

# Nongovernmental International Human Rights Organizations: The Case of Hong Kong

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**ABSTRACT** This article examines the contributions of nongovernmental international human rights organizations (NGIHRO) in promoting a broad sense of human rights in hybrid regimes using the cases of Amnesty International Hong Kong (AIHK), Green Peace Hong Kong (GPHK), and Oxfam Hong Kong (OHK). It contends that NGIHROs have made significant contributions to public education and fund-raising in Hong Kong. However, with regard to the human rights conditions, it is erroneous to consider Hong Kong as part of the developed world. Together with other probable political considerations, doing so may have led to gaps in the organizations' roles and functions as advocates for human rights in Hong Kong. In the final analysis, this article uses the political protests in Hong Kong to illustrate the importance of addressing the implications of demands for preserving the local identity and alternative lifestyles in the broader understanding of human rights.

**T**his article examines the contributions of nongovernmental international human rights organizations (NGIHROs) in promoting a broad sense of human rights in hybrid regimes by illustrating the cases of Amnesty International Hong Kong (AIHK), Green Peace Hong Kong (GPHK), and Oxfam Hong Kong (OHK). It investigates the programs, activities, and work focus of the three organizations, as well as the gaps in the human rights conditions of Hong Kong as a hybrid regime under the authoritarian rule of China. It contends that the NGIHROs have made substantial contributions to public education and fund-raising for promoting human rights in Hong Kong. However, with regard to local human rights conditions—probably because the selected organizations include Hong Kong as part of the developed world or for other political considerations—there are certain roles that these organizations have not been performing in their endeavors in the local context. The consequence is that the fluctuating and often deteriorating human rights situation in hybrid regimes such as Hong Kong, despite their relatively advanced social and economic development, are potentially neglected. This article calls attention to the limitations of conventional understanding and the need to rethink the priorities in human rights work.

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## HUMAN RIGHTS AND CLASSIFICATIONS OF HUMAN RIGHTS NONGOVERNMENTAL ORGANIZATIONS

NGIHROs share five characteristics that commonly define nongovernmental organizations (NGOs): (1) some type of institutional existence, (2) institutional separation from the government, (3) nonprofit-making, (4) self-governing, and (5) voluntary (Salamon et al. 1999). They have additional features similar to those of local human rights NGOs, including assuming the protection and promotion of human rights as their primary concern, advocating on the basis of international laws, and aiming to secure the rights for everyone in a society (Wiseberg 1992).

In general, the roles and functions of NGIHROs, like those of local human rights NGOs, include raising awareness and public education, information sharing, monitoring human rights violations, lobbying and advocacy, mobilizing collective action, networking and liaison, promoting and monitoring the implementation of international covenants, offering political and humanitarian help to those in need, and vindicating human rights in litigation (Claude 2006). Previous studies pointed out that the roles of NGIHROs are particularly strong in public education, setting and monitoring compliance with international human rights standards, and liaison with international governmental organizations on monitoring human rights violations (Steiner 1991). They also may have special roles in transitional societies, where changes in conflict patterns, number of players involved, and who is abusing whom may warrant special attention (Bell and Keenan 2004).

Nevertheless, there is an ongoing debate about the definition of human rights that also pertains to the classification of NGIHROs. The term, *human rights*, is commonly understood as the equal, universal, and inalienable rights of human beings. According to the Universal Declaration of Human Rights adopted by the United Nations in 1948, the general concept of human rights refers to the civil, political, economic, social, and cultural rights of people. As broadly defined, the specific human rights listed in the Declaration include security rights that protect people against crimes, due process rights against abuses of the legal system, liberty rights that protect freedoms, political rights that protect the freedom to participate in politics through action, equality rights that guarantee equal citizenship, equality before the law and nondiscrimination, and social rights that protect against severe poverty and guarantee the provision of education (Nickel 2010). Another classification of human rights categorizes them by four different generations: (1) political and civil rights (including security rights); (2) social, economic, and cultural rights (including subsistence rights); (3) solidarity rights (including environmental rights and the right to self-determination); and (4) the rights of indigenous people (including the rights of migrants and minorities) (Vasak 1977).

It is obvious that the various generations of rights—embedded with the respective conceptions of a good society and the means to achieve it—are not equally appealing or important to everyone. The first-generation defenders tend to exclude other generations from their definition of human rights or consider them to be only derivatives. Similarly, proponents of other generations of rights regard the first generation as insufficiently attentive to human needs and inadequate as instruments to correct unjust social orders. Therefore, they tend to treat these rights as long-term goals after achieving protection of social and economic rights. The underlying assumption is that the scope of human rights is determined by local, national, or regional customs and traditions. The consequence of these debates, therefore, is a sharp disagreement about the legitimate scope of human rights and the priorities among them (Weston 2006).

NGIHROs are classified as “First World” and “Third World” NGOs, which signifies their different physical bases, sizes, ideological concerns, types of human rights in focus, and strategies. For comparison, First World human rights NGOs are committed to the liberal tradition with an emphasis on the protection of civil and political rights (i.e., the first generation of rights), whereas Third World NGOs give priority to economic and social rights (i.e., the second generation of rights) (Steiner 1991). In other terminologies, “ideal” human rights NGOs, which focus on political and civil rights and include Amnesty International, are distinguished from “operational” human rights NGOs, which emphasize social, economic, and cultural rights, such as Oxfam and Green Peace (Wiseberg 1992). The end of the Cold War marked the turn of the debate to a Global North–Global South divide. Similarly, Northern human rights NGOs are distinguished from their Southern counterparts in that the former have been urged to broaden their missions to include promoting social, economic, and cultural rights, not limiting them to only advocating liberal ideals and norms. In contrast, Southern NGOs were more likely than their Northern counterparts to pursue a wider range of goals, advance new human rights standards, strengthen citizens’ organizing capacities, and transform national institutions (Smith, Pagnucco, and Lopez 1998).

