Human Rights in Motion

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INTRODUCTION

HUMAN RIGHTS IN MOTION:
A MAP TO A MOVEMENT’S FUTURE

Lucia Nader (Executive Director, Conectas)
Juana Kweitel (Program Director, Conectas)
Marcos Fuchs (Associate Director, Conectas)

Sur Journal was created ten years ago as a vehicle to deepen and strengthen bonds between academics and activists from the Global South concerned with human rights, in order to magnify their voices and their participation before international organizations and academia. Our main motivation was the fact that, particularly in the Southern hemisphere, academics were working alone and there was very little exchange between researchers from different countries. The journal’s aim has been to provide individuals and organizations working to defend human rights with research, analyses and case studies that combine academic rigor and practical interest. In many ways, these lofty ambitions have been met with success: in the past decade, we have published articles from dozens of countries on issues as diverse as health and access to treatment, transitional justice, regional mechanisms and information and human rights, to name a few. Published in three languages and available online and in print for free, our project also remains unique in terms of geographical reach, critical perspective and its Southern ‘accent’. In honour of the founding editor of this journal, Pedro Paulo Poppovic, the 20th issue opens with a biography (by João Paulo Charleaux) of this sociologist who has been one of the main contributors to this publication’s success.

This past decade has also been, in many ways, a successful one for the human rights movement as a whole. The Universal Declaration of Human Rights has recently turned 60, new international treaties have been adopted and the old but good global and regional monitoring systems are in full operation, despite criticisms regarding their effectiveness and attempts by States to curb their authority. From a strategic perspective, we continue to use, with more or less success, advocacy, litigation and naming-and-shaming as our main tools for change. In addition, we continue to nurture partnerships between what we categorize as local, national and international organizations within our movement.

Nevertheless, the political and geographic coordinates under which the global human
rights movement has operated have undergone profound changes. Over the past decade, we have witnessed hundreds of thousands of people take to the streets to protest against social and political injustices. We have also seen emerging powers from the South play an increasingly influential role in the definition of the global human rights agenda. Additionally, the past ten years have seen the rapid growth of social networks as a tool of mobilization and as a privileged forum for sharing political information between users. In other words, the journal is publishing its 20th issue against a backdrop that is very different from that of ten years ago. The protests that recently filled the streets of many countries around the globe, for example, were not organized by traditional social movements nor by unions or human rights NGOs, and people’s grievances, more often than not, were expressed in terms of social justice and not as rights. Does this mean that human rights are no longer seen as an effective language for producing social change? Or that human rights organizations have lost some of their ability to represent wronged citizens? Emerging powers themselves, despite their newly-acquired international influence, have hardly been able – or willing – to assume stances departing greatly from those of “traditional” powers. How and where can human rights organizations advocate for change? Are Southern-based NGOs in a privileged position to do this? Are NGOs from emerging powers also gaining influence in international forums?

It was precisely to reflect upon these and other pressing issues that, for this 20th issue, SUR’s editors decided to enlist the help of over 50 leading human rights activists and academics from 18 countries, from Ecuador to Nepal, from China to the US. We asked them to ponder on what we saw as some of the most urgent and relevant questions facing the global human rights movement today: 1. Who do we represent? 2. How do we combine urgent issues with long-term impacts? 3. Are human rights still an effective language for producing social change? 4. How have new information and communication technologies influenced activism? 5. What are the challenges of working internationally from the South?

