

Towards A Global Civil Society: A Review of Pertaining Issues, Successes and Drawbacks

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Abstract: This article reviews the notion of civil society by raising pertinent issues, successes and drawbacks. Often referred to as the space where we act for common good, civil society aims to connect poor or marginalized people with groups that can mobilize support to help. We know that civil society by itself cannot achieve poverty eradication. It must act in partnership with governments and institutions but it must be one of the partners and not just a servant to carry out the designs of governments or corporations. Therefore there is need to expand the role of NGOs and civil society organizations in three main specific areas related to poverty eradication: technical, financial and political and enhancing the participation of those whose lives are affected by decisions and this can only happen when there is an enabling environment designed to promote popular participation. The contributions of civil society in global environmental preservation cannot be ignored since it is a cross cutting issue and both national and international governments need other actors to make it a reality. In short, there has been increasing support for civil society as understanding has grown about the important role that CSOs can play in bringing about development goals. The Millennium Declaration and the Millennium Summit Outcome Document emphasize the relationship between sustainable human development and democratic governance and the need for civil society engagement to foster both.

Keywords: Civil society, environment, Human Rights, poverty reduction.

1. INTRODUCTION TO CIVIL SOCIETY AND POVERTY REDUCTION

According to Kaldor (2003), civil society refers to the space for collective action around shared interest, purposes and value, generally distinct from government and commercial for profit actors. Civil society actors can enhance the participation of communities in the provision of services and in policy decision-making. According to the World economic forum, (2013), civil society is the ecosystem that influences social change outside of the family, market or government. Often referred to as the space where we act for common good, civil society aims to connect poor or marginalized people with groups that can mobilize support to help. Examples of civil society organizations are:

- a) Faith based associations such as religious leaders and churches
- b) Social media, online forums and the press
- c) Non-governmental organizations (NGOs) and other non-profits such as Mercy corps, Amnesty international, and international Rescue committee, which have well-defined operational structure and registered as per a country's law and regulations
- d) Trade unions and cooperative associations that represent workers
- e) Private sector and business associations, Innovators, social entrepreneurs and activists

- f) Cultural, sports and leisure associations as well as youth groups, football clubs, performing arts groups, etc.
- g) Grass-roots organizations

According to the World Bank, civil society refers to a wide array of organizations; community groups, non-governmental organization (NGO), labour unions, indigenous groups, charitable organizations, faith-based organizations, professional associations and foundations. The examples of civil society actors in Uganda include the following: The Uganda law society, Action for development (ACFODE), the Uganda land alliance, the national association of women in Uganda (NAWOU), and the Ugandan gender resource Centre (UGRC), all conduct workshops on women's land right.

Poverty is a state or condition in which a person or community lacks financial resources and essentials for a minimum standard of living. This means that the income level from employment is so low that basic human needs can't be met. According to the Rwanda green fund factsheet 23rd December 2019 on global, regional and national poverty trends, the global share of people in extreme poverty- those living on less than \$1.90 a day(1)- has decreased consistently since 1990 when it included over 35% of the world population, to less than 10% in 2015. The number of people living in poverty as measured by the higher international poverty lines of \$3.20 and \$5.50 increased between 1990 and 1999, but has fallen since then. In 2015, over one-fifth of the global population lived below \$3.20 and almost half lived below \$5.50 a day.

Regionally, extreme poverty is increasingly becoming concentrated in sub-Saharan Africa. In 1990, 15% of people who were extremely poor lived in the region, in 2015, this share was 56%. Countries in the East Asia and pacific region made 52% of the extremely poor population in 1990, while in 2015, they presented just 6%. Nationally, china and India are responsible for the greatest national reductions in poverty. Almost 1 billion people across those two countries moved out of extreme poverty between 1990 and 2015. Extreme poverty has increased in most countries in sub-Saharan Africa. The largest increases have occurred in democratic republic of Congo (DRC), Madagascar and Nigeria. According to a March 2021 global poverty update from the World Bank by Andres R Castaneda, the March 2021 global poverty update from the World Bank revises the previously published global and regional estimates from 1981 to 2017. In summary, the updated poverty estimates continue to show a decrease in global poverty up until 2017, and to 2018/2019 for some regions which predate the reversal projected for 2020 as a result of covid-19.

For the regions with sufficient population coverage, the 2018 estimates are updated and new poverty estimate for 2019 are added. The update includes new surveys that have been received and processed, as well as several changes to existing data. Notably, this update include for the first time poverty estimate based on imputed consumption data for three countries in sub-Saharan Africa (Somalia, south Sudan, and Zimbabwe), including data on Somalia that previously had no survey estimate available Povcal net. This type of data is important to broaden the coverage of countries where full house hold surveys are less frequent, such in fragile and conflict- affected countries. For this release, also conducted an extensive revision of historical data points (largely in the 1990s and early 2000s). Other changes reflect improvement in the welfare aggregate based on new harmonization efforts and more available information. This document outlines the changes made, the underlining data by country and explains why the changes have been made.

In Uganda, 41% of people live in poverty, and almost half Uganda's population is under the age of 15, representing one of the youngest populations in the world. Uganda also hosts the largest refugee population in Africa- more than 1 million have fled their home countries to seek asylum in Uganda. Over the next decade, agricultural development will be a main priority to help improve outcomes for low- income families. Agriculture will also be an increasingly important industry for youth and refugees to find viable opportunities to earn sustainable livelihoods for themselves. As a consequence, the statistics of Uganda indicate that the country has a total population of approximately million citizens; 76% of the population lives in rural areas and 73% of the workforce is employed in agriculture; 41% of them live on less than \$1.90 a day; 33% of people have an account at a financial institution; and, 53% of children complete primary education.

In light of the above therefore, civil society organizations and actors have played a key role in promoting inclusive social, economic and political development by acting as alternatives to a state apparatus in a number of ways:

- a) Civil society is widely viewed as an organized structure that has the core objective of enhancing collective action to improve engagement with the government as means of influencing and driving inclusive development. At global level, CSOs are increasingly establishing partnerships with governments and donors owing to their potential to advocate public service delivery as well as influencing the design and implementation of government projects.

b) Civil society organization are often seen as advocates of the poor through their participatory and citizen-driven approach that has the potential to deliver bottom-up approaches to development.

c) Civil society organization monitor government policies and actions and hold government accountable.

A study by Seema (2015) indicates that civil society organizations (CSOs) provide both immediate relief and long-term transformative change by defending collective interests and increasing accountability, providing solidarity mechanisms and promoting participation, influencing decision making, directly engaging in service delivery, and challenging prejudice. In this way, excluded groups can be effective drivers of their own change by forming or participating in organizations that represent group interests. However, these activities can be constrained by institutional factors, such as the type of regime they are operating in, the level of decentralization of state institutions and various other aspects of governance. New research is recognizing the importance of building alliance and platforms across the state and civil society to connect champions of change. They engage in advocacy and offer alternative policies for government, the private sector and other institutions. For instance, civil society organization promote poverty reduction by pushing for macro-level structural changes through advocacy, lobbying the government for policy change at the national level and directly providing effective services to the poor at the grassroots level.

