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COMMEMORATIVE ISSUE
HUMAN RIGHTS IN MOTION



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INTRODUCTION



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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Human Rights in Motion

Multipolarity

LUCIA NADER

Solid Organisations in a Liquid World

KENNETH ROTH

Why We Welcome Human Rights Partnerships

CÉSAR RODRÍGUEZ-GARAVITO

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INTERVIEW WITH SALIL SHETTY

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

INTERVIEW WITH LOUISE ARBOR

“North-South solidarity is Key”



SALIL SHETTY

Human rights work can be seen as a journey. A journey from North to South, from local to international, from street protests to the elite, and the other way around. And, in this journey, Salil Shetty fears that “we [human rights organizations working at the macro level] missed the bus.” In a critical yet hopeful interview with Lucia Nader, Conectas’ Executive Director, Salil Shetty, who joined Amnesty International (“Amnesty”) as the organisation’s eighth

Secretary General in July 2010, reveals how human rights organizations can again catch the bus of change: by rooting themselves more in their societies and working closely with victims themselves.

In this interview, Shetty does not hide the magnitude of the challenge for such international organizations as Amnesty, which currently has more than three million members worldwide. “We need to be in as many of these places [in the Global South] as is practicable, engaging on a day-to-day basis with key partners, responding within the region and in real time to rights violations, and following our longer-term research, campaigning, and advocacy interests,” he sums up. According to Shetty, having a “closer pulse to the ground” can be more effective than what he calls the “old-style fly-in/fly-out mission from London.”

In the interview below, Shetty speaks with the valuable experience of a long-term activist. Currently, he is the head of the Amnesty International, the largest human rights organization in the planet. Prior to joining Amnesty, Salil Shetty was Director of the United Nations Millennium Campaign from 2003 to 2010. He played a pivotal role in building the global advocacy campaign for the achievement of the Millennium Development Goals. From 1998 to 2003, he was chief executive of ActionAid, and is credited with transforming the organization into one of the world’s foremost international development NGOs.

Drawing on this background, Shetty maps out the journey human rights organizations have currently been pursuing – and how to change it. In that regard, he shows a hopeful view of the future of activism. Shetty sees the increasing power of states as well as of corporations as “strengthen[ing] the case for stronger human rights work” rather than weakening it. Furthermore, he strongly believes in collaborative human rights work, where North-based international organizations such as Amnesty International engage in dialogue with local as well as other international organizations in the Global South. More importantly, he is emphatic in saying that no matter what Amnesty does or how big Amnesty is, its “core DNA” is to give space for victims to speak for themselves.

Yet, even within the process of rethinking activism, Shetty casts out the idea that the journey of traditional human rights work is over. “There’s no substitute for offline activism. Online activism cannot replace offline activism, citizenship and participation. It can help but it can’t substitute”, he concludes.

In a challenging interview, Shetty talks to Conectas’ Executive Director about Amnesty’s relationship with grassroots organisations, the need for human rights organisations to respond to changing trends in the struggle for human rights, and who Amnesty really represents – its millions of members.

Original in English.

Interview conducted in July 2014 by Lucia Nader (Conectas Human Rights).



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INTERVIEW

“HUMAN RIGHTS ORGANISATIONS SHOULD HAVE A CLOSER PULSE TO THE GROUND” OR HOW WE MISSED THE BUS

Interview with Salil Shetty

Conectas Human Rights: There is a very old criticism that human rights organisations do not represent victims and the more professional we become the more distant we grow from the victims. We also face criticism that we are not in touch with general citizens – we represent either the elite or we are closer to the state than to the streets. Can you comment on both these points?