First World human rights NGOs are often criticized by their Third World counterparts for overemphasizing individual human rights violations; neglecting the underlying social, economic, and

## List of Abbreviations

AIHK	Amnesty International Hong Kong
CE	Chief Executive
FC	Functional constituency
GC	Geographical constituency
GPHK	Greenpeace Hong Kong
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
LegCo	Legislative Council
NGIHRO	Nongovernmental international human rights organization
NGO	Nongovernmental organization
OHK	Oxfam Hong Kong

structural problems that lead to loss of protection and dignity in the Third World; ignoring the interrelatedness between Third World problems and First World policies; and neglecting human rights problems in their own First World countries. For instance, it has been observed that Amnesty International perceives itself to be an impartial organization concerned with human rights violations in individual cases, rather than the advancement of political ideologies that may draw it into political struggle and risk its public credibility. Third World human rights NGOs, conversely, are criticized for their neglect of developing human rights laws to hold their governments accountable and for the lack of their uniqueness among other NGOs (Steiner 1991).

It is beyond the scope of this article to examine in detail the controversies about what should be counted as human rights and the criticisms that human rights NGOs have about one another. However, it is obvious that these classifications of NGIHROs, (i.e., physical bases, places of origin, and priorities) have not considered the variations in regime nature across the globe and the invalid or inaccurate classification of countries as belonging to either the First World (or the Global North) or the Third World (or the Global South). Whereas the First World and Third World classifications became invalid with the collapse of the communist bloc, the classification of countries as belonging to either the Global North or the Global South is also imprecise. In fact, many regimes today, despite their well-developed social policies and economy, are defined by what comparativists call hybrid regimes, semi-democracies, semi-authoritarianism, competitive or electoral authoritarianism, and transitional societies. Although these regimes, including Hong Kong, Singapore, and Russia, constitute a wide spectrum of governance styles, ranging from more repressive (e.g., Russia) to more liberal (e.g., Hong Kong), what they have in common is that protection of civil and political rights is far from ideal. Furthermore, these regimes often lag behind in environmental protection. These countries or territories therefore deserve attention with respect to their human rights conditions that may have been neglected by NGIHROs due to their relatively advanced social and economic development, the respective priorities of the NGIHROs, and the elusive nature of the authoritarian governance in such regimes. In the following discussion, these concerns are further analyzed using the case of Hong Kong.

The previous discussion sheds light on the classification of NGI-HROs. Assuming a broad classification, this study selected AIHK, GPHK, and OHK as cases for further analysis among the different types of human rights organizations.

#### THE CONTRADICTION DEVELOPMENTS OF HONG KONG

As elaborated in previous studies about liberal democracy and authoritarianism, various forms of hybrid regimes have emerged in recent decades. Despite different labels, these regimes are often said to be transitioning to democracy or regressing to authoritarianism, but not without controversies. The distinction between a hybrid regime and a democracy varies in the lesser degrees of political rights and freedoms enjoyed by the people, and of government fairness, accountability, and inclusiveness in the former. Elections occur in the regimes but are manipulated by the state and other political stakeholders. As such, they are not completely free and fair, particularly in terms of the right and ability of opposition-party candidates to campaign in the elections and in the counting of the votes. Therefore, although the hybrid regimes are not authoritarian, neither are they democratic. The future of their political development is ambiguous and uncertain because the ruling strategies of the state and other political stakeholders are typically opaque.

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Hong Kong is a good example of a hybrid regime, commonly perceived as a partial democracy. In 1991, the Hong Kong Bill of Rights Ordinance, a local adaptation of the International Covenant on Civil and Political Rights (ICCPR), was enacted by the British colonial government in Hong Kong. With the 1997 return of Hong Kong to China, the Basic Law (i.e., the “mini-constitution” of Hong Kong) was put into effect which guarantees that the ICCPR, the International Covenant on Economic, Social, and Cultural Rights (ICESCR), and the international labor conventions as applied to Hong Kong will remain in force. Under this framework, the people of Hong Kong are perceived to enjoy a wide spectrum of civil and political liberties.

Despite the important civil and political liberties promised to the people, Hong Kong has remained a partial democracy, before and after its return to China in 1997. Having achieved the prerequisite socioeconomic conditions for democratization since the 1970s, demands for universal suffrage in the elections of the Legislative Council (LegCo) and the Chief Executive (CE) of Hong Kong have never waned. The Basic Law promises democracy but only gradually. In 2012, the CE was still elected by an Election Committee of 1,200 members (up from 800 members in the previous Committee) of which 1,044 members were elected from 38 sub-sectors, 60 members were nominated by the religious sub-sector, and 96 were ex officio members. For the LegCo, half of the 70 members would be elected by five geographical constituencies (GC) of approximately 3.4 million registered voters on universal suffrage; another five seats would be elected also by universal suffrage, but candidature is limited to elected District Councilors; and the remaining 30 members

elected by 28 functional constituencies (FC) of only 240,000 registered voters. FC's eligible voters are limited to designated individuals and legal entities such as organizations and corporations that represent predominantly business and professional interests.

In recent decades, the nonuniform election methods within the FC, the unfair nature of their representation, and the institutionalized constraints in the LegCo favoring FC and limiting the power and influence of the GC-elected legislators have spawned much criticism and demands for the FC's abolition. Regarding the election of the CE, since 1997, the limited representation and eligibility of candidature have aroused a general suspicion of interference, if not manipulation, from China. Amid the political debate on all of these questions, the Standing Committee of the National People's Congress of China ruled on Hong Kong's constitutional development in 2004 that the LegCo shall be elected equally by GC and FC; this means that FC elections will not be abolished in the foreseeable future. In 2007, the Standing Committee again ruled on Hong Kong's constitutional development that the electoral system will be further but not fully democratized in 2012, with the goal of attaining popular election of the CE in 2017 and of the entire LegCo in 2020. Endorsement from China seemed crucial in determining the democratic development in Hong Kong. Whether a consensus among the various political stakeholders can be reached in Hong Kong

and the roadmap for implementing universal suffrage for the CE and the LegCo elections remain unclear.

