

# THE ART OF PROTECTION

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- *Old wisdom, new strategies* •

## ABSTRACT

*The protection and resilience of human rights defenders is essential for the preservation and advancement of social justice. When facing significantly better-resourced adversaries, our key to success lies in our strategies. Our post-Covid reality is an opportunity for us to reassess our approach, harnessing ancient knowledge to navigate us safely through new terrain.*

## KEYWORDS

Protection | Security | Strategy | Network | Wellbeing

## 1 • Introduction

During the time of Covid-19, starting a story with a flight seems somewhat nostalgic. But equally, as a story about the protection of human rights defenders, it seems important to begin by acknowledging the pandemic and the significant impact it has had – and will continue to have – on human rights, civil liberties and our ability to unify. It is even more imperative now that we examine how civil society will remain safe and resilient and progress in this new world.

So... it was early morning in February 2020 and my flight was about to land at Phnom Penh International Airport. This was the beginning of a long journey that my team and I were about to start: we would be working with labour rights organisations in the garment sector for the next 18 months to help them become more secure and resilient in the amazing work they do.

As the plane touched down on the tarmac, I found myself contemplating what these activists had told us during our preparation calls and interviews. There were numerous stories of repeated targeting by authorities, including arrests on false charges, assaults from thugs hired by anti-union factory owners, intimidation through threats and harassment against them and their families, including death threats. Some of the phrases that really stuck with me were on the need to improve security, but also the lack of a roadmap and resources to do so...

*All of us care about our security and how we control it, especially after what we have been through. The hard part is knowing how to engage with it properly and to have the time, resources and capacity to improve it.<sup>1</sup>*

*We should have done this security process 10 years ago.<sup>2</sup>*

I remember thinking to myself, I know how they feel. I've been there before. When I co-founded *Videre Est Credere*<sup>3</sup> in 2008 – an NGO that exposes mass violence and other gross violations of human rights by equipping persecuted and marginalised communities with the tools, training and technology to document abuses, demand accountability and secure justice – effective security was clearly a necessity. Given the inherent risk involved in exposing the wrongdoings of powerful people, the safety and security of those conducting the work was paramount.

I knew we needed to build an operation where we could support activists on the ground and create impact without compromising their safety. For the work to be successful and sustainable, we needed to have practical, pragmatic and highly effective security strategies. If we were unable to comprehensively analyse and mitigate our risks, it would not be feasible to accomplish our mission.

It seemed wise to bring in a security specialist to work with. This was not a matter of a couple of training sessions. We needed to build a systemic approach with a long-term vision. But it was almost impossible to find the right fit. There were a number of service providers out there but it seemed as though most gave one-off training or HEAT (hostile environment awareness) training geared towards humanitarian or foreigners going to work overseas and offered by lots of ex-military males. As an ex-military male myself, I do not mean to homogenise a very diverse group of people, but I think it is fair to say that some approaches are incompatible with civil society operational priorities or resource restrictions.

At least at that time, in my experience, it was very difficult to find people from civil society with the requisite security expertise. People from civil society often lacked insight into the psychology, methodology and operational capacities of opponents such as security forces. For some, protocols seemed more informed by paranoia or possible trauma based on their experiences, obscuring their ability to prioritise and clearly distinguish between risk and assumptions, something which would likely compromise our operations.

To be clear, there were and still are great people doing excellent work in security for human rights defenders. Organisations such as Frontline Defenders,<sup>4</sup> Protection International<sup>5</sup> and Access Now<sup>6</sup> come to mind, as do numerous local level actors. But it is precisely because of their expertise that they are in huge demand and the need is even greater. Their work in providing remedies and emergency response to activists in danger is extremely valuable. Yet, at that time, we wanted to focus on structured and long-term *prevention* in our risk management, knowing that it would help reduce the chances of scenarios that trigger emergency responses arising.

Ultimately, Videre developed in-house its own security management protocols and a very operational approach based on its team's diverse expertise, with occasional technical advice from outside specialists who could keep our knowledge about our adversaries' tactics up-to-date. I am very proud of how our team has managed to keep people safe over the years whilst conducting impressive work such as documenting systematic corruption and violence; exposing far-right extremist groups and their ties to government actors; supplying the UN with evidence demonstrating collusion between government troops and armed rebel groups, including proving the use of child soldiers; capturing and sharing our evidence of mass atrocities with legal and accountability mechanisms in order to hold the perpetrators to account, and uncovering money flows that were fuelling racist and anti-democratic propaganda.

In fact, without robust security management, none of this would have been possible. It was by recognising the importance of risk management to bigger-picture impact and to the resilience of effective human rights organisations that the idea of my current social enterprise, *Kamara*, was born. By providing risk management, investigation and strategic actions to support those on the frontlines of human rights and social change work, we believe we are able to help contribute to a stronger civil society ecosystem.