Salil Shetty: Once you work at the international level and in more than 100 countries, each of these criticisms could mean very different things in different places. You would only rarely hear these criticisms in Europe, or in the North generally. If you are closer to where the violations are occurring, this might be a criticism you would hear. However, it depends on what segment of the population you are hearing criticism from. It is my approach, and I think Amnesty is quite careful about this, not to claim to represent victims or grassroots movements – we are careful not to position ourselves like this because that would not be true. If there’s anyone we can say we represent, it is our members. We are very careful not to say that we are representing or advocating on behalf of anyone, because how do you arrogate to yourself that status? Having said that, we would never say anything about the victims without directly voicing their views. This is a core research methodology - if you are talking about victims then they should speak for themselves. It is not for us to interpret what they are saying. Of course, there is a legal interpretation of what the impact on them is and how state responsibilities need to be brought to account. Without fail, we start by meeting the victims and listening to them and their families. This is core DNA for Amnesty.

One of the things that is important to understand is who are the actors on the ground, whether it is grassroots movements, victims, or victims’ organisations. If you don’t operate in a way that recognises their agency, respects it, and acknowledges the key role that actors on the ground are playing, that is very problematic. There have been criticisms of Amnesty historically of coming in and parachuting in and not recognising and acknowledging the contribution of local actors. It has happened sometimes, there is no question about that. However, we are very careful about that and I am personally very sensitive about that question.

Conectas: How do you deal with victims when they disagree with each other? Sometimes we have this challenge at Conectas – for example, Syria. Some of our partners would like a military intervention, some don't. How do you deal with this?

S.S.: I don't know if the victims disagree. I think the victims of human rights violations would agree that actually there is no difference between most of the actors. The actors change but the violations continue. In terms of whether it is a coup or not, we stay clear of such issues because that becomes a political labelling question. We look at who is perpetrating violations. It could be anybody and we hold them to account. In Syria, initially it was very clear it was a peaceful protest; it was really the ruling regime of Assad who was causing most of the violations. However, it was quite soon the case that all sides were involved in the violations. At times you need to make some tricky judgments, but by sticking to the facts you try and avoid the question of political interpretation.

Conectas: But how can you not be political in today's world?

S.S.: When I say we can't take a political position, it can't be a partisan position. If you take our position on Palestine or Syria for example – if everyone criticises Amnesty then that is a good sign. But if we get criticism from only one side then I would be worried that maybe we are taking a partisan view, which is different from a political view. Human rights and politics are so interlaced you can't really separate the two.

Conectas: You mentioned earlier grassroots movements. When we are talking about dealing with movements locally we are not always talking about grassroots organisations. In the Global South we have grassroots organisations but we also have groups that don't describe themselves as grassroots, but rather as international. How do you deal with these groups that have been working for a long time? How do you deal with them if they are not grassroots?

S.S.: It is important not to get caught up in the terminology of it. If we are doing something in Brazil, whether it is with a national organisation that is capital based, which is not membership based and not claiming to represent grassroots or whether it is with something like the landless workers' movement (*Movimento dos Trabalhadores Sem Terra – MST*), we simply map out who the actors are, and we are respectful of the roles that they play and the contributions they make. The only way to work is to talk to people and be open and honest. You also have to be careful who is representing Amnesty locally and whether they are sensitive to the local realities.

Conectas: In Brazil, for the moment, you have been doing this very well – talking to people, not trying to overshadow the groups that are here. At the same time, there is still a very big difference between the groups' financial and technical capacity. You have been doing research for many years, you have a big budget, and you have been hiring people that used to work for national groups. How do you deal with this?

S.S.: If you look at it crudely, there is a set of people who are not interested in human rights and are against human rights and there is a set of people like us – Amnesty or Conectas – who are fighting for human rights. We need to be clear who is on which side of the argument. The forces against human rights are much more powerful, so we need to work in a way that both respects and strengthens each other's organisations in a practical way. The example you gave of salary differentials and the fact that staff moves from local to international organisations are problematic. We need to be very conscious of that. It doesn't mean that Amnesty can suddenly lower its salaries to operate like a local NGO, because that's not who we are. But if we are recruiting someone from a local organisation, we always ask the person whom we are thinking of hiring whether they are definitely planning to leave the local organisation, particularly if they are key to that organisation. We cannot ignore that factor.

Conectas: Apart from the relationship between large international organizations such as Amnesty and local NGOs, there is also a current trend by international organizations of consolidating their own presence in the Global South. What motivated Amnesty International to rethink its presence in the South?