The Hong Kong government, which is a Special Administrative Region government under Chinese rule, generally respects the rights of citizens. Nevertheless, the people of Hong Kong are deprived of the full spectrum of human rights, notably the political right to participate in and change their government. On the one hand, the LegCo is limited in its institutional power to truly monitor the government; on the other hand, it favors certain social sectors with disproportional political influence.

Regarding the protection of civil liberties, in recent years, there have been growing concerns about increasing press censorship, an increase in visa denials for political reasons, and alleged election fraud. The police have been accused of using heavy-handed tactics on nonviolent protesters, hampering media coverage, roughing up journalists, and violating the freedom of expression. Other major public concerns include the infringement of the right of privacy and covert surveillance.

The demand of human rights organizations for the establishment of an independent Human Rights Commission with statutory power in Hong Kong continues to be ignored by the government. The government's work on human rights is dispersed among different bureaus and coordinated by the Constitutional and Mainland Affairs Bureau, but it does not have authority over the other bureaus (Chong, Kwok, and Law 2010).

Between 1997 and 1998, the Beijing-appointed Hong Kong Provisional LegCo revived the Public Order Ordinance and Societies Ordinance, which had been repealed by the colonial government

before 1997, and it placed greater restriction on the freedom of assembly and association. According to the amended Public Order Ordinance, any public procession consisting of more than 30 people must be preapproved by the police commissioner, who may object on grounds of national security, public safety, and public order. Activities regarded as advocating for the independence of Hong Kong, Tibet, or Taiwan will be banned (Cap. 245, sections 13–15). Similarly, based on the amendments to the Societies Ordinance passed by the Provisional LegCo, associations in Hong Kong must register for government approval. The Ordinance introduced a new criterion of national security to decide whether an association should be approved. The Basic Law stipulates that NGOs in education, science, technology, culture, art, sports, medicine and health, labor, social welfare, and social work, as well as religious organizations, may maintain and develop relationships with their counterparts and relevant international organizations in foreign countries (Article 149). However, the amendments to the Societies Ordinance require that an association be banned if it is a political body connected with a foreign or Taiwanese political organization (Cap. 171, section 5A). With the absence of laws pertaining to political parties in Hong Kong, there is concern that an NGO could be arbitrarily categorized as a political body infringing on the Societies Ordinance.

In addition to these political and legal changes, there is a constitutional requirement of the Hong Kong government to enact Article 23 of the Basic Law against subversion, sedition, and secession, which—as widely perceived—would threaten the rule of law and the human rights situation in Hong Kong. With specific relevance to NGIHROs, Article 23 stipulates that foreign political organizations are prohibited from conducting political activities in Hong Kong, and political organizations in Hong Kong are prohibited from establishing ties with foreign political organizations.

It is obvious that both the Hong Kong and the Chinese governments are sensitive to “foreign intervention” in Hong Kong; therefore, NGIHROs would inevitably garner significant political attention or even scrutiny. Although as yet there is no concrete evidence showing that organizations suffered from increasing political pressure after 1997, the obvious changes in the local political and legal conditions may have affected their position on the local human rights situation and thus the focus of their work.

Beyond the political arena, Hong Kong has kept pace with developed countries in economic advancement. A well-developed economic system, uncorrupt civil service, established anticorruption measures, excellent banking system, low taxation rates, rule of law, abundant foreign reserves, and ties with China have made Hong Kong a competitive global city. In 2013, gross domestic product (GDP) at purchasing-power parity was US\$381.7 billion, ranking 36th globally. The GDP per capita (PPP) was US\$52,700, which placed Hong Kong 14th globally (CIA 2014).

Nevertheless, prevalent social problems—which include the provision for basic housing; educational, welfare, and health reforms; and the widening gap between rich and poor—are yet to be resolved in Hong Kong. The result of these social problems is that Hong Kong is a “contradictory mix of growing prosperity and increasing unhappiness” (Keatley 2011) and they restrict the people’s right to a decent standard of living. For instance, relative to the focus of this article, the Gini coefficient measured the income gap in Hong Kong at 0.537 in 2011. The low-income population reached 110,000 in a city of 7 million, with half living below the poverty line (Oxfam Hong Kong 2012). Hong Kong’s elderly people are particularly impoverished

among the low-income population. There are neither unemployment benefits nor government pension plans (except for civil servants). Laws passed in 2011 set the minimum hourly-wage rate at approximately US\$3.85 effective as of 2013; yet, many employers have found ways to evade this legal responsibility. Collective-bargaining rights for laborers are yet to be negotiated among the different stakeholders, and workers’ rights are restricted. For example, under the Trade Union Ordinance, the registrar has the power to monitor trade-union activities. Employees are allowed to participate in a strike; if they are dismissed for such action, they have the right to take their employer to court; however, there is no legal entitlement to reinstatement.

Regarding environmental protection, when environmental policy first began to evolve in Hong Kong in the 1970s, the scope of concern was limited, including air and noise pollution and the use of legal measures for regulatory purposes. It was not until the 1980s that the British colonial government became increasingly involved in environmental protection and that the scope of environmental concerns expanded. After the return of Hong Kong to China in 1997, Hong Kong’s CE repeatedly promulgated the importance of sustainable development in making Hong Kong an ideal place to live. Fostering partnerships in environmental policies and cultivating community awareness about the importance of sustainable development were the two major policy themes in the early 2000s. Critics, however, point out that the environmental quality in Hong Kong has not improved significantly since 1997. In general, Hong Kong still suffers from harmfully high levels of air pollution and poor marine and drinking water quality. In addition, no specific legislation governs the sale and labeling of genetically modified food. Rights to an alternative lifestyle as well as community and identity are hampered. A series of government town planning, urban renewal, and harbor-reclamation projects triggered criticism and protests on the grounds of conservation of heritage and communities, environmental protection, and freedom of lifestyle.

