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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 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 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.



RAQUEL ROLNIK

Urbanist and Professor at the Faculty of Architecture and Urbanism of the University of São Paulo, Brazil, Raquel Rolnik was Director of Planning of the City of São Paulo (1989-1992), Coordinator of the Urbanism Program of the NGO Polis Institute (1997-2002), and National Secretary of Urban Programs of the Ministry of Cities (2003-2007). Rolnik has authored several books and many articles on urban issues and in particular the struggle for the

right to adequate housing. As UN Special Rapporteur on the Right to Adequate Housing, she was interviewed by Conectas shortly before completing her six-year term at her post as Rapporteur.

Rolnik says that her UN work was an “absolutely incredible” experience, but one that revealed to her at close quarters the limitations of the Special Procedures system (rapporteurs and experts) of the Human Rights Council, which she describes as “a system designed to be ineffective.”

The use of the “coded language” of human rights, and the *de facto* blocking of complaints and allegations [of human rights violations], means that the work of the rapporteurs is confined to a small specialised circle. “It [the Special Procedures system] is designed to avoid being universally known. It is specifically organised to avoid generating widespread public debate on the real issues. The whole idea is to keep the system enclosed within the human rights circle.”

Rolnik therefore decided to expand the list of themes that normally form part of a Special Rapporteur’s remit (i.e. ‘traditional’ human rights issues), to include other key problems on the public agenda, such as financialisation of housing and the impact of mega-events on the right to housing. She also broke with tradition (and brought upon herself much criticism) by making country visits not only to developing countries but also to the US and UK in the course of her work.

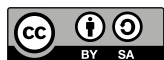
According to her, the major deciding factor in the Human Rights Council is that of geopolitical interests. “In many of the situations that I found myself in, North-South geopolitics took precedence over the real issues under discussion; what was really important was how countries were geopolitically aligned.”

Regardless of the institutional frustrations of her work, Rolnik also detects in the recent historical trends – especially the financialisation of capital and States’ loss of power – a crisis assailing the democratic rule of law as a model of political representation and, consequently, of the language of human rights focused on the accountability of States and the individual approach to rights. This does not mean that human rights have lost their relevance: on the contrary, human rights still play an important role as a tool of resistance to the economic order and to “the very concept of the hegemony of individual property and liberalism.”

The following is a transcript of the full interview with Raquel Rolnik. It covers issues such as the ‘right to the city’. It also provides an insight into her interesting experiences during a country visit to the UK, at the hands of the British tabloid press.

Original in Portuguese. Translated by John Penney.

Interview conducted in May 2014 by Maria Brant (Conectas Human Rights).



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INTERVIEW

UN SPECIAL PROCEDURES SYSTEM IS “DESIGNED TO BE INEFFECTIVE”

Interview with Raquel Rolnik

Conectas Human Rights: In an analysis of the recent street demonstrations, commented by Sara Burke in this edition, researchers at Friedrich Ebert Stiftung (FES) and Columbia University came to a number of interesting conclusions. One was that in the course of the protests, grievances were expressed mainly in terms of economic justice rather than in terms of rights, including the demand for housing. Another was that the profile of the protesters had changed significantly: the proportion of ‘traditional’ protesters (unions, NGO activists, etc.) gave way to people who were not previously politically engaged. This was especially seen in the protests, with demonstrators ranged against the “lack of democracy and ‘real’ representation”.

Raquel Rolnik: These protesters are basically raising an important question: what is the best model for providing political representation for citizens? This is because, the world over, the model of representative democracy is totally in the hands of the economically powerful. While globalised capitalism becomes the predominant language of economic relations between peoples – and in the realm of capitalism the owners of the money are naturally those who give the orders – the power of States to control this process is increasingly restricted. In the latest phase of capitalism – the growing hegemony of finance, financial capitalism, or financialisation of capitalism – this is even more blatant. It seems to me therefore that the protests taking place worldwide, despite their narrow agendas and the fact that they have to be seen from the historical perspective of each country involved, have clearly shown that this particular model [democratic rule of law] is exhausted in terms of both political representation and as a model of economic organisation.

However, this is a model of representation that has been formulated, developed and operated over centuries. Utopias which resisted this model, such as those of socialism and communism, were also tried out and, today, we already have strong means for criticising them. Our current models of representative democracy took centuries to develop and be experienced. Thus it will also take long for new utopias to be formulated and matured through real practices. The idea of a different kind of model of representation for society will not come about overnight... it will take quite a time.

