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COMMEMORATIVE ISSUE
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 Hoggood 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 Petrusek**), 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 Nkamate**) 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 Chillier 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 (**Lucia 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 possible by the support of the Ford Foundation, Open Society Foundations, the Oak Foundation, the Sigrid Rausing Trust, the International Development Research Centre (IDRC) and the Swedish International Development Cooperation Agency (SIDA). Additionally, Conectas Human Rights is especially grateful for the collaboration of the authors and the hard work of the Journal's editorial team. We are also extremely thankful for the work of Maria Brant and Manoela Miklos for conceiving this Issue and for conducting most of the interviews, and for Thiago Amparo for joining the editorial team and making this Issue possible. We are also tremendously thankful for Luz González's tireless work with editing the contributions received, and for Ana Cernov for coordinating the overall editorial process.



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Multipolarity

LUCIA NADER

Solid Organisations in a Liquid World

KENNETH ROTH

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“Human Rights Organisations Should Have a Closer Pulse to the Ground” Or How We Missed the Bus

INTERVIEW WITH LOUISE ARBOR

“North-South solidarity is Key”



KENNETH ROTH

Kenneth Roth is the executive director of Human Rights Watch, one of the world's leading international human rights organizations, which operates in more than 90 countries. Prior to joining Human Rights Watch in 1987, Roth served as a federal prosecutor in New York and for the Iran-Contra investigation in Washington, DC. A graduate of Yale Law School and Brown University, Roth has conducted numerous human rights investigations and

missions around the world, and he has written extensively on a wide range of human rights abuses. His twitter account is @KenRoth.

ABSTRACT

The partnership between international and national groups has always had its moments of difficulty, but the typical geographic divide between the two types of groups has usually led to a natural and healthy division of labor. This article analyzes several factors that are now challenging this equilibrium, e.g., these days the largest international groups are placing more of their staff outside the West, and the people conducting research and advocacy for international organizations are increasingly from the global South. Tensions between international and national groups occur primarily in relation to media attention and fundraising. Yet, there are ways to strength partnerships between national and international organizations, such as by active strategizing together, sharing information and resources that may more readily be available to international groups, establishing staff exchange programs, sharing donor prospects and fundraising leads, and speaking and publishing jointly, and assisting each other with the promotion of work through tools like social media.

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ESSAY

WHY WE WELCOME HUMAN RIGHTS PARTNERSHIPS

Kenneth Roth

The global human rights movement has long been a partnership between international groups and their national and local counterparts (which for brevity I'll refer to as "national" groups). That partnership is a source of tremendous strength, and it is all the more important as the issues we address become more complex and our adversaries, more sophisticated.

National groups bring an intimate knowledge of their country, closer connections to victims and witnesses and greater access to their country's journalists and officials. They are the first source of advice and strategy for international groups as they set their agendas and carry out research and advocacy. National groups are also better placed to provide direct support over time to victim communities, whether through legal action or educational programs.

International groups, for their part, bring the credibility that comes from having long conducted investigations in many countries and situations around the world. They often have greater access to the international media as well as the Western governments that have been important, if inconsistent, external supporters for human rights concerns. These international connections enable international groups to speak out publicly when security threats might force national groups to be more cautious and to defend national colleagues when they face persecution.

When it comes to foreign policy, international groups have the resources and geographic reach to know about abuses abroad that a national group or its government might want to address. The international groups also frequently have more knowledge about debates in international fora in which national counterparts might want to engage. It is rare that a foreign ministry, let alone a national group, has the resources to know in any detail what is happening on the ground in such disparate places as Syria, Burma, the Central African Republic, North Korea, the United States or any of the scores of other countries that warrant international attention and where international groups like Human Rights Watch regularly work.

The partnership between international and national groups has always had its moments of difficulty—misunderstandings born of different perspectives, priorities and resources. But the typical geographic divide between the two types of groups has usually led to a natural and healthy division of labor.