Overall, whereas Hong Kong may have excelled in other areas of protecting freedom and liberties, it is far from satisfactory in the protection of human rights—notably political rights—which is a result of the hybrid nature of the regime. Although often placed on a par with other cosmopolitan cities with regard to economic and commercial development, Hong Kong is clearly trailing others in terms of social and cultural development. The same observation applies to environmental quality and protection. In a broad sense, all of these examples illustrate the contradictory nature of Hong Kong’s development regarding the different dimensions of human rights protection and promotion. It is wrong to consider the city as part of the developed world, which may have resulted in the neglect of the human rights situation by nongovernmental international human rights organizations.

#### **NONGOVERNMENTAL INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS IN HONG KONG**

In terms of geographical focus, NGIHROs based in Hong Kong can be categorized in two main types: (1) those with a focus on China or selected Asian countries (e.g., Human Rights in China); and (2) those with a regional focus that includes Hong Kong. In terms of the types of human rights, there are NGIRHOs that focus on (1) civil and political rights (e.g., AIHK and the International Commission of Jurists); (2) social, economic, and cultural rights (e.g., Asia Monitor Resource Centre, Asian Migrant Center, and OHK); and (3) environmental rights (e.g., GPHK).

A study about the NGOs of Hong Kong conducted by the Central Policy Unit of the government—the most comprehensive work on the subject to date—found approximately 120 international organizations, 70 of which focus on development assistance, five on disaster relief, 30 on friendship/cultural exchange, and 15 on human rights and peace. Many of these organizations focus on overseas activities, particularly in the rest of Asia and China, and they function primarily as regional organizations. Some allocate a significant percentage of resources to providing services to Hong Kong, such as the creation of societal norms, promotion of volunteerism, and emergency services,

AIHK was founded in Hong Kong in 1982. As of 2013 there were 14 types of programs, and not all respond to local human rights needs. The programs that are unrelated to Hong Kong’s situation include abolishing the death penalty, reducing maternity mortality, promoting human rights in Southeast Asia and China, controlling arms, urging protection of human rights in armed conflicts, taking action to address urgent human rights needs, and ending forced evictions. The programs related to Hong Kong include human rights educational services; promotion of the rights of lesbian, gay, bisexual, and transgendered people; the halting of violence against

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which reflect the priorities of Hong Kong donors. Furthermore, the organizations maintain regular interactions with the government, the private sector, and other NGOs (Hutton 2004).

International organizations have different reasons for locating their offices in Hong Kong but few do so because of local needs. Rather, they are based in Hong Kong for the comparative advantages of an operating environment for NGOs, including the availability of technology and professional expertise, easy access and circulation of information, minimal government interference, and access to other parts of Asia, notably China (Hutton 2004).

A cursory reading of the programs and activities of various international NGOs in Hong Kong reveals that, indeed, almost all consider Hong Kong to be part of the developed world. Most of the resources are directed to human rights services in China and coordination of related activities throughout Asia. In Hong Kong, the NGIHROs concentrate their work on public education, promotion of volunteerism, and fund-raising. However, worthy of note is their active involvement in the 2003 mass mobilizations in Hong Kong to protest the government’s intent to pass the national security bill under Article 23 of the Basic Law. The organizations participated in the protests and forcefully propagated the importance of preserving the freedom of Hong Kong’s people and its status as a cosmopolitan city. It is interesting that these efforts were less emphasized after 2003, with the focus resuming on public education about human rights, environmental quality, and social issues.

The following statistics about the work of the organizations, which were drawn from published sources of information (e.g., annual reports and Internet news), may not be all inclusive. However, it is believed that the activities reported in the sources were perceived as important or at least representative, and they shed light on the focus and direction of the organizations.

### Amnesty International Hong Kong

This section analyzes the programs and activities of AIHK based on information from its website and newsletters. Due to the lack of information, the analysis focuses only on the period from 2006 to the present.

women; promotion of rights protection for refugees and migrant groups; promotion of business concerns about human rights; and organizing annual human rights press awards. In addition, AIHK has actively promoted volunteerism among the people of Hong Kong, such as the Lawyers Group, which coordinates local legal efforts for those in need, and the Direct Dialogue Program, which recruits members, raises funds, and promotes the organization’s profile among the local population.

A study of the organizations’ newsletters from 2006 until mid-2012 reveals that a relatively small percentage of the reported programs concerned Hong Kong, and it clearly was not a main focus of AIHK. The same observation applies to the examination of the contents of AIHK press releases in recent years. Among the 236 press releases, only 24 (10.2%) concerned Hong Kong (table 1).

Among the 12 programs related to Hong Kong, four were concerned with educating the public on attitudes toward homosexuality, one was concerned with public education of general human rights, two with fund-raising, one with ending domestic violence against women, and two submissions to the government concerning discrimination laws and freedom of the press, as well as one

Table 1  
Amnesty International Hong Kong

YEAR	TOTAL NO. OF REPORTED PROGRAMS	PROGRAMS ON HONG KONG
2006	13	2
2007	18	3
2008	34	1
2009	85	0
2010	120	2
2011	64	4
2012 (through May)	14	0
Totals	348	12

public report and one event related to Hong Kong's human rights conditions on the 10th anniversary of its return to China. A relatively strong emphasis was placed on public education and promotion of rights for the homosexual community in Hong Kong (table 2).