According to Harper (2001), 'Institutions everywhere are opening up spaces and inviting civil society in to participate in policy-making for poverty reduction'. Civil society organization delivers services especially to the poor and underserved. CSOs complement the state in service provision, they are posited to have a comparative advantage due to their ability to innovate through experimentation, and flexibility to adopt new approaches, programs and modes of engaging with state and citizens, as well as their ability to promote the sustainability of projects by boosting citizen participation. Connolly (2007) notes that as a result of international pressure, civil society in developing states now face a more open environment for both advocacy and provision of services, while financial support has allowed a much greater level of activity than would otherwise have been possible.

They defend citizens' rights and work to change and uphold social norms and behaviours. For instance, civil society actors such as Human rights NGOs have been at the forefront of setting standards for human rights of promoting and protecting those rights. For example, NGOs in collaboration with the United Nations Human Right Committee (UNHRC) addressed issues such as non-discrimination against people living with HIV/AIDS to participate in public affairs at national and international levels, right to privacy among others (UNAID 1997). This has encourage them to engage in income generating activities which has improved their standards of living and reducing poverty.

NGOs and health provision - Health is wealth and health is one way NGOs create wealth. The scourge of HIV/AIDS in the country compelled NGOs' activities in the areas of prevention and enlightenment programs. For instance, UNAIDS in collaboration with NGOs across Africa including Uganda and Nigeria, embarked on program called world campaign with young people (UNAIDS, 1999). For example, the program placed the issues of AIDS among young people on national and international agenda and has brought significant attention to the force for change that young represent in reversing the epidemic especially in rural areas.

Similarly, NGOs also are involved in the protection of rights of people living with HIV and AIDS. For instance, human rights NGOs have been at the forefront of setting standards for human rights of promoting and protecting those rights. NGOs in collaboration with the united nations human right committee (UNHRC) address issues such as non-discrimination against people living with HIV and AIDS, protection of families of infected persons, rights of those living with HIV and AIDS to participate in public affairs at national and international levels, right to privacy among others (UNAID, 1997).

Civil society, through the NGOs, support education which enables professionalism which encourages better standard of living and reducing poverty among people. Education remains the most vital tool for reformation in the world. Surprisingly, there were very few schools in Uganda and Nigeria especially in areas that can genuinely claim to have adequate school physical facilities for teaching and learning. Scholarships are not adequate, many students drop out of school because of finances. This is an indication that government alone cannot adequately fund education. This precarious situation of education system especially in rural communities informed the intervention of NGOs. In response plan international, world vision among others give scholarship to children whose parents could not afford basic primary education in Uganda.

Civil society and NGOs promote and encourage economic growth for sustainable development. For instance, the philosophy of economic transformation, wealth creation dominates the activities of most NGOs the world over. For example, train youths to increase production capacity of farmers, they finance private credit fund, skill and small credit loans to rural communities. They embark on program that radically transform rural economies through social empowerment programs for rural communities such as establishment of poultry farms, provision of micro-credit facilities and training programs on how to start small and medium scale businesses which serve as effective escalators and a potent weapon for fighting poverty.

Civil society through NGOs have aided the establishment and provision of employment opportunities among citizens in various countries. Since unemployment remains a fact of life in most countries in sub-Saharan Africa, the government alone can't deal with the problem, therefore NGOs are actively involved in solving the problem especially in remote communities. For instance, in 2003, chevron in partnership with friends of the earth, created jobs through skill acquisition programs and small business credit scheme in the Niger delta region of Nigeria where over 1000 youths were trained on basic skills to increase creativity in fish farming (chevron, 2003).

Development in technology, especially in relation to online forums, is emerging as a critical tool shaping the way civil society interacts with citizens. Emerging trends, such as social media and expert blogs, now offer faster modes of disseminating information and a non-hierarchical mode of communication where CSOs can respond directly to citizens, regardless of their geographical location. Unlike traditional forms of engagement such as rallies or physical assemblies, technological advances offer an innovative platform where barriers to entry for new civic organizations are low and an environment where CSOs are able to capture and simultaneously engage a wide audience, and thus be able to identify information that is crucial in influencing government behaviour. However, civil society organization (CSOs) encounter a number of challenges in implementing poverty reduction programs:

- a) An emerging problem faced by CSOs is the increasing pressure by donors to demonstrate the value for money through their impact on government policy. This has proven to be a daunting task from the perspective of civil society due to the difficulties in measuring impact. In addition, evidence shows that CSOs impact is incremental and manifests itself in the long term, which sharply contradicts with donor's short-term impact as a condition for continued access to funding.
- b) Civil society organizations have been viewed as organizations that enhance the interest of marginalized groups in the political arena. However, a key contentious issue is the complexity of relationships between CSOs and most governments. In most instances, CSOs have been viewed as competitors and as acting in opposition to the government which, at times limits their ability to influence government policies.
- c) In the quest to promote inclusive development, CSOs also face government restrictions in terms of legal representation. Across most authoritarian regimes, CSOs often face the threat of deregistration, while civil society workers are often tortured, arrested, or placed under continuous surveillance. For instance, recently in Uganda, the minister of internal affairs announced the planned deregistration of over 10,000 NGOs on the allegation of conducting unscrupulous operations. For most African countries, available data shows that CSOs face a closed space where it is next to impossible for activists to conduct human rights advocacy or peacefully oppose the state without the very risk of attack, imprisonment or death.
- d) CSOs face challenges of establishing their legitimacy vis-a-vis citizens and donors. Some government's restriction on accessing foreign funding. Some foreign-funded CSOs are labelled as threats to national sovereignty through interference in domestic affairs by outside interests. CSOs also face funding restrictions through caps on the amounts they receive. These restrictions are often imposed through stringent reporting and disclosure requirements.
- e) CSOs' accountability frameworks are unclear. On one hand, these organizations should be accountable to their constituents, as this generates incentives for CSOs to be effective in holding the government accountable and promoting inclusive development. On the other hand, CSOs are required to comply with donor funding requirements. This often skews the link of accountability as CSOs answer to donors as a first priority owing to their over-reliance on foreign funding.
- f) Banks and Hulme (2021), suggest that some CSOs are not responding to the needs of the constituents they claim to represent but are rather accountable to donors owing to funding requirements. In addition, the lack of accountability has

been widened by the growing gap between CSOs and citizens, whereby local constituents do not have a significant voice and influence in the operational structure of such organizations.

g) CSOs are also accused of being corrupt and working for foreign entities as spies. These campaigns tend to weaken the credibility of CSOs before citizens and donors. For instance, according to Banks and Hulme (2021), 'there is growing evidence that CSOs are being established in response to the availability of donor funds, that their agenda is shaped by such resource rather than the necessity to address the needs of their constituents. Even worse, some studies that examine how CSOs spend their resources document evidence of significant wastage and corruption'.

h) The neoliberal era has produced rising unemployment levels, poverty and income inequality, thus creating conditions for social and political instability. This now threatens citizen cohesion and trust, the building blocks of democratic governance.

i) There is increasing frustration with the unsustainable and continuous funding of NGO activities that have not produced any structural change in governance. Corruption in government, and more recently in NGOs, abounds, economic growth has stagnated or in some cases, regressed and there is a growing apathy within the citizenry about civic work.