Conectas: In this scenario, do you think that the language of rights is still legitimate? Can the language of rights bring about social justice effectively? You spoke, for example, about the State's role being constrained by a world where money and finance predominate – and, in the language of human rights, the State is always the responsible party. Is that correct?

R.R.: I have three main impressions gained from my experience as UN Special Rapporteur over these past six years.

Firstly, the construction of human rights runs parallel to the construction of the idea of the democratic rule of law. At present, we have a crisis with the democratic rule of law as an ideal model for representing citizens. The question of human rights is bound up with this, it is an integral part of it. One of the problems is precisely the loss of power by States – and the State is basically the responsible for human rights protection.

The second dimension that seems to be at risk as far as human rights are concerned is that these rights – and the way they were formulated at the time of the Universal Declaration, their covenants and their subsequent evolution – are very much locked into liberal thought: the right of a human being as an individual, the power of the individual. It is almost as if the right were the private property of the individual. This relates strongly to the question of private property, and with the model of private property in the capitalist system. It is clear that economic, cultural and social rights are permanently straining this, by affirming collective, common rights, but individual freedom, the power to vote, etc., is indeed structured around the idea of the individual – a fundamental pillar sustaining this concept of the democratic rule of law.

In practice human rights, in common with all the other issues between States at international level, are shot through with geopolitics. On many occasions during my work it became crystal clear to me that North-South geopolitics was of greater importance than the issues under discussion. Content was totally irrelevant. What was vastly more important was how countries aligned themselves, with whom, or against whom. There are, for example, countries or groups of countries in the UN Human Rights Council, that say “no” to everything. In view of the historical, ideological and political hegemony that Europe and North America have exerted in global terms – even extending ideologically to the field of human rights (the main international NGOs come from there, the main action starts there, the formulas and the discourse in defence of human rights originate there) – the reaction of the South is to be against the North. But, reacting against the North does not mean that the South is anti-human rights! This duality could constantly be observed in the Human Rights Council: dominant, hegemonic countries *versus* the South. In fact, with the economic crisis in Europe, and with the emergence of new powers (e.g. China), that particular brand of geopolitics is over and done with, although some of the Brics countries currently display ‘imperialist’ attitudes, reproducing in African markets, for example, exactly what the Northern countries have done in the past in Latin America. But this South resistance to the North still exists: let's face it, imperialism and colonialism were not a fairy tale; they were very real, exerting a powerful influence on the constitution of nation States. Human rights ended up becoming a hostage to all this.

But there is also another side to it. While working as Special Rapporteur on Adequate Housing, I realised how rights can also be used to resist this economic order, and the very concept of the hegemony of individual property and liberalism.

My views were forged over many years of exposure to my own special subject – the right to adequate housing. This is an area that encompasses economic, social and cultural rights. When I was involved in the rights to food, water, poverty and health (I had the closest contact with their respective Rapporteurs) I soon realised that this was also true for them [i.e. rights used for resisting the economic order]. Communities do indeed resist. My final task, drafting the Guiding Principles on Security of Tenure for the Urban Poor, led me to deeply question the idea that private property is the safest type of property – and one which people should aspire to – leading to imagine a ‘plurality’ of forms of ownership from the legal standpoint... A plurality of ways in which individuals relate to territory, also leading, philosophically speaking, to a plurality of forms of social and political organisation.

Conectas: Do you think that, in this scenario, the right to the city (not yet a component of human rights) would be one way of combining this ‘plurality’ of needs?

R.R.: The ‘right to the city’ is a notion that has been researched in Sociology and Political Science since the days of [Henri] Lefèbvre, and given a boost in the works of David Harvey and Peter Marcuse, who gave contemporary meaning to the idea of the right to the city. From the point of view of human rights, one of the leading civil society networks, the *Habitat International Coalition*, which has strong links with social movements and NGOs in the area, has insisted on defending the right to the city as a human right.

I have spent six years working on housing rights and, from my point of view, the concept of the right to adequate housing involves precisely that: the right to the city. If we read the formal instruments issued since the Universal Declaration on Human Rights, the International Covenant on Economic, Social and Cultural Rights, and especially the UN General Comments, the set of thematic reports and resolutions submitted by Miloon Kothari, and my own subsequent work, we can easily see that the concept of ‘adequate’ housing is not restricted to the right to a house. It is not a matter of having a place with a roof and four walls, but a stake in the territory which can serve as a base for accessing other rights: the right to education, the right to health, the right to protection, the right to freedom of expression, the right to non-discrimination. It is, in short, the right to the city, to the urban space. It is of course also the field of rights of the groups most vulnerable to human rights violations. Within these groups there are the rights of those living in informal squatter settlements, the *favelas*, the homes of the urban poor, where ambiguity exists with regard to these people’s status in the city, and which experience the worst violations. But abuses are not confined to these groups. We have, for example, recently witnessed a mortgage, real-estate crisis during which individual freedom was suddenly exchanged for total and absolute insecurity for many Spanish, Irish and American families who lost their homes due to a rash of foreclosures... and ended up homeless on the street.

