

Foreign Policy and Human Rights: Strategies for Civil Society Action

A view through
the experience
of Conectas in Brazil

Foreign Policy and Human Rights: Strategies for Civil Society Action

A view through the experience of Conectas in Brazil

Produced by Conectas Human Rights

São Paulo, Brazil

1st edition: Jun. 2013

2nd edition: Apr. 2014

Créditos

Written by Camila Asano, Laura Waisbich, Marta Ferreira and Muriel Asseraf

Edited by Camila Asano and Laura Waisbich

Layout by JWT São Paulo and final edition by Laura Daudén

Contact

conectas@conectas.org

www.conectas.org



www.facebook.com/conectas



[@_conectas](https://twitter.com/_conectas)

The **publication** of this case study was made possible thanks to the generous support of the Ford Foundation, the International Development and Research Center, the Oak Foundation, Open Society Foundations and The Sigrid Rausing Trust.



About Us

Conectas Human Rights is an international non-governmental organization founded in São Paulo, Brazil, in 2001, which defends and promotes human rights and the Rule of Law in countries of the Global South (Africa, Asia and Latin America).

By means of its Foreign Policy, Justice and South-South Cooperation programs, Conectas works at local, regional and international levels. Inter alia, the organization's activities involve advocacy, strategic litigation, use of the UN and regional human rights mechanisms, production and dissemination of knowledge, capacity building of human rights defenders, and engagement in collaborative actions and partnerships with other organizations.

Conectas believes that the realization of rights should undergo the process of building a truly diverse and global movement of organizations and people engaged with this cause. Therefore, the organization also develops institutional and communication strategies with the purpose of engaging society and the public in general for the defense and promotion of human rights.

Conectas Series

Since its foundation, Conectas has invested in knowledge as a tool and essential ally to fulfill its mission.

The Conectas Series initiative was launched in 2013, comprising a number of publications that aim at disseminating and making accessible the experience and knowledge produced within the organization to human rights defenders, academics, civil society organizations and other parties interested in the fight for rights.

With the motto "knowledge for action", the Conectas Series aims at contributing to the joint construction of a critical debate on human rights, as well as engaging society in the defense of rights.

Happy reading!



Index

List of Abbreviations & Acronyms	7
Introduction	8
About this Case Study	12
1. Information and Research	13
2. Networking and Partnerships	17
3. Checks and Balances	21
4. Media and Public Scrutiny	25
5. Monitoring International Fora and mechanisms	29

List of Abbreviations & Acronyms

ASEAN - Association of Southeast Asian Nations
BRICS - Grouping of Brazil, Russia, India, China and South Africa
CSOs - Civil Society Organizations
ECOSOC - United Nations Economic and Social Council
FOI - Freedom of Information Law
IBSA - Grouping of India, Brazil and South Africa
IACHR - Inter-American Commission on Human Rights
IFIs - International Financial Institutions
Itamaraty - Brazilian Ministry of Foreign Affairs
Mercosur - South American Common Market
MFA - Ministry of Foreign Affairs
NAM - Non-Aligned Movement
OAS - Organization of American States
OIC - Organization of the Islamic Conference
UN - United Nations
UNGA - United Nations General Assembly
UNHRC - United Nations Human Rights Council
UNSC - United Nations Security Council
UPR - United Nations Universal Periodic Review



Introduction

This publication describes and analyzes Conectas Human Rights' work with foreign policy in Brazil. This case study is an effort to share the experience of Conectas and encourage Civil Society Organizations (CSOs) from the Global South to engage more extensively in their own country's foreign policy on human rights. It describes contexts, challenges, strategies and tips based on Conectas' experiences and lessons learnt working with foreign policy and human rights in Brazil. The present analysis also draws from an ongoing dialogue with national and international partners who are also engaged in similar endeavors.

First, it is worth noting that Conectas work with Brazilian foreign policy is the result of an intense and ongoing reflection about the contours of a shifting world order, the impact of these changes on the international human rights movement, and the role played by Brazil - and by other countries considered "emerging democracies" - in this context.

In a constantly changing geopolitical order, Global South countries have gained prominence in global issues, including human rights, and are increasingly contributing to create and shape norms and practices. It appears, however, that the greater political and economic power of some of these countries, especially the emerging democracies, is rarely accompanied by strong activism in the promotion and protection of human rights. Their determination in reforming global governance and enhancing contemporary multilateralism is less clear when it comes to perfect the international human rights system.

Additionally, there is the traditional resistance of Southern countries to engage with the human rights agenda through their foreign policy, as they themselves were targets of international scrutiny on the matter (either transnational campaigns from civil society groups, or bilateral pressure from other countries).

Just as Global South countries are becoming more assertive in their geopolitical thinking and acting, the same is happening with civil society in the South. In this context, civil society participation in the formulation of foreign policies is critical to ensure that the promotion and protection of human rights is a priority, as well as to demand accountability for a government's decisions and positions taken on the international stage. CSOs can do this by improving the adherence of their country's decisions and voting patterns to the human rights commitments in international human rights fora and increasing the impact of their country's bilateral, regional and multilateral international human rights engagements. By doing so, they they contribute to the creation of an atmosphere of accountability in the field of foreign policy. In addition,

by working alongside national institutions and together with other civil society groups, CSOs contribute to strengthening democracy at the national level.

Conectas' Foreign Policy and Human Rights Program

Conectas' Foreign Policy and Human Rights Program was created in 2005 from a desire to better understand and monitor Brazil's international role and its impact on human rights within and beyond the country's borders.

This Program draws on the organization's previous experience in bringing human rights defenders from all around the globe together for the annual International Human Rights Colloquium (hosted by Conectas since 2000), to work at the international level in order to promote changes domestically. Thanks to the insights provided by those human rights defenders, it became clear that being successful in enhancing international human rights protection also required a deep understanding about each country's individual – including Brazil's - behavior at the international level. There was thus a need for Conectas to engage more seriously with Brazilian foreign policy issues.

