

STEPS TO PROTECTION

The Second Dublin Platform for Human Rights Defenders

September 10-12, 2003

REPORT

Summary and Introduction

On September 10-12, 2003, over 120 human rights defenders from more than 60 countries met for three days in Dublin Castle, for the Second Dublin Platform of Human Rights Defenders. The meeting was organised by Front Line, with interpretation in Arabic, English, French, Spanish and Russian.

The meeting welcomed a number of distinguished speakers, including Hina Jilani, the UN Secretary General's Special Representative on Human Rights Defenders, Bertrand Ramcharan, Acting UN High Commissioner for Human Rights, Michael McDowell TD, Minister for Justice, Equality and Law Reform of the Government of Ireland, and Judge Maureen Harding Clark, Judge at the International Criminal Court. The meeting was also delighted and privileged to hear contributions from the poet Seamus Heaney, Nobel Laureate, and Liam O'Flynn, who played two pieces of traditional pipe music.

This was above all a meeting of human rights defenders, however – an opportunity to

- *affirm* what has been achieved and struggled for;
- *reflect* on the rich and often painful experiences that participants shared with one another;
- *mourn* all those who have suffered and died for the cause of human rights or because their rights have been violated, and notably Sergio Vieira de Mello, UN High Commissioner for Human Rights, who was murdered by a bomb in Iraq on 23 August of this year; and finally to
- *analyse and prepare* for the challenges and opportunities that lie ahead.

We are very grateful to Robert Archer, Executive Director of the International Council on Human Rights Policy, for synthesising and drawing together the many strands from the discussions in Dublin into this report. He has succeeded in capturing the substance of the discussions in a manner which stimulates further reflection on the issues. Any errors which have crept into the report remain the responsibility of Front Line.

The report draws out some of the main themes and concerns that participants identified during the three days of discussion, in plenaries, workshops and, more informally, during breaks. It is not a formal conference report, and does not claim to be a complete or representative record of what was said. The information is organised thematically and not chronologically (for the programme, please refer to Appendix YY). All quotations are drawn from the meeting, but for obvious reasons we have not attributed most of the quotations to individuals.

We hope this report reflects the spirit of the meeting as well as some of its content.

Mary Lawlor
Director

STEPS TO PROTECTION

Report of the Second Dublin Platform for Human Rights defenders, September 2003

" We have tasted the flavours of victory – though it had been impossible to see how we could bring justice to earth."

CONTENTS		
Affirmation	3
Reflection	6
Mourning	12
Analysis and action	13

Affirmation

*" I am amazed and shocked to see
so many remarkable people in the room... "*
- Mary Lawlor

When she spoke in plenary on the first morning, Hina Jilani emphasised the very great importance of meetings that bring human rights defenders together. They enable people to share with one another, learn from one another's experience, and build solidarity. Other speakers, including Michael McDowell TD, Minister for Justice, Equality and Law Reform of the Government of Ireland, and Jon Benjamin, Head of Human Rights Policy at the Foreign & Commonwealth Office, London, expressed their admiration for the work of human rights defenders, who defend principles of justice and people who have no protection, and in doing so put themselves at risk. In both these senses, the meeting was a form of celebration: an act of recognition, a time for conviviality and relaxation, and a moment to recognise what has been achieved – the many small and significant instances of courage and success, won in what is often a larger context of despair and adversity.

It is important to recognise this dimension of the meeting. Beneath the numerous examples of abuse and suffering that participants have witnessed and which they described to us, stand vital acts of courage. Even if they do not immediately bear fruit, these acts create hope and rekindle confidence in others. The commitment that impels human rights defenders to go on with their work, whatever threats are made against them, however extreme the imbalance of power they face - their determination to stand up for essential values such as truth, justice and fairness for the poor as well as the prosperous, for women and men, for minorities as well as the powerful – shone through the many testimonies we heard.

*" I know how important it is for my own sense of security
to have a network of human rights defenders around me "*
- Hina Jilani

The testimonies also affirmed the strength-giving value of co-operation and alliance. The meeting itself was an act of alliance, a statement of commitment by human rights defenders to one another. Again and again, participants described the value to them of working together, across all the many differences of language and culture, and the many occasions on which such co-operation has saved individuals from violence or detention, and created opportunities for more effective action.

Three different examples of success:

The International Criminal Court

The creation of the ICC in 2003 marks one of the most significant advances for human rights in recent years. This is not principally because the Court will eventually be able to prosecute and convict some of the world's worst violators of rights. As Judge Maureen Harding Clark pointed out in her presentation, the Court's mandate is limited and, even when it is fully operational, it has jurisdiction only in certain circumstances and over certain crimes.