Back to Cambodia. As I approach the “frontline” of immigration at Phnom Penh Airport, I reflect on the nature of these frontlines and how they have changed during my 20 years in human rights. The immigration desk frontline is literally a line of military-esque uniformed workers, all performing a different part of the process: one takes the passport, another takes the money, one prints the visa, another stamps it and some just seem to watch. It is like an analogue system in a world that has mostly switched to digital. I cannot help but feel that sometimes, we, in civil society, are the analogue in contrast to the digital of our adversaries. And whilst resourcing is undeniably an issue in our David and Goliath battles, it would be remiss of us not to question if we have failed to adequately and *strategically* adapt to the changes in the landscape of threats that we operate in.

One of my first projects in 2005 was the “Shooting Back” project under B’Tselem,<sup>7</sup> the Israeli centre for human rights in the West Bank. I equipped Palestinians residing in the riskiest places in the Occupied Territories with cameras and trained them on how to document their reality and the abuses they suffered at the hands of soldiers and settlers.<sup>8</sup> Back in those days, clear visuals of violations could be used to change the reality. The camera was an instrument of protection (to some extent, it still is today). It proved to be a remarkable tool in this context for shifting the balance of power from the soldier carrying the gun to the citizen carrying the camera. It was then that I learnt the limitation of power and how, with smart strategies, you can win over public opinion, shift the paradigm from victim to defender, and transition from a passive-reactive role to proactive engagement as a means of protection and progress.

Through this project, I witnessed how South Hebron Hill communities, who were spread over miles of hills and living in caves with minimal means, could work together to protect themselves from the perpetrators that were either part of, or supported by, one of the strongest armies in the world.<sup>9</sup> It was the first time I had implemented, unbeknownst to me, what we now call collective protection measures – where communities, individuals and organisations spread out across a large space operate together, fulfilling different roles, for their overall protection. Whether they were the observers with cameras notifying others about movements of violent settlers; accompanying farmers in the fields as protective witnesses; collecting evidence for legal action or calling the authorities and media for awareness raising, they all played an important part. It was not easy. It was an ongoing struggle, but it worked and more than once stopped the destruction of villages.

The reality today is that globally, these frontlines are even more dangerous than before. Whilst ten years ago we celebrated the Arab Spring and Occupy Wall Street movement, the civic space has narrowed and the rules of engagement have changed. Particularly in mobilising legislation and technology, civil society has been under attack from a multitude of angles: restricting or interfering with NGO funding, harassment, abuse and incrimination of activists, draconian laws limiting freedom of speech, proliferation of surveillance technologies, the rise of the right and the control of narratives in social media.<sup>10</sup> We need to learn how to protect ourselves and advance our missions in both the physical and digital realms in different ways than before.

There is no silver bullet, no one way of doing things, and the ability to diversify and adapt to specific circumstances is critical. But as I share my thoughts below on what changes I think we need to see, I do believe that the strategic principles can, in fact, be applied in all scenarios. A lot of the knowledge already exists within civil society; it's about bringing it together in more structure and synthesised ways.

## 2 • "Attack is the secret of defence; defence is the planning of an attack"<sup>11</sup>

Throughout the course of history, those who defeated larger and better resourced opponents did so through effective strategy, coordination and disciplined execution. The key principles are just as applicable to human rights defenders now as they were to Sun Tzu over 2,500 years ago, captured in *The Art of War*. Whilst using military analogy might seem somewhat provocative in this context, we should always remain open to what can be learnt to advance our causes, regardless of whether or not we identify with the origins.

**Attack is the best form of defence:** if you are not fighting the enemy in their territory, you will be fighting them in your space. For this to work, you need to study and know your adversaries just as well as you know yourself. Opposition research is a great tool for gaining insights. When we do not have the same resources, we need to find their Achilles heel to be effective. We can create the leverage we need as a catalyst of change: in physics, a lever placed at the correct angle will be able to move a far heavier weight.

**Choose your terrain:** the size of your force and the depth of your resources are less a factor when you are in optimal terrain for your strengths. For some, it is in the courtroom; for others, in the media or in harnessing public opinion. Even better is when we have allies in diverse terrains, acting in unison, across multiple frontlines.

**Effective networks of information:** obtaining timely information through networks of allies and harnessing knowledge (for example, through opposition research) can provide you with valuable insights into your opponents' vulnerabilities or next moves. Intelligence gathering and context monitoring is essential.

**Coordination of movement:** in order to move swiftly, especially in large numbers, we must be well-coordinated with clear lines of communication and structure. We cannot be democratic at every level but rather should coordinate through pre-agreed spheres of influence/involvement, delineated forums for discussion and clear decision-making mechanisms.