Both the national and international contexts described below help explain the origins of this particular initiative, the challenges it responded to at the time, and the ones it addresses today.

National Context: consolidating democracy

In 2005, foreign policy in Brazil was a relatively unexplored field by civil society. Except for some specific thematic areas, there was little national interest in this subject and an absence of transparency mechanisms and channels for citizen participation.

Foreign policy was - and still is – a prerogative of the Executive power, particularly the Ministry of Foreign Affairs (also known as Itamaraty¹), that is still subject to very few mechanisms of control or checks and balances, both from within and without the government. Information on the decision-making processes that led to foreign policy decisions or to certain voting patterns in regional and international institutions was not available anywhere. The nomination processes of foreign policy officials and diplomats were also completely remote from any sort of civil society participation or public scrutiny. At that time, Itamaraty itself was largely closed off to any

¹. The name Itamaraty refers to the first location of the Ministry, back in the 19th century, in the city of Rio de Janeiro, in the house that used to belong to the Lord of Itamaraty

sort of dialogue or questioning from civil society. In other words, there was very little information available on foreign policy decisions, including those related to human rights, like Brazil's voting patterns at the United Nations Human Rights Council (UNHRC) or other international arenas.

There were also very few spaces for public debate over foreign policy, and only limited media interest in covering those stories. In general, press articles were often mere translations of stories published by international news agencies, and few presented the voices of analysts, academics, or opinion-makers that might raise criticism or concern over issues related to Brazilian foreign policy.

As shall be outlined in this case study, Conectas' "Foreign Policy and Human Rights Program" was created on the premise that, in a democracy, civil society should participate at all levels of government activity and demand more transparency in public policy formulation and implementation. Moreover, since foreign policy is public policy, it must be participative and the government must be accountable to its citizens.

Additionally, respect for human rights is enshrined in the Brazilian Constitution and, as such, should be a reference for any political decision, including at the foreign policy level. Upholding it is not only a question of principle, but of respecting the constitutional engagement made by Brazil in 1988. This can be justified by looking at Article 4 of the Brazilian Constitution, which states the principles guiding Brazilian international relations and provides for the "prevalence of human rights".²

International Context: challenges of a multipolar world

For the last 10 years, key emerging powers, including Brazil, were gaining international recognition for their economic growth, assuming more responsibility on the global stage, and playing an increasingly more active role on the international scene to set the agenda. Their decisions began to impact communities well beyond their own borders. The alliances, partnerships, and forums they established have gained relevance and the potential to impact the global scene. However, their respect for human rights at home and their commitment to respect for human rights globally through their foreign policies often left – and still leave – much to be desired.

Building an international world order that is fair and egalitarian also relies on the ability of countries in the South to promote and protect democratic values and the rule of law. For

² According to the Brazilian Federal Constitution, Article 4, "The international relations of the Federative Republic of Brazil are governed by the following principles: I – national independence; II – prevalence of human rights; III – self-determination of the peoples; IV – non-intervention; V – equality among the states; VI – defense of peace; VII – peaceful settlement of conflicts; VIII – repudiation of terrorism and racism; IX – cooperation among peoples for the progress of mankind; X – granting of political asylum.

instance, the decisions and voting patterns of these countries in international fora (devoted to human rights or to other multilateral issues) depends, therefore, on the active and responsible engagement of States, which places greater responsibility on their leaders and their foreign policies. As emerging countries reach a new level of responsibility and visibility on the world stage, Conectas believes that they should no longer be able to ignore or bypass human rights in their foreign policy decisions.

Perspectives for the future

In order to create the space for civil society engagement in foreign policy making processes and develop mechanisms of transparency and accountability on the part of the Brazilian government, a number of strategies were adopted, and perfected, along the way, these were: information gathering and research actions, advocacy actions, collaborative actions, the use of democratic mechanisms, the use of communication tools and dialogue with the media, and monitoring international fora.

After an initial phase more focused on the regional and international system, on strengthening the system, and fostering access by Global South civil society to these mechanisms, the Program is now broadening its scope of action. Certain themes have appeared as increasingly central to any discussion on the responsibility and accountability of Global South countries in human rights related to foreign policy.

For example: bilateral relations among Southern countries, the reform of the global governance system, including the UN Security Council (UNSC), and the way, within the realm of these institutions, the international community has been dealing with the issue of the use of force and coercive measures. In addition, in 2012, the Program made a strategic decision to work with partner organizations from other emerging democratic powers, starting with India and South Africa, in order to create a network of organizations across the Global South that can efficiently monitor and influence the foreign policy of emerging countries with regards to human rights.

About this Case Study

This case study, based on Conectas' advocacy work in Brazil, presents strategies that can help CSOs monitor and influence their country's foreign policy impact on human rights. Thus, CSOs in other countries embarking on similar efforts should evaluate the feasibility, risks, and potential success of each action, based on local circumstances and realities.

In the pages to come, Conectas will present the following 5 main lines of action of its Foreign Policy and Human Rights Program:

- 1. Information and Research** - for a qualified action, it is crucial to have access to good quality information and, when needed, to conduct your own research.
- 2. Networking and Partnerships** – for the purpose of advocacy, collective action can leverage one's work. Partnering and networking is a way that engages diverse stakeholders in civil society, to pool together different capacities, and to share responsibilities.
- 3. Checks and Balances** – for influencing public policies in democratic settings, it is important to make use of all internal accountability and democratic control mechanisms.
- 4. Media and Public Scrutiny** – for leveraging advocacy work, the media can be used to give visibility to the work of CSOs and to increase the costs of government misconduct by increasing public scrutiny.
- 5. International Fora and Mechanisms** – for interacting with government foreign policy, it is important to monitor countries' behavior in multilateral bodies.

These lines of action are presented in separate sections, which present (i) their importance; (ii) Conectas' experience; (iii) the main challenges; and (iv) strategies and tips for action.

