

### THE INTERNATIONAL ROLE OF NON-GOVERNMENTAL ORGANIZATIONS

The term "non-governmental organization" (NGO) is used to characterize an extremely wide range of undertakings. The 1992/93 *Yearbook of International Organizations* lists no less than 12,457 NGOs around the world, their activities extending to all areas of economic and social life, the arts, environmental protection, education, social welfare and humanitarian assistance. Some are highly specialized, others carry out a broad gamut of activities; some confine their work to a single community, others are active on a national scale, and still others have an internationally recognized status with operations worldwide. The size of a non-governmental organization may vary, from a group made up of a few volunteers all the way to a complex organization with a large staff and substantial sums of money at its disposal.

What, then, do all these organizations have in common? Is it possible to describe a 'typical' NGO? Amnesty International and *Médecins sans frontières*, for example, are well known and enjoy a recognized international status. But what of the Club of Rome or certain religious sects? Do they fit into the category?

A book published last year attempts to sort out the bewildering complexity of this category of organizations so diverse in nature, purpose, profile and activities.<sup>1</sup> The author, Yves Beigbeder, is a former international civil servant and an expert on both NGOs and inter-governmental organizations. Beigbeder sets out to define the term non-governmental organization before going on to trace the origins. He then explains the legal status of such bodies and describes their characteristics — weaknesses as well as strengths — before finally outlining their relationship with governments, inter-governmental organizations and each other.

The reader learns that the NGOs' virtues are their independence, their ability to adapt, their flexibility, the motivation of their staff, their pioneering spirit and their skill in promoting and defending causes of benefit to the public and in advocating reform. On the other hand, many NGOs lack long-term strategy and planning, and the goodwill and hard work of their volunteers are not always a guarantee of professionalism. Finally, their independence can be limited or even stifled altogether by a high degree of direct

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<sup>1</sup> Yves Beigbeder, *Le rôle international des organisations non gouvernementales*, Bruylant, L.G.D.J., Bruxelles, Paris, 1992, 198 pp. (Collection Axes Savoir).

funding or other financial facilities from public authorities or by excessive political or ideological adherence to government views.

In the chapter on humanitarian work, Beigbeder identifies three separate generations of NGOs. The first, founded on Christian faith and tradition, goes back to the very origins of the Christian church and is today represented by Roman Catholic and Protestant organizations. The second generation is quite simply the International Red Cross and Red Crescent Movement, “a movement inspired by Christianity and born of Christianity, but nevertheless non-religious in character” (p. 59). The third generation appeared in the 1960s with the advent of the “*sans frontières*” medical organizations that espoused and practised “the right and duty to intervene internationally on humanitarian grounds” (p. 59).<sup>2</sup>

Each of these generations is concisely described with supporting examples which supply not only a revealing portrayal of the organization cited but also the context in which it works, the methods it uses and the difficulties, both operational and financial, that it must deal with. Beigbeder also draws comparisons between various NGOs, thus sharpening the identity of each in the reader’s mind. It is regrettable, however, that the mandates and activities of the different components of the Movement receive only cursory attention.

The same method is used to present the NGOs engaged in human rights work: the protection and promotion of human rights around the world are discussed generally before the leading NGOs are presented along with their general and specific activities and their work to establish rules of conduct. This is possibly the best part of the book in that the author shows the difficulties faced by NGOs in dealing with violations and the important role they play as a communication link between the general public and intergovernmental organizations and as spokesmen for the victims. Particular attention in this last respect is given to Amnesty International.

The third chapter is concerned with the activities of NGOs involved in development work. Beigbeder relates how this started with NGOs providing emergency humanitarian relief. This was followed by organizations specializing in small-scale local development and eventually those engaged in sustainable development schemes. He draws a distinction here between the NGOs from the industrialized world, which generally act as conduits of financial aid — to which they add their technical expertise — for the Third World, and NGOs from the Third World itself which provide technical support to local development organizations.

In his conclusion, Beigbeder expresses the view that the work of NGOs to promote humanitarian and human rights law will long continue to be indispensable, as will their presence in the field. Generally speaking, the 1990s will require NGOs to strengthen their administrative competence, to accept

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<sup>2</sup> The author devotes several pages (pp. 82-87) to the subject of the “right to intervene on humanitarian grounds”, providing a well-balanced summary of the arguments for and against.

more openness in both their work and their finances and to increase the professionalism of those who carry out their activities.

The logical structure and succinct presentation of this book may make it seem more like a memorandum. It is in fact a valuable discourse which succeeds in dispelling much of the ambiguity surrounding NGOs and what they do. It corrects many preconceived ideas and over-simplifications. Above all, it explains why NGOs play such an important role on the international scene.

Jacques Meurant

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## TERRORISM AND HOSTAGES IN INTERNATIONAL LAW

### *A commentary on the 1979 Hostages Convention\**

This book is essentially a commentary on the International Convention against the Taking of Hostages,<sup>3</sup> which was negotiated within the framework of the United Nations and adopted on 17 December 1979.

In Part I the author places the 1979 Hostages Convention in a broader context and deals with issues such as hostage-taking as a manifestation of international terrorism, various attempts to understand the nature of terrorism ("What is terrorism?"), and existing international instruments designed to combat aspects of international terrorism. The description of the background to the Convention is followed by an overview of the difficult history of the drafting up to its adoption without a vote (i.e. by consensus) by the UN General Assembly in 1979. This informative and well-written introduction prepares the reader for Part II, the main part of the book, in which the author examines the text of the Hostages Convention article by article. The commentary on each article is divided into two parts: an introduction giving an outline of the provision's history ("*travaux préparatoires*"); and the commentary proper, i.e. an analysis of the meaning of the rule. Lambert's book ends with a short evaluation of the Convention.

It may be useful to recall that according to the Hostages Convention the taking of hostages in an international context is an international offence. Accordingly, each State party is under an obligation to take appropriate measures to prevent the taking of hostages and to make such an offence punishable. Furthermore, and this is the main innovation of the treaty, each

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\* Joseph J. Lambert, *Terrorism and Hostages in International Law — A Commentary on the Hostages Convention 1979*, Grotius, Cambridge, 1990, 418 pp.

<sup>3</sup> Approved by United Nations General Assembly resolution 34/146 of 17 December 1979; reprinted in 18 *ILM* 1456 (1979).