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RURAL PEOPLE'S ACCESS TO HUMAN RIGHTS

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1. People live in rural areas for many reasons. Some reasons are historical and traditional: the families have always lived in a particular area. Some causes are cultural or even spiritual: they have special attachments to land and place. Some are economic: the area is the source of livelihood or, alternatively, poverty is so deep that there is no means of escape. Some reasons are choice: they like to live in rural areas because of the different environment, different experience of community, different type of work, different lifestyle and different pace of life. Some causes may be particular to a specific group or area but most reasons are general, found in one form or another among rural people throughout the world. Whatever the reasons, however, rural people have many common experiences of country life. One of those is difficulty in accessing human rights.
2. This paper examines the nature of rurality and the experiences of rural people in relation to human rights. It identifies obstacles to the full enjoyment of human rights. Many of those obstacles are economic. The paper discusses these but it does not propose economic solutions to problems. Rather, it presents some other ways, legal and institutional, in which obstacles to the full enjoyment can be addressed.

THE SITUATION OF RURAL PEOPLE

The rural population

3. The second half of the twentieth century was marked by mass migration of people from rural to urban areas and this mass migration will continue for the foreseeable future. Hundreds of millions of people have moved or are moving from country to city. This reflects the hardship of rural life and the judgement of people that their aspiration to improve their well-being and that of their families will be best attained by moving to the city. The majority of the world's population still lives in rural areas. However, within five years for the first time the numbers of

city dwellers and rural dwellers will be equal and after that the proportion of the world's population living in rural areas will decline rapidly.

Percentage of population living in rural areas¹

	1950	2000	2030
Africa	85.3	62.8	47.1
Asia	82.6	62.5	45.9
Europe	47.6	26.6	19.5
Latin America and the Caribbean	58.1	24.6	16.0
Oceania	38.4	25.9	22.7
World	70.2	52.8	38.8

4. The world's population will continue to grow in the coming decades but most of those additional people will live in cities. There will be relatively small growth in the world's rural population, an estimated ninety-five million between 2000 and 2030.² As this mass migration from country to city continues and swells, those who remain in the country are becoming increasingly isolated and marginalised in political and economic terms.
5. Mass migration from rural areas is changing the nature of the rural population
 - because the search for work and income is a principal driver of migration, more men tend to migrate than women, leaving a disproportionate share of the rural population female and with lesser income;
 - because rural families tend to have more children than urban families, the numbers of children in rural areas continues to grow and so family income needs continue to grow; and
 - because of adult male migration to cities, the child to adult ratio in rural areas is growing significantly.
6. Indigenous, cultural and ethnic minority groups tend to remain where they are because of traditional links with community, place and land. This is especially significant in Latin America where the rural population is already less than a quarter of the total population and will decline to a sixth by 2030. Indigenous peoples and cultural minorities want to preserve their traditional ways of life and for them, this is best done on their traditional lands. These groups are usually excluded from the institutions and systems of the dominant culture and society. Their exclusion is exacerbated by rural isolation.

The nature of rurality

7. Rural life has inherent difficulties associated with it. Services tend to be concentrated in urban areas where the population base is large enough and the geographical area small enough to make service delivery efficient and affordable. Business and government also predominantly locate their head offices and their decision-makers and most senior officials in urban areas. They have high levels of service need and the political and economic power to ensure that that need is met. They might also have the capacity to meet at least some of the costs of services provided. These

¹ Derived from United Nations Population Division *World Urbanisation Prospects: The 2001 Revision* 20 March 2002 UN document ESA/P/WP.173 Table A.2.

² United Nations Population Division *World Urbanisation Prospects: The 2001 Revision* 20 March 2002 UN document ESA/P/WP.173 Table A.4.

factors are absent from most rural areas. Population densities are much less and relatively small numbers of people are often scattered over very large areas. There is neither the political power nor the economic power to ensure that needed services are provided.