The result, which you now hold in your hands, is a roadmap for the global human rights movement in the 21st century – it offers a vantage point from which it is possible to observe where the movement stands today and where it is heading. The first stop is a reflection on these issues by the founding directors of Conectas Human Rights, Oscar Vilhena Vieira and Malak El-Chichini Poppovic. The roadmap then goes on to include interviews and articles, both providing in-depth analyses of human rights issues, as well as notes from the field, more personalized accounts of experiences working with human rights, which we have organized into six categories, although most of them could arguably be allocated to more than one category:

Language. In this section, we have included articles that ponder the question of whether human rights – as a utopia, as norms and as institutions – are still effective for producing social change. Here, the contributions range from analyses on human rights as a language for change (Stephen Hopgood and Paulo Sérgio Pinheiro), empirical research on the use of the language of human rights for articulating grievances in recent mass protests (Sara Burke), to reflections on the standard-setting role and effectiveness of international human rights institutions (Raquel Rolnik, Vinodh Jaichand and Emílio
Álvarez Icaza). It also includes studies on the movement’s global trends (David Petrasek), challenges to the movement’s emphasis on protecting the rule of law (Kumi Naidoo), and strategic proposals to better ensure a compromise between utopianism and realism in relation to human rights (Samuel Moyn).

**Themes.** Here we have included contributions that address specific human rights topics from an original and critical standpoint. Four themes were analysed: economic power and corporate accountability for human rights violations (Phil Bloomer, Janet Love and Gonzalo Berrón); sexual politics and LGBTI rights (Sonia Corrêa, Gloria Careaga Pérez and Arvind Narrain); migration (Diego Lorente Pérez de Eulate); and, finally, transitional justice (Clara Sandoval).

**Perspectives.** This section encompasses country-specific accounts, mostly field notes from human rights activists on the ground. Those contributions come from places as diverse as Angola (Maria Lúcia da Silveira), Brazil (Ana Valéria Araújo), Cuba (María-Ileana Faguaga Iglesias), Indonesia (Haris Azhar), Mozambique (Salvador Nkamat) and Nepal (Mandira Sharma). But they all share a critical perspective on human rights, including for instance a sceptical perspective on the relation between litigation and public opinion in Southern Africa (Nicole Fritz), a provocative view of the democratic future of China and its relation to labour rights (Han Dongfang), and a thoughtful analysis of the North-South duality from Northern Ireland (Maggie Beirne).

**Voices.** Here the articles go to the core of the question of whom the global human rights movement represents. Adrian Gurza Lavalle and Juana Kweitel take note of the pluralisation of representation and innovative forms of accountability adopted by human rights NGOs. Others study the pressure for more representation or a louder voice in international human rights mechanisms (such as in the Inter-American system, as reported by Mario Melo) and in representative institutions such as national legislatures (as analysed by Pedro Abramovay and Heloisa Griggs). Finally, Chris Grove, as well as James Ron, David Crow and Shannon Golden emphasize, in their contributions, the need for a link between human rights NGOs and grassroots groups, including economically disadvantaged populations. As a counter-argument, Fateh Azzam questions the need of human rights activists to represent anyone, taking issue with the critique of NGOs as being overly dependent on donors. Finally, Mary Lawlor and Andrew Anderson provide an account of a Northern organization’s efforts to attend to the needs of local human rights defenders as they, and only they, define them.

**Tools.** In this section, the editors included contributions that focus on the instruments used by the global human rights movement to do its work. This includes a debate on the role of technology in promoting change (Mallika Dutt and Nadia Rasul, as well as Sopheap Chak and Miguel Pulido Jiménez) and perspectives on the challenges of human rights campaigning, analysed provocatively by Martin Kirk and Fernand Alphen in their respective contributions. Other articles point to the need of organizations to be more grounded in local contexts, as noted by Ana Paula Hernández in relation to Mexico, by Louis Bickford in what he sees as a convergence towards the global middle, and finally by Rochelle Jones, Sarah Rosenhek and Anna Turley in their movement-support model. In addition, it is noted by Mary Kaldor that NGOs are not the same as civil society,
properly understood. Furthermore, litigation and international work are cast in a
critical light by Sandra Carvalho and Eduardo Baker in relation to the dilemma
between long and short term strategies in the Inter-American system. Finally,
Gastón Chiller and Pétalla Brandão Timo analyse South-South cooperation from
the viewpoint of a national human rights NGO in Argentina.