For the preparation of this case study, Conectas drew on the experience of two other similar publications, which helped frame and structure this manual: Conectas, together with a number of partner organizations, prepared the Road Map for Civil Society Engagement with the UPR, and the Road Map for Engagement with the African Commission for Human and Peoples' Rights.

1. Information and Research

A. Why is it important?

Access to specific and accurate information is vital for any CSO to perform its activities at national and international levels. What is your country's position regarding human rights violations happening across the globe? What are the political and economic relations between your country and a country with a really poor human rights record? What is your country's voting record in some of the most relevant international human rights bodies like the UNHRC? These are essential questions a CSO must have answered to start working with foreign policy and human rights, but which, in most cases, are difficult to answer. Systematizing information about your country's foreign policy helps understanding the dynamics of policy making, and it also enables CSOs to visualize patterns and inconsistencies in their country's international engagements. Information gathering serves, first and foremost, to inform advocacy work. It is knowledge for action, since gathering sound, verifiable information is the very first step without which no advocacy will be possible.

B. Conectas' Experience

The Yearbook "Human Rights: Brazil at the UN"

Since 2006, Conectas has published the yearbook "Human Rights: Brazil at the UN". The purpose of this publication is to systematize and compile all the information available on Brazilian engagement on human rights at the UN and disseminate it, in Portuguese, to other organizations in Brazil in order to help other CSOs interested in participating and monitoring Brazil.

Conectas also aims to assist the Brazilian government comply with its human rights protection responsibilities.

Finally, the yearbook has clearly shown the MFA and other bodies involved in shaping Brazilian foreign policy that civil society is vigilant and active in requesting that the country adopt an attitude that is compatible with Brazil's constitutional human rights principles and with the non-negotiable commitment to human rights protection.

Freedom of Information Law

In May 2012, the "Freedom of Information Law" entered into force in Brazil. This law is a powerful new tool at the disposal of human rights organizations. It should contribute progressively to a culture of

transparency in matters of foreign policy and human rights for which Conectas has been advocating for years. Conectas is currently testing the application of the law and arguing its interpretation, demanding that public bodies comply with the law's premise that transparency is the rule, and secrecy the exception. Based on Conectas' experience, more often than not in matters of foreign policy, information is considered classified or secret. Secrecy levels can be challenged, however, only if CSOs start making appropriate and continuous use of the law, strengthening its public utility. Since 2012, Conectas has already sent requests to the government to access information regarding the formulation of Brazil's position vis-à-vis the Organization of American States (OAS), the public dissemination of UN-produced reports regarding Brazil, figures of Haitian migration to Brazil, and finally narrative and financial reports from the IBSA Poverty Alleviation Fund. To this day, Conectas has filed administrative appeals twice to challenge MFA's refusals, reaching in both cases the final stage of the appeal process. Despite the considerable amount of time and energy required by those appeals, Conectas believes that by challenging dubious decisions to withhold public information, is contributing to strengthen national standards on publicity and transparency in foreign policy issues.

Field mission to monitor the reception of Haitian migrants

In August 2013, Conectas organized a mission to *Brasiléia*, a town on the Brazilian side of the border with Bolivia in the northern state of Acre, and the main entry-point for immigrants, particularly Haitians, to Brazil. In *Brasiléia*, the organization conducted interviews and collected information on the violations suffered by the immigrants along their journey, which included the payment of intermediaries (also called "coyotes") and security officers. The mission to *Brasiléia* permitted the organization to examine the conditions in the shelter and discuss with local employees the main challenges they encountered in the upkeep of the shelter. In the months leading up to the mission, Conectas had already conducted interviews with Haitians who had made it to São Paulo. More than 20 hours of testimonies were recorded.

The on-site visit to the shelter gave rise to a series of articles by Conectas on the hidden crisis of Haitian immigrants in Brazil. It is a crisis directly related to foreign policy, given the multidimensional engagement of Brazil in Haiti (through the command of the UN peacekeeping mission in the country – MINUSTAH – and the Brazilian technical cooperation initiatives currently in progress there). Besides the material produced and made publicly available, the mission permitted advocacy activities on a national and international level, which included meetings with different agencies of the Brazilian government in Brasília and a hearing at the IACHR.

C. What are the main the challenges?

At the institutional level

Research and information activities require specialized human resources and can be time-consuming. Knowing how to balance knowledge production efforts with the timing for action is also a challenge.

At the national level

CSOs from Global South countries face difficulties with the lack of official national information and, when such information exists, access can be hampered by the lack of transparency and accountability on the part of national governments.

At the international level

CSOs from the Global South find it difficult to deal with the large flow of information produced on a regular basis by international human rights systems such as the United Nations, particularly because of language barriers and the lack of organization and systematization of the information presented.

D. Strategies and Tips

Understanding your country's foreign policy

Make a considerable effort to get familiar with the institutional context and current affairs, both national and international, through the media and through academic, governmental or professional studies.

How? - Follow the news

Develop and organize daily “news clipping” on foreign policy/human rights news for your staff in order to inform/update them on the relevant current news on the subject in the leading local/international newspapers/magazines. The “google alerts” tool could be helpful in this regard.

How? - Track public speeches

Use publicly available information to track any official declarations, speeches, commentary, interviews, quotes, etc., made by government officials regarding human rights/foreign policy subjects. Also check the documents available on your government's websites, particularly that of the Ministry of Foreign Affairs (MFA). Take into account that government officials may talk about human rights/foreign policy subjects in unrelated meetings/fora.

How? - Partner with academics

Seek partnerships with universities and think-tanks; they can be an important source for critical information about your country's political context and foreign policy. Obtaining information from official diplomats in academic conferences or meetings held by think-tanks has proved to be more effective than in meetings held by CSOs. When meeting with a CSO, official diplomats tend to keep a very neutral speech, never expressing opinions or relevant information about the Ministry's activities and motivations when asked. When meeting with scholars and think-tanks, on the other hand, official diplomats are often much more at ease and open to responding to questions.

