TRANSNATIONAL NETWORKS FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS

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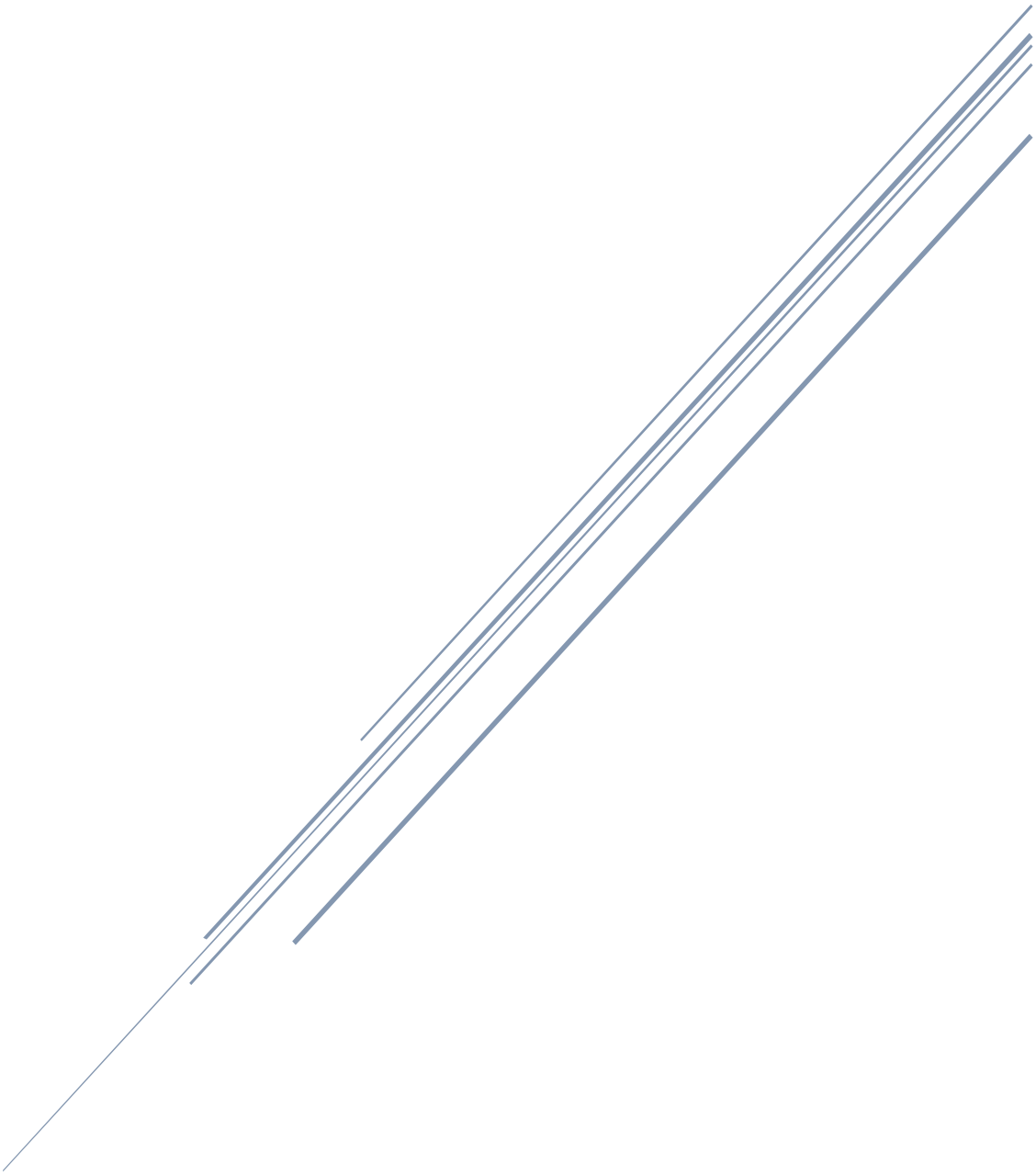

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Introduction

In 1998, the United Nations (UN) General Assembly adopted the *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, commonly referred to as the Declaration on Human Rights Defenders. This event was a milestone in the emergence of a sub-regime for the protection of Human Rights Defenders (Bennett et al. 2015, 883) within the human rights international regime – which is "a framework of rules, norms, principles, and procedures for negotiation" (Keohane 1982, 337).