8. Distance is the greatest debilitator for many rural people. In large countries, such as China, Brazil, Australia and Canada, rural people can live hundreds or thousands of kilometres from the nearest population centres. Even in smaller countries where the distances are not so great, transport difficulties, including both bad roads and unserviced or unserviceable vehicles, result in a similar level of isolation. Air transport is usually the most certain form of transport as well as the fastest but its cost is well beyond that of the great majority of country people. Using transport that is available and affordable people living in these areas can be many hours or even days from the nearest significant services.
9. Distance makes rapid forms of communication important but they too are largely inaccessible to most rural people in most countries. Information technology has revolutionised communications, enabling instant audio and often video communication even from the most remote areas — at a price. Telephone and Internet services can be provided by cable, radio wave or satellite virtually to any place on earth. They have eliminated much of the isolation of rural living for most people in developed countries. Yet even in developed countries some rural people cannot afford access to this technology. In developing countries, the vast majority cannot afford it. Isolation, therefore, is increasingly the result not of the inherent nature of rural life but of poverty.
10. Balancing the isolation of rural life is a strong sense of community in many rural areas. Perhaps this is even caused by the isolation or at least is a necessary response to it. Country people tend to be more supportive of each other and more inter-dependent with each other than city people. Certainly there is a greater experience of sharing, longer and deeper relationships and a sense of mutuality. The absence of services, great distances and slow travel leave people dependent on each other for survival. Even in developed countries and small countries where distance is not an issue, rural solidarity is well known and draws many people to live in country areas. Stronger community is one of the attractions of rural life, both for country people and for city people seeking a higher quality of life. Country people who move to the city miss this and often find themselves more isolated in the middle of a far larger population than they were in their own areas.
11. The stronger community links in rural areas are important because rural people are far more vulnerable to external forces, both natural and human, than urban people. They are more dependent on good weather and good health and, when disaster strikes, far less resilient in being able to meet and overcome it. They can have good family and community networks to assist them at times of crisis but the ability of those networks to assist will depend on the nature of the crisis. Family and community can provide support when the crisis is individual or affects only a few persons. A whole community and a whole family network can be affected by natural disasters, such as flood and drought, and by general economic crisis. They will be of little assistance in those circumstances. Yet rural people have few financial reserves and less access to government services and financial support. They are especially vulnerable to forces beyond their control.

Human rights in rural areas

12. Rural people as a whole have lower enjoyment of human rights than many urban people. This is associated with isolation and poverty.

13. *Poverty* itself is a human rights violation. Rural poverty is endemic in most countries. Most of the poor are rural and will be so for several decades. Their income, spending and employment usually concentrate on staple food. They have little land, schooling or other assets, and face many interlocking barriers to progress. Poverty and hunger have fallen massively, mainly due to rural and agricultural development, especially between 1975 and 1990. Yet this improvement, and parallel progress in agricultural production, have stalled during the last decade, and many rural regions have been excluded. Rural-urban poverty gaps have not declined globally.³
14. Certainly some rural dwellers are relatively rich but the great majority of the people are poor and almost a third are desperately poor. Worldwide, 1.2 billion people are “dollar poor”, that is, they consume less than a dollar a day. Of those seventy-five per cent live and work in rural areas. It is projected that, even with the massive migration to cities, in 2025, sixty per cent of the dollar poor will still be rural.⁴
15. Poverty affects not only those dependent on a cash income but also those in the subsistence economy. Where there is good soil, good water and fair distribution of access to land, rural people may escape malnutrition through subsistence farming. Too often, however, concentrations of land ownership and the use of land for export crops leave families without adequate food even in agriculturally rich areas. Others, who depend on fishing for subsistence, are affected by pollution of the seas and lakes and the exhaustion of fishing stocks by commercial exploitation.
16. Poverty in turn produces or exacerbates other human rights violations. Poverty affects women more than men. Women have less access to land, credit, technology, education, health care and skilled work.⁵ The endemic rural poverty in many countries is exacerbated or even caused by inequitable distribution and control of land. Brazil provides a stark example of this. The concentration of land tenure in Brazil is among the highest in the world. Fewer than fifty thousand landowners have estates more than one thousand hectares, controlling more than fifty per cent of all agricultural land. Close to one per cent of rural landowners hold roughly forty per cent of agricultural land. There are nearly 4.8 million landless families in the country. These are people who live as renters, sharecroppers, squatters, or who hold rural properties smaller than five hectares.⁶
17. Rural poverty declined globally between 1980 and 2000 but the decline was uneven. In some regions and in some countries there was little or no decline. In other regions and countries, rural poverty declined at a slower rate than urban poverty and so the urban-rural poverty gap increased. Rural-urban gaps remain wide in Latin America in spite of some falls in both urban and rural poverty. Faster falls in rural poverty occurred in Asia, especially though not exclusively in East Asia, but the gaps have increased since 1985, especially in China. Most of Africa, except Ethiopia and Uganda, has seen little poverty reduction over the last twenty years but the rural to urban gap has decreased. The rate of poverty reduction has slowed since the late 1980s and, in East and South East Asia, especially since the economic crisis of 1998.
18. Sharp rises in poverty, especially in farming areas, have occurred in ten transitional countries since the late 1980s. Overall there has been no global correction since the late 1970s of the urban biases that sentence rural people to more widespread and deeper poverty, illiteracy and ill-health.⁷

³ International Fund for Agricultural Development *Rural Poverty Report 2001* OUP Oxford 2001 p 15.

⁴ *Ibid.*, p. 15.

⁵ *Ibid.*

⁶ Centro de Judico Global ‘Agrarian reform and rural violence’ *Human rights in Brazil 2000* www.mstbrazil.org/humanRights.html.