**Multipolarity.** Here, the articles challenge our ways of thinking about power
in the multipolar world we currently live in, with contributions from the heads of
some of the world’s largest international human rights organizations based in the
North (Kenneth Roth and Salil Shetty) and in the South (Lucía Nader, César
Rodríguez-Garavito, Dhananjayan Sriskandarajah and Mandeep Tiwana). This
section also debates what multipolarity means in relation to States (Emilie M.
Hafner-Burton), international organizations and civil society (Louise Arbour) and
businesses (Mark Malloch-Brown).

Conectas hopes this issue will foster debate on the future of the global human
rights movement in the 21st century, enabling it to reinvent itself as necessary to
offer better protection of human rights on the ground.

Finally, we would like to emphasize that this issue of Sur Journal was made
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editorial process.
Human Rights in Motion

Tools

GASTÓN CHILLIER AND PÉTALLA BRANDÃO TIMO
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SOPHEAP CHAK
New Information and Communication Technologies’ Influence on Activism in Cambodia

SANDRA CARVALHO AND EDUARDO BAKER
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INTERVIEW WITH FERNAND ALPHEN
“Get Off Your Pedestal”

INTERVIEW WITH MARY KALDOR
“NGO’s are not the Same as Civil Society But Some NGOs Can Play the Role of Facilitators”

INTERVIEW WITH LOUIS BICKFORD
Convergence Towards the Global Middle: “Who Sets the Global Human Rights Agenda and How”
“Get off your pedestal!” This was the title suggested, without a moment’s hesitation, by Fernand Alphen for the text of his interview with Sur Journal. Fernand is Head of Strategy at JWT - Brazil (Thompson), the fourth largest advertising agency in the world, established in the United States in 1864 and currently with offices in 90 countries.

Fernand hails from France and defines himself as “the result of an improbable liaison between a French Jew with an Indiana Jones reputation and a Brazilian blonde with dreams of becoming Esther Williams.” After studying Business Administration and History, he started in the advertising business at age 22. “Now I’m over 50, a dinosaur—an Internet dinosaur—and fell flat on my face by prophesying the apocalypse of the traditional media.”

In the few hours when he is not advertising, Fernand writes for a blog and other publications, collects indigenous art, struggles with his piano and listens to baroque music and opera. “I don’t know how to dance,” he adds. It is clear that he has no idols, nor even a preferred brand.

Interviewed by Lucia Nader, Executive Director of Conectas Human Rights, Fernand does not shy from controversy, stressing that human rights organizations need to forget their prejudices if they want to communicate better. “Communicating is all about engaging people to spread a cause” he says, adding that advertising can in no way be “ideological” in terms of forcing people to believe in something unless you take account of all the thoughts that have previously gone through their minds. He argues that human rights are more important than any other cause, but that human rights organizations should stop believing that they have a “monopoly over good.”

After hearing Fernand’s suggested title “Get off your pedestal,” the interviewer adds: “without compromising your values.” Both agree, and the interview gets underway.

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Original in Portuguese. Translated by John Penney.

Interview conducted in May 2014 by Lucia Nader (Conectas Human Rights)
“GET OFF YOUR PEDESTAL”

Interview with Fernand Alphen

Conectas Human Rights: Are human rights still an important tool for social transformation? This is one of the core questions in this commemorative edition of SUR. Many would agree that they are certainly important in this respect, but we believe nevertheless that we need to communicate human rights better. Do you think that communication—and more specifically, advertising—can play a decisive role in the struggle for human rights?

Fernand Alphen - Not a decisive role, but I do think that advertising can collaborate with the cause of human rights. Whether you are dealing with a product or a cause, I believe that the function of advertising is to spread a message as widely as possible, and not to try and create a particular movement or a preference for this or that. Advertising can be a fiendishly difficult way of trying to create something from nothing, or to change someone’s opinion of something. Some classic examples of ideological propaganda throughout history are abundant proof of this. Take religion for example. If you say “I will make people believe in God,” this is a not a good way to advertise. To some extent, the same applies to partisan political propaganda. It might work, but I do not think we should go down that road, and anyway, in my view, this is not the real purpose of advertising.