The Court's importance is that it sets in place an enforcement mechanism that will permit international prosecutions, but which should over time also strengthen the capacity of national courts to prosecute serious human rights crimes themselves. It provides a buttress for the rule of law that was absent – a buttress for which human rights defenders have campaigned for 50 years, until now without success.

There is another achievement to underscore. As Judge Clark said in Dublin: "This is your Court – you are the people who will ensure that the Court will work." She was correct in two senses. The Court was created by one of the most successful campaigns in human rights history. NGOs and human rights defenders, with a number of governments, made enormous efforts first to bring the Rome Treaty into being, then to secure enough ratifications to bring the Court into being, and finally to ensure that the election of Court officials was appropriately democratic and representative. All these goals were achieved in a remarkably short period, in the face of considerable resistance (notably from the United States), creating a new judicial institution that can act to punish, and possibly inhibit, some of the worst human rights violations.

Judge Clark also stressed that active participation by human rights defenders in the Court's work will be crucial to its effectiveness. 600 complaints have already been received and five are being investigated; but much remains to be done. In many parts of the world little is known about the Court or its mandate. The participants agreed that they need to inform themselves about how to provide the Court with information and thereby assist its officials to bring prosecutions successfully.

" The ICC will work when you – the eyes and ears of the international community – inform it and the world about what is happening. "

- Judge Maureen Harding Clark

Respite arrangements

A second success was recorded at the Dublin Platform itself, when Ireland's Minister for Justice, Equality and Law Reform, Michael McDowell, announced to the conference that, at Front Line's request, the Irish Government will establish a system to provide entry to human rights defenders who need immediate protection. The aim is that this will also provide appropriate financial and other support while they remain in Ireland.

In addition, the Irish Government has promised that measures to support and protect Human Rights defenders will be a priority while it holds the Presidency of the European Union during the first six months of 2004.

This is a very good example of practical co-operation between human rights defenders organisations and government. The creation of respite arrangements of this sort will address a problem that faces many human rights defenders and their families around the world. It also provides tangible evidence of the commitment of governments to the human rights defenders' Declaration. It is to be hoped that other governments will follow Ireland's lead on this issue.

The Irish government also gave a commitment that measures to support and protect Human Rights Defenders would be one of the priorities for the Irish Presidency of the European Union in the first six months of 2004

La Lokita

The third illuminates the power of example. It is drawn from a testimony we heard. Amelia, known as "La Lokita," is a young woman in a Colombian village, who was given her name because she was considered to be simple. One day in May 2002, the AUC rightwing paramilitaries came to her village, which was then attacked by guerrillas who operated in the area. In the battle that followed, the village church was struck by a bomb, killing 119 of the villagers who had taken shelter there and wounding many others. The priest, nuns and villagers fled across the

river to a place of safety. When the priest and nuns returned a few days later, they found *La Lokita*, who had been forgotten in the confusion. Working alone, she had collected salt and water and bathed the wounds of those who had been injured. She had carefully gathered the broken bodies of the dead, and respectfully laid them out in their clothes. By restoring the dignity of those who had died, and by taking care of the living, she affirmed the highest values of human rights defenders.

As Hina Jilani remarked, belonging with other human rights defenders means sharing the dangers, acknowledging dilemmas together, and confronting fear in company. In the many testimonies that we heard, these values and the importance of hope were among the vital themes that emerged particularly clearly.

They were also expressed, in different terms, by the poet Seamus Heaney and the musician Liam O'Flynn. Liam O'Flynn played two pieces of traditional pipe music, one reflecting the suffering of ordinary people throughout history, the other their capacity to share in the pleasure of life. Seamus Heaney read from his translation of the Greek tragedy *Antigone* – the ancient figure who is most closely associated with defence of human rights and protection of liberty. She represented, he said, the passion of the individual for her integrity.

REFLECTION

" Tell the truth. Do what is right. Do not be afraid. "

The meeting gave participants many opportunities to reflect on their experience, which they did most directly by telling their own stories. In all, some 50 human rights defenders gave personal testimonies in the course of the meeting. They described a huge range of violations as well as many different responses to the challenge of opposing them. Underlying these experiences are some of the larger issues that are discussed in Section 4:

- the prevalence of impunity and the difficulty of protecting human rights when the state is criminal or incompetent, or when the rule of law is absent;
- the importance of co-operation and alliances, national and international;
- the impact of global political and economic integration on national problems;
- the emergence of new actors, including private businesses, and violations of rights by private actors;
- the vital importance of managing fear and risk, and
- the importance of finding ways to resist mistrust and despair and rebuild private as well as public hope and confidence in the future by empowering people and achieving small successes on the way to longer-term objectives.