Pushing for policy transparency

Put pressure on the government to publish information about policy engagements, state trips, meetings, etc. and to make it widely available in an active and not just reactive manner.

How? – Foster intra-governmental best-practices diffusion

If there are transparency best-practices (White Papers, budget disclosure, etc.) in other ministries or governmental bodies, you should request your government to extend them also to foreign policy-related matters.

How? – Make use of the Access to Information Law

If your country has an Access to Information Law, you can use it as a legal tool to request the government to actively release information without any formal request being filed. If needed, file requests with your MFA. Be as specific as possible about which piece of information you are looking for (e.g. if you want diplomatic cables, indicate the topic, the period of time – *from when to when* – and the recipient and sender – *from whom to whom*). If your request is denied, keep appealing. Also, use your network of partners to look for successful experiences of CSOs using the Law on foreign policy related-matters and to learn from their previous experiences.

Systematizing votes and positions

Compile, systematize and digest information about your country's relations, positions and voting in international human rights mechanisms or in other multilateral fora with an impact on human rights. A first step could be to focus on your country's votes and initiatives within the United Nations General Assembly (Third Committee and Plenary), Security Council and Human Rights Council.

How? – Recover UN-produced documentation

For your country's positions at the UN, use the United Nations official publications (www.un.org) and those of the Officer of the United Nations High Commissioner for Human Rights (www.ohchr.org), which can be obtained on the UN information system through internet websites and/or direct requests to the organization's staff, as a primary information source. Ask your government to translate UN-relevant information into your country's local languages. Until they do so, CSOs are encouraged to translate some of this information themselves in order to raise awareness of the importance of what is discussed and decided at the international level.

Disseminating

To publish and disseminate, also on your organization's website, the information your organization has recovered or produced about your country's human rights foreign to foster and support the work of other national CSOs.

How? – Make it intelligible

When systematizing the information gathered, do so in a way that is easily understandable to external stakeholders –by themes, by region/country, by institution/entity, etc.

2. Networking and Partnerships

A. Why is it important?

Joint efforts and the alignment of agendas with different stakeholders are essential for advancing the activities of monitoring and influencing foreign policy on human rights. This line of action implies diversifying actors and interlocutors. Indeed, civil society engagement must be considered in its broadest possible meaning, since the diversification of interlocutors and actors in the formulation of foreign policy matters is essential to create, in the long term, a real culture of transparency and accountability. Whenever possible, civil society organizations should involve other ministries and governmental institutions, academics, journalists, politicians, trade unions, business people, students and others in their actions, so that decision-makers feel that society as a whole is speaking the language of human rights loud and clear. An organization can engage in a series of different partnerships, some of them long-term and comprehensive, others more specific or thematic.

At the international level, campaigns targeting a specific country or violation are often strengthened by collaborative actions undertaken with various actors, especially when these actors live or have experience in the country where the violation is taking place. This is particularly important when violations occur in a country where civil society is unable, for security and political reasons, to speak out. The involvement of various credible actors enables the campaigns to be designed with a clear understanding of the context, the issues at stake, and the stakeholders to be addressed, as well as to gain national and international credibility and repercussions.

B. Conectas' experience

The Brazilian Committee on Human Rights and Foreign Policy

In the absence of spaces for formal debate on foreign policy issues in Brazil, Conectas and its partners focused all their efforts in 2006 on the creation of the Brazilian Committee on Human Rights and Foreign Policy – a multi-stakeholder platform composed of CSOs, Brazilian government bodies and authorities such as the Human Rights and Foreign Relations Committees of both the House of Representatives and the Senate, and the Federal Prosecutor for Citizen Rights of the General Prosecutor's Office. The Committee's mission is to "Promote the prevalence of human rights in Brazilian foreign policy and strengthen citizen participation and social control over foreign policy through the establishment of dialogue mechanisms between the branches of the Brazilian government and civil society".

Since its creation, the Committee has been an essential tool used domestically to monitor and influence the country's foreign policy agenda with regard to the respect and promotion of human rights. Finally, it has had an important role in influencing Brazil's position in the UN Human Rights system, the Organization of American States, and the Mercosur. Among other activities, the Brazilian government has conducted public hearings in the House of Representatives and the Senate on foreign policies' impacts on human rights and participated actively in the national consultation process of the United Nations Universal Periodic Review (UPR). It is noteworthy that the Committee's public hearings have served as an accountability forum for Itamaraty.

Cross-regional campaign on Zimbabwe

The campaign, launched in 2007, is an emblematic example of a cross-regional action. Conectas facilitated a mission of two Zimbabwean human rights defenders to Brazil, to give visibility and promote collaborative actions on the human rights crisis in the Southern African country, which was deteriorating ahead of presidential elections in Zimbabwe, which is governed by a repressive regime. At that time, the Brazilian government was quite silent on the matter and had also been abstaining in the former UN Commission on Human Rights on resolutions about Zimbabwe.

The visit included a meeting with seven Latin American CSOs, which all took action afterwards to influence the foreign policy of their respective governments regarding the human rights situation in Zimbabwe. The advocacy work conducted after this meeting resulted in a representative of the Brazilian law maker going (see also session on # Checks and Balances) to Harare to monitor the first round of elections. As an additional outcome, two Brazilian journalists went to Zimbabwe to follow the presidential elections in loco, as a result of an advocacy initiative carried out by Conectas.

Since 2007, several coordinated activities between these organizations have been developed that are part of the same campaign on Zimbabwe. Moreover, the joint efforts led to the participation of one Zimbabwean human rights defender in the 10th session of the UNHRC in Geneva in March 2009, as well as in a side event about the human rights situation in Zimbabwe during the 13th session of the UNHRC in March 2010, increasing the visibility of the country's human rights situation among the international community from a Global South perspective. Conectas and its partners in Zimbabwe joined efforts once more during the 2013 presidential elections, sending a join letter that detailed the issues and human rights violations that were hampering the electoral process, requesting Itamaraty to make public the report of Brazilian government's official electoral observation mission and raising awareness of the human rights issues Zimbabwe faced prior to, during and after the electoral process.