The term 'human rights defender' (HRD) was defined by the Office of the UN High Commissioner for Human Rights as "any person or group of persons working to promote human rights, ranging from intergovernmental organizations based in the world's largest cities to individuals working within their local communities" (2004, 6). Therefore, anyone can be an HRD, regardless of their profession, provided that they engage in some sort of human rights activity. The UN General Assembly considered that there is a special need to protect the rights of this category of people as their activity often puts them at risk. Threats to HRDs can be of many different types: "executions, torture, beatings, arbitrary arrest and detention, death threats, harassment and defamation, as well as restrictions on their freedoms of movement, expression, association and assembly" (Office of the UN High Commissioner for Human Rights 2004, 10). Their persecutors can be state actors, such as the police, security services or local authorities, or non-state actors, such as armed groups or transnational corporations (Office of the UN High Commissioner for Human Rights 2004, 15–16).

The Declaration on HRDs does not create any new right, but rather explicitly reaffirm the human rights of people who themselves defend human rights, thus making it easier to condemn any attack against them. However, as most resolutions adopted by the UN General Assembly, the Declaration on Human Rights Defenders is a non-binding instrument. The General Assembly (1998) "*invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts to disseminate the Declaration and to promote universal respect and understanding thereof". In addition to the fact sheet of the Office of the UN High

Commissioner for Human Rights (2004) clarifying the terms of the Declaration and providing tools for implementation, the European Union (EU) adopted its own *Guidelines on Human Rights Defenders* with the purpose of "ensuring protection" and providing "practical suggestions for enhancing EU action in relation to this issue" (2008). As recently as 2014, the OSCE Office for Democratic Institutions and Human Rights published a similar text, the OSCE *Guidelines on the Protection of Human Rights Defenders*.

All these subsequent texts show that there is a real problem of implementation of the Declaration. Despite noticeable efforts to make the rights of HRDs more easily and practically enforceable, such international norms remain non-binding towards states. States are responsible for the protection of their citizens, and they are the best able to protect HRDs effectively. Unfortunately, in many regions of the world, national governments are also the primary violators of human rights (Keck and Sikkink 1999, 93; Office of the UN High Commissioner for Human Rights 2004, 15). Bennett (2015) notices gaps in implementation not only from authoritarian governments who persecute HRDs, but also from European governments who fail to integrate the EU Guidelines on HRDs into their foreign policies.

This is why the role of non-governmental organisations (NGOs), defined as "private sector associations based in civil society pursuing policy advocacy goals and project management" (Kurian and Alt 2011, 1117), is so crucial in areas where states fail to honour their responsibility or their commitments, as it is often the case for human rights. Since the 1990s, concurrent with the emergence of an international regime for HRDs, a number of international NGOs – defined for the purpose of this study as NGOs working on a global scale – have started to specialise in the protection of HRDs at risk.

The key role of NGOs in the global society has been thoroughly analysed by Keck and Sikkink (1998) as they developed their theory on transnational advocacy networks (TANs). This theory looks into the way local civil society organizations in the global South and large international NGOs work together to promote a cause and bring about policy change. Transnational advocacy networks are then "actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services" (Keck and Sikkink 1999, 89). TANs

usually seek to "mobilize information strategically to help create new issues and categories, and to persuade, pressurize, and gain leverage over much more powerful organizations and governments" (Ibid.).

According to Keck and Sikkink, the protection of human rights is one of the issue areas that are typically conducive to the formation of TANs (93). Indeed, they explain that there is a need for TANs when local activists cannot make their voice heard "within domestic political or judicial arenas" (Ibid.) because of some connections between the government and the perpetrators. Sometimes the government is the perpetrator, and other times it simply refuses to recognize violations and to protect the victims. According to the logic of the "boomerang pattern", an efficient solution is for the local activists to engage with other organisations with similar goals outside their country, who will be able to mobilise resources in order to persuade powerful states or organisations to pressurize the violator or non-cooperative state into changing behaviour (Keck and Sikkink 1998, 12–13).