Five additional issues deserve further mention here because they received special, particular or consistent attention in the course of discussion.

Harassment and intimidation

Most of the testimonies described different forms of harassment and intimidation that human rights defenders have experienced. Many of them are all too familiar. The list below underlines the variety and seriousness of harassment that human rights defenders face. Some forms of harassment also indicate new trends that should be monitored. (The references to countries are based on the *personal* experience of participants, are not exhaustive, and do not refer to third party cases.)

- Registration – slow or denied. (Israel, Kyrgyzstan,...)
- Legal prosecution – suing human rights defenders and NGOs to bankruptcy (Turkey, Malaysia...)
- Slander (Nicaragua, India...)
- Harassment of family, isolation from friends (Tunisia, Malaysia...)
- Interference with administration of the office or attacks on property (Mauritania, Tunisia...)
- Torture (Mauritania, Honduras...)
- Detention (many...)
- Seizure of assets, including computers and information (Philippines, Guatemala...)
- Interference with communications (Philippines, Tunisia...)
- Removal or denial of citizenship (Bahrain,...)
- Denial of official responsibility when violations occur (Mexico, DRC, ...)
- Denial of professional or personal status (Mauritania...)
- Murder, assassination (Colombia, Chechnya,...)
- Threats of assassination (Kyrgyzstan, Honduras...)
- Beating up (Tunisia ...)
- Under permanent surveillance (Cameroon, Dominican Republic ...)
- Planting informers in family circle (DRC...)
- Indirect financial pressure, accusations of financial irregularity (Israel, Malaysia...)

Some of these trends are highlighted below, not because they are necessarily the most serious, but because they may have been given less attention.

Administrative harassment is one. Several participants mentioned ways in which (more sophisticated) governments manipulate administrative regulations to impede or block the activities of human rights defenders. One defender, for example, described how the Israeli authorities delayed approving registration of her NGO, accused it of financial malpractice, and claimed the NGO had exceeded its mandate. In Malaysia, the government has brought legal cases against NGOs, in effect suing them to bankruptcy, using laws that are unusually restrictive. The clever use of regulation by what one participant called "soft despotic" governments is no doubt a trend that should be monitored.

Intimidation by putting pressure on friends and family was also underscored. This form of harassment was perhaps particularly mentioned by women. In a number of countries, including Tunisia, the authorities have threatened, harassed or injured family members in order to intimidate human rights defenders from doing their work. Friends are warned not to consort with the person concerned. Close friends and relatives may lose their employment. In a few cases, relatives have been murdered. Faced by such intimidation, parents may feel they must send their children abroad for safety, or cease their work in order to protect parents or partners.

" Women fight also for the rights of husbands and fathers and their children. They act not by choice but because their position in the family makes them responsible. "

In one case, the government went so far as to deny the citizenship of the human rights defender concerned, claiming that she was not a citizen of the country because a grandparent had been born in another country. This practice has recently occurred in several countries, in Ivory Coast for example, and also deserves to be monitored.

All these forms of intimidation seek to break the spirit of human rights defenders by making them afraid for themselves or those close to them, or isolating them within their society. Some techniques are designed to frighten the human rights defenders themselves; others to frighten those around them. A speaker from Aceh described how some human rights defenders have been murdered as a warning to cease such work, while the bodies of others were left in public places in order to create fear among the people. Softer forms of intimidation are obviously less grave in some respects; nevertheless, they need to be given attention precisely because they less obviously violate human rights. Making alliances and providing support to ensure that human rights defenders are not isolated and demoralised by "soft intimidation" will no doubt become a more important task as governments learn to be adept at such methods of controlling criticism and dissent.

" What we are doing is absolutely legitimate. "

In this respect, Hina Jilani pointed out that it is particularly important at the present time to defend the right to peaceful protest – the right to freedom of expression and freedom of association. In her recent work as Special representative on Human Rights Defenders, she has noted a widespread trend to restrict free expression and the right to protest. Such restrictions are frequently justified by governments in the name of the war against terrorism. She pointed out that the Declaration on human rights defenders is not just intended to protect human rights defenders themselves (other treaties do that) but to protect the right to undertake *activities* in defence of human

rights. Article 12 specifically affirms the right to protest peacefully against violations of rights, and States have an obligation – which many of them are not respecting – to protect that right in their countries.