In order to address the above challenges, the following alternatives can be considered:

a) Good governance is critical for effective functioning of an organization. As such, for CSOs to maintain credibility, they must operate in a transparent, accountable and inclusive manner. From a theoretical perspective, accountability implies that CSOs must be answerable to some recognized entity, and the literature differentiates between CSOs' upward accountability to donors, downward accountability to the constituents they represent, and internal accountability with regards to accomplishing its objectives.

b) There should be emphasis on the importance of grass-roots organizations, especially religious groups, due to their ethical principles, values and morals, which can be leveraged for enhancing collective action.

c) Instituting project-based supervisory boards appointed by the donors to oversee program design and budget expenditures related to civic activities. The board would serve until the end of project life but would ensure that a culture of accountability is cultivated within the NGO and other civic organizations dealing with accountability challenges.

d) Expanding funding to membership-based civic activities to include traditional CSOs such as churches and business associations, for instance Uganda small scale industries association. This would enhance the potential to embark on a financially self-sustaining path once their membership network has expanded and once they have become entrenched in a set of values and membership-focused civic activities.

e) Supporting old and new CSOs to create regional coordination networks. This could start with profiling all existing CSOs by region, thereby leading to the construction of database which could serve as a basis for building such networks. These networks can then become the platform for mobilizing citizens to participate in civic activities within their respective regions.

f) Identifying moderate voices within government. Moderate voices always exist and can prove to be valuable when broaching difficult debates. Working closely with such stimulate the government to begin to view CSOs as partners rather than enemies of development.

g) Leveraging the capacity of existing research institutes to build, expand and strengthen the capacity of CSOs to conduct research for advocacy work. Research institutes can be interested in adapting their annual research needs of CSOs at the forefront of advocacy work. This can be achieved through coordinated efforts that bring together research institutes and CSOs leading to advocacy work.

We know that civil society by itself cannot achieve poverty eradication. It must act in partnership with governments and institutions but it must be one of the partners and not just a servant to carry out the designs of governments or corporations. Therefore there is need to expand the role of NGOs and civil society organizations in three main specific areas related to poverty eradication: technical, financial and political and enhancing the participation of those whose lives are affected by decisions and this can only happen when there is an enabling environment designed to promote popular participation.

2. CIVIL SOCIETY AND THE ENVIRONMENT

The term environment includes abiotic and biotic components like water, air, soil, flora, fauna and ecosystem formed by their interactions (Stahn et al 2017). The term environment is conceptualized as being constituted by both biophysical (natural) and human (socio-economic and political) dimensions. Where the biophysical dimension is made up of elements such as climate (temperature, rainfall, wind and evaporation), air, topography, geology, soils, vegetation (flora), fauna (animals), ground water (hydrogeology), surface water (hydrology); and on the other hand, the human dimension constitute such as people, land tenure and use, archaeological, social, cultural, political and economic aspects (Nhamo & Inyang, 2011:17).

Basing on the above definitions, Environment would simply mean all the natural surroundings such as land, air, water, plants, animals, solid material, wastes, sunlight, forests and many other things. Environmental protection refers to any activity to maintain or restore the quality of the environmental media through preventing the emission of pollutants or reducing the presence of polluting substances in environmental media. It may consist of change in characteristic of goods and services. Changes in consumption pattern, changes in production techniques, treatment or disposal of residuals in separate environmental protections facilities, regulating and prevention of degradation of the land scape and ecosystems (Glossary of environment statistics, 2003)

3. ROLES OF CIVIL SOCIETY IN ENVIRONMENTAL PROTECTION:

a) *Advocacy*: Civil society play a key role in environmental protection through advocating and fighting for change on behalf of the communities they serve and also challenging actions and programs that are not environmentally friendly. Civil society can push for environmental protection and climate change mitigation policies as they articulate and seek their visions of change through a multitude of mechanisms that include public advocacy, education, lobbying decision makers, research and public protests (Sathaye et al, 2007: 714). For instance, here in Uganda, civil society was much involved in the 2008 Mabira saga where the public was opposing the government's decision of giving away Mabira forest to an investor. The civil society has contributed to environmental protection in most regions around the globe.

b) *Lobbying* - Civil society helps to push people's concerns in regard to environmental protection and preservation. In most developed countries like United Kingdom civil society organisations were originally created to fight powerful lobbies and developed as a counter-power because citizens of these countries are educated enough to be able to present their problems and defend their interests. According to Bird & Caravani (2009:5), civil society has a role to play in lobbying for greater openness by government, improving the transparency of natural resource allocation decision making processes. Lobbying for community involvement in agenda setting and public decision making creates a political space for all people to put for their priorities and needs concerning the environment.

c) *Raising awareness and disseminating information concerning environmental management* - "A population that has no information on the environment has neither the incentive to act nor the power to give impetus to government action" (UNEP, 2002). To change the perception and attitudes of indigenous people around protected areas, environmental education through sensitization should be encouraged, civil society like Land and Equity Movements of Uganda (LEMU) and Green Peace among others disseminate environmental information which is readily available and understood by the general public, the more likely it is that its message will be heard and its initiatives bear fruit. (Becker, 2016:15)

d) *Empowerment and capacity building* - In addition to awareness raising, civil society plays a role in empowering and building capacity among local communities in order to take charge in preserving their environment through local conservation programs some times in line with government strategies. Civil society provides educational training and services concerning environmental preservation. According to Agenda 21, education was to be reorganized as a process by which societies can reach their fullest potential, thereby improving capacity to address environmental preservation issues like what LEMU and Trocaire are doing in Uganda (world economicforum,2013:183).

e) *Partnership and managing relationship* - Government and civil society organizations' partnerships are being encouraged in a number of ways. In some countries laws exist to ensure community and major group participation in developing regional and national policies and plans. For example, in Thailand, the 1992 environmental act delegates the work on environmental protection, preservation and management to provincial and local authorities, and encourages peoples' participation through environmental civil society organisations and NGOs (Thailand, 1992). As countries put in to practice formal policies requiring public participation in decision making, the influence and potential political powers

of civil societies and NGOs increases. For example, in the Philippines the EIA (Environment Integrated Authority) regulates and implements rules relating to the mining Act and the indigenous people's Rights Act require the voluntary informed consent of indigenous people before projects can proceed (Mwije, 2013)

4. SUCCESSES OF CIVIL ORGANIZATION IN ENVIRONMENTAL PROTECTION ACTIVITIES:

It may become hard to go against the main stream assumption that anything that combat climate change is necessarily good for the environment. However, choosing the reduction of greenhouse gas emissions or worse, carbon dioxide as the main criterion has actually led to measures (such as the switch from petroleum diesel road fuel) that have had damaging effects on air quality and biodiversity which has been made possible only through the role played by civil society across the globe (Sainteny, 2015).

With the multiplication of global environmental conferences in the 1970s and treaty negotiations in the 1990s, various civil society organizations increased their international involvement. The first major international civil society organisations emerged in the field of biodiversity and forest conservation, such as the World Wildlife Fund (WWF), Greenpeace and the International Union for Conservation of Nature (IUCN). These organisations started to defend the environmental value of forests at international level, justifying the creation of protected areas. In turn, these actors became part of a wider global context focusing on awareness promotion around environmental damages, such as large deforestation in the Amazon and species massive extinction (Epstein, 2008).

Likewise, there is so much sensitization and education of environmental programs such that every citizen are aware of the good and bad practices. This is particularly done by different NGOS either directly by carrying out different training of leaders and citizen or indirectly through building the capacity of government officers to do the same. By knowing the good and bad practices in environmental issues, there is improvement in environmental practices which is a success.

