Nepal is a country poised on the edge of the abyss. Seventy percent of the territory of the Kingdom of Nepal is now under the control of Maoist rebels. Since the Maoist uprising began in February 1996 more than 12,800 people have been killed: 8,283 people were killed by the State and 4,582 by the Maoists until November 2005. Among them were 2,027 agricultural workers, 141 teachers and 14 journalists. Both sides killed an almost equal number of children: 172 by the State and 169 by the Maoists. According to last week’s report from Human Rights Watch, Nepal has the dubious distinction of recording more disappearances than any other nation on earth. People living in outlying communities are particularly vulnerable to forced recruitment and extortion by the insurgents on the one hand, and indiscriminate reprisals by security forces on the other. The rule of law has effectively been vanquished, with criminal elements now operating in much of the nation.

On February 1st 2005 King Gyanendra suspended constitutional freedoms of assembly, expression and movement, the protection from preventive detention, and the rights to information and privacy. The prime minister was placed under house arrest, and prominent human rights activists jailed. James Moriarty, the American ambassador to Nepal recently conceded that a Maoist take-over of the entire country—thought to be unimaginable a few months ago—is now a possibility. As stated by the ambassador, “if we have a Maoist state here exporting revolution, everyone in the neighbourhood is going to face difficult decisions.”

In an attempt to escape the increasing violence and lawlessness, hundreds of thousands of Nepali nationals have fled the countryside to the city and across the border into India. As many as 12,000 Nepali workers are currently employed in Iraq, willing to risk their lives in the hope of earning wages that they can send home to their hungry families. No border can hold them back; they are driven by poverty and despair.
The American poet Robert Frost once wrote that “good fences make good neighbours.” But as we see in the case of Nepal, fences are of limited use in the 21st century, providing only the pretence of security. So too with respect to the issue of human rights have we witnessed lawmakers drafting elaborate conventions and declarations meant to delineate the minimum standards for the conduct of human beings toward one another. Those of us working in the field of child protection are familiar with the articles of the Convention of the Rights of the Child, and the Universal Declaration of Human Rights. But people in the front lines have been sobered by realities of war and human greed, and the ineffectiveness of legislation to protect the rights of children who live on the margins of society—children who are from minority groups, who are poor and powerless.

If we were to shift from a rights-based approach to one based on charity we would depend on the good intentions of decision makers. We would require people exercising power to be merciful, and to exercise their discretion in favour of those who are at risk. But the quality of mercy dispensed by the international community betrays our own prejudices and biases. We don’t treat Muslims the same as Christians, or African children the same as Swiss children.

Even in a country like Nepal, even in such a difficult situation, actors can act for human- and children’s rights. NGO’s like Terre des hommes (Tdh) work together with local NGO’s and local authorities in efforts over many years to improve nutrition, education, health and other essential actions to concretely help children and their families. The work of organisations like Terre des hommes is about creating added value, is about moving in, with dedication, with resources, with know-how and with stamina, lots of stamina

Implementing child rights is about concrete actions on the basis of a common language understood by all: the convention of the right of the child. Implementing children rights is about taking responsibility, not about slogans or about saying that “indeed, someone (else) should do something”. Implementing child rights is about a “do no harm policy” by state, corporations and NGO’s.

As an example: In 2001 Terre des hommes built in remote north-eastern Afghanistan the first high school for girls after 23 years and handed it over to the local community after completion. Nowadays Terre des hommes reaches out to more than 9,000 children in the 10 most war-affected hill and
mountain districts in Midwestern Nepal to provide health services, education and psychosocial support.

As Terre des hommes, we are taking our responsibility to implement and defend Human – and Child Rights. As an international community are we willing to show that sense of taking responsibility as well?

If we invited the wives and mothers of the 7500 Muslim boys and men massacred by Serb soldiers at Srebrenica in July 1995 to our polite and civil meeting here in the heart of Switzerland, what would they have to say about the ability of the United Nations to protect vulnerable populations? Remember that those murdered at Srebrenica had sought the help of the blue-helmeted UN peacekeepers in their hour of greatest need. And their pleas fell on deaf ears.

