

International Seminar

Speak truth to power

Dear Participants,

On behalf of the Netherlands Ministry of Foreign Affairs, I wish you a very warm welcome to The Hague. We are very honoured to receive you at this seminar 'Speak Truth to Power'.

Nelson Mandela once said: "The purpose of freedom is to create it for others". Thus, we all want and are entitled to freedom. But freedom still comes with a price. In many parts of the world, human rights defenders are oppressed and their activities restricted. In addition, more and more countries are restricting the activities of NGO's.

As UN Special Rapporteur for Human rights defenders, Mrs Margaretha Sekaggya, has observed, championing human rights is a dangerous business in many countries. There are many ways in which the rights of human rights defenders are restricted at different levels. Anti-terrorism and national security legislation often imposes restrictions and is sometimes used to prosecute human rights defenders.

| 3 |

If we want to pursue our freedom, we have to support and protect human rights defenders. So that is our goal of this seminar: to contribute to the support and protection of human rights defenders. We wish to explore protection mechanisms for human rights defenders and to discuss their needs with them. Also, we want to engage our colleagues from the EU and discuss ways to further support human rights defenders.

We are grateful that human rights defenders from various parts of the world and our colleagues from the EU were willing to travel to The Hague to share their analysis, knowledge and experiences. I am sure all your views will give us the necessary inspiration for ways forward to better support human rights defenders.



I invite you all to speak your minds truthfully and participate actively to make this seminar really powerful.

Lionel Veer
Human Rights Ambassador

Introduction

Human rights defenders (HRDs) play an essential role in defending fundamental freedoms all over the world. They are a major driving force behind democratization. The courage these people display deserves both moral and practical support. Far from being recognized for what they are – vital protagonists for change, the guarantors of a free society – human rights defenders are, on the contrary, subjected daily to repression by regimes that are all the harsher for having understood the force and the legitimacy of their claims.

The right to defend human rights exists and is protected internationally by treaties and conventions as well as several regional mechanisms for protection. The EU Guidelines on Human Rights Defenders, for example, were adopted in 2004 and reviewed in 2008. These Guidelines assist EU missions in their approach to HRDs. EU missions have been tasked to develop local strategies, in close cooperation with HRDs, which define the EU's line of action.

151

These treaties and conventions provide a strong framework through which the protection of HRDs can be ensured. Their implementation needs attention, as in practice, HRDs often face many challenges, while carrying out their work.

Objectives

This international seminar is organized with HRDs and focuses on their challenges: how can they can make their voices heard more effectively in international forums and in their own countries.

- To identify and further develop mechanisms to provide an enabling environment at international, regional and local level for the protection and empowerment of HRDs.
- To identify expertise and skills needed to further strengthen vulnerable local HRDs, living and operating outside the country capitals and in remote areas, and further develop relevant tools and modules.

Programme overview

Tuesday 21st January 2014

Location: NH (hotel) The Hague, Prinses Margrietplantsoen 100,
2595 BR, The Hague

08:30-09:15 **Registration**

09:15-09:30 **Official welcome**

by Lionel Veer, Human Rights Ambassador

09:30-10:15 **Plenary Session**

• **Introduction on purpose and set up of the seminar**

By Victor Scheffers, director of Justice and Peace Netherlands, and by Lia van Broekhoven, director Human Security Collective.

• **Shelter City The Hague**

Presentation of the evaluation of the pilot project by Yvonne Donders, Professor International Human Rights and Cultural Diversity and Executive Director of the Amsterdam Center for International Law at the Faculty of Law of the University of Amsterdam.

10:15-10:30 **Coffee break**

10:30-12:30 **Parallel Sessions**

1. Protection Mechanisms

2. Legislative and financial measures that reduce the civil and political freedoms of Human Rights Defenders and civil society organizations

3. Digital awareness: the bright and dark side of digital tools and technologies

12:30-13:45 **Lunch**

13:45-15:00 **Continuation of Parallel Sessions**

15:00-15:30 **Coffee break**

15:30-17:00 **Plenary Session**

Presentations of Parallel Sessions and discussions

18:00 **Bus leaves for the Hague tour**

19:00 **Museum visit/dinner** (*Gemeentemuseum*)

Hosted by Koen Davidse, MFA Director Multilateral Affairs and Human Rights

Wednesday 22nd January 2014

**Location: Ministry of Foreign Affairs, Bezuidenhoutseweg 67,
2594 AC The Hague**

09:00-10:30 Breakout sessions (*Rooms 1D29 and 3E50*)

- Experts HRD meeting
- EU colleagues meeting

10:30-11.00 Coffee break

11:00-12:00 Plenary Session

How can human rights defenders make their voices heard more effectively in international forums and in their own countries? Good practices and recommendations regarding our objectives:

- To identify and further develop mechanisms to provide an enabling environment at international, regional and local level for the protection and empowerment of HRDs.
- To identify expertise and skills needed to further strengthen vulnerable local HRDs, living and operating outside the country capitals and in remote areas, and further develop relevant tools and modules

| 8 |

12:00-13:00 Film: “Theo van Boven - Inspiration behind the Confrontation” and Q&A (*Max van der Stoel room*)

Documentary about Theo van Boven, eminent human rights professor and first UN human rights director