"Today the most important thing is to talk publicly."

The 'war on terrorism'

" It is hard to explain what a tragedy September 11 was – for many other people as well as those killed in and by the planes. It has become much harder to be a human rights defender. "

The challenges to human rights presented by acts of terrorism and by the war against terrorism were raised at different points during the meeting. They were raised not least by participants from the United States, who discussed both the threats to civil liberties and human rights work that had emerged since 9/11, but also the efforts that are being made within the United States to replace the national vision of rights which has dominated America's civil and judicial tradition by one that draws on international law and international human rights standards. This transformation will take time, but the work has begun and is making progress.

" We ask you for solidarity – not action in support of us for that would be inappropriate: but understanding that we are as isolated as you are."

US participant

Other participants spoke of the cynical and opportunistic way in which their governments have used the 'war against terrorism' to suppress civil liberties. They spoke of the dangers that accompany new forms of militarization in their societies. In Indonesia, in Kyrgyzstan, in Colombia, political actors are using the threat of terrorism in different ways to militarise or increase military influence within their societies.

" We face a special threat now. Militarization is increasing. In addition, democracy has been compromised in our societies for over 30 years by that militarization. National security is put forward as the reason to constrain our rights. But for the first time national security is being used as a global weapon, not a regional or national strategy, with extremely harmful effects on human rights across the world. "

Participants stated clearly that acts of terrorism violate human rights and are crimes under international law: at the same time they affirmed that, while (in Hina Jilani's words) there are tensions between the obligation of states to provide security and their obligation to protect human rights, peace and security should be understood as elements within a human rights framework. Many participants reiterated the view that responses to political violence, including acts of terrorism, will not be effective or successful in military or political terms, let alone provide justice, if they seek to impose order at the expense of human rights.

" Stability is not our aim: fairness is. "

People at extreme risk

In this respect, Hina Jilani noted that the most severe and consistent human rights violations that she comes across tend to occur against communities that seek separation or self-determination, or are struggling to realize democratic reform. Noting that the right to self-determination is clearly enshrined in the Universal Declaration of Human Rights, and other human rights standards protect the principle of democracy, she drew the conference's attention to the gravity of violations of rights, and the prevalence of impunity, in such cases. We did indeed hear particularly harrowing testimonies both from people describing their experiences in Kurdistan, Chechnya and Aceh, and from human rights defenders working in Kyrgistan, Colombia, Tunisia, Afghanistan and Iraq.

A particular frustration was expressed by human rights defenders in countries that recently experienced democratic reforms after a period of harsh military rule. In some of these cases, minorities feel themselves to be as powerless and excluded as before, and consider that that they have received no benefit from political change.

"We ask ourselves sometimes whether a militarised democracy is any better than a military regime. We want our government and foreign governments and private companies to work with us to develop a form of democracy that reflects our needs and is properly participatory. "

Similarly, anger was expressed by speakers working with groups – such as the Dalits in India and enslaved people in Mauritania – that continue to suffer entrenched social and economic discrimination and face particularly deeply rooted intolerance as a result.

" I was accused of being racist because I raised the issue of racism... I was imprisoned for this... I was physically tortured..."

Poverty and ESC rights

" Every three seconds a child dies from poverty... It is undoubtedly the most acute moral question of the new century to understand how such massive and systemic violations, day in day out, do not trouble the conscience of the good people who look down on them. "

Pierre Sané

Beneath these particular cases, arguably dwarfing all other violations of rights in scale, is the issue of poverty. The participants spent considerable time discussing how they will address issues of economic, social and cultural rights, and more particularly how they will integrate efforts to eliminate poverty within their human rights work as a whole.

Pierre Sané, Assistant Director General of Unesco, argued that poverty is a violation of human rights, and human rights defenders should campaign for its abolition fired by the same spirit of outrage that brought slavery and colonialism to an end. Only a new vision based on rights, he argued, will create the political momentum required. "To deal with poverty as a violation of human rights means going beyond the idea of international justice – which is concerned with relations between states and nations – towards the creation of global justice, which applies to relations between human beings living in a global society"

Speaking on behalf of Karen Kenny, Donncha O'Connell stressed the importance of thinking *holistically* and *practically* when working to promote economic, social and cultural rights. A holistic approach is needed because economic, social and cultural rights cannot be promoted successfully when political and civil rights are not respected, and vice versa. Many participants echoed this view and emphasised how interdependent rights are.