Another interesting category of actors in environmental preservation are the transnational advocacy networks (TANs). This type of network plays an important role in seeking primarily to influence states and international organisations on environmental issues. In this sense, they have highlighted their intermediary role between local actors and their global claims. Some examples of TANs emerging in the environmental field are linked to claims of global environmental justice, such as in the cases of the Yasuni ITT campaign to keep oil in the Ecuadorian Amazon, or the anti-Narmada dam movement in India (Martin, 2011).

In the same way there has been funding to the cause of different environmental intervention where different NGOS have mobilized funds for different environmental issues like sensitization, enforcement, and preservation and for administration generally. International Union for Conservation of Nature (IUCN) is funding a lot of programs with NEMA especially on advocacy and enforcement particularly in reclamation of wetlands.

In addition to the above, civil society have succeeded in advocating for environmental preservation issues across the globe. For instance, here in Uganda, civil society was much involved in the 2008 Mabira saga where the public was opposing the government's decision of giving away Mabira forest to an investor (Sathaye et al, 2007: 714)

5. LIMITATIONS OF THE CIVIL SOCIETY IN ENVIRONMENTAL PROTECTION

While Environmental civil society like other organisations representing citizens on large causes were praised for enhancing the democratic nature of political processes in the 1990s, they are currently seen as potential threat to public order and face more hostile attitudes from governments. Since the mid-1990, legislation banning the funding of national NGOs from abroad and constraining the activities of foreign NGOs has multiplied and now applies in more than half of world's countries (UN Environment, 2018). Environmental activities are labelled "extremists" even in such countries like Australia, United Kingdom, and France among others where anti-terrorist legislation was used to prevent French activists from leaving their homes to participate in the side events in Paris during the COP 2015.

Beyond the widely disputed assumption of the good will of concern actors to cooperate for the sake of the environment, firms also lack resources when it comes to fulfilling their commitment *vis-à-vis* workers cause protection of the environment via corporate social responsibility, (Chenys, 2014).

Merging of administration departments such as the department of energy and climate change with business and industry in the UK, and the ministry of ecology with sustainable development in France has led to conflicting views on issues such as resource exploitation because most decisions are prepared within a single administrative department and are not

discussed between ministries. These leaves civil society with very heavy work load as far as environmental preservations are concerned (Schlembach, 2018). Misuse of funds. It is a common experience that there have been serious cases of misuse and misappropriation of funds received as grant- in-aid from the government, foreign donors and raised through their own resources by most of the NGOs (corruption). This has made the implementation of Environmental protection programs to fail (Lathaa & Prabhakar, 2011).

Lack of public participation. NGOs are meant to provide opportunities to the citizens for democratic participation but they have not been able to fulfil this obligation due to the method and manner in which they function, and failed to attract people to participate enthusiastically to environmental protection of their areas. This has made it difficult for the people to own the project and participates actively to maintain them and that is why most of their projects on Environmental protection have failed to meet their goals because the people have not been motivated to take up the project seriously. Sometimes general backwardness of the people, absence of adequate number of dedicated persons, over emphasis on targets and time bound programs, assessment of felt needs and safeguards for the community, distrust of agencies and workers who do not have a base in the community and are unable to win its support and lack of decentralization which could give a feeling of being partners in development rather than development being thrust from above (Pradesh, 2010).

The poor coordination between NGOs existing at local, state and national level has led to the common problems such as overlapping, duplication and non- coordination, this has greatly affected the work of the NGOs in the Environmental management. The absence of such a common forum also incapacitates NGOs to offer united stand against the government when it humiliates them by extraneous considerations at the behest of politicians and egoistic government officers, (Pradesh, 2010).

Political Interference - In most of the developing countries, NGO leaders identified the interference of local politicians and civic leaders as a major hindrance to their work of protecting the environment, where NGOs are involved in sensitive issues, such as land disputes, local leaders can threaten NGOs with de-registration. NGOs are not aware that the Board - and potentially the Council - are there to protect them from such intimidation (Mehta et al, 2010). This hampers the motivation of civil societies towards environmental protection.

Unsupportive policies - The other limitation which is a very big threat to operation of civil societies towards environmental protection are the poor policies put in place to protect environment. Example, in Otuke in northern part of Uganda, shea nut trees are cut at will and have been depreciated completely because the laws against deforestation in the country is such a weak one that are reluctantly implemented. Hence all over the world, poor environmental protection policies have hindered the work of civil societies towards environmental conservation.

Inadequate trained personnel in environmental issues - The absence of adequately trained personnel in areas of environmental protection has equally limited the civil society's role in protection our environment. Environment is too vast and needed adequate specialist to handle environmental issues, but their inadequacy coupled with limited less priority in job advertisement by government in matters of environmental protection has made many reluctant to study environmental issues.

Limited funds appropriated towards environmental protection let alone misuse - This is yet another limitation of civil societies in protection environment. Both at government and Civil society budget, environmental issues are not given adequate attention financially. And hence this makes the planned environmental activities to go unfunded. In most developed countries, environmental protection are not sufficiently catered for in the national budget and this make environmental related ministries within government and civil society not to deliver as planned.

The contributions of civil society in global environmental preservation cannot be ignored since it is a cross cutting issue and both national and international governments need other actors to make it a reality.

6. CIVIL SOCIETY AND DEMOCRATIC GOVERNANCE

At global and regional levels, Civil Society Organizations (CSOs) have formed coalitions to address important social, environmental and economic issues. Some of these coalitions challenge multilateral institutions, such as the World Trade Organization, highlighting the negative impact of trading systems on poor people. It takes a broad view of CSOs, of which NGOs are an important part, and recognizes that in practice civil society is an arena of both collaboration and contention. Civil society is often depicted as a third sector alongside the state and the market. However, many commentators suggest that this typology does not adequately reflect the complex social and political landscape that

characterizes many development contexts, where there is often significant overlap both institutionally and individually between different sectors.

According to WEF, (2013) civil society is now recognized as encompassing far more than a mere sector dominated by the NGO community. Civil society today includes an ever wider and more vibrant range of organized and unorganized groups, as new civil society actors blur the boundaries between sectors and experiment with new organizational forms, both online and off". Both the WEF (2013) and AfDB, (2021) suggest the following types of Civil Society:

- a) NGOs, CSOs and non-profit organizations that have an organized structure or activity, and registered as entities and groups
- b) Online groups and activities including social media communities that can be "organized" but do not necessarily have physical, legal or financial structures
- c) Social movements of collective action or identity, which can be online or physical
- d) Religious leaders, faith communities, and faith-based organizations
- e) Labour unions and Labour organizations representing workers
- f) Social entrepreneurs employing innovative and/or market-oriented approaches for social and environmental outcomes
- g) Grassroots associations and activities at local level
- h) Cooperatives owned and democratically controlled by their members
- i) Youth clubs
- j) Independent radio, television, print and electronic media
- k) Neighbourhood or community-based coalitions
- l) Academic and research institutions

The role of civil society include:

- a) 'watchdog' holding governments and institutions to account (for example, some CSOs monitor human rights abuses and provide information to both domestic constituencies and international organizations/ other states (Kreienkamp, 2017)
- b) Advocate/representative raising awareness of issues, giving a voice to the marginalized and advocating for change (for example, Civic Council of Popular and Indigenous Organizations of Honduras campaigns on issues such as logging and dams which will affect indigenous peoples. Rites north lango .
- c) Service provider (for example, Village Water Zambia provide water and sanitation in rural areas).
- d) Partnership with private sector for example Mercy Corps co-founded Micro with Haiti's largest microfinance institution Fonkoze, partnering with DFID and Swiss Re (WEF, 2013). Business leaders from major multinationals are actively contributing to global governance processes, for example, the World Business Council for Sustainable Development (WEF, 2013). Some actors have expressed concern at the emergence of the private sector in the civil society space (CIVICUS, 2018).
- e) Complement government poverty alleviation programmes with community-based tailored assistance using evidence-based, innovative and sustained solutions;
- f) Localizing the SDGs and monitoring progress;
- g) Promote citizen-centric, collaborative governance as many CSOs in Asia's developing countries operate at grassroots level, so have active engagement with local actors and citizens and co-production whereby citizens produce or improve existing services without relying too much on public agencies;
- h) Advocating for the poor, including lobbying government;
- i) Empowering women for climate action (Nazal, 2018).

Democratic governance

According to Belgium Development Corporation (2009), Democratic governance is one of the keys to development. It is now acknowledged that political processes, regulations and institutions play a major role in economic growth and human development. The fight against poverty is not simply a social, economic and technical objective but also a political and institutional goal. In the Millennium Declaration, the international community reached an agreement on the importance of good governance for development. This goes hand in hand with the theory that development problems are linked to a failure in governance.

The previous campaigns for achieving the Millennium Development Goals have not simply highlighted the need for larger financial commitments from donor countries but have also focused on the way in which these funds are managed and spent. This relates to the efficiency of governance and public management systems in the recipient countries and also to aid schemes. The efficiency of governance and public institutions are therefore increasingly the focus of thought and work on human development. If the institutions do not work properly, the vulnerable and poor members of society are the first to suffer. The case of the Democratic Republic of Congo is an example of this: given the unprecedented level of decay of the public sphere, the State is no longer capable of fulfilling its basic functions and hence leaves the people to fend for themselves (Belgium Development Corporation, 2009)

Democracy is directly linked to the concept of governance. It is governance that has to meet individuals' needs and not the other way around. The principle of elections, and therefore enforceable accountability, is a cornerstone of democratic governance. However, elections are not enough; democratic governance also requires a legislature which represents the people. It requires an independent judiciary that is able to uphold the rule of law in a non-discriminatory way for all citizens. It requires professional and politically neutral security forces that act in the interests of the common good. It requires accessible media which are free, independent and unbiased and, last but not least, it relies on an active civil society that is able to question the public authorities and suggest different methods of political participation. However, in the same way as democracy is not confined to holding elections, good governance is not restricted to more efficient public institutions. The prerequisites for good governance are also respect for human rights and freedoms, the rejection of all forms of discrimination based on race, ethnicity or gender and gender equality in both the public and private spheres.

Democracy is the institutionalization of freedom. In the end, people living in a democratic society must serve as the ultimate guardians of their own freedom and must forge their own path toward the ideals set forth in the preamble to the United Nations Universal Declaration of Human Rights: Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world.

Relationship between civil society and democratic governance

People have always gathered to support each other and to meet their needs, attain collective goals, express their views and exchange information. This can take place at an individual level, for example through voting, or through collective action. Examples of individual and collective civic engagement in public affairs can be found as far back as the 6th century BC. In ancient Greece, Athenian democracy provided for direct participation by citizens in legislative affairs. In India, the panchayats provided a space for villagers to come together to deliberate village affairs (UNDP, 2009).

Over the past two decades, civil society has become increasingly acknowledged as a key factor in development at the global, national and local levels. Some observers talk about a 'global associational revolution' involving a great expansion of organized private, voluntary activity throughout the world, with an explosion in the numbers, diversity and roles of civil society groups (UNDP, 2009).

There are many possible explanations for this expansion, these include; national ownership of development; citizens' participation; social accountability; good governance; decentralization; democratization of development co-operation; and improved quality, relevance and poverty focus of official development programmes. The performance of civil society is based on the relationship between civil society and government. When there is poor governance like in most developing countries, there is always mutual mistrust which often prevents civil society from playing its roles effectively.

Some of the limitations include: Restrictive laws, norms or other factors often limit CSOs from influencing policy or acting as watchdogs. For example, in Belarus, many CSOs advocating human rights and democracy have been driven underground because of the hostile political climate (UNDP, 2009). Transaction costs. Estimates of transaction costs are higher for Africa: for example, a 2015 report estimated transactions costs were 12.5% of the sum remitted (CFLP, 2015).

Factors contributing to high costs include de-risking measures³¹ by commercial banks and exclusive partnerships between national post office systems and a single money transfer operator (World Bank, 2018). These factors constrain the introduction of more efficient and cheaper technologies, including Internet and smartphone apps hinder the growth of formal remittances, restrict competition and increase prices. Studies have shown that States who commit severe human rights abuses have a strong incentive to silence civil society, especially if they have signed human rights treaties. There is also some evidence that states are more likely to restrict CSOs when faced with domestic security threats e.g. terrorism. For example in late 2020, the President of the Republic of Uganda blocked Democratic Governance Fund (DGF) which funds activities for a number of CSO in Uganda on an allegation that DGF was funding opposition parties against his NRM party.

Increased surveillance - The media and academics have expressed concerns about authorities' increasing surveillance of civil society, particularly journalists and human rights campaigners. For example, the Citizen Lab at the University of Toronto argue that Pegasus spyware has been used to target civil society by spying on people through their mobile phones, including in Mexico. Ahmed and Perloth (2017) have labelled Mexico one of the most hostile environments for journalists. In Uganda, a number of CSO offices have been broken into and properties such as computers taken by the government and some cases the staff are arrested without just cause especially during election periods.

Increased violence - More than 1,000 human rights defenders were killed, harassed, detained or subjected to smear campaigns in 2016: more than 75% of those killed were in Latin America (Kreienkamp, 2017). The rise in killings of environmental activists in Latin America has been linked to the expansion of extractive industries, the influx of associated multinational corporations and criminal enterprises, and a prevailing culture of effective state-sanctioned impunity.

Media restrictions - Governments are controlling the free flow of information in order to control, monitor or silence civil society (Kreienkamp, 2017). This includes journalists and media outlets being pressured into self-censorship because of the risk of costly lawsuits or personal risk, government increasing control of digital technologies, social media problems and shutting down the internet when facing intense resistance (Kreienkamp, 2017.). Reporters without Borders (2017) argue that media freedom globally is more under threat now than ever before, with a worsening situation in nearly two-thirds of the 180 countries it includes in its World Press Freedom. In 2017, Cameroon introduced a three-month internet block in its Anglophone regions; whilst Iran and Togo shut down the internet during mass protests, Viet Nam jailed at least 25 online activists in 2017 (CIVICUS, 2018), Uganda shut down internet during the Presidential Election and blocked Facebook, Nigerian blocked twitter in June because the President's tweet about killings the citizens was blocked by the twitter.