This function of TANs is what explains the choice of the term "advocacy" to qualify these transnational networks. They are composed of advocates, "individuals advocating policy changes that cannot be easily linked to their 'interests'" as they "plead the causes of others" (Keck and Sikkink 1999, 91). TANs' stakeholders work together in order to join forces and speak with a common voice, a voice that will be strong enough to compel perpetrators to end violations, or to persuade powerful actors to compel them. For Keck and Sikkink, the best way in which international NGOs can support local activists dealing with human rights violations is to use their transnational connections to build a compelling advocacy directed towards powerful states and intergovernmental organisations.

This research aims at testing this hypothesis in the context of the security issues faced by HRDs. Most of the time, it is impossible for persecuted HRDs to seek the help of their own government. As a consequence, and in accordance with Keck and Sikkink's predictions, these HRDs often turn to international NGOs for support. *However, which tactic is more effective for NGOs seeking to protect HRDs: transnational advocacy or local support?*

There is much debate about the outcome of human rights advocacy campaigns. On the 3rd of March 2016, the Honduran indigenous leader Berta Caceres was assassinated. She was one of the most

prominent environmental and indigenous rights defenders in Honduras, and yet this publicity seems to have put her at risk rather than deterring her persecutors. Even in cases where an HRD is freed or successfully protected as a result of an advocacy campaign, this individual case does not guarantee the security of other HRDs working in the same or different settings. Nor does it guarantee the security of this particular HRD in the future, once the general public and powerful actors turn their attention away. Such campaigns are based on a 'naming and shaming' strategy, which is to "target some nations for particular attention and condemnation in the hope that through such publicity, these governments will be pressured into changing their abusive practices" (Meernik et al. 2012, 234). However, Hafner-Burton (2008) showed that 'naming and shaming' campaigns are not likely to bring about a general improvement in the human rights practices of the targeted government.

If, thanks to transnational networks, international NGOs are in connection with local activists who need help, and if the outcome of advocacy is so uncertain, why would they try to convince reluctant governments to change, instead of trying to directly improve the situation of these HRDs? Keck and Sikkink see transnational networks as great opportunities for isolated activists to raise their issue to a higher level, to bring it from the ground to the attention of powerful actors in the highest political spheres. I argue that they overlook another type of opportunities that transnational networks offer – the opportunity to transmit information and resources from the top down. The goal of NGOs working in HRD protection is to reduce the risks local HRDs face. Working through advocacy and relying on intermediaries might not be the most simple or efficient way to do so.

Protecting HRDs means reducing the risk they are exposed to. The level of risk is a function of three components: threats, vulnerabilities and capacities (Martin and Eguren 2009, 140). Threats, defined as "the possibility that someone will harm somebody else‘s physical or moral integrity or property through purposeful and often violent action" (Ibid.), is the most obvious one: an HRD who faces threats is more at risk than one who does not. However, no threat does not mean no risk. Indeed, many HRDs are extremely vulnerable due to the work they do – for example, defending oppressed minorities –, the places they go – for example, on a field mission in a remote area – or their lack of resources. These vulnerabilities – defined as "the degree to which people are susceptible to loss, damage,

suffering and death in the event of an attack" (141) – increase their level of risk, unless counterbalanced by significant capacities. Capacities are the "strengths and resources a group or defender can access to achieve a reasonable degree of security" (Ibid.), such as financial resources, protection tools, network, and public support. Threats are often difficult to control, but there are ways to reduce vulnerability factors and to develop protection capacities.