" Poverty is found at the root of every other violation, and all the other violations are at the root of poverty. "

Participants argued that too often there is a global double standard. Governments and activists in richer countries call for action to achieve democratic and political reform, but too often they fail to respond when they are asked to take action against poverty and economic injustice.

"Northern responses to different issues have been unequal. When the issue of FGM [female genital mutilation] was raised, there was an enormous international response that astonished us. But when we talk about peace, about economic conditions and justice, we do not get the same response. We need one standard. We need a new global solidarity. "

Donncha O'Connell went on to say that, in Karen Kenny's view, human rights defenders need also to address *practically* issues of delivery and enforcement of economic, social and cultural rights. In doing so, they need to analyse local problems but also systemic issues that underlie failures to deliver social and economic rights, and the links between local, regional, national and international violations of economic, social and cultural rights and policies to address them. Karen Kenny suggested, he reported, that HRDs should build on the new ESC networks that have been formed, to share knowledge, make best use of available expertise, increase awareness, and assess the impact and success of different strategies.

As a contribution to this work, with Felix Morka's help Front Line has developed an on-line manual on ESC rights available through the Front Line web-site at www.frontlinedefenders.org. The manual makes available a large

amount of information on economic, social and cultural rights as well as a number of case studies in an accessible format. The manual includes case studies to illustrate how the human rights framework can be used to promote economic and social rights, and will be a useful tool for campaigners and advocates. The site, which will go live in November, was presented by James Mehigan.

In the workshops to discuss ESC rights that followed, participants raised a variety of issues. Many said that awareness of ESC rights was very limited in their countries and more work to raise awareness was essential.

" Such is our struggle for survival that we sometimes forget that these economic rights are rights. "

Others noted the difficulties of working effectively on ESC rights in countries, like the DRC, that are convulsed by war and internal conflicts. "Many of our schools have been destroyed; our hospitals too. Teachers and doctors have fled. Many people die for lack of medicines. It is hard to speak of economic and social rights in this context."

Many of the participants, particularly from Africa and also Central Asia, emphasised that most of their governments are simply unwilling or incapable of delivering the services on which respect for economic and social rights depends. While they said that states should fulfil their obligations because they collected taxes from the people and should spend those taxes properly, in practice schools or clinics often stay open only because parents pay the teachers or doctors directly from their own pockets. They despaired of many officials who were simply corrupt, or unaware or unwilling to accept that they have a responsibility to serve their people and protect their social and economic rights.

" I took the case of some children who were living on the streets to the Governor of my city. He looked at me, shrugged, and said: 'Go to UNICEF'. "

The experience from Latin America and some other countries is somewhat different. Participants described a range of co-operative efforts to strengthen respect for ESC rights, including budget monitoring (Guatemala), benchmarking (Panama), co-operation with the ILO and labour unions to bring pressure for reform (Nicaragua), and creation of local development plans (Colombia, Honduras). Here too, however, it was recognised that much needs to be done to share skills and widen awareness. It is a new area of work that needs development. In addition, as one participant noted, work on ESC issues has the potential to enable human rights defenders to reach out to new audiences in a fresh and relevant way.

" Economic and social rights are helpful because they enable human rights organisations to reach and be relevant to ordinary people. Work on economic, social and cultural rights helps ordinary people daily. "

MOURNING

If the meeting was an opportunity to celebrate, it was also an occasion to mourn. On Thursday afternoon, the Acting High Commissioner for Human Rights, Bertrand Ramcharan, led a special session to reflect on the assassination of Sergio Vieira de Mello, the UN High Commissioner for Human Rights, while he was on a mission for the UN Secretary General in Baghdad, as well as the killings of other human rights defenders across the world. With other speakers throughout the Conference, he condemned the bombing of the UN headquarters in Baghdad and described it as a symbolic attack on human rights and human rights defenders everywhere. Mr Paul Kavanagh, [Department of Foreign Affairs, Ireland], spoke movingly of Sergio de Mello and his personal contribution to the United Nations and its humanitarian and human rights work.

The Acting High Commissioner went on to encourage all those present to look forward and consider this grave setback as a summons to work harder and more effectively to implement human rights at every level. The participants stood in silence for one minute to honour all human rights defenders around the world who had died in defence of justice and to protect the rights of others.

*" Si je ne brûle pas
Si tu ne brûles pas
Si nous ne brûlons pas –
Qui illuminera la voie? ¹*

¹ "If I do not burn, if you do not burn, if we do not burn, who will light the way?"

