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COMMEMORATIVE ISSUE
HUMAN RIGHTS IN MOTION

CONECTAS
HUMAN RIGHTS

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Human Rights in Motion

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

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

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

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

Nevertheless, the **political and geographic coordinates** under which the global human

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

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

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

Language. In this section, we have included articles that ponder the question of whether human rights – as a utopia, as norms and as institutions – are still effective for producing social change. Here, the contributions range from analyses on human rights as a language for change (**Stephen Hopgood** and **Paulo Sérgio Pinheiro**), empirical research on the use of the language of human rights for articulating grievances in recent mass protests (**Sara Burke**), to reflections on the standard-setting role and effectiveness of international human rights institutions (**Raquel Rolnik, Vinodh Jaichand** and **Emílio**

Álvarez Icaza). It also includes studies on the movement's global trends (**David Petrasek**), challenges to the movement's emphasis on protecting the rule of law (**Kumi Naidoo**), and strategic proposals to better ensure a compromise between utopianism and realism in relation to human rights (**Samuel Moyn**).

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

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

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

Tools. In this section, the editors included contributions that focus on the instruments used by the global human rights movement to do its work. This includes a debate on the role of technology in promoting change (**Mallika Dutt and Nadia Rasul**, as well as **Sopheap Chak** and **Miguel Pulido Jiménez**) and perspectives on the challenges of human rights campaigning, analysed provocatively by **Martin Kirk** and **Fernand Alphen** in their respective contributions. Other articles point to the need of organizations to be more grounded in local contexts, as noted by **Ana Paula Hernández** in relation to Mexico, by **Louis Bickford** in what he sees as a convergence towards the global middle, and finally by **Rochelle Jones, Sarah Rosenhek and Anna Turley** in their movement-support model. In addition, it is noted by **Mary Kaldor** that NGOs are not the same as civil society,

properly understood. Furthermore, litigation and international work are cast in a critical light by **Sandra Carvalho and Eduardo Baker** in relation to the dilemma between long and short term strategies in the Inter-American system. Finally, **Gastón Chillier and Pétalla Brandão Timo** analyse South-South cooperation from the viewpoint of a national human rights NGO in Argentina.

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

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

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

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Human Rights in Motion

Perspectives

MARÍA-ILEANA FAGUAGA IGLESIAS

María-Ileana Faguaga Iglesias knows firsthand about human rights activism in Cuba. A historian and anthropologist, Faguaga is an associate professor at the University of La Habana and Director of the Inter-Cultural and Inter-Religious Dialogue Project from CEHILA-Cuba (Commission to Study the History of the Church in Latin America). An activist in the rights of the Afro-Cuban population, her main focus of research are the Afro-Cuban women, Afro-Cuban religions, power and authority relations, as well as the possibilities for a dialogue among Afro-Cuban religions and the Roman Catholic Church, race, gender, and health.

In this interview given to Conectas, María-I. Faguaga Iglesias explains the background of the human rights organisations in Cuba, besides speaking about the difficulties faced by activists and academics on the Island, among which is the lack of access to technology. During the interview, the activist highlights how "the concrete reality of activists and scholars concerned should be taken into account and, above all, that of the affected populations, even if not directly involved in activism. If this is not done, the work will lack substance and reach."

Based on this perspective, Faguaga emphasises how important it is for NGOs to focus their work on the axis of human rights, both in the South and in the North in its work with the South, to take into account the idiosyncrasies; among these is Cuba, whose situation is not always properly understood.

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Interview conducted in March 2014 by Juana Kweitel (Conectas Human Rights).

Original in Spanish. Translated by Amy Herszenhorn.

INTERVIEW

"THE PARTICULARITIES IN CUBA ARE NOT ALWAYS IDENTIFIED NOR UNDERSTOOD BY HUMAN RIGHTS ACTIVISTS FROM OTHER COUNTRIES"

Interview with María-I. Faguaga Iglesias

Conectas Human Rights: Human rights organisations have re-thought their strategies for action, taking into account local demands. Large organisations in the North have increased their presence in the Global South. And organisations in the Global South, besides their ever-growing international action, have reflected on their strategies within a framework in which mass protests and other ways of questioning representative institutions gain greater space. In your opinion, which is the difference between working with human rights from the vantage point of the Global South, particularly from Cuba?

María-I. Faguaga Iglesias: In the debate fostered by work in human rights from the perspective of the South, there are fundamental aspects of the present-day world context that are often *not* taken into account. There is a lack of understanding of the realities and the specific needs of countries that are part of the South, so that human rights activists and scholars, as well as those who study other sociopolitical issues, can adequately face the obstacles and challenges that are not necessarily those of the capitalist world. Not to consider these differences limits the studies carried out by national, international and transnational instances devoted to scrutinising, analysing and informing, or limits the very human rights activism.

For example, the absence of street protests is not a verifiable index, *ipso facto*, that there is no activism advocating for human rights. The lack of opportunity to publish results of intellectual work or fieldwork is not an index of passivity or of lack of interest. These misguided simplifications point to the need for international and/or multinational organisations to take into account the different social realities of each country and look beyond mere appearances.