⁷ IFAD *op cit* p 38.

19. *Education* levels in rural areas in all countries are far below those in the cities. Despite the fact that education is a basic right in itself and an essential prerequisite for reducing poverty, improving the living conditions of rural people and building a food-secure world, children's access to education in rural areas is still much lower than in urban areas, adult illiteracy is much higher and quality of education is poorer.⁸ Rural children have greater difficulty attending school and, when they do, they stay for shorter periods, leaving with fewer qualifications and are less likely to proceed to further education, either technical or higher education.
20. The rural poor have few human assets; the household head is likely to be illiterate; and high dependency ratios, correlated with poverty, independently reduce access to schooling. It is especially among the poor that girls have worse chances of education than boys. Educational enrolment is uniformly lower among the poor, and access is conditioned by location. Rural enrolment ratios are especially low; rural girls, unlike equally poor urban girls, have few prospects of escaping from poverty. In many developing countries, the second or third poorest urban decile gets more education than the second or third richest rural decile. Poor rural children are likely to become poor adults.⁹
21. Illiteracy intersects with other characteristics of disadvantage to make it more difficult to escape from poverty and to obtain protection and promotion of human rights. Those most affected are often trapped in an inter-locking web of obstacles to the full enjoyment of human rights. [T]he gender gap in literacy is larger in rural areas; illiterate people are more likely to be poor; rural, illiterate women and children are more likely to come from ethnic minorities; gaps between ethnic groups are greater among illiterates and in rural and remote areas.¹⁰
22. *Health* status is associated closely with poverty and education levels. Country living is often associated with a simpler, more caring and more human lifestyle. That association is often correct, but it does not equate with a healthy lifestyle. Rural poverty leads to inadequate nutrition. It also leads to poor sanitation and lack of access to safe drinking water. The differences seem to be larger in West and Central Africa than elsewhere. In Ethiopia, Niger and Sierra Leone less than ten per cent of rural people have access to adequate sanitation.¹¹ Isolation leads to inadequate access to health and medical services. The consequences are higher infant and maternal mortality and lower life expectancy, most markedly among indigenous and ethnic minority groups.
23. HIV now affects rural communities in many parts of the world. What seems to have begun as a disease of the urban non-poor has become the epidemic of the rural poor in many countries. In India, where over seventy per cent of the population is rural, HIV is spreading faster in some rural areas than in urban ones. In many countries in Africa, urban and rural HIV/AIDS prevalence rates are similar. Particularly vulnerable are rural areas along trucking routes, sources of migrant labour to urban areas, nomadic pastoralists, and women remaining on farms with seasonal migrant husbands.¹²
24. Indeed violation of the right to the highest attainable standard of health does not affect everyone or every group equally. It affects some groups more than others. Women, children and indigenous and ethnic minorities are particularly affected. This is the situation in relation to all aspects of human rights violation in rural areas.

⁸ Education for All Campaign *Launching a new flagship on education for rural people* UNESCO http://www.unesco.org/education/efa/known_sharing/flagship_initiatives/rural_people.shtml .

⁹ IFAD *op cit* p 26.

¹⁰ IFAD *op cit* p 24.

¹¹ 1990-97 estimates, quoted in IFAD *op cit* p 36.

¹² IFAD *op cit* p 32-33.

25. *Women* have lower health, education and employment status than men in most countries but their inequality is always more marked in rural areas. They have less access to income and less ability to become economically independent. Their work tends to be more menial and less skilled than men's work. They have less control over their own lives and the lives of their families and less ability to influence key economic and political directions of their communities than men do.
26. *Indigenous and ethnic minority groups* experience violation of human rights across the board especially in rural areas where they predominantly live. Their education, health and employment status is far lower than for majority groups and their political and economic participation far less. This seems to be a universal experience both in rich countries and in poor countries. They tend to be excluded from the broader life of the national community.
27. The isolation of rural life, the poverty of rural people and the presence of large numbers of indigenous, ethnic and cultural minority groups mean that in country areas there is a *greater risk of violation of civil and political rights*. Poor people themselves say they experience violence and crime, discrimination, insecurity and political repression, biased or brutal policing and victimisation by rude, neglectful or corrupt public agencies.¹³
28. Arbitrary actions by police and military forces are directed more towards poor people and minority groups than towards those who are rich and influential. In many countries, rural areas are also zones of insurgency and other forms of civil strife and of international conflict. Both formal and informal armed forces and groups violate the human rights of ordinary people. Moreover, violations are more likely where there is little or no opportunity for independent supervision and observation. In rural areas arbitrary arrest and detention, torture, extra-judicial killing and forced displacement are often more common than in cities. There are many examples of this.
29. In Brazil, small family farmers seeking land reform have been subjected to violence and driven from their lands in the interests of bigger business corporations. From 1985 to 1996, over 920,000 people have been thrown off their own land. Since this [occurrence], social policy and land reform efforts in general have been so slow to come, the pressure on the part of land workers has increased dramatically; and pressure for land reform on behalf of small family farmers has led to the onslaught of greater repression. This can be on the part of the state, by state police authorities, or on the part of hired thugs and armed gangs using extreme violence.¹⁴ [F]rom 1988 to 2000, a total of 1,517 rural workers were killed in Brazil. From January through September 2000, at least eleven such killings occurred. Between 1989 and 2000, the total number of rural workers arrested in land conflicts reached 1,898. This year [2000], from January through September, 258 workers were arrested in these conflicts.¹⁵
30. In Vietnam, rural poverty and repression of remote indigenous minorities have led to protest that has generated greater repression in response. In February 2001, mass protests took place in Vietnam that were among the largest since the reunification of Vietnam in 1975. Several thousand members of indigenous minorities from the country's Central Highlands — often collectively known as Montagnards — held a series of peaceful demonstrations calling for independence, return of ancestral lands, and religious freedom. Vietnamese authorities, who had long been closely monitoring political developments in the region, responded aggressively. Announcing that they had “battle plans” ready, authorities brought in thousands of police and soldiers to disperse the protesters. In the weeks and months following the demonstrations,