- The poet Nazim Hikmet

ANALYSIS AND ACTION

A number of challenges were named and addressed in the course of the meeting. To some of these we have already alluded. In the section that follows, we bring together some of the more important issues that emerged in the course of discussion, focusing wherever possible on practical responses that participants or Front Line identified, which will help human rights defenders to manage them better.

" Touch all buttons. "

Taking security seriously

Fear haunts the work of human rights defenders. It deeply influences the behaviour of the societies in which human rights defenders operate. Violators of rights rely on fear to protect themselves and inhibit those whom they oppress. Yet it is rarely spoken about openly.

At the request of those who participated in the first Dublin Platform in 2001, Front Line has commissioned research from Peace Brigades International into how human rights defenders can better protect themselves. Managing and acknowledging fear, we learned, is an essential element of improving security. In the past many human rights defenders have treated bravado and courage as if they were the same thing. They have refused to acknowledge the danger they are in, have refused to take security precautions, and the stress that this creates has caused some to behave in inappropriate or self-destructive ways.

" Don't be afraid – take steps. "

In their presentation, Enrique Eguren and Christoph Klotz emphasised that fear itself, as well as security, need to be taken seriously. Security procedures require time and commitment, and if some members of staff ignore them, or the procedures are treated merely as administrative regulations, they will not protect those at risk. If care is taken, however, and all members of an organisation follow agreed security practices, staff will not only be safer but will feel safer. Adopting a sound approach to security enables those who are in danger to recover some control over the risks they run and, by acknowledging those risks and managing them, they can reduce the power of those who threaten them.

Building links and alliances with others is obviously part of this strategy, and participants described a number of ways in which organisations can help one another and increase their safety by working together, and linking regionally and internationally with organisations abroad that can provide forms of support or protection.

Governments can play a valuable role in providing such protection. Representing the British Foreign Office, Jon Benjamin discussed some of the ways in which his own and other EU governments can provide support to human rights defenders. He pointed out, for example, that it is much more difficult for Missions to make swift representations on behalf of human rights advocates if they do not already know about the work they do. For human rights defenders who are at risk of arrest and retaliation, therefore, visiting Missions to introduce their work is a worthwhile precaution.

"Security starts at home – start with yourself. "

Front Line will publish a manual on security in 2004, in cooperation with Peace Brigades International (PBI). The manual which is being researched and drafted by PBI will be based on very wide consultation with human rights defenders..

Countering interference and electronic harassment

The Conference also looked in more detail at the question of electronic security, and Robert Guerra of Privaterra, and José Cruz from Guatemala spoke to the meeting about some of the new risks that electronic communications generate and the precautions that human rights defenders should take to avoid electronic eavesdropping and theft, and to protect their information.

Front Line expects to do further work in this area, and asked participants to indicate the needs they have. In the workshop, several suggested that national and regional training programmes would be extremely helpful.

This is also an area where international co-operation can be extremely helpful, not only because some countries provide much greater protection of electronic privacy, but also because electronic communications can operate

very easily across frontiers. Already, for example, some organisations copy their files for safety in another country, or base their Web Site at a foreign host.

*" Adversaries don't work only in the real world –
but in the internet world as well. "*

Robert Guerra and José Cruz noted that traditional email messages and information on old-generation computers can easily be read and copied using quite simple technologies. The information on these systems, as well as Web Sites, can also be manipulated easily. They recommended that human rights defenders should consider more carefully how to protect the information they collect and send. At the same time, they stressed that most surveillance and monitoring is done using old-fashioned police methods, rather than electronic surveillance; and that human rights organisations should certainly give as much, or greater attention, to more mundane problems such as environmental damage and power breakdowns.

" We are all afraid of our history. "

Relations with the State

Relations with government were an issue that participants raised persistently, and from many angles. With regard to security, for example, Chris Collier discussed an analysis made by HIVOS of the effectiveness of interventions by the Netherlands government and the EU to protect human rights defenders. HIVOS concluded that EU governments need to develop policies in this area; it is not enough just to intervene in an *ad hoc* manner. Governments should also be more transparent in reporting the interventions they make. At mission level, HIVOS suggests that a diplomat should be responsible in each mission for relations with human rights defenders, and that missions should do more to support financially the work that human rights defenders do; such support should include helping them to strengthen their security.

In this context, participants offered many examples of cases where governments have shown willingness to protect and support the work of human rights defenders – and protect the safety of human rights defenders themselves. The decision by Ireland to provide respite facilities to human rights defenders, announced at the meeting, is a case in point. Co-operation has increased. A number of governments are actively seeking to fulfil their commitments under the Human Rights Defenders Declaration, and new proposals for effective and appropriate support are being explored in some countries. In this area, emerging co-operation with government is an important and positive trend that deserves to be recognised.