Due to all this, these organisations must necessarily maintain a constant dialogue with the realities that are the object of their study and/or intervention. The concrete reality of activists and scholars concerned should be taken into account and, above all, that of the affected populations, even if not directly involved in activism. If this is not done, the work will lack substance and reach.

Conectas: You have a vast experience working with human rights organisations in Cuba. What are the circumstances in which human rights advocates carry out their activities on the Island? What are the opportunities and challenges?

M-I.F.I.: The panorama of activism in fundamental rights on the Island has changed considerably since the beginning, from the late 1970s to the present. At that time, a small group of former political prisoners founded what would become the Cuban Pro-Human Rights Committee (*Comité Cubano Pro Derechos Humanos*) in 1976. This small organisation brought together intellectuals, former diplomats, university professors and other people who had had an active and direct participation in the Castro government.

Their possibilities for survival were almost null. These people were exposing their own safety and that of their families, in a country where one of the most stringent and effective control mechanisms used was the separation of families, due to political reasons. Under such conditions, isolated from the world, these pioneer activists in human rights began that path of contacting embassies and the foreign press. This was their sole possibility of having any repercussion beyond the borders of the Island. These activists operated in a context that lacked both economic resources and legal protection, with harassment by the political police, amidst the lack of understanding by their families, isolated from the nation.

That initial core would later become larger and more diversified, until it too became fragmented. As a result, in the 1980s what arose were the Cuban Commission on Human Rights and National Reconciliation (*Comisión Cubana de Derechos Humanos y Reconciliación Nacional*) and the Pro-Human Rights Party. The 21st Century witnessed the birth of the Lawton Foundation for Human Rights and the Health and Human Rights Centre (*Centro de Salud y Derechos Humanos*). This unrecognised hub of activity, which would sociologically represent the 1980s, was the breeding ground for the expansion of independent activism in Cuba, even if it could not become visible – this is where other organisations stemmed from. All of them, like their predecessor, the Committee, submitted to the intense and broad work of the political police.

Gradually, activism extended to the hinterlands of the country. During the first years, there were less activists there, given the ease the forces of repression had in exerting greater control; possibly today there are more activists there than in the capital. It is difficult to precisely mention the date when all of this took off. It would not be wrong to locate that process chronologically as part of a psychological opening and a change of mindset that has been taking place since there began to be an increase in material penuries, at the beginning of the 1990s.

Slowly but sustainably, young intellectuals and artists would join this movement, and the presence of Afro-Descendants grew as well. Professionals, workers, housewives and students, heterosexuals, bisexuals, gays and transgender persons, whites, mestizos and blacks, from all generations now nurture this activism. The number of women grew, possibly because of the example given by the known Ladies in White (*Damas de Blanco*). The already numerous organisations that existed expressed the multiple cultures and the multiracial nature of the Cuban nation.

Among these new groups, some became materialised as what could be deemed parties, or at least that was their purpose. All of them, based on Cuban conditions, identified with human rights activism. It should be mentioned that not all share the same priorities, nor have the same human capital or material resources. Additionally, in those groups that have greater material resources, not

all of the members are in the same situation. Humble people whose rights have been violated, for example, rights to inheritance or to a change of job or position; a person who has been run over by a police car; people whose labour rights were infringed and could find no support in unions; artists whose art and life were not understood and were censored by authorities; some former military who accused the head of the army of undeserved treatment; intellectuals suffering censorship and/or protestors, though in small numbers, all joined forces with activists. The initial claims were expanded to the rights of political prisoners and government opposers. This is an ongoing process at present.

Conectas: That is precisely what we would like to ask you about. In your opinion, how has the human rights panorama changed in Cuba in the last decades? What is the role of international players in the local Cuban scenario?

M-I.F.I.: The national panorama has changed, moderately becoming more favourable to civic activism. Human rights activists (but not all of them, as already noted) nowadays have new material resources to carry out their task. In many cases, that old typewriter has given way to computers; and, instead of the earlier cuts in telephone landlines (if one had one, as the percentage of people with phones is negligible), now mobile phones are blocked, leading to lack of communication.

Abroad, this allows for visibility of only a part of what is happening on the Island, all the way from day-to-day reality lived by the majority of Cuban men and women, up to the extraordinary protests that have been taking place; from the particular case of someone fired from his/her job to the lack of care for the elderly, children, women and people with different disabilities; all the way from domestic violence to constant political repression.

Nowadays some activists manage to publish in papers and magazines abroad. Some send their videos abroad, so they can be used on television. Others yet tape their television or radio programs in Cuba, so they can be launched overseas.