Restrictions on funding - Targeting foreign funding is one of the most effective and commonly used strategies to curb civil society, often justified on the grounds of increasing transparency (Kreienkamp, 2017). In India, at least 30 CSOs, including Greenpeace India have been refused a government license to receive foreign funding in 2016 because their activities were not deemed to be in the national interest; In Ethiopia, severe restrictions on foreign funding, introduced in 2009 resulted in 25% of local groups closing within three years. In Uganda the banks accounts of Action Aid, an NGO in Uganda was blocked in 2018 on allegations that opposition parties were using their accounts to receive funds.

How the civil society has influenced the environment they operate amidst difference governance challenges?

Civil society has learn to manoeuvre in relation to key stakeholders by positioning themselves to meet local needs, holding the state accountable for delivery of services and filling vacuums where leadership from government is absent. In some cases, civil society organizations can significantly influence their environments. Attributes such as strong popular legitimacy, leadership skills and financial resources can create a strong basis for civil society influence.

Civil society groups are becoming more technologically literate, using social media platforms and new tools such as podcasts for awareness raising, fundraising and technological tools to improve the efficacy of their work (Jezard, 2018). For example, WWF (the Worldwide Fund for Nature) use aerial drone technology, animal tracking devices and infrared cameras in their work combatting illegal poaching of endangered species. UNICEF's U-Report bot is a free SMS social monitoring tool: in 2015, working with government ministers in Liberia, it helped to uncover a scandal in which teachers were exploiting children by awarding grades and pass marks in return for sex. In under 24 hours, 13,000 people had responded, counselling services identified and a support helpline established.

Using Faith groups such as churches. The WEF (2013) argue that there is increasing interest in faith and religious culture in public life, accompanied by a growing interest in the role of faith groups. Factors driving this interest are appreciation of the dynamism and the growth of faith in many parts of the world; the resources inherent within faith communities. Faith groups play a number of roles in development including that of service provider: in some African countries, the faiths provide 70% of health services. The role of faith groups is extremely interesting and merits more attention than is possible in this report.

In short, there has been increasing support for civil society as understanding has grown about the important role that CSOs can play in bringing about development goals. The Millennium Declaration and the Millennium Summit Outcome Document emphasize the relationship between sustainable human development and democratic governance and the need for civil society engagement to foster both. Civil society play a vital role both internationally and locally advocating democratic governance since they act as watchdogs by empowering the citizens on their democratic rights and human rights by providing services Legal aid, health services, water supply identifying and addressing community needs; training, education, livelihood support; Mediating between citizens and the state; Lobbying, reviewing budgets; Defending citizens' rights and articulating Interests.

7. CIVIL SOCIETY AND HUMAN RIGHTS

Role of Civil Society in promoting Human rights

a) *Enhancing transparency and good governance* - Civil society organizations (CSOs) play an important role in enhancing transparency and good governance in developing countries by contributing to increased public debate on issues surrounding the formulation and implementation of government budgets as well as in supporting greater transparency of public revenues. This paper reviews some recent measures to improve fiscal transparency in Nigeria, highlights the role played by CSOs, and identifies possible strategies which CSOs and senior government officials in various African countries may adopt in order to promote more constructive and transparent dialogue on fiscal management issues.

b) *Promoting democracy* - After the collapse of Somalia's central government in 1991 for example, civil society organizations (CSOs) stepped in to fill the governance vacuum and provide vital services. They have played a number of important roles from supporting peace building and conflict prevention to promoting democratization and providing humanitarian aid. Even since the return of a functioning central government in 2012, CSOs have continued to demonstrate their value as facilitators, advocates, election observers and innovators. Many are striving to become financially and politically independent institutions, acting as watchdogs, ethical guardians and advocates for the marginalized and under-represented.

c) *Advocating for people's rights* - Civil society organizations engage in advocating the public's rights and wishes of the people, including but not limited to health, environment and economic rights. They fulfill important duties of checks and balances in democracies, they are able to influence the government and hold it accountable. Therefore, free and active civil societies are an indicator of a healthy participatory democracy. However, they can only function where freedom of speech and right of free assembly are guaranteed. Unfortunately, this is not the case in many countries around the world. In the Middle East too we have witnessed growing restrictions on civil societies.

d) *Guard against abuse of power* - Civil society actors should watch how state officials use their powers. They should raise public concern about any abuse of power. They should lobby for access to information, including freedom of information laws, and rules and institutions to control corruption.

e) *Expose corrupt official* - Civil society plays a bigger role in the community to expose the corrupt conduct of public officials and lobby for good governance reforms. Even where anti-corruption laws and bodies exist, they cannot function effectively without the active support and participation of civil society.

f) *Carrying out development within community* - Civil society also can help to develop programs for democratic civic education in the schools as well. After dictatorship, comprehensive reforms are needed to revise the curricula, rewrite the textbooks, and retrain teachers in order to educate young people about the crimes of the past and teach them the principles and values of democracy. This is too important a task to leave only to officials in the education ministry. Civil society must be involved as a constructive partner and advocate for democracy and human rights training.

- g) *Lobby for social services* - Civil society is an arena for the expression of diverse interests, and one role for civil society organizations is to lobby for the needs and concerns of their members, as women, students, farmers, environmentalists, trade unionists, lawyers, doctors, and so on. NGOs and interest groups can present their views to parliament and provincial councils, by contacting individual members and testifying before parliamentary committees. They can also establish a dialogue with relevant government ministries and agencies to lobby for their interests and concerns.
- h) *Strengthen democracy* - Ways through which civil society can strengthen democracy is to provide new forms of interest and solidarity that cut across old forms of tribal, linguistic, religious, and other identity ties. Democracy cannot be stable if people only associate with others of the same religion or identity. When people of different religions and ethnic identities come together on the basis of their common interests as women, artists, doctors, students, workers, farmers, lawyers, human rights activists, environmentalists, and so on, civic life becomes richer, more complex, and more tolerant.
- i) *Providing training for leaders* - Civil society can provide a training ground for future political leaders. NGOs and other groups can help to identify and train new types of leaders who have dealt with important public issues and can be recruited to run for political office at all levels and to serve in provincial and national cabinets. Experience from other countries shows that civil society is a particularly important arena from which to recruit and train future women leaders.
- j) *Provide important information to the community* - Civil society can help to inform the public about important public issues. This is not only the role of the mass media, but of NGOs which can provide forums for debating public policies and disseminating information about issues before parliament that affect the interests of different groups, or of society at large.
- k) *Help in resolving conflict* - Civil society organizations can play an important role in mediating and helping to resolve conflict. In other countries, NGOs have developed formal programs and training of trainers to relieve political and ethnic conflict and teach groups to solve their disputes through bargaining and accommodation.
- l) *Monitoring of government activities* - Civil society organizations have a vital role to play in monitoring the conduct of elections. This requires a broad coalition of organizations, unconnected to political parties or candidates, that deploys neutral monitors at all the different polling stations to ensure that the voting and vote counting is entirely free, fair, peaceful, and transparent. It is very hard to have credible and fair elections in a new democracy unless civil society groups play this role.
- m) *Social accountability* - Hold corporations, faith-based and other organizations accountable for their actions (or inactions). Social accountability prizes transparency and honesty and makes sure everyone from government officials to local school children
- n) *Empowering communities* - Civil society organizations give voice to the disorganized, voiceless segments of society. They raise awareness of social issues and advocate for change, empowering local communities to develop new programs to meet their own needs.
- o) *Ensuring good governance* - Civil society works hand-in-hand with the government, striving to develop policy and implement new strategies. Beyond that, civil society builds so-called social capital by providing a way for participants to build relationships and make connections based on their values, behaviors and beliefs.