Although the focus of the press releases was relatively spread out, they also manifested AIHK's preference for certain target groups and rights issues. Among these issues, three concerned the rights of and proper attitude toward homosexuality, two were against the government's denial of entry to outside activists to join local political campaigns, five concerned the rights of immigrants and refugees, seven concerned public education of human rights, two were about Hong Kong's freedom of expression and protest, and there was one public report about Hong Kong's human rights conditions on the 10th anniversary of its return to China, as well as one on the anti-racism act, one on women's human rights, and two on other social issues (see table 2). In terms of regional and country focus, AIHK demonstrated a clear global concern in the period examined, with China receiving relatively more attention than other areas.

### Green Peace Hong Kong

GPHK was established in 1997 and became the regional office for East Asia overseeing Hong Kong, China, Taiwan, and South Korea in 2010. Areas of concern include climate and energy, toxic chemicals, the oceans, food and agriculture, forests, and air pollution. GPHK is renowned for the use of creative and nonviolent direct action that aims to confront environmental abuses by governments and corporations around the world. This section analyzes the programs and activities of GPHK based on information in its annual reports from 2006–2007 to 2009–2010 (available on its website).

During the years examined, GPHK showed a relative balance of various organizational concerns. Its work is notable in that—among other global or general environmental concerns—it focused relatively balanced attention on environmental quality in both Hong Kong and China. In 2006–2007, there were four and three programs, respectively, in Hong Kong and China; in 2007–2008, 11 and 14, respectively; in 2008–2009, 13 and eight respectively; and in 2009–2010, eight and 10, respectively (table 3). The programs covered included policy advocacy, liaison and collaboration, research and investigation, surveys, publishing, and public education.

Another important development in GPHK's work in recent years was its increasing emphasis on the interconnectedness of environmental problems in Hong Kong and China (e.g., food safety, water

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pollution, and air pollution). Joint campaigns on common themes, such as public attention and government action on pesticide-contaminated vegetables sold in supermarkets, were carried out simultaneously in both Hong Kong and China. Often, these campaigns were larger in scale and greater in public impact than other programs.

Despite the dual focus on Hong Kong and China, expenses for Hong Kong campaigns constituted only a small percentage of GPHK's overall expenditure. Available data show that in 2006–2007, campaigns in Hong Kong constituted 8.1% (i.e., HK\$1,924,958) of the total expenditure of HK\$23,781,554; in 2008–2009, it was 4.2%

Table 2

### Amnesty International Hong Kong and Types of Concerns

TYPE OF CONCERNS	PROGRAMS AND ACTIVITIES	PRESS RELEASES
Public education on attitudes toward homosexuality	4	3
Public education on human rights	1	7
Fund-raising	2	
Women's rights	1	1
Written submission to government on discrimination laws	1	1
Written submission to government on press freedom/protest rights	1	2
Hong Kong's human rights conditions	2	1
Activists' freedom of movement		2
Rights of immigrants and refugees		5
Others		2
Totals	12	24

(i.e., HK\$1,827,304) of the total HK\$43,073,823; and in 2009–2010, combined Hong Kong and Taiwan campaigns constituted 16% (i.e., HK\$8,538,447) of the total HK\$53,365,299.

### Oxfam Hong Kong

OHK is an independent international development and humanitarian organization working against poverty and related injustices. It believes that much poverty is caused by injustice and that poverty alleviation requires economic, social, and structural changes. In forging partnerships with people facing poverty and related organizations, OHK focuses its work on development, humanitarian relief, policy advocacy, and public education programs. Building on its local understanding and identity and focusing on Southeast Asia and China, including Hong Kong, OHK also supports poverty alleviation and humanitarian activities in other parts of Asia and Africa. The ultimate goals of OHK are to help poor people achieve both material and nonmaterial well-being, primarily by enabling

them to claim and enjoy their basic rights of self-sustenance, self-esteem, self-determination, and social responsibility. However, OHK also actively advocates corporate social responsibility in the international and local arena, campaigns against climate change and the poverty it causes, and calls for transparency and accountability on the part of businesses and governments. This section analyzes the programs and activities of OHK based on its annual reports, which may have understated the total number of programs and projects of other partnering organizations supported by OHK.

Table 3  
Green Peace Hong Kong

	TOTAL NO. OF REPORTED PROGRAMS	PROGRAMS ON HONG KONG	PROGRAMS ON CHINA	PROGRAMS ON GENERAL CONCERNS
<b>2006–2007</b>	<b>10</b>	<b>4</b>	<b>3</b>	<b>3</b>
Climate and energy	3	1		2
Food and agriculture	4	3	1	
Forests	2		2	
Toxics	1			1
<b>2007–2008</b>	<b>29</b>	<b>11</b>	<b>14</b>	<b>4</b>
Climate and energy	11	6	4	1
Food and agriculture	6	3	3	
Corporate responsibilities	3		2	1
Green lifestyle	9	2	5	2
<b>2008–2009</b>	<b>21</b>	<b>13</b>	<b>8</b>	<b>0</b>
Climate and energy	10	9	1	
Food safety	5	1	4	
Forests	4	3	1	
Water pollution	2		2	
<b>2009–2010</b>	<b>21</b>	<b>8</b>	<b>10</b>	<b>3</b>
Climate and energy	5	3	2	
Food safety	1		1	
Forests	4	1	2	1
Water pollution	5	2	3	
Air pollution	4	2	2	
Oceans	2			2 (Taiwan)
Totals	81	36	35	10

Clearly, during the period examined, OHK maintained multiple areas of concerns in its work, including poverty and sustainable living, fair trade, corporate social responsibility, and humanitarian response. In terms of the number of programs, Hong Kong was clearly not underemphasized. In 2006–2007, there were 13 programs on Hong Kong (of 40); in 2007–2008, 22 (of 50); in 2008–2009, 21 (of 30); in 2009–2010, 24 (of 47); and in 2010–2011, 25 (of 66). This results in a total of 105 (of 233) Hong Kong programs (45%) during the years studied. Comparatively speaking, fewer programs were organized on China (i.e., 51 or 21.9%) and other places (i.e., 77 or 33%) during the same period (table 4).