C. What are the main the challenges?

At the institutional level: Building solid partnerships and networks is a time-consuming activity because it requires trust building initiatives and efforts to find consensus.

At the national level

Because of the lack of a foreign policy culture in many countries, organizations might have to foster an interest among partners to internationally, or even provide capacity building activities in order to enable their participation in collective ventures. Developing meaningful partnerships and dialogue among different stakeholders beyond the human rights movement, including academics, private sector, etc., is yet another challenge.

At the international level

Language barriers can prevent CSOs from partnering with organizations from distant regions with severe human rights violations. Each country has its own set of foreign policy priorities, which can be an additional challenge for cross-regional collaborative actions.

Besides, once these partnerships are established, making them meaningful requires not only using of all sorts of technologies available, but also creating opportunities for face-to-face meetings.

D. Strategies and Tips

Fostering networks and conditions

Act together with strategic CSO partners when advocating and influencing national institutions and expand networks to include a diverse range of stakeholders (academics, journalists, lawyers, politicians, entrepreneurs, labor unions, religious leaders, students, immigrant communities and others) also engaged in foreign policy matters. Broad networks can also make the case for the creation/strengthening, by the government, of formal and informal mechanisms for civil society interaction with the parties responsible for foreign policy making.

How? – Build coalitions

Seek to build formal or informal coalitions made up of CSOs willing to monitor and influence your country's foreign policy;

How? – Hold meetings

Organize meetings with diverse stakeholders in order to discuss the importance of monitoring and influencing foreign policy through a human rights perspective and promote the development of synergies and joint strategies.

How? – Reach out to academics

Create synergies with think-tanks and academics. They may not join all political activities, but can surely contribute to generating knowledge around collective actions.

Building cross-regional advocacy work

Act together with strategic partner CSOs from other regions when advocating and influencing your country's position at the UNHRC and other multilateral organizations. Conduct South-South cross-regional campaigns on the human rights situation of countries in crisis to influence the positions of key emerging democratic powers regarding them.

How? – Promote missions and advocacy tours

Organizational missions of human rights defenders to your country (and to other Global South States, depending on the partners' engagement) can be a valuable tool, particularly in undemocratic countries where civil society is unable to act freely, thus needing support from CSOs from other countries. Set up a broad agenda for these foreign human rights defenders to meet with different actors: from government officials to academics to other CSOs.

3. Checks and Balances

A. Why is it important?

Democracies are based on the principle of separation of the powers, and the democratic control of “checks and balances” of the different branches of government (Legislative, Judiciary and Executive) shall always ensure that no branch is capable of subjugating the others or of controlling the State. However, it is very common for the Executive branch to act in foreign policy almost exclusively alone, in a discretionary way, which contributes to: (i) alienating society from an important aspect of politics, which is the way in which its country presents itself and interacts internationally, (ii) enabling the Executive branch to adopt questionable positions without any prior inquiry, (iii) generating acts of diplomacy that jeopardize the promotion and protection of human rights at the international level, and (iv) perpetuating an idea of insulation of foreign policy from the principles of transparency and social participation that guide any other public policy in a democracy.

In this sense, in countries where the government system employs the separation of powers, it is fundamental for CSOs monitoring and influencing their country’s foreign policy on human rights to make use of the “checks and balances” system, strengthening democratic institutions and the democratic control of its government’s decision-making on foreign policy.

B. Conectas’ experience:

Making the Justice System question Brazil’s vote on human rights in North Korea

Human rights violations in the Democratic People’s Republic of Korea (North Korea) have been the object of international concern for years now. The former United Nations Commission on Human Rights and the current UN Human Rights Council have adopted several resolutions since 2003, expressing concerns with the human rights situation in the country. Brazil, as a member of the UNHRC since its creation, voted favorably in several decisions, one of them being appointing a special human rights rapporteur for the country. However, in 2008, the Brazilian position suddenly changed to one of abstention in the UNGA and, in 2009, it abstained in both the UNGA and the UNHRC. Conectas considered the country to be violating the Brazilian constitutional principle of prevalence of human rights in the conduction of the country’s foreign affairs (Brazilian Federal Constitution, Art.4, II) and asked the Regional Prosecutor for Citizens Rights to require officials at the Brazilian Foreign Ministry of Foreign Affairs to explain the adopted position.

Itamaraty then made public its position, stating that the country believed in creating a political-diplomatic environment that would allow North Korea to freely express its human rights commitments and cooperate with the UN. In the same year, North Korea refused to accept any recommendation received from the UN UPR mechanism, including the Brazilian ones. After this episode, Brazil voted in favor of the resolutions regarding human rights violations in North Korea. This episode shows that the information request made by another governmental body can serve not only as information, but also as political pressure for Brazil to change its position. The process forced MFA to confront the adopted strategy with the reality of its failure, leading to a new position respectful of human rights.

Minimum agenda for presidential candidates

In the run-up to Brazil's presidential elections in 2010, Conectas worked with the Brazilian Committee on Human Rights and Foreign Policy for the presidential candidates to adopt a "minimum agenda" on human rights and foreign policy that would ensure Brazil's commitment to human rights nationally - by complying with and implementing obligations to which it is a party through Brazilian law and international human rights law - and Internationally - by governing its foreign policy according to the prevalence of human rights (a Brazilian Constitutional obligation) and the international obligations assumed by the country. The Minimum Agenda contained 10 commitments on human rights and foreign policy proposed by the Committee, to which all presidential candidates (including President Dilma Rousseff) publicly adhered, making the commitment during a public hearing in the House of Representatives. After the current administration took office in May 2011, the Committee organized a public hearing with the House of Representatives in order to discuss with the different branches of the government what measures would be adopted for the implementation of the Minimum Agenda. Since then, the agenda has served as a valuable benchmark to monitor and evaluate the government's decisions with regards to human rights and foreign policy.