Conectas: Your time as UN Special Rapporteur was marked by something very interesting: human rights organisations criticised the question of selectivity by Rapporteurs – especially in the Human Rights Council. Moreover, you visited, as part of your job, the United States, the United Kingdom, where you were...

R.R.: Yes, attacked!

Conectas: Can you say a few words about that experience?

R.R.: The strategy I adopted was intentional. It was not by accident. From the beginning, I was fairly certain I should try, in my role as UN Special Rapporteur, to strike a balance not only between regions, by visiting countries in different regions (Western Europe, Asia, Africa, Latin America, North America, etc.), but also between developed and less-developed countries. Incidentally, I would have liked to have done more in Africa and Asia than I was able to.

That was my initial strategy... but what happened? At the beginning of my mandate, just my luck, the real-estate/mortgage crisis burst in the US. I was appointed to the job in 2008, and the crisis erupted in late 2008, early 2009. My immediate idea was to focus on the United States, where thousands of people were being thrown onto the streets. By closely watching and studying events in the United States, I started monitoring the financial crisis and its effect on the right to adequate housing. From that I discovered the world. Indeed, I discovered that the hegemonic model had been imposed on the entire planet, and that it was creating crisis after crisis in different countries as it rolled out from its original site in the US. At the same time, I felt it was important for me to go to England, because England and the United States were the chief formulators of this hegemonic model of *commoditisation*, of housing financialisation.

I concentrated on this theme of 'financialisation of housing' precisely because this was in the eye of the crisis. This was important to my job as rapporteur. And it was interesting to see that, to an extent, the issue affected the North-South equilibrium in the Human Rights Council. It was particularly useful for me because it gave me a much broader view of the entire process.

But so far – still debating the Resolution to be voted by the Council, renewing the mandate of the Housing Rapporteur and commenting on security of tenure – my impression is that people are still acting as if the housing problem were confined to poor countries. In other words, simply a question of countries having the cash to build more houses.

My experience was extremely valuable. However, I do think that while the UN Special Procedures System is important, it is in my view a totally controlled system. It is a system designed to be ineffective. It is a system designed to avoid being universally known. It is specifically organised to avoid generating widespread public debate on the issues. The whole idea is to keep it confined within the human rights circle.

Conectas: "Controlled" meaning what precisely?

R.R.: To keep everything within the confines of the Human Rights Council, of the human rights NGOs, of the human rights groups. The human rights language itself... reports written in a virtually incomprehensible code. For example, the phrase 'interactive dialogue' is constantly heard, but has nothing interactive about it, and least of all 'dialogue'. Everything in the Council is preordained... you can only read what has already been written... there is no exchange of views, no interaction, no dialogue.

I was all the time convinced that it was vital to break out of this straightjacket, this controlled environment, to go into the streets, to win the hearts and minds of ordinary people. So I adopted a deliberate strategy, selecting a number of issues and themes that were already on the public agenda, and working on them

to try to give them some form of human rights meaning and appeal. I worked with mega-events and housing rights, and I think that overall the strategy paid off in terms of what we were able to do with the media worldwide – and with the financial crisis. I had zero space (for obvious reasons) in the media for talking about the financial crisis, but I did make an effort to try and broaden it, producing a range of materials, guides, booklets, translating brochures, creating a new website, and so on. In this respect, my official ‘country visit’ to England – which turned out to be highly controversial – was an eye-opener in that I, as UN Special Rapporteur on the Right to Adequate Housing, was suddenly cast into the limelight and became known the world over. Before my visit, nobody knew this subject even existed... and people certainly began to take an interest when I landed there. I was not too happy having to face personal attacks and a certain amount of aggression from the press. But I think that, on the whole, the visit was highly positive.

Conectas: Do you think that this reception in England had something to do with your being from the South?

R.R.: Absolutely. There was a combination of different factors. The first big problem was that from the very first minute of my visit, and without any encouragement from me, I gained a very high media profile.

Statements are always released to the international press when a Rapporteur is about to pay an official visit somewhere: “Rapporteur *so-and-so* will be visiting *such-and-such* country to examine the Right to Housing.” But the media normally keep quiet... and the Rapporteur enters the country totally incognito.