¹³ D Narayan, R Chambers, M Kaul Shah and P Petesch *Crying out for change: Voices of the poor* Volume II World Bank Washington DC 2000, referred to in IFAD *op cit* p 19.

¹⁴ Darci Fridge *Address Robert F Kennedy Human Rights Award* 20 November 2001.

¹⁵ Centro de Judico Global “Agrarian reform and rural violence” *Human rights in Brazil 2000* www.mstbrazil.org/humanRights.html .

authorities arrested hundreds of highlanders, sometimes using torture to elicit confessions and public statements of remorse by protest organisers. Local religious and political leaders were sentenced to prison terms ranging up to twelve years.¹⁶

31. In Rwanda, the government's plan to reorganise life in the rural areas, known as the National Habitat Policy, decreed an end to Rwandans' customary way of living in dispersed homesteads. Many homeowners were forced to destroy their own homes and many families lived for more than a year in hovels made of sticks, mud and banana leaves. Some who resisted the plan were punished with fines or jail terms.¹⁷ People also can find it more difficult to exercise rights to freedom of speech and assembly and freedom of religious worship because of geographical control by armed groups.
32. These many, varied dimensions of rural experience form a *consistent, inter-related pattern of human rights violation* that is difficult to escape. They do not occur in isolation from each other. They constitute a web of mutually reinforcing disadvantages for rural people. Remoteness makes it difficult to access services which in turn affects education and health, which in turn affects employment and productive ability and so produce or sustain poverty. Poor nutrition leads to poor health and so to difficulty in receiving education and entering employment. Poverty prevents access to communications and other technology that could overcome the disadvantages of distance and the relative lack of services. It also drives migration, especially of adult workers and especially of adult male workers, that leaves families without necessary support and exposes the migrant workers themselves to other forms of human rights violation. Rural people often seem to be trapped no matter what they do.

PROMOTING ACCESS TO HUMAN RIGHTS

33. Strategies to promote access to human rights for people in rural areas must address both issues of poverty and issues of isolation. Poverty reduction and elimination require equitable economic strategies. The World Bank has given priority to poverty elimination and its programs, especially through national Poverty Reduction Strategy Papers, targeting rural poverty as a principal concern.¹⁸ Discussion of economic strategies is beyond the scope of this paper.
34. Isolation can be addressed by various means. Naturally, it requires increased resources for rural communities. These resources can be public or private. However, to address the human rights consequences of isolation effectively, they must be directed first and foremost towards the rural poor. This section of the paper discusses some of the ways in which human rights organisations and institutions can play a greater role in ensuring this by providing access for rural people to human rights. It discusses how they can increase their presence in rural areas, access to their services by rural people and monitoring of human rights in rural areas to identify and bring to public and political attention violations, abuses and deficiencies.

Increased institutional presence

35. Institutions with responsibility for the protection and promotion of human rights need to increase their presence on the ground outside the major cities. These institutions include courts, national human rights institutions, ombudsman institutions and other independent official mechanisms to hold governments and governmental agencies accountable for their actions.

¹⁶ Human Rights Watch *Repression of Montagnards* April 2002

¹⁷ Human Rights Watch *Uprooting the rural poor in Rwanda* June 2001.

¹⁸ World Bank Development Committee *Poverty Reduction Strategy Papers – Progress in implementation* World Bank DC 2002-0016 13 September 2002

These institutions have limited budgets and so their ability to maintain a continuous presence in rural areas is limited. Many strategies are being used to ensure as much local contact as possible.