Several factors are now challenging this equilibrium. To begin with, the

largest international groups are placing more of their staff outside the West. Human Rights Watch, for example, has long sought to locate researchers in the countries that they address. We believe this greater intimacy will produce a closer working relationship with national groups, a more nuanced understanding of rights problems, greater contacts with the government officials whose policies we hope to change and a positive influence on the direction and effectiveness of Human Rights Watch, itself.

Moreover, long gone are the days when international groups were presumptively staffed by Westerners. The people conducting research and advocacy around the world are increasingly likely to be from the country in which they are based, native speakers of the country's language, and fully immersed in its culture. The Human Rights Watch staff of 415 consists of 76 nationalities based in 47 countries. Amnesty International's core staff of 530 includes 68 nationalities based in 13 countries.

That staff diversity eases communication between international and national groups and ensures that international groups are informed of national concerns not only through external partnerships but also through internal discussion. Staff members from the global South have contributed to the gradual evolution of international groups with their greater attention, for example, to economic and social rights as well as to people whose rights traditionally were neglected, such as women, children or people with disabilities. But this change in staff composition also means that, in any given country, international and national groups are less immediately distinguishable, which can complicate a clear delineation of roles.

In addition, as certain governments outside the West grow in influence, Human Rights Watch is making a greater effort to influence their human rights policies, not only at home but also in their relations with other governments, much as we have traditionally worked to influence the foreign policies of the major Western powers. Meanwhile, human rights groups based outside the West are themselves growing in stature and skill, and like Conectas in Brazil, are increasingly interested in addressing human rights issues beyond their national borders.

Despite the obvious partnerships that these developments encourage, the evolution requires new negotiations about the roles of international and national groups, changing the division of labor that had long governed their relationship. There is still enormous complementarity but also the potential for friction.

At a national level, the presence of international groups still tends to be modest—in the case of Human Rights Watch, usually little more than one or two researchers or advocates, possibly supplemented by an assistant. In immediate numerical terms, this limited international presence is dwarfed by most national groups. However, this modest presence is backed by the resources and reach of the international groups—typically far more than a national group can muster.

This evolving relationship has meant a stronger movement, but it has also given rise to certain tensions. The most obvious ones can arise over the currencies for building any rights group—donor and media attention.

The concern over donors is obvious enough. If there were only a fixed number

of donors with an interest in a country—traditionally, institutional foundations—adding another rights group to the mix could force a further division of a finite pool of resources. However, our experience at Human Rights Watch is that neither the number of donors nor the quantity of available donor funds is fixed, particularly in the case of individual donors.

In the Western countries where Human Rights Watch does the bulk of our fundraising, we find that a substantial portion of our revenue comes from first-time donors to the human rights cause. Indeed, this extension beyond an existing donor base has been the primary reason Human Rights Watch has been able to grow. And when the donor pool expands, it does so not only for international groups, but also for others. In several cases in Europe, for example, Human Rights Watch has helped to develop or deepen a donor's interest in the human rights cause, and the donor in turn has become a significant funder of national groups outside the West, as well.

Human Rights Watch has not yet done enough fundraising in the global South to establish a track record there, but I have every reason to believe that as we do so, our experience will be similar. The target of any fundraising effort would not be the institutional foundations that are already funding our national partners, but individual donors who are not yet contributing to the human rights cause. Just as we have drawn on our global network of existing donors to identify prospective new ones in Western countries that we enter for the first time, so we would proceed in any Southern country where we started to raise funds. Because most national groups have made little headway attracting major individual contributors, there is every potential for mutual benefit.

As for media attention, the situation is more complicated but not as black and white as some fear. If the issue is simply who is quoted in a human rights story that journalists are already primed to cover, adding a spokesperson from an international group to the mix could reduce the media opportunities for national colleagues. However, by investigating rights conditions in the country, we try to increase media reporting on rights issues. And by highlighting a government's position on rights issues abroad, we try to generate media attention to issues that were typically ignored. In each of these cases, the effect is to expand media opportunities, not to carve up existing ones.