The day after my arrival in England the tabloids screamed “the UN is sending somebody to investigate the *bedroom tax*”*, a major talking point on the public agenda at the time. Obviously I had not gone there to investigate any *bedroom tax*... this was not the goal of my visit... But from my very first day I was thrown into, and remained in, the uncomfortable spotlight. I gave no interviews to the press until my final statement, but by then all the press were talking about it, given that it was an extremely expensive political issue for the UK government, and it got a lot of coverage as a result.

The Government’s strategy was clearly to shoot the messenger. And how was this to be done? Historical discrimination came floating to the surface. Number one: the fact that I am a woman and “a *Brazilian* woman” at that; Number 2: *Brazilian and Latin American*. “How dare a Latin American, Brazilian, woman come and talk about housing policy in a country like England, having just come straight from the slums of Brazil?” Discrimination in spades! Then an ideological clash: people among the neoliberal conservative groups saying that I was a left-winger. I was even accused on being Jewish! I was discredited because my grandparents disappeared in the holocaust! I was truly shocked: Brazilian, Jewish and sympathies towards African-Brazilian religious rites... suggesting ‘second-class folk, black, slave’. A massively colonialist view of the world.

Luckily, I had a lot of support from civil society in England. But I have to say that all this made a very strong impression on me. I had never come across this kind of reaction in any of the other 10 countries that I had visited.

*‘Bedroom tax’=cuts in social benefits in the UK if beneficiaries had a spare bedroom in their homes. [N.E.]

Conectas: Still on the subject of the job of Rapporteur, and especially its relationship with civil society, how do you think the mechanism for receiving the grievances of civil society helps a Rapporteur to come to a decision following an investigation?

R.R.: We have a very serious problem in the system. There is a blockage. We were only permitted to operate when we had received formal complaints containing all the information (as always required), and in the English language.

Why were we unable to operate like that? Basically because of a human resource problem in the Office of the UN High Commissioner for Human Rights. What do they have available in terms of human resources for working with the Rapporteurs? At best, one official per Rapporteur. The Rapporteurs, like me, go around trying to set up projects, as if we were an NGO, in order to obtain more visibility and therefore more resources. I have a team here at the University to provide support to the Rapporteur, currently aided with funding from the Ford Foundation today and, at other times, from the Germans. You cannot work with only one assistant. Impossible. The employee is pressed for time: he or she has to prepare the country visits, has to draft visit reports, help with thematic reports, and so on. There is no time to investigate complaints or allegations. And there are language limitations: typically, [these officials] are highly qualified individuals who speak English and at least one other language, but none of them speak all the languages on earth.

We have a problem of response capacity. I get complaints, mainly because the Rapporteur has begun to be better known, at least five times a day (every day!), from different places, in different languages. I get documents in Russian, Arabic, Portuguese. The latter basically because I am a Portuguese-speaking Brazilian, but it is obviously not possible for me to deal with everything.

Only international and Anglophone NGOs that operate within this system are able to break through the blockade and reach the Rapporteurs. This is a very serious problem.

Conectas: Once you have decided to organise a country visit, how do you relate to local civil society? Do you establish contact with organisations?

R.R.: That is a very important point. We learned plenty over time. Every country visit has two agendas. The first is organised entirely by the government of the country concerned, in response to what we say we wish to visit that town or city hall, talk to this or that Ministry, that Secretariat, and so on. Then we have a parallel agenda, unknown to the government, involving contact with civil society.

You might ask how the second agenda is organised, and by whom? Formally, we seek to make contact with human rights institutions, especially those that are in accordance with the Paris principles, a good benchmark. They also sometimes help us find particular cases and situations, as well as other institutions.

In addition, we usually try to locate civil society institutions working on the right to housing in the country we are visiting. We make contact with them and ask them first to organise a program for us, always keeping in mind the short time available when planning the number of meetings and, secondly, to accompany us on field visits. It is essential that the agenda is not confined to meetings. It should allow time for us to meet people in the community. Normally, these latter are supported by civil society organisations working on human rights. The best

country visits we experienced were those where civil society was organised on a countrywide basis and therefore able to open up discussion spaces for everyone, call public hearings, etc. In the United States the Legal Clinics are an amazing innovation, collecting and transcribing testimonies from people. So when we arrived in each city, we were presented straightaway with a bundle of written testimonies.

The main thing is to prepare well for a visit: the more active the civil society groups are, the better the country visit. Secondly, it is vital to follow up. If there is an organised civil society this occurs naturally. But if civil society is nonexistent, you can have a good country visit, but followed by virtually nothing.