This is precisely where international NGOs' support is crucial for defenceless local activists. Through the channels of transnational networks, they can provide HRDs with all kinds of information and tools that will enhance their capacities. Not only can they offer financial and material support, and respond to cases of serious and imminent threats by for instance facilitating the relocation of HRDs at risk, but they can also help HRDs to better protect themselves. They can inform HRDs about the various protection mechanisms available at the regional and international level that they can resort to. They can also deliver trainings on how to better assess the risk, how to develop a security plan and how to use protection tools. This kind of preventive action tends to have a more direct and lasting impact on the effective protection of HRDs than advocacy work, which is often a matter of communicating about threats or violations that are already happening. In addition, empowering human rights defenders is a long-term investment in the promotion of human rights in general, since more secure HRDs will be more able to achieve meaningful progress within their respective contexts.

Therefore, if Keck and Sikkink observed that transnationalisation was transforming human rights work, they underestimated the extent of this change. Although their interest for transnational advocacy networks led them to emphasise the role of non-state actors, they still affirm that "states remain the major players internationally" (Keck and Sikkink 1998, 217). Although they focus on the construction and the diffusion of ideas, values and norms, they still see power as the ultimate agent of change. They consider that the objective of human rights activists is to influence states' behaviour, and that convincing powerful actors is a necessity to bring about social change. Keck and Sikkink (1998) show how transnational networks allow local causes to be brought to the attention of international actors and forced upon states, but do not consider the possibility that the networks could actually allow activists to circumvent the states and bring change directly on the ground.

Human rights practitioners, on the other hand, did notice that. The approach focusing on the direct support, protection and empowerment of grassroots HRDs seems to be in practice what NGOs working in this field give more and more priority to. Mary Lawlor explains that she decided to leave Amnesty International to create a new NGO called Front Line Defenders, thus choosing to switch her focus from international advocacy to responding to "the needs of local HRDs as they, and only they, define them" (Lawlor and Anderson 2014, 9). Although international advocacy is usually still part of their work, these NGOs tend to give it a secondary role, for example to complement and consolidate their other projects. That is at least what stands out when observing the work of one of these NGOs from the inside.

Indeed, this research will be based on my own experience of working in a human rights NGO, first as a master student carrying out a three-month internship, and later as a full staff member of the same organisation. Justice and Peace Netherlands (Justice and Peace or JP) is a small NGO based in The Hague which conducts various activities on an international scale. It will therefore be considered as part of the 'international NGOs' category for the purpose of this research. The main programme of the organisation is entitled 'Human Rights Defenders and Security', and includes several different projects all focusing on the protection of grassroots HRDs. The Shelter City Initiative is a temporary relocation programme which allows HRDs at risk to find refuge for three months in one of the eight participating cities in the Netherlands. The other main project is called 'The Hague Training Course for Human Rights Defenders on Security'. Twice a year, Justice and Peace invites about twenty HRDs from all over the world to The Hague for a ten-day training on physical, psychological and digital security, as well as advocacy and international protection mechanisms for HRDs. Besides these projects, JP also conducts lobbying and advocacy at the European level, with one of its employee being located in Brussels.

As part of JP's team, I had the opportunity to observe the functioning of an NGO working transnationally with grassroots HRDs and local organisations from all over the world, but also with other international human rights NGOs and state actors such as the Dutch Ministry of Foreign Affairs. This field experience allowed me to develop an in-depth understanding of the relationships between all stakeholders, of the focus and content of their work, of the strategies they adopt and their reasons to do

so, and of the various constraints they encounter. Indeed, the 'participant-observation' method is ideal to provide "comprehensive understanding of a multifaceted phenomenon" such as transnationalisation (Eimer and Kranke 2015, 128). It allowed me to approach the theory of TANs with practical and tangible examples in mind. The participant observation will be complemented with other primary sources published by human rights NGOs and intergovernmental organisations working in the field of HRD protection. These sources include international norms, website pages, reports, project proposals, advocacy statements, events such as international conferences, workshops and trainings, and work tools as for example training manuals. Finally, I will make use of the available literature on the topics of transnational advocacy networks, NGO work, human rights and human rights defenders, which will be more extensively described in the following section.