Conectas: But is this because advertising tries to force ideas into people’s heads?

F.A: Yes, and without considering the opinions or thoughts that they might already have. In such cases, advertising is manipulation par excellence. In the case of human rights, good advertising should involve spreading the message and the cause more widely, and not by trying to force people to adopt a perception of what these rights are.

Conectas: Is there anything that a human rights organization can do to spread its message better? Organizations usually work with a large number of subjects while developing many different approaches. Is there any way that they can communicate all these elements consistently and effectively?
F.A.: I think the first step is for you to identify some kind of sensitive subject that can be given wider exposure. You should do this by selecting your target audience, the approach you want to take, the language you want to use, and so on. Within the broad spectrum of the organization’s activities, you need to deliberately choose a single topic, an activity or a cause to reflect and draw attention to the bigger, overarching cause. This can also be done by choosing a particular audience group to focus on, ideally one that is already familiar with the issues involved. Even for profit-seeking companies, not everything needs to revolve around advertising. You simply have to choose what you want to communicate, and select the flag you wish to fly.

Another basic thing to remember is to be an open organization and have a clear understanding of what advertising is all about. NGOs often see themselves “doing good against all the villains of the capitalist world, including communicators and advertisers.” Any dialogue therefore is frequently out of the question. The same happens in reverse: advertisers have a limited understanding of what NGOs are, and they are sometimes prejudiced against them as a result.

Conectas: Some critics of advertising suggest that it is impossible to use marketing and advertising tools that pursue so-called extrinsic values (status, power, social conformity, capitalism) to promote causes that depend on precisely opposite or intrinsic values (cooperation, altruism, community affiliation). Do you think these values are paradoxical?

F.A.: Not necessarily. This discussion might be interesting, but it is very theoretical and not the kind of subject you should discuss with an advertiser, because advertisers are pragmatist, or at least should be pragmatist. As I have said, I believe in non-ideological advertising. This type of advertising needs to be pragmatic. Forget talking about “I am going to focus on extrinsic or intrinsic values.” Using terms such as extrinsic and intrinsic sounds odd. These are advertising terms for defining other things. The extrinsic values of a brand are the emotional values linked to it, whereas the intrinsic values are the functional elements related to that brand.

Conectas: What are the intrinsic and extrinsic values that can be used for a cause or a human rights organization?

F.A.: I do not know. I cannot give you a reply, because to my mind this approach simply does not apply. This parallel is difficult, and I do think that when we get into advertising particular causes we have to keep our feet on the ground and, above all, be cautious.

Conectas: Cautious and pragmatic? But how can pragmatism be applied to a social cause?

F.A.: Well, advertising a cause must necessarily be more informative. It is estimated that a single person nowadays is bombarded with around 7 to 10,000 advertising signals a day. This is not a value judgment, but you really need to think about how your message can stand out from the others. A person is getting
all these messages, making no kind of value judgment, but he or she will choose which to pay more attention to, often depending on the type of language in which the message is couched.

Advertising for a cause means stating something and using types of language, format and advertising techniques that will make this message stand out from all the rest. This is genuine advertising. I highlight and broaden the message. This is the core of the battle. I have to make my message more relevant, ensure that it is widely disseminated and, above all, transmit a message that will have more effect than all the others out there.

Conectas: Can a comparison be made between advertising a product—made to be sold and generate money—and advertising for a not-for-profit social cause?

F.A.: It is all about engaging! It is what we call “commercial advertising” today. The purpose of a trademark is to engage people. It’s a bit artificial, but at the same time it means something. Brands, incidentally, like to claim that they also serve a cause.