We had that impression on a number of occasions. In Rwanda, for example. I went to the country, the visit was important, we did what we could, but still I am unaware of what is likely to happen as a result, if anything. This is a good example of the problem. It is a country where no organised civil society exists and nobody is working on the right to housing issue. This is understandable. We are talking about a post-genocide situation. Not easy. Totally different from the United States or Argentina, incredibly efficient from the viewpoint of civil society organisation and follow-up. These are just two examples, but there are plenty of others too.

Some of my missions focused on the subject I was working on: the financialisation agenda. I undertook others because I wanted to explore other themes, such as mega-events, climate change, and so on. Other missions were generated by the agenda preordained by the Office of the UN High Commissioner for Human Rights. Other themes came up because the UN High Commissioner or some other UN agency needed someone to investigate them. This was extremely important. Anyway, I succeeded in developing strong links with the entire humanitarian and post-disaster reconstruction sector. I worked a lot with NGOs and the UN offices operating in these sectors. My story began in Haiti and continued through Israel and Palestine. In due course I forged strong links with the humanitarian/post-disaster sector. It was with the 'humanitarian' NGOs that I reflected and discussed a part of the Guiding Principles on Security of Tenure. It goes without saying that NGOs are crucial in this context, but they cannot be everywhere... involved in every situation.

*Conectas: One last question, related to the street demonstrations and the perception that civil society, legitimacy and **representativity** of human rights organisations are being questioned, partly because the existing mechanisms are so difficult to use...*

R.R.: The mechanisms are very formal, controlled, coded... and using codes, to my mind, represents exclusion.

Conectas: Yes. It is for that reason and because the recent protests are addressing the problems in other, different terms – focusing on social justice as opposed to rights – and these protests are not organised by trade unions or social movements. My question therefore is: what place is there, in civil society, for the human rights movement? Is it going to be relegated to a complementary role?

R.R.: I am only keeping abreast of a few movements. Those that deal robustly

with the themes of 'right to housing' and 'right to the city'. These ended up arriving on my desk as Rapporteur.

It is true that some human rights NGOs have also begun to occupy some of these spaces, translating and recycling their own agendas, drawing on what is happening in the streets. In Brazil, for example, there are several organisations. I can give you an example: that of the NGO Justiça Global (Global Justice), an organisation closely linked to and supportive of the demonstrations and movements. It is an example of an organisation that has rethought its role and its place in what is happening here and now. Turkey also provides an example: NGOs working on the right to housing have staged well-attended protests, and continue using, as far as possible, all available means to draw attention to the subject. We Rapporteurs also seek to respond to the demonstrators' concerns and take a view on the events as they unfold. The problem is that the human rights universe is full of NGOs: from corporate social responsibility foundations that have absolutely nothing to do with human rights, to more specialised NGOs. I think what will happen to them, and to the previously-existing social movements, depends essentially on these NGOs and movements recycling and repositioning themselves in the new context.

There is no doubt that there is much debate about forms of representation, which includes discussing the very civil society organisations. Not a shadow of doubt that the Trade Union Movement is in deep crisis. The social movements in Brazil, including the one I have been interested in since the late 1970s, early 80s – the housing movement – are virtually extinguished. A new housing movement has emerged.

And why? Brazil's historical cycle has something to do with it. I believe that the entire scenario derives from the fact that social movements and unions, while being constructed, were at the same time constituting the new political parties (e.g. the PT, PCdoB, PSB) that emerged from the re-democratisation process in Brazil. These parties took hold of the inclusion agenda and – due to the historic evolution of the democratisation process in the country – failed to break with both the prevailing political logic – called by many *PMDBismo* – and with the traditional power structures, because they were forced into establishing coalitions with these in order to govern. As a result, progress was certainly made on the inclusion, income distribution agenda, etc., but it was all about 'inclusion *via* consumption'. The parties failed to think in terms of a much broader question, precisely the right to the city, the public dimension, good quality public services, good quality public amenities. Worse still, the social movements embraced this agenda and are now an integral part of this triumphant hegemonic political scheme.

A new generation, with young people not even born in the 1980s, has already started another trajectory, another story. It is a story emerging from different circumstances and addressing different issues. This is all part of a historic cycle. I see it as very positive. Hangovers from the past need to be reassessed, recycled and redirected to new horizons. When and how to do this is a whole new discussion. It will certainly not happen as a result of the forthcoming elections in October 2014. What we have there is 'more of the same' (i.e. the same old coalitions and models). But I do believe that [the protest] movement is an interesting and important one that, though very specific, finds echoes around the world.

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