Nevertheless, the goals of 27 (i.e., 25.7%) of 105 Hong Kong programs were fund-raising and 25 (i.e., 23.8%) were youth and public education (see table 4). As also observed in other developed countries, fund-raising and public education are the most important tasks of the NGIHROs, including OHK, in these areas.

Although the previous analysis may give the impression that China was not emphasized in OHK's work, this is far from true. An examination of OHK expenditures by region in recent years illustrates that the proportions spent on programs in China constituted the largest portion and continue to increase, whereas those in Hong Kong have remained small (see table 5).

### Contributions

The analysis in this article mirrors previous research that found that fund-raising and public education comprise the most important

focus in the work of AIHK and OHK in Hong Kong, which is commonly perceived as part of the developed world. During the period examined, AIHK also demonstrated shifts in attention to human rights of the homosexual community and other minority groups in Hong Kong. OHK also campaigned for antipoverty issues, such as the minimum wage in Hong Kong. All of these endeavors are commendable. Comparatively speaking, GPHK placed greater emphasis on promoting the environmental quality in Hong Kong through various means. Indeed, Hong Kong as a regional focus was relatively underemphasized by AIHK and OHK compared to GPHK, although all three organizations are based in Hong Kong. China instead gained predominance and increasing attention in the work of all three. In terms of expenditures by region, Hong Kong constituted only a small portion of the total in the years studied.

The analysis, however, highlights the contribution of the three NGIHROs in the area of public education related to human rights consciousness and global citizenship. Although there is no objective information available for evaluating their contribution in this regard, it is fair to conclude that their missions are well supported in the local community, as evidenced by their fund-raising ability there. Both OHK and GPHK solicit their main source of income from public donations in Hong Kong, with 80% to 90% for OHK and approximately 40% to 50% for GPHK (this information is not available for AIHK on its website).

Table 4

## Oxfam Hong Kong

	TOTAL NO. OF REPORTED PROGRAMS	PROGRAMS ON HONG KONG	PROGRAMS ON CHINA	PROGRAMS ON OTHER PLACES
<b>2006–2007</b>	<b>40</b>	<b>13</b>	<b>12</b>	<b>15</b>
Poverty and sustainable livelihood	13	3	5	5 (Vietnam, Mekong, Timor-Leste, Nepal, and India, global)
Corporate social responsibility	1	1		
Fair trade	4	2		2 (Laos, global)
Humanitarian response	8		2	6 (Mekong, Darfur, East Africa, Indonesia, Asia)
Gender equality and justice	2	1	1	
Minority rights	1	1		
Peace	1			1 (Sudan)
Youth and education	7	2	4	1 (Cambodia)
Fund-raising	3	3		
<b>2007–2008</b>	<b>50</b>	<b>22</b>	<b>4</b>	<b>24</b>
Climate change	4	2	1	1 (global)
Agriculture and poverty	5			5 (Zambia, Vietnam, Timor-Leste, Mekong)
Fair trade	6	5		1 (Vietnam)
Corporate social responsibility	4	3		1 (Cambodia)
Peace and gender equality	6			6 (Philippines, Indonesia, Nepal, Darfur, Asia)
South Asia floods and cyclones	6			6 (South Asia)
HIV AIDs	3		1	2 (South Africa, Zambia)
City workers in China and Cambodia	4		2	2 (Cambodia, Thailand)
Public and youth education on poverty	7	7		
Fund-raising	5	5		
<b>2008–2009</b>	<b>30</b>	<b>21</b>	<b>6</b>	<b>3</b>
Climate change	5	4		1 (global)
Responsible well-being	1	1		
Humanitarian response	3		1	2 (Burma, Gaza Strip)
Agriculture, climate change, education, advocacy in China	5		5	
Advocacy and education in Hong Kong	8	8		
Fund-raising	8	8		
<b>2009–2010</b>	<b>47</b>	<b>24</b>	<b>14</b>	<b>9</b>
Climate change and poverty	5	3	2	
Fair trade	3	3		
Corporate social responsibility	4	4		
Building community	6	1	4	1 (Vietnam)
Development programs	7		3	4 (Nepal, India, global)
Responding to typhoons	3			3 (Philippines)
Humanitarian highlights	3		2	1 (global)
Building momentum	2	2		
Setting facts straight on social welfare	4	4		
Supporting domestic workers in Beijing	3		3	
Public education: Hong Kong global citizenship	2	2		
Fund-raising	5	5		

(Continued)



Table 4 (Continued)

	TOTAL NO. OF REPORTED PROGRAMS	PROGRAMS ON HONG KONG	PROGRAMS ON CHINA	PROGRAMS ON OTHER PLACES
<b>2010–2011</b>	<b>66</b>	<b>25</b>	<b>15</b>	<b>26</b>
Economic justice and climate change	4	2	1	1 (Southeast Asia)
Fair trade	4	4		
Corporate social responsibility	5	1	4	
Poverty	11	6	3	2 (Burma)
Sustainable livelihood	15			15 (Vietnam, Cambodia, Laos, Timor, Nepal, Philippines, Zambia)
Health care and education	6		2	4 (Malawi, Zambia, Central America, global)
Gender equality and justice	5		3	2 (South Asia, Philippines)
Humanitarian response	4		2	2 (North Korea, global)
Youth education	6	6		
Fund-raising	6	6		
Totals	233	105	51	77

It is not advisable to promote a narrow and local-centric perspective when evaluating the contributions of the selected NGIHROs in Hong Kong. However, with the exception of GPHK, both AIHK and OHK contributed in only a selective and perhaps limited way to improving human rights conditions, as broadly defined, in Hong Kong. This is evident by the fact that China and/or other parts of the world were defined as their main target(s) and very few programs about Hong Kong were carried out. The relatively low priority of Hong Kong in these organizations, except for public education and fund-raising, may be justified from an organizational perspective because the priority of each organization is resource allocation. However, as previously stated, it is only a partial truth that Hong Kong is a member of the developed world. The contradictory developments in Hong Kong have left human rights issues unresolved and, in fact, demanding needed attention.