Citizen Engagement in the Brazilian Senate: 'Minister, #IWantToKnow' Campaign

In the first half of 2013, Conectas sought to introduce direct citizen engagement in primarily closed spaces of Legislative-Executive dialogue. Through a social media campaign called "Ministro, eu #QueroSaber" (Minister, #IWantToKnow), Conectas aimed at mobilizing citizens ahead of a public hearing the Senate's Foreign Relations and National Defense Committee was holding with Brazilian Foreign Minister Antonio Patriota. After just four days on the air, the campaign collected - through Facebook and Twitter - 38 questions on different topics with respect to Brazil's foreign policy impacts on human rights. Conectas sent them to all the members of the aforementioned Commission. During the hearing, which broadcast live on the Senate's "TV Senado", two Senators mentioned the campaign. The action achieved its preliminary goal of influencing the Senate and obtaining from the Ministry of Foreign Relations a commitment to increase dialogue with civil society.

By taking part in the hearing, Conectas has showed its commitment to, one the one hand, strengthening the Senate's democratic role of interacting with Itamaraty and, on the other, promoting the oversight of public scrutiny on foreign policy debate. On the occasion, Senators

mentioned that, even though it was not a usual or frequent procedure in the house, the representatives felt it was their role to include citizen engagement in foreign policy issues in Brazil and that the Legislature could and should build this bridge between society and the Executive. This potential to open new channels of dialogue is encouraging, but it still represents a very limited interaction. A similar strategy of direct citizen participation in congressional hearings was applied to other Ambassador confirmation hearings, also in 2013.

C. What are the main the challenges?

At the institutional level

Some CSOs find it difficult to create dialogue channels with policy makers, lawmakers and/or judges, notably if they are based far from country's capital. Another challenge, particularly when engaging with the Legislative and the Executive, is for CSOs to keep their political autonomy from partisan politics.

At the national level

Considering that Foreign Policy is more often than not the prerogative of the Executive branch, some organizations find it challenging to foster Legislative and Judiciary interest in the topic.

Furthermore, in some countries, the Legislative and Judiciary branches may be less likely to rule on human rights issues or may have conservative positions. Finally, even within the Executive branch, responsibilities for foreign policy making tend to be shared among different bodies and institutions. CSOs might find it difficult to identify "who does what" on specific policy issues.

D. Strategies and Tips

Understanding the field

Become acquainted with the existing rules MFA on the competencies of each governmental branch (the "who does what") regarding foreign policy making.

How? – Engage with experts

Academics and practitioners, for example diplomats, can be a valuable source of information on the policy making process in your country.

Legislative

Foster the control, by the Legislative branch of your government, of the foreign policy impacting human rights, by making use of established democratic procedures that enable lawmakers

to engage in dialogue with the Executive branch. They can inquire about the positions of the country on human rights in the international sphere, also by means of public questioning of those conducting the foreign policy in the Executive.

How? – Parliamentary commissions

Engage with parliamentary commissions, committees and caucuses dealing with human rights or foreign policy. Lawmakers sitting on those bodies are your natural interlocutors. Due to parliamentarians' attributions in some foreign policy matters, commissions can be used to balance (or even veto) Executive branch decisions. Follow Commissions' work agendas and do not hesitate to contact lawmakers in case of sensitive topics, or provide them with in-depth information they can use to further inquiry on issues affecting human rights.

How? – Public hearings

Some countries have congressional public hearings on foreign policy related matters with MFA members and experts. When this is the case, make sure to follow these hearings (in person or virtually);

How? – Parliamentary Questions

Since most Parliaments have the mandate to request formal information and clarification from the Executive, CSOs can also make use of Parliamentary Questions posed by members of Parliament to other governmental institutions and bodies.

Judiciary

CSOs can also make use of legal mechanisms to question foreign policy actions and decisions using the national Constitution and national legislation, even going to court if necessary. The Brazilian Constitution, for example, has a specific provision (Article 4, mentioned above) that can be used as the legal framework for a legal-based advocacy strategy. But CSOs can also involve the country's Judiciary in foreign policy and human rights by urging them to apply international treaties and rulings from international bodies in their domestic decisions.

How? – Universal jurisdiction

In case your country has universal jurisdiction over genocide, crimes against humanity, war crimes, torture, extrajudicial executions and/or enforced disappearances, CSOs can make use of national courts to prosecute serious human rights violations committed anywhere in the world.

Executive

On most foreign policy matters, the MFA does not act alone. Thus, internal checks and balances inside the Executive branch are also powerful. Diversify contacts inside your country's Ministry or in other Executive branch institutions (including Ministries and the office of the Presidency or the Prime Minister) responsible for the topics you are currently working on.

4. Media and Public Scrutiny

A. Why is it important?

Raising public awareness and increasing public scrutiny of public affairs is essential to any efforts aimed at strengthening democratic processes. The use of local and international media can help denounce human rights violations and problematic foreign policy decisions, while at the same time rallying to the cause a larger community of citizens who can be active in the political realm through their votes or other types of political engagement.

Using communication in the national and international press, as well as on institutional websites and social media, is another strategic tool for advocacy purposes and agenda setting.

B. Conectas' experience:

Increasing public scrutiny on Brazil's position vis-a-vis Iran

Historically, the issue of human rights in Iran has been debated in the UNGA and, since 2001 (with the exception of 2003), Brazil had abstained from voting on resolutions to condemn the violations taking place in the country. Given Brazil's negative voting record in the UN, Conectas developed advocacy initiatives to engage with the Brazilian government, which involved bringing Iranian activists to Brazil. In February 2011, Conectas organized meetings between two Iranian activists and representatives of the Brazilian government and civil society to advocate for Brazil's condemnation of the human rights violations committed by the Iranian government. In March, 2011, Brazil voted in favor of the resolution establishing the Special Rapporteur for Iran, at the 16th session of the UNHRC in Geneva. Since then, Conectas has continued to monitor Brazil's position vis-a-vis Iran, and the use of the media has been an essential part of this effort.