At the program level, I have found that international and national groups are eager to work together and greatly benefit from the partnership, but there is at least a potential for tension that is worth noting. Although my experience has been that international and national groups consult extensively, and well, in setting priorities and developing advocacy positions, the two types of groups do indeed consider a different set of factors in making their decisions.

The issue is not fact-finding. Everyone in the human rights movement understands that careful, objective, honest fact-finding is essential to our credibility and effectiveness. However, I see the potential for that unanimity of perspective breaking down on other matters.

In Egypt, for example, tensions arose on the question of whether Human Rights Watch should advocate a cutoff of US military aid in light of the July 2013

coup and subsequent brutal crackdown on the Muslim Brotherhood and other critics of the government. Conscious of the fact that Human Rights Watch had advocated a cutoff of military aid in comparable circumstances in other countries (as well as desirous of avoiding US complicity in and support for such a severe, violent crackdown), some members of the Human Rights Watch staff felt it important to advocate a similar cutoff of military aid for Egypt. However, because the Egyptian government was so successful in shutting down independent media in the country and thus portraying its actions as a defense against “terrorism,” there were fears in Egypt—shared in this case by some Human Rights Watch staff—that advocating a cutoff of US military assistance would lose the sympathy of potential allies in the country. In the end, Human Rights Watch delayed its advocacy and Washington suspended some military aid without our involvement, although we later came out against a threatened resumption of military aid so long as the crackdown continued.

I can imagine similar differences of perspective arising when the members of a national group felt they had a right as citizens of their country to express an opinion on an issue but an international group believed that human rights principles did not provide a clear enough answer to justify its intervention. An example might be with respect to competing ways of achieving economic or social rights, such as two different kinds of health-care or educational schemes, each of which might be considered a conscientious effort to achieve the right in question.

Perhaps the biggest source of tension concerns institutional resources. Groups such as Amnesty International and Human Rights Watch are simply much bigger and more established than any of our national counterparts. The front line of an international group in any given country may look thin, but it is backed by a formidable organization with capacities and expertise that can dwarf what is available to national counterparts.

Yet admitting these differences need not mean resignation to fraught relations. I am certainly committed to ensuring that they do not. Rather, in each case, with the proper sensitivity, antidotes exist that can ease tensions and smooth relations.

For example, awareness of fears about competition for donors can be met by active sharing. International groups can also help national counterparts by vouching for their good work with potential donors.

Concern about competing for media interest can be met by active efforts to speak and publish jointly, whether with joint news conferences or simply by quoting national partners in an international group’s news releases or multimedia productions, as Human Rights Watch regularly does. Similarly, our multimedia productions often include the voices of national activists. With the emergence of social media like Twitter, it has also become easy to promote the work of national groups without a formal news release.

National groups will also naturally be more in the media spotlight as newly empowered governments take the lead on global rights issues—as Brazil has done on electronic surveillance and South Africa on LGBT rights. There are often good strategic reasons for such non-Western leadership—namely, the importance of demonstrating that concern about these issues is global, not just Western. The

same factors will encourage national groups to play a leadership role, which will increase media interest in their voices.

The greater institutional resources available to the big international groups are easy to share. My experience is that my colleagues are eager to offer legal, policy, advocacy, research, fundraising and operational advice based on the expertise that they have acquired as staff members of a well-resourced international group. Although Human Rights Watch does not undertake formal “capacity building” programs—other groups and funding streams are devoted to that purpose—we see a strong movement as essential to our common success. An important part of our joint work is its effect in facilitating the transfer of skills and expertise in both directions.

One useful example of such sharing is HRC Net, a network of international and national rights groups that address the UN Human Rights Council. On the one hand, it is a vehicle for an international group like Human Rights Watch, with permanent staff in Geneva addressing the work of the council, to share information about developments and advocacy opportunities there with national counterparts, many of whom do not have staff in Geneva. On the other hand, we all emerge stronger because it has also become a vehicle for national voices to be heard in Geneva, rebutting accusations from abusive governments that council initiatives are pushed by only international groups or the West.