*" We have given over the world
to careless power. "*

In general, however, participants described a relationship with government that was overwhelmingly negative. The testimonies we heard reminded us that states are the worst violators of human rights and that state behaviour is the single greatest obstacle to achieving respect for human rights in most societies. In reporting the problems that they had met, however, participants described many kinds of state and different obstacles. Some spoke of states that were criminal; others of states that were militarised; some were incompetent, others attempting to reform; and some participants described states in which different legal and political regimes coincide within the same territory.

*" We have different governments in my country
and different sovereignties. "*

One presenter, Rashid Kang, from Forum Asia, spoke about the experience of human rights defenders in the Asian region. Governments in this region have never regarded human rights NGOs, or civil society more generally, as being fully legitimate. While governments from abroad have been helpful in specific cases, they have worked less hard to change such thinking and their intervention has sometimes been used by Asian Governments to challenge the legitimacy of civil society actors through propaganda about threats to sovereignty. Several Asian Governments have undergone political reform, but it is less deep than it looks, and has tended to produce "soft despotic" regimes that avoid outright repression but are becoming sophisticated at administrative harassment, and rather smoothly manage their differences with Western governments over human rights.

Elsewhere, participants described political systems that remained classically authoritarian, or were highly militarised. In both instances, repression was exceptionally violent, impunity widespread, and effective protection of human rights weak or virtually absent. Situations of this sort were described to us by participants from Chechnya, from Aceh, and from Colombia in the list for example.

" We have no rule of law in our country. "

In other societies, the State exhibits an exhausting combination of incompetence and corruption. It is unwilling and unable to meet its human rights obligations, and equally unable and unwilling to provide essential services to the population. Defenders working in these conditions face a host of difficulties. This is not only because officials are intolerant of human rights and civil society activities, irresponsible in the conduct of their duties, or corrupt. It is also because, in these conditions, human rights defenders cannot generate or show progress.

" We cannot make progress in the absence of a political system that functions. "

They, but also the public around them, can then become demoralised. Democratic reform brings no improvement in the quality of life; peaceful political and legal action appear to be ineffective; people lose hope in the prospect of change. In these conditions, models of progressive and rational reform, like those which human rights defenders espouse, seem to be unable to influence the special interests and entrenched bureaucracies that characterise this form of state.

" If you have no international remedies, you must rely on national systems. If these are corrupt or do not function, what then can you do? Where can you go to secure justice? What hope of improvement can you offer people? "

The weaknesses of international human rights institutions, and above all the weaknesses of international enforcement procedures, are particularly frustrating for defenders living in such societies.

" If you have a feeble or immoral government, and a feeble or corrupt judiciary, it is no good relying on legal strategies – so what choice do you have? If you cannot seek remedy abroad, what can you do? "

In a number of countries, nevertheless, the situation is more positive, in that States have more capacity and also show evidence of wishing to reform in ways that will tend to promote and respect human rights. During workshop discussions, for example, participants gave several examples of cases where their governments had been positively influenced by advocacy, and where the establishment of stronger legal and also administrative procedures had enabled human rights activists to be more effective.

It seemed that such advocacy was particularly likely to be effective where national civil society organisations allied themselves with regional bodies or with international organisations, to press their case. In this area too, co-operation was an important element of success.

Participants frequently expressed deep concern about the price they and their societies will have to pay if reform is deferred and greater national and international efforts are not made to build just and efficient institutions. Many testimonies foresaw that tolerance of impunity would cause immense harm in the long term, and spoke of the enormous effort that would be required to reconstruct social and political institutions that have become corrupt or criminal.

"Reconciliation is a term that troubles me. Reconciliation starts with making sure that whoever has committed a violation confronts justice. Otherwise the victim will harbour bitterness and this will be the cause of future conflict"

Violations by non-State actors

States are not the only cause of violations, of course, even if they have the primary duty to promote and protect human rights. Violations for which private actors are responsible were mentioned in several contexts.

Unsurprisingly, the influence of private companies was raised by several participants. Companies were criticised for being unaccountable in some countries, for bad working practices in others, and for complicity in human rights violations by the state. More generally, participants recognised that in coming years human rights defenders, and

other national and international human rights institutions, would need to give more attention to the influence of private companies in coming years.