The emergence of a theory on transnational activism

Although the protection of HRDs is a growing field of activity in human rights work, this topic did not arise as a major field of study yet. The few scholars who have looked into the security situation of HRDs, such as Karen Benett, Alice Nah, Danna Ingleton, and James Savage (Bennett et al. 2015; Nah et al. 2013), have chosen to adopt a very practical approach. For instance, the *Journal of Human Rights Practice*'s Special Issue on Human Rights Defenders was published in 2013 as a result of two international workshops gathering academics, practitioners and HRDs in order to "explore gaps in understanding and knowledge on the protection of HRDs" (Nah et al. 2013, 402). Another special issue dedicated to HRDs was published in 2015 by *The International Journal of Human Rights.* It offers "critical perspectives on the security and protection of human rights defenders" (Bennett et al. 2015), analysing the impact of existing protection mechanisms, highlighting innovative approaches for the protection of HRDs, and emphasising the need for further research on this topic. Finally, the University of York's Centre for Applied Human Rights focuses on "the real world challenges of putting human rights into practice and protecting human rights defenders at risk".[1]

Therefore, the link between the work of NGOs focusing on the protection of HRDs and more general theories of international relations and human rights is yet to be explored. The literature on transnational human rights activism seems particularly relevant to this topic. Transnationalism is an approach focusing on cross-border interactions between non-state actors around the world: "ties that function across nation-states and the borders, laws, institutional frameworks, and identity narratives they represent" (Kurian and Alt 2011, 1684). As it is not always in the interest of states to promote and protect human rights, and as human rights are claimed to be universal and thus beyond national cultures, human rights is a typically transnational issue. Hence, a growing number of transnational social movements have emerged, forming what some scholars have called a "global civil society" (Lipschutz 1992). Scholars who research on transnational human rights activism try to understand "how universal principles and expanding communication opportunities serve as a basis for the creation and success of

[1] 'About Us - Centre for Applied Human Rights, The University of York'. *York.ac.uk.* https://www.york.ac.uk/cahr/about-us/ (June 3, 2016).

non-governmental advocacy networks" (Rodio and Schmitz 2010, 443). In the late 1990s, Margaret Keck and Kathryn Sikkink developed a theory on transnational advocacy networks (TANs), that they exposed in their book *Activists Beyond Borders: Advocacy Networks in International Politics* (1998).

The idea of transnational advocacy networks contrasts with more traditional understandings of international relations, particularly when it comes to the role of non-state actors, and that of ideas, norms and values in global politics. Indeed, the realist theory is based on a state-centred vision of international politics, in which everything, from foreign policy-making to the creation of international institutions, is the result of rational decisions made by self-interested states. Keck and Sikkink explicitly acknowledge their opposition with this view in the following statement: "The international system we present is made up not only of states engaged in self-help or even rule-governed behavior, but of dense webs of interaction and interrelations among citizens of different states which both reflect and help sustain shared values, beliefs and projects" (1998, 213).

Therefore, Keck and Sikkink's approach is more closely related to the constructivist school of thought. Constructivist scholars argue that analysing social constructions, defined as "shared interpretations or ideas on how the material world is or should be ordered" (Kurian and Alt 2011, 324), is crucial to understand the international system and the behaviour of the various actors shaping it. Keck and Sikkink explain that TANs "fall outside our accustomed categories" (1998, 2) because of the type of actors they are composed of: individual activists who are not motivated by their own interest but by their dedication to a cause (214). Such actors would usually not have been deemed influential in the international arena, however Keck and Sikkink showed how they can benefit from collaborating transnationally in order to achieve common goals.

Keck and Sikkink define a transnational advocacy network (TAN) as "actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services" (1999, 89). TANs can involve a very diverse range of actors such as " international and domestic nongovernmental research and advocacy organizations; local social movements; foundations; the media; churches, trade unions, consumer organizations, and intellectuals;

parts of regional and international intergovernmental organizations; and parts of the executive and/or parliamentary branches of governments" (Keck and Sikkink 1998, 9).

Activists work through TANs in order to raise an issue or a cause to the international level, to bring it to the attention of powerful organisations and governments, and eventually to bring about norm-setting and policy change in this specific issue area (Keck and Sikkink 1999, 89). In the field of human rights, the aim is usually to put pressure on powerful violators such as transnational corporations or repressive governments, and to persuade them to change their behaviour, thus following the "boomerang pattern" (1998, 12) previously mentioned.