**Choosing which battles will win the war:** we will not win every battle, but we should focus on winning the war. We need to have strong long-term strategic vision (our war) but with the ability to, at times, cut our losses and pivot resources into new frontiers when opportunities arise (our battles). The nefarious strategies of actors such

as the Koch brothers<sup>12</sup> were not simply aimed at immediate wins; they targeted the next generation of education very effectively by being willing to invest in playing the long game. Lasting impact requires investment over time, with the flexibility to adapt rapidly to maintain this bigger picture vision.

**Clear unified objectives:** one of the most crucial elements for ensuring the harmony of the team and the chances of success. Unfortunately, social cause groups too often succumb to semantic differences preventing cohesive collaboration, whereas their adversaries seem to be rather adept at putting aside their variances to unite under a common objective (often money and/or retention or expansion of power). Collaborate with diverse parties under a common objective – even if you do not agree fully with all that they represent or strive for – and find strength in the interconnective tissue of the areas where you do have unified purpose.

**Control the narrative:** both by leading our own narratives (especially in the digital space) and countering disinformation campaigns by adversaries. This is increasingly the most effective area to resource – the power of story should not be underestimated – not just publicly but internally also.

**Look after the wellbeing of your team:** “carefully study the wellbeing of your men, and do not overtax them. Concentrate your energy and hoard your strength.”<sup>13</sup>

This last observation is undoubtedly one of the most important ones and is the reason that risk management should be a foundational element for any human rights defender. Integral to our protection and preservation is taking care of wellbeing: it is our water; it sustains our resilience. There is a wealth of expertise and guidance on wellbeing that can be accessed. The ingredients are no secret: work/life balance, unity in purpose, relief from stress, motivation, healthy food, regular exercise and enough sleep. But our discipline and consistency in implementation is our challenge. It is often hard for us to monitor our own balance in this, which is why it takes a collective effort. We need to listen and observe both ourselves and each other. We must devise support systems and infrastructure that integrates wellbeing, including in the initiatives that donors fund. We must have leadership that prioritises it.

As I slowly make my way through Cambodian traffic, I pass by more than one small truck carrying a cramped and unsafe load of workers, no doubt on their way to one of the many garment factories that play such an important part of the country’s economy. I think how it would not take too much in the grand scheme to make some changes that would transform their journey from dangerous to reasonably safe. The concept of the journey from dangerous to safe underpins the reason I am here. We have been funded by a pioneering foundation to work with some of their grantees on risk mitigation because they have recognised the important role the wellbeing of their grantees and their own exercise of duty of care play in the success of their combined objectives.

It is this type of leadership we need: one that understands and invests in keeping those most exposed, and therefore most vulnerable, as safe as possible in their work. Implementing

basic risk mitigation for human rights defenders must become the norm, not the exception. Donors must put resources into the safety and security of those at the forefront as a matter of standard practice. The same type of effort that goes into impact management and financial checks and balances should be applied to risk mitigation. It is from a space of well-mitigated risk that we can effectively turn our minds to our strategic frontiers.

While I was in Cambodia, we were preparing for another Kamara team to fly out to the state of Pará in the Brazilian Amazon to conduct a needs assessment on how we might be able to support environmental human rights defenders there. I will refer to all the activists, indigenous communities and organisations doing amazing frontline work to protect the Amazon (and environment more broadly) collectively as “EHRD” (Environmental Human Rights Defender), for brevity, but acknowledging that it is not the preferred nomenclature for many who identify themselves differently. Within the context of significant and increasing threats from state, business and criminal interests who aim to silence their struggles, we wanted to hear directly from EHRDs if they thought the types of strategies we have experience in utilising may be able to support them. We chose Pará as it is regarded as one of the world’s deadliest regions for EHRDs.<sup>14</sup> Within the context of 1,500 EHRDs being murdered globally in the last 15 years, during which time the rate of killing doubled, this is a significant designation.<sup>15</sup>

The EHRDs we interviewed in Pará in 2019 (just before the “Dia do Fogo” or Day of Fire) all face severe threats and expressed a clear need and desire for security support – not just in the more traditional risk management, but also support with investigating perpetrators of attacks and the networks behind them. Recognising how investigations could be a very beneficial tool in mitigating risk, if wielded correctly, was an interesting and astute observation from the people we met. Investigation into perpetrators, opposition research, using OSINT (open source intelligence) and HUMIT (human intelligence) to understand how our adversaries operate can be an incredibly valuable component of protection. It is crucial to first secure oneself and each other through strong networks and collective protection. But to understand who is attacking and learn as much as possible about them both to pre-empt their tactics and to work to raise the political cost they pay for the harm they perpetrate is crucial for us to be able to move forward.