**IMPLICATIONS FOR UNDERSTANDING HUMAN RIGHTS**

The relatively low priority of Hong Kong in the related human rights endeavors of these three organizations not only reflects an organizational choice or misplaced definition of Hong Kong as a member of the developed world; it also illustrates the potential

of universal suffrage in elections, the Public Order Ordinance, Article 23 of the Basic Law, and the abuse of police power all illustrate human rights problems as discussed previously, and they fueled different protest actions, such as the half-million-strong anti-Article 23 demonstration in 2003 and the local democracy movement. The second type of massive political mobilization is not explicitly related to the human rights concerns of the nongovernmental international human rights organizations. Rather, it concerns the protection of the local Hong Kong identity and alternative lifestyles vis-à-vis the government attempts to cultivate state patriotism and escalate political integration with the mainland. In the discussion that follows, two illustrations of political mobilization are provided.

**Patriotism and the National Education Curriculum**

Since the political handover in 1997, cultivating patriotism has constituted much of the ideological-reshaping process in Hong Kong. Often, patriotism is cultivated at the wider societal and discursive levels in setting hegemonic standards and branding alternative views. For instance, China’s advancements in technology and international status—such as the successful hosting of the 2008 Olympics

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limitation of their understanding of the specific human rights situation in a hybrid regime such as Hong Kong. This neglect is still obvious even with the inclusion of the work of OHK and GPHK, which promotes socioeconomic and environmental rights, in the analysis. Why?

There have been two prominent types of massive political mobilization in Hong Kong since the sovereignty change in 1997. The first type involves fundamental human rights concerns invoked by the change of sovereignty and the subsequent changes in laws, political institutions, and governing style. For instance, the absence

and achievements in the 2012 London Olympics—were much publicized to arouse nationalistic sentiment. Shortly after the massive demonstration in 2003, mainland legal experts and local pro-Beijing figures initiated a series of discussions about “patriotism.” The result was a definition in relatively limited terms. Obligations including love of one’s country and support for the Basic Law were emphasized, whereas rights essential to the exercise of citizenship were neglected—if not denied. It was claimed that because the people of Hong Kong are Chinese citizens, they should honor the duty of “loving one’s country and loving Hong Kong.” Also, identity

politics were manipulated through branding certain democrats as unpatriotic.

National education and official attempts to cultivate patriotism, which aim to accelerate cultural convergence with China and shape the local identity, have been promoted since the political handover. Indeed, national education has become the focus of civic education, and the value of human rights education has been replaced by five paramount values: national identity, a positive spirit, perseverance, respect for others, and commitment to society and nation (Chong, Kwok, and Law 2010). In 2011, the government recommended that a compulsory subject of moral and national education be introduced beginning in primary school and expanding into secondary school. This proposal incited 90,000 protesters to demonstrate in the streets in July 2012, including hunger strikes and continuous demonstrations at government headquarters. News reports explained that many people joined the protests because they believed that the curriculum will “brainwash” the next generation and erode the local Hong Kong identity. The teaching materials known as the “China Model,” which already had been made public, served as a further trigger of the public furor. The materials contain biased political views including the omission of major events that are viewed as integral to recent Chinese politics (e.g., the 1989 Tiananmen Square massacre) and also describe the Chinese communist party as “progressive, selfless, and united.” Among the NGIHROs studied, only AIHK participated in the protests via the Civil Alliance against National Education, which was composed of more than 20 organizations.

### Choi Yuen Village and the Anti-Express Rail Link Protest

As previously discussed, many NGIHROs in Hong Kong had actively joined the 2003 demonstrations against the legislation of Article 23. In comparison, their involvement in protests concerning the Choi Yuen Village issue in 2010—the biggest and one of the most controversial public actions since the demonstrations against Article 23—was minimal.

Beginning in early 2009, a group persistently protested against the demolition of homes and evacuation attempts in Choi Yuen Village, a thriving village in New Territories West that practiced alternative farming methods. The protest was against making way for the Express Rail Link Project that connects Hong Kong to other Chinese cities. The protest group, initially based at an Internet platform called the In-media, subsequently expanded its support base to include a wider community to make the issue publicly known. The rift reached a climax when thousands of protesters staged a siege at

the LegCo building on January 16, 2010, where HK\$66.9 billion in funding for the rail project was being approved by the legislature.

It is interesting that the issue is closely connected to the human rights concerns of the three organizations being analyzed in this article. Due to grander plans of political integration as well as urban and economic development, the Choi Yuen villagers were forced to give up their homes, their community, and the alternative-farming lifestyle they had chosen and cherished for years—which, incidentally, was a project partly sponsored by OHK. Villagers complained about the relatively low compensation rates offered by the government for their seedlings and agricultural products and how the matter had obstructed their means of making a living. The entire process revealed the injustice and disadvantaged position of the villagers simply because they were few in number, poor and powerless, and favored farming over development. Despite the magnitude of the issue in Hong Kong and its embedded human rights problems, no NGIHRO had directly advocated for the villagers. AIHK cosigned a joint statement with other human rights organizations expressing concern about the attempted arrest and obstruction of a human rights observer and a journalist by the Hong Kong police in carrying out their “observation duties.” Ironically, at the height of the protest, OHK was mistaken as the sponsor of the protest actions rather than only a partner in the alternative-farming experiment in the Choi Yuen Village. Because the organization was widely criticized by those who did not support the protest actions and queried by some of its donors, it was forced to make a public clarification statement.