13:00-14:15 Lunch (*Van Kleffens lounge*)

14:15-15:45 Public Event (*Max van der Stoel room*)

Panel discussions

- Shelter City
- EU Guidelines

15:45-16.15 Coffee break

16:15-17:00 Continuation Panel discussions

- Digital Security

17:00-17.30 Closing Speech (*Max van der Stoel room*)

By the Dutch Minister of Foreign Affairs, Mr. Timmermans

17.30-19:00 Reception (*Van Kleffens lounge*)

Themes

1. Protection Mechanisms

Since the first United Nations Declaration for the Protection of Human Rights Defenders was adopted in 1998, several mechanisms for protection have been developed within the existing regional organizations.¹ As the latest addition to the protection mechanisms, the UN has adopted a groundbreaking resolution on the issue of reprisals with the aim to end the disconcerting pattern of harassment, attack and reprisals against HRDs. The resolution explicitly calls upon the Secretary-General to appoint an official to coordinate the international response on the issue of reprisals, to strengthen protections for HRDs and to intervene in cases of alleged attacks. Furthermore, the resolution calls on States to pass and enact laws to protect HRDs.

However, one can raise questions about the way in which the UN and regional protection mechanisms are operationalized and are practically implemented. Do they offer adequate protection to HRDs? Should a regional mechanism for the protection of HRDs be developed and implemented? What are the consequences of a lack of a regional protection mechanism for HRDs? On a more practical level, what can non-governmental organizations (NGOs) do to assist HRDs at risk? Providing regional shelter in case of imminent threats, raise individual cases at the international level and provide training and network opportunities to HRDs?

[11]

In addition to the UN protection mechanisms, there are the EU guidelines; can EU missions strengthen this existing mechanism and the EU focal points on HRD's? Does the Dutch protection model for temporary shelter "The Hague Shelter City" offer sufficient protection for HRD's and could this model be used by other EU countries? How can EU member states instruct their embassies abroad on these guidelines? Could the EU guidelines be contextualized with regard to local initiatives (e.g. the East and Horn of Africa Human Rights Defenders Project)?

¹ the African Commission Special Rapporteur on the situation of human rights defenders in Africa, the Functional Unit on Human Rights Defenders of the Inter-American Commission on Human Rights, the Office of the Commissioner on Human Rights of the Council of Europe, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, the European Union Guidelines for the protection of human rights defenders. Since 2000, there is also the United Nations Special Rapporteur on Human Rights Defenders.

Implementation of these EU guidelines is important as they raise awareness, generate the resources and capabilities required to engage with these local mechanisms and help to reach out to HRDs outside of the capital cities.

Coalition building on national, regional and international level is important for HRDs and NGOs. These coalitions allow for an exchange of solutions to problems that HRDs and NGOs face all over the world. However, these coalitions might be problematic in a repressive environment. What are the possibilities for informal networks and how could these be supported by the EU?

2. Legislative and financial measures that reduce the civil and political freedoms of Human Rights Defenders and civil society organizations

| 12 | Over the past decade surveillance of the financial system and demands for an increased regulation and financial transparency of NGOs have become part and parcel of the suite of counter-terrorism measures with the stated aim of reducing their vulnerability to abuse by terrorist organizations. As a result, human rights grant-making and grant-receiving seem to have been restricted in many parts of the world.

These financial and legal restrictions -on the national and international level- are felt by HRDs and NGOs in varying degrees. An understanding of the systemic causes of these restrictions could help, as it opens up the possibility for smart advocacy on the rights to freedom of speech, assembly, association, and internet.

This parallel session will provide an opportunity to discuss with EU officials the challenges HRDs face and the various initiatives that are undertaken to address these.

3. Digital awareness: the bright and dark side of digital tools and technologies

The internet is a vital tool for the work of Human Rights Defenders (HRD's). Digital tools and technologies are making it easier for HRD's to research, verify, store, share and publish information. Citizen journalism is rapidly growing and social media are being used to inform the public about human rights, their violations and the activities of HRDs who have to address these problems. As such, the internet can be a tool that connects HRDS with the world and provides them with indirect security.

At the same time, digital tools and technologies can be used by governments and corporations to monitor civilians and censor and manipulate digital information. Governments also enact legislation that seriously restrict fundamental rights online, like blasphemy and anti-terrorism laws. The online rights of civilians sometimes is further restricted by social media, that lay down rules on their websites and platforms and often facilitate governments by e.g. blocking information or providing surveillance tools.

| 13 |

This reality puts citizens, but especially HRDs, in a difficult and potentially dangerous situation. The internet they use to broadcast their message is the same internet that governments can have access to if they want to monitor and persecute them. It is for this reason that digital security must be an essential part of their work. Many HRDs see themselves as 'digital migrants' and see digital security as an extra burden on their work; something that will keep them from doing what they do best: defending human rights. Awareness is needed, but it is hard to pinpoint. The technology and tools are overwhelming and it is difficult to decide what is best. It is clear that a different approach is needed in each situation.

In this parallel session both approaches will be discussed, as both public recognition and the storing and sharing of sensitive information can be useful for HRDs in their work. Another key point will be how we can raise awareness on these topics, in the global North as well as the South.