Or if General Romeo Dallaire, who commanded UN peacekeeping forces in Rwanda in 1994, was on Open Forum panel, what would he say about the international community’s interest in preventing genocide? General Dallaire begged his superiors at the UN Department of Peacekeeping Operations in New York for 5000 properly trained and equipped soldiers to prevent mass killings of Tutsis by Hutus—killings that he prophesized like a modern day Cassandra. His requests were turned down, and 800,000 people perished in Rwanda in 100 days—the fastest slaughter of human beings in recorded history.

You might recall during those dark days in 1994 how the good people who served as ambassadors from various nations to the United Nations went to great lengths to avoid describing what was taking place in Rwanda as genocide, as they would then be required as signatories to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide to take action. Weeks into the crisis, with hundreds of thousands of Tutsis already hacked to death with steel machetes, the spokesperson of the US State Department described what was happening in Rwanda as “acts of genocide”, but not genocide itself. According to the New York Times, officials within the US administration instructed their spokespeople not to describe what was happening on the ground as genocide as it could “inflame public opinion.”

How willing are nations to stand up for minority populations when it doesn’t serve their immediate priorities? It should be noted that no state brought a
case under the 1948 Genocide Convention to the World Court until 1993. Five decades of non-enforcement of the Convention provides hard evidence that the international community’s demonstrations of remorse following mass murder are nothing more than crocodile tears. Thirty years after the elimination of twenty percent of its population, Cambodia still waits for justice. Of the estimated 60’000 Buddhist monks living in Cambodia in 1975, only 3’000 were found alive at the end of the Khmer Rouge reign.

If you ever have the chance to visit Phnom Penh, walk the haunted corridors of Tuol Seng prison, a former secondary school converted into a torture centre, where thousands of innocent civilians, many of them children, spent their last days on earth. If you look carefully at the walls of the wooden cells on the second floor you can find the graffiti left behind by children and youth incarcerated at Tuol Seng—messages from kids betrayed and abandoned by the civilized world.

So here at Davos let’s be honest when we speak about human- and child rights. Let’s for once abandon preaching and moralism, and admit that no rights are absolute—not even for children whose only crime is being poor, or belonging to the wrong tribe, or being HIV positive, or living in the streets.

Stop the slogans! How can we speak in good faith about inherent rights when we know the truth? When it really counts, when the machetes are being sharpened and torture chambers are being constructed, the international community searches for reasons not to intervene. Ask the children of Darfur what value they place on the Universal Declaration of Human Rights, or the Convention on the Rights of the Child. Human rights for many children in 2006 are a mirage. The real tragedy is that courageous kids have only ourselves to rely on for their survival, and that their innocence has been rewarded by cowardice and depravity. We all have blood on our hands.

You may have expected kinder words, but from a country where children are classified at birth by their caste, where trafficking of girls by their own family members has become a time-honoured tradition in some communities, and where children are being forced to carry arms into combat at the age of eleven and twelve. There are shelves full of books cataloguing the fine laws and conventions drafted on behalf of these same children, but when at night one walks past displaced kids in Kathmandu huddled around fires to keep warm one fears for their safety. And one knows that the answers to their
prayers cannot be found in the books on our shelves, or on our computer screens, but rather in our hearts and our souls. The great Irish poet T. S. Elliot lamented our inability to recognize this truth when he wrote “Where is the wisdom we have lost in knowledge. Where is the knowledge we have lost in information?”

There are no final answers today. One thing is clear: more is expected from us, from the organizations we work for, and from the institutions that were created as the world emerged from the ashes of the Second World War. We have a long journey ahead of us, and that there are more Srebrenica’s and Rwanda’s and Cambodia’s on the horizon that will test our sincerity, our commitment to human rights, and our competence.

Do no harm, take responsibility, stop empty slogans

Terre des hommes  www.tdh.ch

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