Our ability to re-envision the way we work to overcome any myopic and structural impediments that we have in order to build effective support mechanisms around human rights defenders is imperative. We need to redefine our perception of protection and our engagement with risk. Our ability to remain resilient and create impact are fundamentally intertwined and we must begin to acknowledge the crucial role that risk mitigation, harnessing knowledge and collaborating across networks have in our ability to keep civil society safer and more effective.

By the time I left Cambodia to head back home, Covid-19 had rendered Bangkok Airport rather empty. Due to the pandemic, I am not yet sure when we can make it back to Cambodia for the next chapter of our journey together. All of us, globally, have been forced to review our methodologies and find alternative ways to keep connected and unified within

this new context. We all need to adapt to the new terrain, both us and our adversaries. It is an opportunity not just to reflect but to grow. I believe there is even more imperative now, due to the pandemic, for us in the civil society space to take swift action. Our post-Covid world feels very much like a combined hit of post-9/11 and post-2008 recession, where the circumstances led to an extension of governments' powers, increase in inequality within society and the suppression of civil liberties that continue to echo today. Whilst we all struggle to come to terms with the impact on our daily lives and work, we must work together to make sure that we protect those at the frontlines and maintain our bigger vision.

## NOTES

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- 1 • Organisation staff member during an interview.
- 2 • Organisation staff member during an interview.
- 3 • Videre Est Credere, Homepage, 2020, accessed July 15, 2020, <https://www.videreonline.org>.
- 4 • Front Line Defenders, Homepage, 2020, accessed July 15, 2020, <https://www.frontlinedefenders.org>.
- 5 • Protection International, Homepage, 2020, accessed July 15, 2020, <https://www.protectioninternational.org>.
- 6 • Access Now, Homepage, 2020, accessed July 15, 2020, <https://www.accessnow.org>.
- 7 • BTselem, Homepage, 2020, accessed July 15, 2020, <https://www.btselem.org>.
- 8 • "Shooting Back: The Israeli Human Rights Group BTselem Gives Palestinians Video Cameras to Document Life Under Occupation," Democracy Now!, December 26, 2007, accessed July 15, 2020, [https://www.democracynow.org/2007/12/26/shooting\\_back\\_the\\_israeli\\_human\\_rights](https://www.democracynow.org/2007/12/26/shooting_back_the_israeli_human_rights).
- 9 • "Southern Hebron Hills: Settler Violence and Army Harassment, 2005," BTselem, August 2005, accessed July 15, 2020, <https://www.btselem.org/video/2005/08/southern-hebron-hills-settler-violence-and-army-harassment>.
- 10 • "Human Rights Are Under Attack. Who Will Protect Them?," World Politics Review, July 1, 2020, accessed July 15, 2020, <https://www.worldpoliticsreview.com/insights/27856/human-rights-are-under-attack-who-will-protect-them>.
- 11 • Sun Tzu, *The Art of War* (Colorado: Shambhala Publications, 2005).
- 12 • Editor's note: The Koch's brothers are billionaires in the oil industry whose family has great political influence in the United States, especially among far-right movements.
- 13 • Tzu, *The Art of War*.
- 14 • In absolute terms, Brazil is the world's deadliest place to be an environmental human rights defender: in 2017, 57 EHRDs were killed in Brazil (the worst year on record for any country) and 90% of these murders took place in the Amazon: "At What Cost? Irresponsible Business and The Murder of Land and Environmental Defenders in 2017," Global Witness, July 24, 2018, accessed July 15, 2020, <https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/>. Pará has the country's highest rates of violence against these activists: Sue Branford and Thais Borges, "Dismantling of Brazilian Environmental Protections Gains Pace." Mongabay, May 8, 2019, accessed July 15, 2020, <https://news.mongabay.com/2019/05/dismantling-of-brazilian-environmental-protections-gains-pace/>.



15 • Jonathan Watts, "Environmental Activist Murders Double in 15 Years." *The Guardian*, August 5, 2019, accessed July 15, 2020, <https://www.theguardian.com/environment/2019/aug/05/environmental-activist-murders-double>.

16 • Leandro Machado, "O que Se Sabe Sobre o

'Dia do Fogo', Momento-chave das Queimadas na Amazônia." *BBC News Brasil*, August 27, 2019, accessed July 23, 2020, <https://www.bbc.com/portuguese/brasil-49453037#:~:text=O%20dia%2010%20de%20agosto,maior%20floresta%20tropical%20do%20mundo>.



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Oren Yakobovich is a social entrepreneur with 20 years of experience in addressing human rights violations in high stakes contexts. After B'tselem, he co-founded NGO Videre Est Credere. His new venture, a social enterprise called Kamara, provides risk management strategies, deep investigative capacities and advisory solutions to social impact actors.

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