36. Many institutions provide a limited continuing presence through regional offices. Certainly the courts have extensive networks in most countries with lower courts sitting frequently or even permanently in rural areas and intermediate courts sitting in larger regional centres and towns. National human rights institutions have far fewer resources than the courts and a far more limited ability to establish and maintain a network of offices. Even so, they have adopted a number of strategies to improve access to human rights for rural people.
37. Human rights institutions can establish regional offices in many or all provincial capitals or in major centres in areas of conflict or other particular concern. The Sri Lankan Human Rights Commission, for example, has established regional offices in Jaffna, Trincomalee and Mannar, for many years areas of intense conflict between government forces and the Liberation Tigers of Tamil Eelam. The Indonesian National Human Rights Commission had an office in East Timor during the last years of the Indonesian occupation of that territory.
38. The ombudsman institution of Peru provides an example of a wide rural network. This new project with the Instituto de Defensa Legal will establish fourteen *Defensorias Comunitarias* (local ombudsman's offices) in seven rural districts in the Andes of Peru for the promotion and protection of women's rights. Two hundred and fifty women and community leaders will be trained in the understanding and management of the mechanisms of counselling, conflict resolution, awareness raising and related gender issues. *Defensorias Comunitarias* will also promote the participation of women in local inter-institutional networks preventing domestic violence. These networks will involve two hundred and fifty local authorities. Seminars and workshops and media campaigns will be run in both Spanish and Quechua (local language).¹⁹
39. In federal states, human rights institutions can work with institutions established by state or provincial authorities. The Indian National Commission on Human Rights co-operates closely with statutory commissions established by state legislatures in many Indian states. It can refer a matter arising in a particular state to the state counterpart commission for investigation and report. Similar approaches have been taken at times in Australia and Canada, two other large federal states but ones with far more resources than India.
40. Regional offices, however, are insufficient in themselves because, although they establish a presence outside the capital city, they are still based in cities. They must be accompanied by strategies for outreach to the surrounding rural areas. The Indian National Commission has sought to address this problem by placing a rural outreach officer in each of the fourteen state commissions to extend its activity into rural areas of India.
41. Outreach strategies are important whether the institution provides only a single national office or a network of state, provincial or regional offices. Human rights institutions must ensure that their officers visit rural areas regularly from the national or regional office. Some institutions allocate responsibility for particular regions among their staff so that officers have a specific brief to promote and protect human rights in those regions. Their responsibility can include regular, extensive visits to the region as well as closely monitoring events and situations in the region between visits. Building local networks for good communication of information is essential to this monitoring task.
42. Institutions can also identify and appoint contact representatives in local areas to facilitate two way communication between local people and the institution. The representatives can provide information from the institution to local groups and people and report to the institution on local situations of human rights violation for further investigation by the institution. They can also be

¹⁹ British Council *Empowering rural women* Peru 2002 www.britishcouncil.org.pe/english/governance/pergherw.htm.

an accessible local point to receive individual complaints of human rights violation and refer them to the institution. The Philippines National Human Rights Commission has such a program, the Barangay Human Rights Action Centres.²⁰ The Commission has worked with local Barangay authorities to identify persons in each locality to constitute a Barangay centre to represent the Commission in that area. As Barangays cover both urban and rural areas, the program ensures a Commission presence throughout the country. The effectiveness of the program has not been independently evaluated. Anecdotally, it seems that the program has mixed results, depending on the effectiveness and ability of the individual representative. The willingness of local authorities to co-operate with the local representative is also an important factor.

Community and non-government networks

43. Courts and other official institutions have at best a limited capacity by themselves to penetrate rural areas. In fact, it is most unlikely that any, no matter how well resourced, will be fully effective in doing so. The development of strong networks of community groups and non-government organisations is an essential strategy even where there is extensive activity by courts and other official institutions. It is even more important where there are no effective official institutions.
44. Rural communities have many grassroots organisations of their own that are trusted by the communities themselves and have credibility with outside institutions and organisations both nationally and internationally. They have the capacity to monitor human rights compliance in local areas. They may also have the resources to undertake their own investigations. They are best placed to act as representatives of local people affected by human rights violations and as intermediaries between local people and national and international institutions and organisations.
45. Faith based groups can play especially significant roles. In many countries, they provide the only nation-wide network of linked organisations apart from government and military structures. They can have a presence in most areas, including remote rural areas. They can have good contact with local people, especially poor people where they make a specific commitment to do so, and be strongly supported by them. They can be the privileged recipients of information about human rights violations, given in confidence in the hope that the group can assist in obtaining justice for the victims. Faith based groups in hierarchically organised faith communities are able to link directly with national and international structures.
46. Since the 1970s, the Catholic Church within the Christian faith community has established a large, global network of justice and peace groups that seek to protect and promote human rights.²¹ The groups themselves are not organised hierarchically but exist at each level of the church's hierarchical structure. They differ greatly in how they are established, their status, what they do and their actual form. Official groups include a papal commission in the church's central government in Rome, official commissions or councils established by or attached to national and regional church governmental structures (national bishops' conferences and individual bishops), groups in local parishes and groups established by particular religious communities within the church. They also include unofficial groups established by individual members of the church at national, regional and local levels. The groups form networks for communication of information about human rights and for mutual support in human rights work. Some relate through more formal associations, others informally. Some co-operate in joint projects, such as the Hotline Asia established in Hong Kong in 1984 by official national church commissions in the Asia

