groups – the Third Sector, the independent sector, the volunteer sector, civil society organizations (“CSO” – objectionable because includes corporations), non-state actors (NSAs – objectionable because includes terrorists, guerillas), private voluntary organizations (PVOs), citizen associations, grassroots organizations, transnational social movement organizations, citizen sector organizations, self-help organizations, or community based organizations (CBOs). See, e.g., Peter J. Spiro, “NGOs and Human Rights: Channels of Power,” in Research Handbook on Human Rights (Edward Elgar Publishing, forthcoming 2009), 2 http://ssrn.com/abstract=1324971 (discussing NGO descriptor) (accessed July 20, 2009); John Samuel, “Civil Society in an Uncivil World,” Pambazuka News, Issue 324, October 18, 2007, http://www.pambazuka.org/en/category/comment/43788 (accessed July 20, 2009); http://www.globalpolicy.org/component/content/article/177/31602.html (accessed July 19, 2009) (“The term ‘Civil Society’ is contested terrain. Over the last fifteen years it has been used to denote everything from citizens’ groups and activist formations to highly institutionalized non-governmental organizations and foundations.”)

4 Herein, the term “stakeholder” broadly includes “any person or entity affected by or interested in human rights concerns”, such as inter-governmental organizations (e.g., the UN), national governmental bodies with human rights competence (e.g., national human rights commissions), private organizations that engage in human rights work, academic institutions that teach human rights or provide human rights pro bono services, individual and group victims of human rights abuses, prospective victims, donors to human rights endeavors, and groups that receive human rights donations. This definition of “stakeholder” is not exhaustive and might include, for example, corporations (who are obligated to protect human rights), terrorist groups, unlawfully organized rebels groups or mercenaries – irrespective of whether the stakeholder is an NGO.