" The oil companies operate like a state within the state – to protect the company not the people. [...] People's rights to their land, which is often sacred, are waived to allow prospection. "

The issue of violence against women also emerged clearly. Strong testimonies and statements were made about rape and the protection of girls and children, as well as about domestic violence, trafficking and the sex trade.

The specific and additional risks faced by women human rights defenders was given specific attention during a panel discussion chaired by the UN Special representative for Human Rights Defenders. It highlighted many serious abuses that women face, and the fact that actions to resist some of these are taken almost exclusively by women. It was agreed that these issues need more extensive discussion. The participants suggested that an international conference specifically to discuss the challenges facing women human rights defenders would be useful, as would further discussion about the links between women human rights defenders and the broader human rights movement.

Equally strong evidence was presented about the economic marginalisation and social humiliation of Dalits in India and enslaved people in Mauritania and other countries.

Finally, the issue of honour killings was brought before the meeting, which heard a powerful personal description of the murder of a young woman called Samia Sarwar in the offices of Hina Jilani in 1999.

These, and a range of other issues involving violations of human rights by non-State groups, require attention in coming years.

The new political environment

In many respects, human rights activists are operating in a political and economic environment that is new. It is new because the world is changing: globalisation and the integration of economic and political systems is generating many changes at every level, some of which are threatening, while others (such as electronic communications) offer opportunities. The powers and role of states are changing in this process (not necessarily diminishing, but certainly changing). The emergence of new security policies in the context of the "war against terrorism" is itself having a direct impact on policies in many fields, and on treatment of dissent in many countries.

New, equally, because the thinking of human rights organisations also needs to evolve – to match the demands of a changing environment, and to take account of the emergence of many new human rights activities and organisations around the world.

Building alliances and coalitions

This discussion was one of many that highlighted the importance of building alliances and networks, and sharing information within countries and across regions. This report has already referred frequently to instances where co-operation and alliances have improved advocacy, increased security, saved lives or increased capacity.

" Partnerships must be real, must be transparent, must reflect human rights values. They should focus on outputs and results, not only activity and effort. "

Participants also expressed a wish to co-operate around training – an area that Front Line is itself developing, in relation to the security human rights defenders and electronics security issues.

Participants particularly highlighted the importance of sharing knowledge and gaining expertise, through training and other means, on economic, social and cultural rights.

"We do need to be sure that we continue to defend political and civil rights, while advancing economic social and cultural rights – and this implies returning to basics and affirming again how much they are interconnected."

"The strategy of optimism"

" The scale of human rights problems is so great that I think we need to disassemble the statistics locally, by district and region; so that we can see where progress is occurring. "

" An active critical civil society is vital to an open society. "

At the very beginning of the Conference, one of the first speakers referred to what he called the "strategy of optimism" – an approach that looks frankly at the hardships and setbacks and dangers of human rights work, but refuses to be disheartened or cast down. In the same spirit, the poet Seamus Heaney spoke about the moment "where hope and history rhyme". This spirit infused the meeting as a whole. Though many spoke of the damaging impacts of the "war on terrorism", it did not dominate discussion. Though many deplored the damage that global economic policies were doing to their societies, their comments were not backward-looking. The many people, finally, who described the debilitating influence of corrupt and irresponsible government officials and institutions in their societies, spoke at the same time of their determination to persist and the tremendous effort that would be required to achieve change.

Overall, the political context is less favourable to human rights than it was two years ago, when the first Dublin Platform was held. In the last few years, there have been important setbacks, both politically and economically, in many countries. This cannot be denied even if, in the longer term – measuring by decades rather than years - human rights and the work of human rights organisations have steadily increased their influence.

In this context, two final comments may be relevant. One is the value of achieving small victories – wherever possible, planning approaches that enable progress to be made in specific areas, even if the achievement of larger objectives still lies out of sight. In periods of reversal, it is vital to maintain morale – not just the morale of human rights defenders themselves, but also the morale of those who sympathise and support human rights values in the wider society. Without small achievements, this is much more difficult to do.

The second is the value of alliances and co-operation. The usefulness of such alliances, to strengthen protection, improve advocacy, and maintain confidence, was highlighted by very many of those who spoke. It was also, of course, the principal objective of the Dublin Platform itself. Let three final quotations speak directly for the Defenders who were there.

" We are living in a situation of perpetual anger. "

*" Fear generates anger and anger paralyses us.
We need hope to continue. "*

*"This conference has made me feel stronger still
and made me more convinced that we will succeed –
We do have hope,
which is shared by all human rights defenders. "*