The core of the activities of TANs is the exchange of information and resources transnationally (Keck and Sikkink 1998, 2). More specifically, Keck and Sikkink distinguish four strategies commonly used by actors of TANs to achieve their goals. First, "information politics" focus on the mobilisation of information from the field, such as facts and testimonies, that can be used to strengthen international advocacy work (Keck and Sikkink 1999, 95–96). The second strategy is called "symbolic politics", and it "calls upon symbols, actions or stories that make sense of a situation or claim for an audience that is frequently far away" (95). "Leverage politics" consists in mobilising the power and resources of certain actors to influence other "target actors" and push for a change in a situation (97). Finally, "accountability politics" can be used to pressurize some actors such as governments to honour their commitments and to effectively implement "policies and principles they formally endorsed" (95).

Keck and Sikkink also developed a typology of the effects of TANs with respect to their targets and their objectives. They identify five levels of influence (Keck and Sikkink 1999, 98). First, TANs raise awareness on an issue and contribute to frame it as "a matter of public debate". Then, they influence the "discursive positions" of powerful actors such as states and international organisations. The two following stages are the "influence on institutional procedures", and actual "policy change". Finally, a TAN has successfully influenced its targets if they have adapted their behaviour in practice, not only through formal commitments but also through effective implementation.

A transnational advocacy network for the protection of HRDs

The purpose of this research is to examine the extent to which the theory of TANs is applicable to the case of NGO work for the protection of HRDs. The point here is not to completely dismiss Keck and Sikkink's analysis, which is very useful to understand the nature and content of the connections between various actors involved in human rights issues. Nor am I denying the existence of transnational advocacy networks as depicted by the two authors. Indeed, it seems that there is a transnational network for the protection of HRDs quite similar to Keck and Sikkink's model of TANs.

The main actors involved in this network are domestic, regional and international human rights NGOs. Every human rights NGO deals with HRDs one way or another, since its own members are HRDs themselves. None the less, some organisations specialise specifically in the protection of human rights defenders. These include the international NGOs Front Line Defenders, Civil Rights Defenders, Protection International, Justice and Peace Netherlands, but also some regional organisations like the East and Horn of Africa Human Rights Defenders Project. Domestic NGOs involved in the network rarely focus on the protection of HRDs, but as women's rights organisations, LGBTI organisations, environmental organisations, or any local organisation working on any human rights related issue, they can provide invaluable information on the living and working conditions of HRDs in various contexts. Other actors involved include parts of intergovernmental organisations, such as the UN Special Rapporteur on the situation of human rights defenders, and the EU 'ProtectDefenders' platform. Finally some national governments, especially through their embassies abroad, play a crucial role in project-funding and in reporting on the situation of HRDs, as can also be the case for the media.

All these stakeholders are connected to one another, and constantly exchanging information on the security issues faced by HRDs and on the best practices to protect them. From the 4th to the 7th of April 2016, two staff members of Justice and Peace joined the Defenders' Days in Sweden, a four-day conference organised by the NGO Civil Rights Defenders gathering "160 human rights defenders from 35 countries, alongside leading human rights experts from all over the world".[2] This event was a unique

[2] 'Defenders' Days'. 2016. *Defendersdays.civilrightsdefenders.org*. https://defendersdays.civilrightsdefenders.org/ (March 6, 2016).

opportunity to meet some major players in the field of HRD protection such as Michel Frost, the current UN Special Rapporteur on HRDs, who was very interested to hear more about Justice and Peace's successful relocation programme – Shelter City. The Defenders' Days was also the occasion for Justice and Peace to get in contact and start a collaboration with the East and Horn of Africa HRDs Project, which can offer an alternative solution – regional relocation – for African HRDs at risk. Last February, Justice and Peace was also invited to the University of York for the launch of the HRD Hub, an "international network on HRD research".[3]