²⁰ A barangay is the smallest governmental administrative unit in the Philippines.

²¹ See Pontifical Council *Justitia et Pax* www.vatican.va/roman_curia/pontifical_councils/justpeace/index.htm.

Pacific region and now supported by a wide network of official and unofficial church and other human rights groups.²²

47. Similar networks exist within other Christian traditions. The World Council of Churches has promoted the development of Christian activity in the area of human rights through its work on justice, peace and the integrity of creation.²³
48. Islam, Buddhism, Hinduism, Judaism and other faiths are less hierarchical than the Christian traditions and so do not have the same degree of organised human rights activity at the national and international levels. However, their scriptures and their values reflect similar commitment to human beings and their well-being and so are consistent with human rights. There is significant opportunity to develop stronger, more active networks within and across all faith traditions in support of human rights.
49. The wide penetration of faith based groups through rural areas enables them to play effective roles in improving rural people's access to human rights. They are particularly important as human rights monitors, obtaining and publicising information about human rights violations. Because of their faith basis they can be non-ideological and non-partisan and, if they act with integrity and professionalism, their work can have credibility and influence within the broad national and international community and with governments. They have the opportunity to speak with moral authority, not only legal authority. Both because of their moral authority and because of their international networks they can place great pressure on governments and others accused of human rights violations. They can also offer some measure of protection for those reporting human rights abuses and identifying perpetrators.
50. Other national and international non-government organisations can have similar functions but, if they lack grassroots networks, their capacity to assist rural people will be limited. Groups like Amnesty International and Human Rights Watch play very important roles but they are dependent on good information being provided to them and on thorough research by their own staff. They need mechanisms for that. Local grassroots organisations may not be aware of the opportunities offered by contact with major national and international organisations and so situations of human rights violation may never come to broader public attention. National and international organisations need strategies to ensure that local grassroots groups know of their existence, their mandates and their functions and of how to contact them to assist and to obtain support. Good national and regional networks can do this but they are hard to finance and sustain.
51. The Asia Pacific Human Rights Non-Government Organisations Facilitating Team was established in 1993 shortly before the Second World Conference on Human Rights as a loose association of human rights groups in the region. It developed a network of several thousand local human rights groups and provided a means by which grassroots groups could have their concerns heard and known internationally. It played useful roles at United Nations conferences and at regional meetings for many years bringing the voices of the peoples of the region to international attention. However, difficulties of resources and communications and the complexity of the facilitating task across such a vast area proved too much and the association collapsed in 2000.²⁴

²² Asia Hotline at www.acpp.org/pages/hotline.htm .

²³ See World Council of Churches www.wcc-coe.org/wcc/what/jpc/index-e.html .

²⁴ See www.asianexchange.org/Movements or formerly www.hr-alliance.org/aphr-ft/ .

Education and training

52. Knowledge of human rights and of remedies for human rights violations is an essential means of accessing human rights. Because of their isolation and their poverty rural people are likely to be less aware of human rights, of how governments and government authorities and agents should treat them, of how to seek protection of their rights from abuse and of how to obtain redress when their rights are violated. Strategies to provide human rights education and information in rural areas are required to ensure that rural people can act themselves to access human rights.
53. Many countries have adopted national human rights action plans as recommended by the World Conference for Human Rights in 1993 and by the United Nations Commission on Human Rights and the General Assembly since then. Many have adopted national action plans for human rights education as part of their program for the Decade for Human Rights Education. These plans should contain specific provision for education and action for people in rural areas. Many do:
 - the Indonesian National Action Plan for Human Rights includes rural people as a priority target group for human rights education;
 - the Philippines National Action Plan for Human Rights identifies rural people as one of 12 vulnerable groups at risk of human rights violation; and
 - the Philippines National Action Plan for Human Rights Education specifically includes a network of human rights education centres in municipalities and regions to promote and conduct educational activities in rural areas.