S.S.: Amnesty International and other international groups have been conscious for years that we need to work both on and from the Global South and North alike. Amnesty has had national sections in the Global South for decades, but until recently most of our professional research, campaigning, and communications staff have worked from our offices in London or our other offices in the Global North. Over the last few years, we have begun to realign our resources to identify and locate more of this expertise in the Global South. These efforts aren't just optics; they're fundamental responses to the way the world now works.

The BRICS (Brazil, Russia, India, China, South Africa) and MINT (Mexico, Indonesia, Nigeria, Turkey) countries are increasingly significant regional and international players, and partner organisations are taking on a more important role in setting the international agenda. We need to be in as many of these places as is practicable, engaging on a day-to-day basis with key partners, responding within the region and in real time to rights violations, and following our longer-term research, campaigning, and advocacy interests in a more sustained way than if our main mode of working is the old-style fly-in/fly-out mission from London.

Are these changes simple? No, clearly not. Are they necessary, for a global human rights organization in the twenty-first century? Yes, absolutely. We need to stand alongside those whose rights are violated, and the social movements and organizations working with them. Everything that we do should strengthen those who are already confronting violations locally – and if we fail in that aim, then we have failed more broadly.

Conectas: There is a large debate about whether or not we need big, medium, or small organisations. This can challenge the way in which these organizations relate to each other today and questions whether we need a leader in this movement. How do you see the role of Amnesty in leading the movement? Is this still valid or are we moving towards a human rights movement without a "conductor", without a leader?

S.S.: What is truly distinctive about Amnesty is that a significant proportion of urban people in almost every region of the world can recognise Amnesty International's name. This high level of public recognition has been built up on the credibility of solid work over the last 50 years and it is not easy for younger and smaller local organisations to acquire this quickly. There are of course some notable exceptions at the national level in some countries but this is a unique feature which I think should be put to broader use for the human rights movement as a whole. For example, there is a whole debate over whether Amnesty should do public fundraising for human rights in countries like India or Brazil. My answer is that we should, because Amnesty can reach out to the general public more than many local organisations can. If we are successful in raising significant resources and building public awareness for human rights, I think that should benefit the broader population.

Conectas: How? By sharing the funds?

S.S.: Yes, by sharing the funds. We are nowhere near to that but if that works, why not? Why is it that the money can't be distributed to other organisations working on the same issues, to partnerships, or whatever other practical mechanisms we can think of? I think Amnesty's value is to widen the public support for human rights. That will be a big contribution and I think Amnesty is well placed for doing that.

Conectas: During the protests in Brazil last year, we had people claiming rights to, for example, health and transport. Some of these were issues we don't usually deal with and that don't necessarily have the concept of minority in mind. Is this something we have to worry about i.e. dealing with broader audiences that are claiming for rights that are not necessarily victims?

S.S.: I think there is a real issue here. The Brazilian case is slightly different because the protests were focused on economic rights and then they quickly became about the right to peaceful protest. But in the Middle East, Northern Africa, or Ukraine, it is literally a fight for life and death. I think it is true that human rights organisations, not just Amnesty, have been a step removed from this. If you take what happened in Egypt, which was really two or three revolutions, what was the role of the human rights community there? I have been told time and time again that the work that the human rights organisations did there was important, it created a base, together with the trade unions, it gave accountability and gave a foundation for people to stand up. But it's also true that we have been a little cut off from the popular uprisings, in some ways.

Conectas: Why do you think this happened?

S.S.: I don't know - there is all kind of speculation as to whether anybody could have predicted it. Why are we only picking on human rights organisations? Even astute political commentators and analysts did not predict this and in some ways we have complementary roles to other actors. But human rights organizations should have a closer pulse to the ground. We and many others, I think, missed the bus...

Conectas: Arguably the role of organisations like ours is really to try to give voices to those that don't have it, or do you think that is an old-fashioned way of seeing things?