Conectas has published many opinion pieces in some of Brazil's most prestigious dailies, calling on Brazil to help reverse the dramatic human rights violations still taking place in Iran. Thanks to these public manifestations, Conectas has become a credible voice that journalists often call upon when dealing with the human rights situation in Iran and Brazil's attitude towards Iran.

Facebook campaign: Establishment of Commission of Inquiry for the Democratic People's Republic of Korea (DPRK)

In 2013, the United Nations Human Rights Council voted on a historical resolution to create a Commission of Inquiry to assess alleged systematic and gross violations committed by the North Korean (DPRK) regime. Although the resolution on human rights in the DPRK was not a new document discussed in the UNHRC, this was the first time an inquiry mechanism for the country was proposed. Back in 2009, when a vote was taken on the resolution regarding DPRK, Brazil had chosen to abstain.

In order to prevent a Brazilian abstention like that of 2009, in March 2013, Conectas recorded a video message with a North Korean activist, the only known person born in a forced labor camp who has managed to escape. In the message, the activist urged the Brazilian government to support the creation of the Commission and to vote in favor of the resolution proposed by the Council. In line with this message, Conectas also launched a campaign asking Brazilian citizens to request, via e-mail, a vote in favor of the resolution. The e-mails were sent directly to the Permanent Representative of Brazil to the United Nations, in Geneva.

As a result, many people joined the campaign, sharing posts on social networks and sending emails to the Brazilian Delegation. Although it is impossible to assess how many people effectively sent messages, on Facebook alone the campaign was viewed almost 37,000 times and was shared by 370 people. The video on YouTube garnered almost 2000 views in four days. Ultimately, the Commission of Inquiry for DPRK was created with the support of Brazil.

C. What are the main the challenges?

At the institutional level

Working with the media requires specific skills from CSOs. It can be both time-consuming and tricky. Caution is needed while engaging with mainstream media in order not to oversimplify facts, figures, and CSO's institutional positions.

CSOs may have to learn how to balance efforts to set the media's agenda with their capacity to make use of the media's own agenda to advance the human rights perspective in mainstream foreign policy stories. Finding a balance between traditional media outreach strategies and new media (including social media) strategies is also a point to be taken into consideration by CSOs.

At the national level

Foreign policy is not a priority for most media channels in Global South countries. And once they start following this agenda, newspapers often hesitate whether to include it in domestic politics or world/international sections, for example. Moreover, journalists may need to be convinced of the newsworthiness of foreign policy and/or human rights stories or be well briefed on the technical

aspects of international politics or the foreign engagement of their country. In most parts of the world, the media is often highly concentrated in the hands of few private groups or the State. In either case, empowering diverse voices may be a challenge.

At the international level

News on international politics in newspapers often comes from international news agencies with little or no sensibility for the particular political contexts of each country. This may pose an additional challenge to promote a better understanding within your country of the international reality, your country's foreign policy and its impact on international human rights protection.

D. Strategies and Tips

Informing the mainstream media

Work with the national and international media to increase the visibility of your country's international positions on human rights and provide information on its foreign policy. Offering information, quotes, or even writing opinion articles can help strengthen ties with national and international media organizations.

How? – Use your institutional website

Use your organization's website, when appropriate, to disseminate relevant information, news, in-depth analysis, interviews with partners, etc. to communicate with your constituency.

How? – Strategic outreach

Send alerts and press releases to a network of interested national and international journalists (including correspondents) to flag important events on the international human rights calendar, such as UNHRC regular sessions, highlighting the issues to be discussed and the concerns over the positions your country may take.

Using the media for advocacy purposes

Use the media to put pressure on your government, raise awareness and set agendas on human rights issues. Bear in mind that using the media is not just about visibility, but also about contributing to setting the human rights agenda.

How? – Mainstream media

Organize meetings with journalists (and partner organizations if the case may be) to provide reliable information to them, becoming a "source of information" for journalists and contributing to an informed coverage of human rights and foreign policy related news. Build relationships with journalists, through providing credible information, but also through meeting them in social events, including informal occasions.

How? – Alternative media

Do not limit your work to mainstream newspapers and magazines. Strengthen ties with blogs and specialized media and be active in these fora.

How? – Social media

Use institutional social media (create institutional accounts such as a Facebook page, Twitter account, etc.), ideally linking it to campaigns, to reach out to a larger audience, using a more simple language, and making use of photos and videos for greater effect.

5. Monitoring International Fora and Mechanisms

A. Why is it important?

Besides having to learn how to use international mechanisms to advance human rights domestically, advocates from the Global South need to develop a more powerful collective voice within multilateral fora. Each and every country has a specific foreign policy towards the multilateral organizations to which it belongs, and often uses these fora to achieve many different foreign policy goals. Taking part in these meetings in person or remotely is therefore crucial to influencing a country's foreign policy. How countries engage internationally with traditional human rights bodies and other multilateral bodies (from the UN system to other regional or cross-regional organizations such as IFIs and other political groupings: ASEAN, BRICS, IBSA, NAM, OIC, etc.) can and will have an impact on human rights within and beyond its borders. Thus, monitoring those bodies, and how countries interact with them, is vital to advocate for more responsible foreign policy on human rights.