The goal of any cause should be to get people to change, to be transformed in some way. Two or three steps are involved: the first is to highlight, to attract attention in the midst of this maelstrom of polluting messages entering people’s brains every day. Next, after using my advertising techniques to highlight the message, I get the recipient to take more notice, to be more aware. When this is done, my aim is to get the person hooked, and once hooked, I believe that we have created a potential scenario for his transformation.

Conectas: But we have the impression that the subject of human rights causes more “rejection” than “engagement”. In Brazil, for example, anyone working on human rights is often seen as an advocate of impunity, responsible for urban violence, and so on. We are labeled as “defenders of criminals”. Somehow, fighting for human rights means setting oneself against the majority—not a popular stance. How do we reconcile that with better communication?

F.A.: It is a challenge. But there is also a certain amount of sensitivity to these causes that we are defending. I am not sure that I agree with you about always being unpopular or “against the majority”. It is true that no real cause appeals to the majority: a cause would not be a cause if everyone believed in it. However it is true that the goal of any cause is to be a majority cause. By “majority” I believe that this is something along the lines of the word “popular” that you just mentioned.

Conectas: Yes, but what are the boundaries between being more “popular”, “engaging”, and not compromising your core values?

F.A.: I dare say that this tension exists in any cause. Embracing trees is a “cause” that also goes against the majority. There are also millions of pressures against ecological causes that are not easy to digest. Sometimes people hide behind their real intentions. When you talk to some old man who has invested his life savings in British Petroleum, for example, he has done this as a business proposition; but
on the other hand he is perhaps thinking “for God’s sake, let’s preserve the sea and its natural resources.” In other words, regardless of his ecological pretensions, he also wants his shares to rise in value, which means betting on British Petroleum’s business scheme: perhaps even involving polluting the North Sea.

I think human rights amounts to the same thing. There is a certain amount of blackmail involved: “If they point a handgun at your mother’s head, do you shoot that person? Do you want the death penalty applied to the aggressor? What if your daughter gets raped? What should be done with the rapist? Forgive him?” It is typical blackmail. It’s the same with the British Petroleum shareholder. He says, “I am against pollution of the North Sea, but please keep my shares rising.” “I am against the death penalty, except of course for the guy who raped my daughter.” All causes have questions like these in common.

Conectas: But do you see a specific way forward? What strategy would you use to make human rights better known and more amenable to people?

F.A.: I can only respond as a person, not as a professional. I believe the cause of human rights is ten times more important than any other social cause. These are the Rights of Man, of Humanity with a capital “H”. They are my rights, my right, my defense.

These rights are the backbone of humankind. They are what makes us develop as a society, as a civilization. Your assertion that people do not value human rights is a bit frightening. But I wonder if and why this should be so.

Conectas: In the Brazilian scenario, human rights are often related to crime. But in other countries, this type of resistance also exists. In France, for example, concerning the rights of migrants; in the United States, with the war on terror, etc. What strategies can we use? Should we adopt a more emotional approach or somehow try to convince those still on the margins, around the edges?

F.A.: We should take tiny steps around the edges. The issue of human rights, in the broadest sense, is a highly complex and technical issue. Most people do not want to think of philosophical, complex, grandiose affairs. The complexity puts them off. Al Gore’s film (An Inconvenient Truth), for example, was amazing, award-winning, struck many a chord. But at the same time, it was so scary and complex that it immobilized people. In my opinion nothing has changed since the film was aired.

We have to start with small themes: subjects that are easy to understand, easy to equate, easy to achieve, and go on from there. It is no use saying “This is a human right”, “I’m against strip searches in Brazilian prisons,” “I am against the Belo Monte dam in the Amazon.” Let’s keep it simple.

Conectas: Do you think that advertisers might be able to play a key role in the work of this organization? Why, given the complexity and multiplicity of the different subjects involved, does our organization find it difficult to know where to begin?

F.A.: Yes I think they do have a role. This is a general criticism, but I believe that the dialogue between advertiser or the media and the human rights organizations
is fraught with difficulties because you place yourself in a somewhat over-bearing position: you seem to believe that you have a monopoly over “knowledge.” You are tempted to say: “It’s a complex, huge subject and we have a divine right to own it.”