Several people have received grants from prestigious universities, such as Harvard. Others are granted international awards with their ensuing economic benefits. Since January 2013, when the government put in force new migration regulations, there has been an increase in the number of people going abroad to deliver conferences, to present their books and/or exhibitions and to participate in international events, or to contact their co-nationals that live in other countries, for exchanges with activists in other regions of the world, to follow courses and even to interview renowned leaders, such as the founder of the paradigmatic Polish union Solidarity (Lech Walesa) and presidents like Barack Obama. Prior to this, very few were able to obtain those loathsome "exit permits" and "re-entry permits".

Notwithstanding, at present the political, cultural, economic and sociologic particularities of Cuba are not always identified nor understood by human rights activists from other countries. The need for independence in positioning and thought of men and women of Cuba today is not understood, expressed very often in the exacerbated desire for a more leading role.

Conectas: One of the questions of the current issue of the Sur Journal is how the new information and communication technologies have influenced human rights activism.

You have already spoken somewhat about that; however, how is the situation of access to technology for activists in Cuba at present?

M-I.F.I.: Although this is not often mentioned, the material scarcity on the Island also affects activism day-to-day. The possibility of having a PC or a MP3, or a flash or a camera, a mobile phone and enough foreign currency to be able to hire and maintain a line, and the very expensive access to internet – which was recently allowed for Cubans in a few authorised centres –, are not within the reach of most of the opposition.

Furthermore, you have to consider the high cost of the hour on internet in the Island, which varies between 4.50 and 12 CUCs.* As 1 CUC is purchased in currency exchange stores for 25 pesos and the average wage is of about 300 pesos, connection prices are grotesquely abusive; and, besides, they do not guarantee full navigation, as many web sites have been banned in Cuba.

Those who do have this and have the backing of foreign embassies to be able to access internet do not have this service available 24 hours a day; and hotel managers, where the few and highly heralded and controlled internet centres have been set up, are free to allow or refuse this service to Cubans.

During the 1970s and the 1980s, manuscripts or notes written on old typewriters were delivered by activists to foreign press agencies and embassies. Agencies did not always pass these forward. Not all of the embassies received them. It was impossible to resort to diplomats from the former socialists countries, whose practices were similar to those of the Cuban government. Not all of the Western countries acknowledged them. Some governing officials had very strong complicity relations with their equivalent on the Island.

Later there were press conferences, evidently without the presence of the national media. They created an internal structure and a logotype to grant certain legitimacy to their documents. Their houses were, and continue to be, the venues for meetings.

It is under these conditions that activists broadened their pursuits and interests, with the ever-growing harassment, pressure and police repression. Ever since the initial claims linked to government change and the ensuing change of political regime and economic system, denunciations may be said to have shifted from an individual to a collective nature.

It is essential to consider the existence of what we could call *cyberpolice*. That is to say, a political police sector that monitors and controls virtual communications. Unofficial, politically protected agents were arbitrarily granted powers to invade users' mailboxes and take over their communication, all the way from their contacts to content, and to block accounts or slow down communication for specific users. Content of e-mail messages exchanged by opposition members has been aired on national television in campaigns geared to discrediting them.

These are the conditions under which activists work in, when gaining access to internet or to telephony. They are aware that their communication is being traced and that they can be tapped, intercepted and interrupted, that their messages may not reach their destination or that they may not receive mail. They know that there are rules through which the government can legally declare them "enemies", sue them and sentence them to prison.

*Reviser's Note: One CUC – Cuban convertible peso – is equivalent to one US dollar. The CUC is one of two official currencies in Cuba and is officially exchangeable only within the country. The other currency is the Cuban peso.

Conectas: In your opinion, which is the role of scholars in Cuba at present? What is the relationship between them and human rights activists?

M-I.F.I.: The case of Cuban scholars in human rights deserves an analysis on its own. For now, suffice it to say that the organisms whose focus is on human rights should identify and distinguish between what we could call the *diploscholars* and the others. The former are authorised by the government and stimulated to set up international contacts. The latter carry on with their work, despite multiple difficulties, the first of which is institutions refusing to accept their presence or the result of their research, alongside with the harassment by the political police.

It is from the latter, those condemned to ostracism, that results that are more in accordance with reality come from. Evidently, there are exceptions, and we should not reject nor accept any analysis *a priori*, based solely on the researcher's position. Known scholars have been adapting the results of their research over a period of time. And there are intellectuals, opposers, who are outside the system and whose research on occasion seems remote from the scenario in which they carry out their exploration.

In any case, the key lies in constantly seeking that very difficult balance. Not get tied down to appearances nor to characters. Leave the doors open to knowledge and to the experience of activists and scholars, of those who live on the Island and abroad as well, be these Cuban or not, without forgetting that information should always be comparative.

Agencies worldwide that are responsible for monitoring the human rights situation should continue to fight for the Island's government to ratify international covenants it has subscribed to, enabling monitors to enter the country officially. Because sending their delegates with subterfuges (for example, pretending they are tourists), submits them to the possibility of being detected and expelled by the Cuban government.

Human rights bodies could perhaps set up an international protection mechanism for activists and scholars on the Island. Up to present, the sole and scarce protection that activists and scholars enjoy in Cuba is their international recognition and their contacts abroad.

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