Therefore, it is clear that Justice and Peace Netherlands (JP) is part of a transnational and multi-sectoral network focusing on the protection of HRDs. Although NGOs form the backbone of this network, the role of state actors should not be overlooked. The Dutch Ministry of Foreign Affairs funds most of JP's projects, and staff members exchange information with the person in charge of HRDs at the Ministry on a regular basis. For its Shelter City project, Justice and Peace built a domestic network of Dutch cities willing to shelter an HRD, and is also part of a European network called the EU Human Rights Defenders Relocation Platform. It is interesting to note that the person coordinating this European Platform was formerly in charge of the Shelter City Initiative at Justice and Peace Netherlands, thus illustrating the circulation of personnel among TANs (Keck and Sikkink 1999, 92). Regarding its other project, "The Hague Training Course for HRDs on Security", JP is also fueling the transnational network by bringing together HRDs from all over the world, not only as trainees but also as trainers, for instance inviting a Ukrainian expert in psychological security and a Pakistani expert in digital security to train in June 2016.

Justice and Peace is constantly making use of this network in various aspect of its work. When the nominations for the Human Rights Tulip award were opened in May 2016, Justice and Peace shared the information with an extensive list of human rights NGOs, but also with former participants of Shelter City and The Hague Training Course. Many of these local and often isolated HRDs would probably not have accessed this information otherwise.

[3] 'HRD Hub, The University of York'. 2016. *York.ac.uk*. https://www.york.ac.uk/cahr/hrd-hub/ (June 3, 2016).

Justice and Peace not only shares information within its network of local HRDs, but also collects information from them. According to Keck and Sikkink's "typology of the kinds of tactics" used by TANs, this activity falls within "information politics", which is "the ability to move politically usable information quickly and credibly to where it will have the most impact" (Keck and Sikkink 1999, 95). Thanks to the links that JP maintains with the participants of Shelter City and The Hague Training Course, a considerable amount of invaluable information on the situation of HRDs worldwide is available to the organisation. As observed by Keck and Sikkink, digital communication allows information to be transmitted from small organisations in the global South to large western NGOs in a direct and almost immediate way, regardless of national borders and governments (1999, 96). Moreover, both sides benefit from these channels of communication: "Forging links with local organizations allows groups to receive and monitor information from many countries at low cost. Local groups, in turn, depend on international contacts to get their information out, and to help to protect them in their work." (Ibid.).

It is not uncommon for Justice and Peace to hear from HRDs who previously took part in JP activities and who rely on JP to make use of the information they provide in a way that will improve their situation. For example, on the 20th of May 2016, Justice and Peace posted on its website and Facebook page the following message: "Justice and Peace urges the government of Somaliland to restore his license to human rights lawyer and former #ShelterCity participant Guleid Jama and stop obstructing his work as a human rights defender".[4] This kind of personalised information coming directly from the field makes JP's message even more powerful. Indeed, Keck and Sikkink explain that "information flows in advocacy networks provide not only facts, but also *testimonies* – stories told by people whose lives have been affected" (1999, 95). This type of information is particularly persuasive because it strikes the audiences' emotions and values, and "helps to make the need for action more real for ordinary citizens" (96). JP's communication officers also try to "package their information in a timely and dramatic way to draw press attention" (Ibid.). Last April, Justice and Peace obtained a double page in the Dutch

[4] 'Licentie Ingetrokken van Advocaat En Voormalig Shelter City Gast Guleid'. 2016. *Shelter City*. http://www.sheltercity.nl/licentie-ingetrokken-van-advocaat-en-voormalig-shelter-city-gast-guleid/ (March 6, 2016).

national newspaper AD featuring interviews and portraits of the HRDs currently relocated in Shelter Cities.