Information technology

54. Information technology offers important new opportunities to overcome the isolation of people in rural areas. It enables people to communicate easily and effectively over great distances, for human rights education, for investigation and exposure of human rights violations, for official and other processes for remedies and for general access to information required for full citizenship participation. Access to the technology, however, requires infrastructure development and resources. If access is unaffordable then it will make no difference to human rights observance in rural areas.
55. Developed countries are most able to pursue technological approaches. They have the necessary resources and infrastructure. The issue there is ensuring that access at an affordable cost to those who need it most, poor rural people. There are some good examples of how this is occurring.
56. In Australia, many small indigenous communities live in the central desert region. They are out-stations of family and clan groups, sometimes numbering only fifteen to twenty people, associated with larger settlements of up to one thousand people. They can live over a hundred kilometres from the larger settlement and over a thousand kilometres from the nearest town. The isolation of these communities can be profound but innovative ways to support the communities have been developed. Many have been linked by a video conferencing service from the larger settlement. It enables simultaneous contact among all the out-stations in a region for information exchange, education, health reports and even medical diagnosis and treatment, cultural and religious activity and entertainment. As there are video conferencing facilities in prisons too, it provides a means for families to maintain contact with prisoners although they may be two thousand to three thousand kilometres away. Technology enables close monitoring of the situation in remote areas and rapid response to any need in relation to human rights or other matter.

57. Information technology can enable access to justice through the Internet. Courts and national human rights institutions can provide information on the Internet about their work and the services they provide and they can accept official documents for cases involving human rights violations by electronic filing. This enables people to seek redress without having to travel long distances to an official registry. It is even possible to conduct the hearing by video conferencing or by audio and video programs through the Internet.
58. The Internet has become a significant vehicle for the dissemination of information about human rights violations. It reaches many millions of people and is beyond the control of governments. It can ensure that information comes to the attention of the media but it also allows direct distribution of information, bypassing the control the media have over information through its power to select what to report and what to ignore. Authoritarian governments have found themselves in a difficult position in relation to the Internet. On the one hand, they know that national economic development requires access to the best technology and the best information. On the other, they fear the open access to information and communication that the Internet permits. Authorities face increasing difficulty in their attempts to control access to information on the Internet without restricting economic development.
59. These tensions are evident in China and Myanmar (Burma) but different approaches have been taken. In both cases, authoritarian governments have sought to maintain strong control over access to and dissemination of information. The government of China has been committed to the reform and modernisation of the Chinese economy. Advanced information technology is essential for this. For this reason, the government has permitted extensive access to the Internet and China now has over forty-five million Internet users. It has been estimated that within four years, China will have more Internet users than the United States. However, the Chinese Government has struggled to restrict access to Internet sites that contain undesirable information. These include pornographic sites but also sites about human rights and democracy and about religious movements. Blocking sites has not worked and so the government is resorting to penal sanctions for those who access the sites.
60. In January 2001 a new regulation made it a capital crime to “provide state secrets” to organisations and individuals over the Internet. Thirty thousand state security personnel are reportedly monitoring websites, chat rooms and private e-mail messages. Thousands of Internet cafes throughout China have been forced to close in recent months. Those that remain are obliged to install software that filters out more than 500,000 banned sites with pornographic or “subversive” elements. Amnesty International has investigated the cases of thirty-three people believed to be prisoners of conscience. They have been detained or are serving long sentences in prison or labour camps for Internet-related offences. Three have died in custody, two of whom reportedly died as a result of torture, and there are reports that others have been tortured or ill-treated in detention.²⁵
61. The Government of Myanmar has seen the difficulties China has encountered and, as a result, it has continued to deny its citizens access to the world wide web. It is beginning to discover the costs of this, however, in entrenching inequality in an information age. Pressure is building for access to be permitted for economic reasons and the Government is seeking ways to respond without losing its control over information and communications. It will be unable to sustain its present position.
62. Opening societies like China and Burma to the information revolution will have profound effects on human rights observance. People are entitled to receive and impart information freely and so the issue is itself one of human rights. More than that, however, a better-informed population is

²⁵ Amnesty International *State Control of the Internet in China* ASA 17/007/2002, 26 November 2002 <http://web.amnesty.org/ai.nsf/Index/ASA170072002>.

a more politically active and human rights aware population. The challenge will be to ensure that the present economic and political inequality between city and country and between rich and poor is not cemented and sustained through new information inequality.