It is a tricky, difficult dialogue, and one that even I (working for you) fail to understand. Even I harbor a certain antipathy. So you often end up only preaching to the converted, you end up talking to yourselves.

Conectas: In short, if we want to create an impact and attract allies to the cause, we need...

F.A.: We need to simplify our causes.

Conectas: And to break this “monopoly for good”? Are there opportunities for advertisers to enter the arena?

F.A.: Yes, we have to break that particular monopoly. It is probably a little easier now that many organizations are adopting a more self-critical approach. This is quite common now. I’ve heard of other organizations facing the same type of dilemma that you have with the human rights cause.

As for the advertising world getting involved... advertisers only want to talk about the war on drugs and protecting whales, because it’s easier, more straightforward. What the advertising industry likes is to deal with topics such as ecology, children, cancer, drugs and so on.

Conectas: Why are these causes more attractive?

F.A.: I cannot answer that one. I think I might, as an advertising practitioner, be failing to understand what human rights are, although I am working here alongside you. Let’s face it, an advertising professional needs a briefing. When I worked in the creative department of the advertising agency, I was always saying to people, “Okay, but what do I have to say?” All that I wanted to know was what I had to say. This was my job, but I needed to know what I had to say. It is up to you, the customer, to tell me what to say.

We are talking “human rights”, but I do not know what to say. Maybe I’m afraid... but the fact is that I do not know what to say. Now, if you say: “They are forcing women to open their legs to see if they have phones in their vaginas before visiting their relatives in prison” and that that is wrong, then I know what to say—and I have to say it in advertising jargon. It’s all about communicating.

So when you come to talking about human rights, as a “broad set of values,” do tell me in one sentence what I should say about that vague concept. You are not going to be able to tell me. It’s too difficult.

Conectas: To close, could you perhaps suggest a title for this interview?

F.A.: If I were to be provocative I would say: “Get off the pedestal.” But rather than being provocative, I would say something like...
Conectas: Could I make it “Get off the pedestal without giving up your values?”

F.A.: Yes, it could. Another title might be, considering that there are people who really want to engage, but need to understand: “Help me to help you.” This is the core of the problem... “Help me to help you, because it will turn out well, it will be OK, we are going to change.” Obviously because I believe in advertising.

Conectas: You have almost convinced me that advertising is not a tool for spreading unfettered capitalism. You are acting as a good advertising...

F.A.: But advertising is not just the slave of the capitalist world, it is used by all sorts of different regimes. Even anarchists. For example, during the Spanish Civil War, the anarchists were the best advertising merchants. They had the best posters, the best slogans, engaged in a real advertising battle with the other sides. Great advertising involving communists, fascists and anarchists —all of them rooting for their side in the conflict. Yes, anarchists (anti-institutional by definition). Advertising is blind when it comes to taking sides.

As for the continuing relevance of advertising, you probably know the famous story of Eleazar de Carvalho. He was a great Brazilian conductor, founder of the São Paulo State Symphony Orchestra (OSESP), and a very active person, very unusual, very humorous. A remarkable figure. He conducted a symphony orchestra sponsored by Coca-Cola. Every year he appeared before the marketing director of Coca-Cola in Rio de Janeiro to renew his contract, obviously dependent on sponsorship. The art world is very much like the NGO world. “How long shall I sell myself for?”, “How much do I think I am worth?,” etc. One year the marketing director said: “Look, Mr. Eleazar, this year Coca-Cola has decided not to renew its contract with the orchestra because, as you know, Coca-Cola is a huge, powerful, expanding brand and we do not exactly need more publicity.” But at that very moment a church bell rang near the Coca-Cola offices and Eleazar looked up and said: “Do you hear that bell, Director? The Church is 2000 years old and she is still advertising, by ringing bells to attract the faithful.” The Coca-Cola man signed the check.
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