B. Conectas' experience

Conectas' presence at the UN

Up until very recently, there was no regional representation of Latin American CSOs with a permanent presence in Geneva, the headquarters of UN human rights system. This was probably due to the high financial cost involved and to the lack of cohesion among CSOs in the region. After consulting with two key Latin American partners (The Center for Legal and Social Studies – CELS, from Argentina, and Corporación Humanas, from Chile), Conectas established a permanent presence in Geneva, responsible for the coordination of the activities of the three organizations as follows:

- To make better use of available UN mechanisms to denounce human rights violations in their countries and region in order to improve human rights situations on the ground;*
- To collaborate with their countries' governments, when desirable, to present or support new proposals; and*
- To make their own governments, as well as other governments, accountable for their positions and votes at the UN.*

Conectas' presence in Geneva makes a concrete contribution to monitoring the Brazilian position at the UNHRC, by closely following the country's position and voting records. For instance, Conectas took advantage of President Luiz Inácio Lula da Silva's visit to the 10th session of the Council (in March 2009) to issue a written statement asking for a reappraisal of Brazil's foreign policy, especially

in relation to the ambiguous positions taken in cases of severe and persistent human rights violations in countries such as Sri Lanka, Sudan, and North Korea. Another example of concrete results of being permanently in Geneva was the UNHRC's approval of the use of new technologies to enable the remote participation of civil society in its sessions; a request brought by Conectas, CELS and Humanas followed by well-articulated advocacy conducted by the Geneva representative from January to March 2012 with UN officials, the UNHRC presidency and partner organizations.

Participation in the process of Reflection on the Workings of the Inter-American Commission of Human Rights

For almost two years (2011 until 2013) member states of the Organization of American States (OAS) conducted the so called process of Reflection on the Workings of the Inter-American Commission of Human Rights. Some OAS member states, however, were using this process in an attempt to undermine the work of the Commission. Considering this worrying framework, Conectas actively participated in the reform process, pushing for a responsible position by the Brazilian government to guarantee the autonomy and independence of the Commission. Conectas also acted to broaden the participation of society in the debate on the regional and national level. For these purposes, a number of articulated initiatives were conducted:

- Conectas used the Brazilian Access to Information Law to assess the Brazilian position in the process;*
- Together with national and regional organizations, Conectas submitted written opinions and views to the consultation conducted at different stages of this process and by different mechanisms, including the Commission itself and the Permanent Council of the OAS;*
- In Brazil, Conectas conducted meetings between civil society actors and Itamaraty on the Brazilian proposals to reform the working practices of the Commission;*
- Conectas also supported academic events on this matter and published newspaper articles to draw attention to the process.*

Engaging with the BRICS (Brazil, Russia, China and South Africa)

New political groupings of which Brazil is a part, such as IBSA and BRICS, have been on Conectas' radar and the object of different research-related activities for a long time. But directly engaging with these new institutions was not part of the organization's action plan until recently. In 2013, Conectas attended the 5th BRICS Summit in Durban, South Africa, with two specific agendas: first, to request from the Brazilian government a more pro-human rights and humanitarian approach in dealing with the Syrian crisis, and second, to discuss the future creation of a BRICS-led development bank. Both topics were already the object of Conectas' national and international work. But once they became part of the official BRICS agenda, Conectas had to devise a separate strategy for this forum.

Ahead of the Summit, Conectas met with different departments of Itamaraty in Brasilia to better understand how the grouping works and what positions Brazil was taking to the Summit. It also set up a collective advocacy strategy with other human rights and humanitarian organizations from different countries for the Syrian case. Different communications strategies were also used to create public awareness of the

increasing impact decisions taken by BRICS countries together can have on human rights in Brazil and abroad. Conectas' request on Syria was finally included in the Final Declaration. Once in Durban, the Conectas delegation participated in a series of academic and civil society meetings with CSOs from all the BRICS countries. It also took part in activities organized by local South-African partners, called the "BRICS from Below" - a first attempt to establish a civil society side event at the margins of BRICS official summits.

C. What are the main the challenges?

At the institutional level

Travelling to the cities hosting international bodies or conferences requires time and money. Furthermore, organizations may need additional expertise and training to understand how these bodies work - notably the ones whose mandate is not directly connected to human rights - and the potential impact of decisions taken on human rights.

At the international level

Participation in UN meetings and UNHRC sessions is usually reserved for CSOs with ECOSOC status (consultative status). Most other multilateral bodies do not have an established procedure for direct CSO engagement and participation.

D. Strategies and Tips

Taking part in human rights-related events

Participate in sessions of the regional and international systems' human rights meetings (e.g. UNHRC in Geneva) in order to monitor the country's positions in the institutional processes within regional and international human rights systems and to conduct thematic and country-related advocacy actions.

How? – Obtain consultative status

Work to obtain consultative status with the UN Human Rights system, or in regional systems, to gain participation in relevant discussions and votes and to watchdog your country.

How? – Plan your advocacy

When attending these meetings, prepare clear advocacy strategies (what are the main topics you want to raise and with whom) in advance.

How? – Participate remotely

When travel is not possible, make use of remote participation tools (such as videos and social media), if they are available.

Partnering

Work closely with organizations that are based in these cities and can offer assistance for those that are not. If possible, employ efforts to establish a permanent presence in cities where regional or international human rights bodies are located (e.g. Geneva, San Jose, Banjul, Washington, etc.) to strengthen relations and the potential for advocacy.

How? – Use the UPR mechanism

Monitor your country's recommendations to others in the UN UPR. Liaise with local CSOs from other countries and bring them closer to your own government. They have a much more precise sense of what is happening on the ground and can inform your government on what to recommend and how.

Taking part in other multilateral fora

Participate in multilateral fora other than human rights-related ones, so as to monitor events and forecast the potential impacts of the decisions taken there on human rights.

How? – Work in your capital

Arrange meetings with your MFA in your capital and with their missions, embassies, or delegations abroad ahead of the session/event or conference you are monitoring. As your country's position is often discussed and agreed upon ahead of these events, advocating for human rights might need "standard setting" efforts to discuss your government's position or the content of a future document, rather than purely "naming and shaming" after the decision is taken or the document is approved.

How? – Partnering

Liaise with other organizations and academics working around the same institutions to build thematic or cross-country networks for monitoring the impact of these bodies on human rights.