### Right to Maintain the Local Identity and Alternative Lifestyles

In theory, the right to maintain the Hong Kong identity and alternative lifestyles is part of the human rights definition. The second generation includes cultural rights that allow minority groups to preserve their cultural identity, which in turn has implications for civil and political as well as economic and social rights. The third generation of rights includes the right to political, social, economic, and cultural self-determination together with all other rights, which justifies the Choi Yuen Village residents’ opposition to developmentalism and their demand for the right to maintain nonmaterial, alternative lifestyles. Nevertheless, these rights are not as equally pressing as others (as described in this article); some believe that these rights are still too ambiguous to qualify as international human rights norms (Eide 2006).

Nevertheless, human rights promotion makes no sense unless it is relevant to the experience of people. In addition to the 2003

Table 5

### Oxfam Hong Kong: Expenditure by Region

	HONG KONG	CHINA	MEKONG	ARCHI-PELAGIC SOUTHEAST ASIA	SOUTH ASIA	OTHER/EAST ASIA	AFRICA	CENTRAL AMERICA, MEXICO, AND CARIBBEAN	OTHERS	GLOBAL	TOTALS
Years	Percentage										HK\$
2006–2007	10.4	38.1	14.9	9.5	5.5	6.9	14.6				140,928
2007–2008	9.6	38.6	18.1	7.1	7.9	9.8	8.9				168,153
2008–2009	8.7	44.0	10.1	6.9	7.4	15.1	7.6			0.3	222,820
2009–2010	9.9	44.2	14.6	12.0	7.9	1.1	5.6	2.3	0.8*	1.6	191,614
2010–2011	6.1	47.7	11.7	7.1	12.7	0.7	7.8	3.7	0.7#	1.8	259,997

Note: \* = Maghreb and the Middle East; # = South America. Figures from OHK annual reports.

protest against Article 23, these two issues are by far the most significant events that have captured public participation in Hong Kong. This clearly illustrates that the human rights needs of hybrid and transitional societies cannot be understood conventionally because new human rights issues and patterns of abuse often emerge in such societies. As in similar societies—such as Russia, post-Soviet societies in Central Asia, and postconflict societies including Rwanda and Sri Lanka—the state attempts to create an official version of national identity that homogenizes and represses individual or ethnic memories, strengthens regime loyalty, weakens the pro-liberal and pro-right opposition voices, and paves the way to more authoritarian ruling measures (Bell and Keenan 2004). In the case of Hong Kong, the authorities attempt to blend the local identity with the mainland in the name of economic and cultural integration, using strategies that dilute the local attachment to certain universal values that may not be readily acceptable to the Chinese authorities (e.g., the love of freedom and democracy).

*In the long run, and in addition to the issue of resource allocation, it is important to ask: how has the involvement of NGIHROs in China affected their work in Hong Kong? Have they become more conservative and less confrontational in their approach for fear of antagonizing China?*

Indirectly but not less important, the Hong Kong community has been a long-time supporter of NGIHROs. The development of Hong Kong and China are deeply intertwined, not only politically but also socially, economically, and environmentally, as described in this article. Whereas Hong Kong is under the undue influence of China, the reverse is not always true, and such influence is often subtle and gradual. If Hong Kong is to remain a resilient supporter of human rights, more attention must be given to their unnoticed deterioration in the city. The preservation of the Hong Kong identity and the people's right to alternative lifestyles, as well as their ability to think and live differently, is imperative. All of these concerns deserve greater attention from human rights organizations.

Nongovernmental international human rights organizations have contributed significantly to human rights education in Hong Kong. However, if the human rights implication of the issues analyzed herein and similar issues are not clearly acknowledged and addressed, there will be gaps in the organizations' practice and the gradual deterioration of human rights conditions will continue to go unnoticed. Therefore, a review of the interconnectedness of different types and generations of rights—both theoretical and in the context of real politics as well as the organizational tendency to address human rights violations primarily on a case-by-case basis—is essential. In the long run, and in addition to the issue of resource allocation, it is important to ask: how has the involvement of NGIHROs in China affected their work in Hong Kong? Have they become more conservative and less confrontational in their approach for fear of antagonizing China? With regard to the changes of the political and legal conditions in Hong Kong after 1997, have they not encountered more difficulties by being perceived as “foreign intervention” and disliked by China? These crucial questions can be answered only through future research.

## CONCLUSION

Using the cases of AIHK, GPHK, and OHK, this article examines the contributions of NGIHROs in promoting a broad sense of

human rights in hybrid regimes. The discussion illustrates the specific roles played by the selected organizations in a regime such as Hong Kong, which is a partial democracy under the rule of an authoritarian regime (i.e., China). The article contends that the NGIHROs have made significant contributions to public education and fund-raising in Hong Kong. However, with regard to the human rights conditions in Hong Kong, it is erroneous to consider Hong Kong as part of the developed world. Together with other probable political considerations, doing so may have led to gaps in the organizations' roles and functions as advocates for human rights in Hong Kong. During the period examined, AIHK demonstrated a shift in attention to the human rights of the homosexual community and other minority groups in Hong Kong, and OHK campaigned for antipoverty measures such as the minimum wage; these endeavors are commendable. In comparison, GPHK placed greater emphasis on promoting the environmental quality in Hong Kong by various means. As a regional

focus, Hong Kong has been relatively more underemphasized by AIHK and OHK than by GPHK, although they are all based there. Rather, China has gained predominance and increasing attention in the work of the three organizations. In the final analysis and using the political protests in Hong Kong as illustration, this article highlights the importance of reviewing the interconnectedness among different types and generations of rights—both theoretically and in the context of real politics—and seriously addressing the implications of the demands to preserve local identity and alternative lifestyles in the understanding of human rights. ■

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