Article 2 of the constitution of the republic of Uganda defined "human rights" as any of human dignity, worth, liberties and rights which are guaranteed by the Constitution and Acts of the Republic of Korea or recognized by international human rights treaties entered into and ratified by the Republic of Korea and international customary law; Human rights are underpinned by a set of common values that have been prevalent in societies, civilizations and religions throughout history. These values include fairness, respect, equality, dignity and autonomy. It is important to recognize that women, men and children experience Different human rights abuses and are affected by them in different ways. The Universal Declaration of Human Rights was Atrocities committed by states during World War II, and in particular the appalling abuses of the Holocaust, led the newly formed United Nations to establish a Human Rights Commission in 1947. A group of government leaders came together, chaired by Eleanor Roosevelt, to draft a new document in an attempt to prevent such human rights abuses from happening again. The vision of these leaders was not only influenced by events in Europe;

other world events such as the assassination of Gandhi in India and the beginning of apartheid in South Africa were also at the forefront of their minds.

The resulting document, the Universal Declaration of Human Rights (UDHR), was adopted by the countries of the UN in 1948 and it remains the most famous and most important of all human rights frameworks. The preamble recognizes a universal entitlement to rights for all humans, and sets the aim of contributing towards freedom, justice and peace in the world. Human rights are defined in the 30th articles. The UDHR is not legally binding for all countries, so it cannot be enforced in courts of law. It was conceived as a statement of objectives to be pursued by governments. However, it has formed the basis of a range of treaties that are legally binding, such as the Convention on the Rights of the Child, and the Convention against Torture. Regional groups of countries and individual states have incorporated these human rights into their own treaties and laws, such as the European Convention of Human Rights and the UK Human Rights Act.

The International Covenant on Economic, Social and Cultural Rights include the rights to education, adequate housing, food, water, the highest attainable standard of health, the rights to work and rights at work, as well as the cultural rights of minorities and indigenous peoples. These rights are enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR). While the primary obligation to ensure the respect, protection and fulfillment of human rights lies with the state in which people live, all states also have obligations to respect, protect and fulfill human rights through international assistance and cooperation. The International Covenant on Civil and Political Rights include the right to equality before the law, a fair trial, and freedom of expression, movement, assembly and association. They are given binding legal expression in a number of international human rights

Instruments, including the International Covenant on Civil and Political Rights (ICCPR)

The United Nations Convention on the Rights of the Child (UNCRC) outlines a wide range of civil, political, economic, social and cultural rights for children under 18. The UNCRC was opened for signature in 1989 and has been ratified by all UN member states except the United States and Somalia. The UK government ratified the UNCRC in 1991. Nations that ratify this international convention are bound to it by international law. Compliance is monitored by the United Nations Committee on the Rights of the Child which is composed of members from countries around the world

8. THE ROLE AND OR DUTIES OF HUMAN RIGHTS ACTIVISTS

a) *Advocacy for human rights for affected people and vulnerable groups* - Important role of the NHRC is advocacy for the promotion, protection and enforcement of human rights of affected people and especially for vulnerable groups (women and children, prisoners and internally displaced persons (IDPs)). The NHRC has carried out several advocacy programs and visits to enlighten members of the public on their rights and the need for them to report any abuses to the commission across the country and now more especially in the north east which has been ravaged by crises. This advocacy also covers Internally Displaced Person (IDPs) and refugees (as a result of the conflict).

b) *Criticism of government and others who have committed human rights violations* - The NHRC has the mandate of criticizing the government, groups and individuals who have committed human rights violations during conflict. As an independent body, they should not be subject to retaliation or intimidation as a result of their role and the Commission must enjoy autonomy and protection to perform their duties in post conflict areas.

c) *Investigation of post conflict human rights abuses* - The Commission has the responsibility of investigating all alleged cases of human rights abuses that were committed during conflict and makes proper counsel to the Federal Government for the trial and such other actions. The investigation panel must be transparent, impartial and honest in their report. The members must be men and women of credibility and integrity and of sound judgment. The commission has recorded about one million cases of human rights violations in the country between 2017 and 2018, of which were attributed to the spate of conflict in the country, which include the Boko Haram and Farmers/Herders conflict in some parts of the country (Pulse.ng, 2018). According to the Executive Secretary of the commission “the commission had recorded more than 100,000 cases of human rights violations and abuses in Borno, where Boko Haram had wrecked so much havoc” (Pulse.ng). Several investigation panels have been constituted to look into such issues. For instance, during the clash between the Nigerian Army and the Shiite Group in Kaduna between the 12 to 14th December, 2015

d) *Establishment of dialogue and ensure human rights centered negotiations* - According to the United Nations Human Rights Council Progress Report (2014:19), “Establishing dialogue with parties to a conflict is part of reconciliation and

peace Making- process. Representatives of the most vulnerable groups and affected people should be involved in those dialogues”. Therefore, one role of the NHRC in post conflict situations also includes encouraging dialogue between and with conflicting parties aiming to ensure the promotion, protection and respect of human rights of the affected people especially vulnerable and marginalized groups. Hence, the NHRC must take steps to ensure that negotiations are human rights centered between and with conflicting parties, including in peace agreements and monitor their implementation. Also, outcomes of negotiations must be just and fair and the NHRC as a third party must be impartial, honest and transparent. Ukwunah (2009) maintained that “this will ensure that the contending parties buy into the scheme that is supposedly fair to all concerned, while the institutional mechanism ensure equal treatment of all contending parties” .

e) *Collaboration and partnership for effective post conflict performance* - Managing post conflict situations can be very difficult and the Commission cannot do the work of promoting and protecting human rights alone. NHRIs are uniquely placed to have the potential to bring a range of diverse stakeholders together. Hence, the commission ought to collaborate with Non-Governmental Organizations (NGOs), Civil Society Organizations, Faith Based Organization, other human rights agencies (e.g. Public Complaint Commission) regional and international organizations and also representatives of conflict parties. They are also crucial partners’ in advocacy for respect for human rights generally but also for a stronger mandate for the NHRC. For instance, the NHRC in collaboration with the United Nations High Commission for Refugees (UNHCR) has moved to protect the human rights of IDPs in north East region.