S.S.: To take the example of the Tunisian man who committed self-immolation, Mohamed Bouazizi, these are people who don't have a voice. As you say, it's not a minority group whose rights have been abused. The numbers are massive. We need to recalibrate why that is not seen as a human rights issue.

Conectas: How are you doing this concretely at Amnesty?

S.S.: We are now looking at our goals for the next 5 years but we don't have easy answers. We are reflecting on this question. How do you engage with the street outrage? We need to find a better way of doing this but we don't have the answer yet.

As I mentioned earlier, Amnesty represents its members. We have a structured process of democratic decision-making that happens at both the national and global level, which can slow us down. We are trying to simplify it slightly; but those members who are interested in defining Amnesty's agenda have enough opportunity to do so.

Out of the more than three million paying members, maybe 10 or 20 per cent want to be more actively involved, depending on the country. A lot say, "we trust you, you should do what is right for human rights." But there are those that want to come to Annual General Meetings (AGMs), who say they want to participate in decision-making, they want to be on the board. So we have physical meetings where people show up and vote on issues - it is a very democratically run organisation internally.

Keeping all our members and supporters updated about our agenda is not easy but we have quite effective mechanisms in place. There are of course some situations where an individual or a small group push for their own agendas not in line with the movement as a whole. We put in a lot of checks and balances to make sure the integrity of the democratic process remains intact.

Conectas: Citizens all over the world are now able to express themselves without structured institutions or organisations – due in part to social media and the concept of "netizens". How do you think this affects the role of organisations like Amnesty?

S.S.: Quite fundamentally. We have a great offline activist base in many countries particularly in Europe and North America, but our social media and web presence is weak. The growth of netizens in my view is partly generational but on the whole a good thing. We need more not less voices fighting for human rights. It comes with some challenges but we should not be purist. Online organisations like Avaaz have activated so many people, particularly in the South, and that is very welcome. Mobile phones in particular have had a transformational impact in organising people. Having said this, it's not the case that this phenomenon is suddenly going to create massive policy shifts in governments and institutions in favour of human rights. There is no substitute for mobilising people offline. Online mobilisation cannot replace offline action, citizenship, and participation. It can help, but it cannot be a substitute.

Conectas: How do we segment the human rights cause? If we try to convince people about the whole human rights discourse we sometimes lose people because it is difficult to find someone who supports all the issues. Today, to engage the individual you need to fragment the cause and sometimes your core values can be challenged. How do you deal with this at Amnesty?

S.S.: That is a classic problem we have to deal with the whole time. When we are looking for general public support for Amnesty's work, we embark on a journey – a journey of understanding the issues. You bring people in by understanding their topic of interest – for example, someone is very anti death penalty – they may not have the same views about some other issues but over time they understand that the underlying questions are very similar. I'm not saying that everybody then subscribes to all of Amnesty's views but it is an educational process. It's a journey. I wouldn't call it fragmenting the support. You start with where people are, what is their understanding, and you build up from there.

Conectas: With a worldwide crisis of representation of the state, human rights organisations seem to have lost their "centre of gravity." We used to represent something (the human rights agenda paved on universal principles) or someone (victims), either holding the state accountable or demanding action from the state against rights violations. Is this still the effective way of doing things? How does the crisis of representation affect the work of human rights organisations such as Amnesty and the work of the International Human Rights System, particularly the UN?

S.S.: There is certainly disillusionment. People want real-time accountability and people want results more quickly. They want more participatory deliberative democracy. That's a challenge to democracy more than to human rights organisations. What does it mean for us? I think it is a great opportunity because it is a little bit the street anger we talked about. It represents a real opportunity to increase the accountability of the state. I am not of the view that states have become weaker. There is the discussion that corporations have become much more powerful. I think both have become more powerful, and unfortunately the media has also become so corporatized. We therefore have a whole series of external trends that we have to come to terms with. I think that all of this strengthens the case for stronger human rights work. The more states lose their legitimacy, the more our call for their accountability is strengthened. Are we making full use of this opportunity? I'm not sure, that's a different question. It's the same with the UN system – it has its problems but that's what we have. We should keep seeking alternatives and I don't think we are doing enough in that respect.

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