Human Rights Watch recently supplemented that partnership with the establishment of a “Votes Count” website to record how various governmental members of the Human Rights Council vote on key resolutions. This transparency about actions in Geneva that traditionally have remained obscure helps national groups and journalists to address this key element of their government’s foreign policy.

Another example is a program that Human Rights Watch has begun in which we invite colleagues from partner organizations in the global South to spend time in one of our main offices. Beyond benefiting us all by facilitating a sharing of perspective and analysis, the program permits the visiting colleague to become personally acquainted with a range of specialized staff whom they can more easily draw on in the future.

Another example can be found in the Democratic Republic of the Congo, a large and diverse country in which there were obvious advantages for Human Rights Watch to work with many national groups. To facilitate coherent and strategic advocacy, particularly on the need for a national tribunal with significant international involvement to provide accountability for serious abuses in eastern Congo, we helped to organize a Congo Advocacy Coalition involving some 200 human rights and other groups.

The coalition has helped international and national groups to speak with one voice while addressing decision makers at various levels. It has been a superb vehicle for raising media attention to these issues and generating the governmental will to address them. Human Rights Watch has joined similar partnerships with national groups on such varied issues as defending LGBT rights in Cameroon and ending the practice of institutions forcing orphans to beg in Senegal.

Sometimes these partnerships require Human Rights Watch to take a back seat to our national colleagues. We do not enter conversations with our partners with the presumption that we will take the lead, but rather seek to determine the most effective ways to accomplish our common goals. For example, in combating certain African governments' attacks on the International Criminal Court, the voices of African groups were most important. When President Omar al-Bashir of Sudan, facing an ICC arrest warrant, traveled to Nigeria in 2013, Nigerian groups led the effort to seek his arrest while Human Rights Watch and other international groups played a secondary, reinforcing role. The result: Bashir left the country hurriedly to avoid the ignominy of a local arrest effort.

It is often best for national groups to take the lead when national governments try to portray a human rights concern as a foreign imposition. That has been the case for LGBT rights in Uganda, for example, and is often the case in efforts to combat female genital mutilation. Addressing a government's foreign policy will frequently be done most effectively with national groups on the front line.

The tension between idiosyncratic advocacy pressures in a given country and the desire of international organizations to remain relatively consistent in their positions over many countries requires, in my view, a certain flexibility. Again, the accuracy of fact-finding should never be questioned, but international groups should be able to tolerate a degree of variation in advocacy positions from country to country, such as the particular sanctions that we might seek in the face of serious abuse.

After all, the reason for advocacy consistency is a matter not of fundamental principle but of pragmatism—to make it harder for target governments to deflect pressure on the grounds that they are being singled out unfairly. That is a real concern, but because it is a pragmatic one, it must be weighed against other pragmatic considerations such as whether the consistent advocacy position is that one that will work best in a particular country. In this weighing of pragmatic concerns, it is not clear that advocacy consistency will always be the dominant consideration.

Perhaps the most important thing that international groups should do is to treat national colleagues with appropriate deference and respect. International groups should seek out as much as possible the considered views of our national partners, on the understanding that they have an immediate experience of a rights problem that we often lack. The deference to their experience and expertise does not have to be unqualified, but assuming a unity of views among national groups, it should be presumptive. In situations of inevitable difference of resources and capacity, the basic respect implied in carefully listening and deferring to our national colleagues can go an enormous way toward easing any possible tensions.

It is a sign of our movement's strength that both international and national groups are capable of projecting a presence beyond their traditional domains. It is also a positive and healthy sign that we can talk about the evolving nature of our relationships honestly and dispassionately. Above all, we must recognize that despite occasional differences in perspective, any resulting misunderstandings are dwarfed by the values and cause that we serve in common.

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