f) *Evaluation of government’s post conflict actions and policies* - The NHRC has the mandate of impartially assessing the human rights situations and advising the government on the respect, promotion and protection of human rights and humanitarian law in post conflict periods. According to the Human Rights Implementation Centre, University of Bristol (2011) in a policy paper, stated that “NHRIs have an ongoing responsibility to provide advice to the Government, and other actors, on the application of international human Rights and humanitarian law, in particular to ensure that non-derogation rights continue to be observed without limitations and in respect of other rights that any derogation made are in compliance with international law.” Monitoring and evaluating government actions and policies are part of the role they should play in post conflict situations. After conflict, government usually makes new policies and carries out certain actions. Thus, the Commission is burdened with the role of monitoring and evaluating government actions and to ensure that they are not human rights complaints

g) *Obtainment of justice and reparation for victims of conflict* - “Justice is a course of action that is in consonance with the provision of the law governing a Society, community or country. Justice encourages the protection of the rights of the citizens, their interest, personal and group safety, and the protection of one’s property” (Ukwunah, 2009,). During conflict, human rights are usually eroded and the victims of these violations demand and cry out for justice. Ukwunah (2009) further stated that victims “usually insist that someone must be held responsible for the vicious and horrible treatment meted out to them. Something needs to be done to avert further maltreatment that gradually erodes family and communal units” Hence, the commission’s role is to obtain justice and reparation for victims of conflict. The Commission can play the role of hearing grievances, giving voice to those who have suffered and while doing this, they must display impartiality, transparency and honesty (The UNHRC Progress Report, 2014)

h) *Inspection and decongestion of prisons after conflict* - After conflict, alleged perpetrators of violence are usually arrested, detained and tried. The NHRC has the role of inspecting prisons to ensure that these alleged perpetrators are not unlawfully arrested and detained, and trial is not delayed. Even after found guilty, prisoners still have rights which must be protected by the NHRC. Araromi (2015) suggested that a number of rights are deprived of the inmates by prison officers and the State by lack of will to encourage empowering environment and treatment to the inmates.

9. CHALLENGES FACING HUMAN RIGHTS-BASED CIVIL SOCIETIES

a) *Inadequate Funds* - Inadequate funds by the Commission often frustrates its desire to effectively carry out investigations, wider campaigns and advocacy programs, provide legal aids for victims as well as other activities It is stated that the state offices of the commission are said to receive meagre amount of money per annum to fund electricity, water, internet, research and monitoring and investigation of complaints amongst others. According to the Executive secretary of the NHRC, “the greatest challenge of the commission to implement its mandate has been poor budgetary provision.... The commission is poorly funded when compared to the funding of the NHRIs in smaller countries like South Africa, Ghana, Kenya and Uganda” (Pulse.ng, 2018). A staff of the Commission who pleaded anonymity stated that

“there are inadequate infrastructures to work with. We do not have sufficient offices spaces; tables photocopiers, stationary, vehicles for fieldwork etc. It can be frustrating sometimes”

b) *Inadequate skilled and trained personnel* - Inadequate skilled and trained personnel for post conflict situations are some of the challenges of the Commission. The environment of post conflict societies is quite different from the environment during times of relative peace. Post conflict environments are usually filled with suspicion, distrust, fear, uncertainty and suppressed anger; being fragile anything done wrong can even cause more harm and lead to a relapse of the conflict. The NHRC staff may also risk their own lives if they do not have the skills to work in such a tense environment.

c) *Lack of Autonomy* - There is the problem of lack of autonomy of the Commission. While autonomy is the vital force for the Commission, practically achieving the required level of independence and maintaining the ability to function effectively comes with its challenges. For instance, Okene (2010) posited that critical to the effective operation of a national human rights institution is the ability of the institution to operate without the interference from government or other quarters. This is notwithstanding the fact that these institutions are established by and, therefore, derive their powers from legislation, making them inextricably linked to the Government. Despite this connection, the need for independence of national human rights institutions has been prominently emphasized in the Paris Principles.

d) *Lack of accurate and updated data on victims of conflict especially vulnerable groups* - The NHRC 's performance is restricted by lack of accurate and complete data on victims of conflict especially vulnerable groups such the IDPs, prisoners, and refugees. In an interview with a legal practitioner, he stated that “in Nigeria, we lack accurate statistics of people affected by conflict. It becomes so difficult for the Commission and even other agencies who work in conflict areas”. Given such statement, the Commission finds it daunting to effectively discharge its duties and properly address the human rights problems after the conflict.

e) *Poor Staff Welfare* - Staff welfare has been said to be one of the challenges of the Commission. For instance, Anaba in Vanguard (2016), suggested that a number of staff once complained of disproportionate management as well as neglect of the staff offices. It was alleged that staff members were transferred to where they are now redundant. As a result of these issues, staff morale at both the state offices and even headquarters is very low. Another staff of the Commission who also pleaded for anonymity stated that “staff welfare is poor, salaries are not even enough to cater for your family, the office environment is not conducive, and how do the Government expect us to work well?”

f) *Lack of Support* - The International Bodies and National Authorities lack support for Effective Performance, the NHRC is faced with the challenge of inadequate support by national authorities, civil society organizations and international organizations. For effective discharge of their duties, the Commission needs the support of international bodies and other national agencies. They can share ideas, data information that will make the work of the Commission easier.

According to (Okene 2010), the way forward should involve, but not limited to, the following issues:

a) *Sufficient fund and resources* - The commission needs sufficient funds and resources to carry out its functions in post conflict areas. Also, infrastructures and equipment should be provided for the Commission. Vehicles for field work, internet, computers, telephones, stationeries should be made adequately available and a comfortable working environment for staff should be put in place in order to enhance the performance of both the staff and the Commission in general.

b) *Training of staff* - The NHRC staff must be trained specifically to work in post conflict societies in order to avoid causing more harm than good or risking their own lives. This can be done through training and workshops to meet international standards for workers of human rights in post conflict environments. Staff welfare should also be a priority in order to give them the morale to work effectively. Providing maximum security for NHRC workers is also very vital given that anger and tension still looms in the air in order to effectively carry out their duties.

c) *Public awareness* - Public enlightenment/campaigns and education on human rights must be increased and should be carried out from time to time. This can be done through conferences, symposia, workshops, rallies, television and radio programs, etc. The NHRC must enjoy autonomy and should not be subject to reprisal or intimidation from government or other bodies as a result of their mandated activities. They need to cooperate with the government but also be able to stand back and critique when the situation so requires. International bodies, national authorities and representative of the conflicting should provide more support and assistance to NHRIs for effective performance.

d) *Establishment of branches in all regions* - to be more effective, it is suggested that the NHRCN should establish branch offices in all the local government areas across the country.” Nigeria has over 700 Local Government Areas; opening branches in all LGAs will give the people more and quicker access to the Commission and also to report cases of human rights violations in a timely manner (Okene, 2010). The human rights of vulnerable groups such as prisoner women and children, IDPs and refugees must not be neglected. For effective performance, the NHRC must get accurate and updated data on the needs and complaints of these groups. Also, there is need for digitization of the commission

10. CONCLUSION

The paper examined the role of the National Human Rights Commission in post conflict situations. It is seen here that since the United Nations resolution 43/134 of 1993 which paved way for the establishment of independent National Human Rights Institution in all member states. The NHRC in Nigeria since its establishment has long had a history of protecting, promoting and enforcing the rights of citizens across the nation. Specifically, they have a significant and important role to play in post conflict situations investigating post conflict human rights complaints, ensuring that negotiations are human rights centered, obtaining justice for victims, ensuring prisoners’ rights, advising the government to ensure their post conflict actions and policies does not infringe on human right Nevertheless, the performance of the Commission has been affected by inadequate trained personnel and funding, lack of autonomy, inadequate support by international organizations and national authorities. Recommended ways for effective performance included organizing local conferences and sessions for more public enlightenment, improving staff welfare, sufficient funding and provision of infrastructure amongst others. The paper however encouraged the Commission to remain committed to its duties in spite of the challenges

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