63. The Internet is the most revolutionary form of new information technology and there is much discussion about the revolution it will bring to human rights. However, there are other, less complex and more affordable means by which contemporary technology can support better access to human rights for rural people. Audio, video and computer disc programmes can be important means of human rights education involving less advanced technology and less cost. Audio and video programmes are quite effective in providing education and information to illiterate people. They require only a player and, in the case of videos, a television monitor. Now that most villages have at least some access to power and television this is readily accessible technology in most areas. Computers offer other opportunities.
64. The Kenyan Human Rights Commission has produced a compact disc training program on human rights directed specifically at rural people. *Pambazuka* is a two-part compact disc programme that promotes human rights protection for rural people. The first part, 'Dying to be free', is the story of a particular rural community's human rights struggle. The second part provides an introduction to the methodologies used in conducting the investigations reported in 'Dying to be free'. It asks critical questions and presents a methodology for working with rural people.
65. How do we engage rural communities so that they will speak of their own experiences? How can we help them to organise to claim their rights? What are the skills required to do this? Drawing upon the traditions of 'participatory rural appraisal' (PRA), *Pambazuka* outlines the methodologies developed by the Kenya Human Rights Commission.²⁶

Methodologies

66. Ensuring human rights for rural people will require activist, innovative methodologies by those responsible for the protection and promotion of human rights. Traditional judicial methodologies are insufficient for this. Courts are important protectors of human rights when they are independent and effective but even then they are limited by the nature of the judicial system. They
 - are usually dependent on cases coming before them,
 - have little or no power of independent investigation,
 - apply national law, not human rights law,
 - provide remedies only between the parties, not systemic remedies,
 - have a limited range of remedies,
 - are unable to recommend legislative change,
 - are unable to recommend positive government policies or programs,
 - have a limited educational role,
 - have no research function,
 - have no policy development function and
 - have limited ability to protect economic, social and cultural rights.
67. Because courts usually rely on individuals bringing cases before them with evidence and argument, people who are poor, illiterate or otherwise poorly educated and geographically

²⁶ Kenya Human Rights Commission *Pambazuka* www.khrc.or.ke/pambazuka.asp .

isolated always encounter difficulty in obtaining redress through traditional judicial processes. Members of indigenous, ethnic or cultural minorities face additional difficulties as a result of their exclusion from many social, political and legal systems of the dominant society. Providing access to human rights for them will require initiative and commitment.

68. Official institutions and others with human rights responsibilities will need to pursue more active approaches that seek out and investigate potential violations of human rights. They should ensure wherever possible that their processes incorporate investigation, research and analysis, policy development and recommendation, legislative and program reform and human rights education. In this way, human rights issues affecting rural people can be exposed and addressed on a comprehensive and systemic basis and appropriate remedies provided to them where required.
69. The Australian Human Rights and Equal Opportunity Commission has developed strategies with these elements through its process of public inquiry. It has found this process especially suitable for rural people. From 1995 to 1997, the inquiry by the Human Rights and Equal Opportunity Commission into the forced separation of indigenous children from their families examined a particular issue of great significance to large numbers of indigenous families and communities in many areas of Australia. The inquiry commissioners took evidence from many hundreds of people in many areas of Australia, seeking them out, travelling to their regions and inviting them to speak in informal, supportive environments. They arranged counsellors and other services to assist the witnesses. The inquiry's report made findings of gross violations of human rights and recommended a range of responses from Australians governments and parliaments, churches, non-government organisations and communities.²⁷
70. In 1999, the Human Rights and Equal Opportunity Commission undertook an extensive program of consultations with people in rural and remote areas of Australia to identify and report on human rights issues.²⁸ The Commission followed this consultation with an extensive inquiry into education in rural and remote parts of Australia. This inquiry visited many remote areas of Australia, including indigenous outstation communities, issued a number of reports and made recommendations for comprehensive reform of school education in rural and remote areas.²⁹
71. The distinctive human rights needs of rural people receive little attention at the national and international level. Considerable work has been and is being done on specific human rights situations in particular areas but there is little evidence that human rights in rural areas has been a subject of broad concern or comprehensive analysis. Rural people are recognised as a distinct population sector with distinct economic needs and there has been a great deal of debate about rural poverty and rural development, but there has been little debate about rural human rights. Human rights activists and human rights institutions are predominantly urban in their base and orientation. The first task facing rural people and their advocates is convincing others that human rights in rural areas require specific identification and action through specifically developed methodologies to ensure rural people's access to their rights. The task will become more difficult over the next few decades as the process of urbanisation accelerates and there is mass migration from rural areas. Existing biases in favour of the cities and of city people will strengthen as the size and influence of cities further expand and the political and economic significance of rural people further declines. Rural people face difficulty now in accessing human rights. They may well be forgotten completely in the near future.

²⁷ National Inquiry into the Forced Separation of Aboriginal and Torres Strait Islander Children from their Families *Bringing them home* Human Rights and Equal Opportunity Commission Sydney 1997.

²⁸ Human Rights Commissioner *Bush talks* Human Rights and Equal Opportunity Commission Sydney 1999.

²⁹ Reports of the National Inquiry into Rural and Remote Education *Emerging themes, Recommendations, Education access and School communities* Human Rights and Equal Opportunity Commission Sydney 2000.