Nonetheless, the director and the lobbyist of Justice and Peace recently realised that they were not always able to move this information "quickly and credibly to where it will have the most impact" (Keck and Sikkink 1999, 95). They have a massive collection of subjective testimonies, but they lack technical and statistical information. As underlined by Keck and Sikkink, "linkage of the two is crucial" (96) to build a convincing advocacy message. Therefore, they decided to develop a research project aiming at processing the information provided by HRDs in a systematic way. Last January, two research interns from the University of Maastricht started working on the design of a questionnaire that will be used to collect data from HRDs. The final purpose of this project is to create a "Human Rights Defenders Index" documenting the situation of HRDs in various regions of the world. This would be of great help to identify the key problems faced by HRDs in specific contexts, and to develop an effective frame to "show that a given state of affairs is neither natural nor accidental, identify the responsible party or parties, and propose credible solutions" (Ibid.).

The second tactic in Keck and Sikkink's typology, symbolic politics, is "the ability to call upon symbols, actions or stories that make sense of a situation or claim for an audience that is frequently far away" (1999, 95). This tactic is particularly relevant to our field, since HRDs can easily be presented as heroes and serve as symbols of the cause they fight for. For example Berta Caceres – the Honduran indigenous leader and environmental defender who has been assassinated in March – has become a symbol of the persecution of HRDs as a result of the circulation of her story through the entire transnational network for the protection of HRDs. Most actors of the network reacted publicly to this information, not only human rights NGOs but also diplomats and other official representatives. The UN Special Rapporteur on HRDs issued a public statement urging the Government of Honduras to set up an independent investigation, and "to express publicly its full support for the legitimate work of human rights defenders in general and to take measures to ensure a safe environment for defenders" (OHCHR 2016).

Human rights awards are another way to create symbols. Malala Yousafzai, the young Pakistani activist who received the Nobel Peace Prize in 2014, has become a symbol of the struggle for female education in conservative societies. Keck and Sikkink explain that sometimes it is "the juxtaposition of disparate events that makes people change their minds and take action" (1999, 97). That is the reason why Justice and Peace chose to strategically combine two public events they organize – the presentation of the Human Rights Tulip laureate and the Human Rights Ball – with a very symbolic date, the 9th of December – International Human Rights Defenders Day.

Leverage politics, which is the "ability to call upon powerful actors to affect a situation where weaker members of a network are unlikely to have influence" (Keck and Sikkink 1999, 95), can also be very useful for the protection of HRDs. JP's Connect2Protect initiative is based on this idea: an isolated human rights defender is twinned with a person with significant resources or power and similar values – a Dutch or European politician, lawyer, etc. If the HRD is in trouble, he or she can turn to this person for help. In the case of Berta Caceres, her family used leverage politics when they submitted the situation to the Organisation of American States via an open letter. Their call for help was answered by Michel Forst, the UN Special Rapporteur on the situation of HRDs, who used his position to put pressure on the Government of Honduras to take action (OHCHR 2016). Michel Forst used moral leverage to generate a "mobilisation of shame" (Keck and Sikkink 1999, 97) on the Government of Honduras by mentioning the multiple "assassinations of human rights defenders in Honduras in recent months" (OHCHR 2016).

Finally, the opportunities to use accountability politics in the field of HRD protection are quite limited. Indeed, accountability politics is the "effort to oblige more powerful actors to act on vaguer policies or principles they formally endorsed" (Keck and Sikkink 1999, 95). As mentioned before, all UN member states formally endorsed the declaration on HRDs, which makes it difficult to denounce the behaviour of one particular state on the grounds that they made this commitment – almost all states did, and yet so many others do not comply. However, accountability politics becomes an interesting tool when governments enact laws specifically protecting HRDs, as Mexico and Côte d'Ivoire did in 2012 and 2014 respectively (Bennett et al. 2015, 885). In 2015, Justice and Peace Netherlands supported local civil society organisations in their claim for the adoption of such a law at the provincial level in Eastern

Congo (Justice and Peace Netherlands 2015). They succeeded in February 2016, when the Governor of the province of South Kivu promulgated an edict on the protection of HRDs and journalists (Protection International 2016). Although there is a well-known gap in Congo between law and practice, this edict provides a basis to conduct accountability politics, and to lobby for the adoption of a similar law at the national level (Ibid.).

Therefore, the structure and the tactics of TANs as defined by Keck and Sikkink can undeniably be observed in the field of HRD protection, especially when taking a close look at the work of one NGO in particular – Justice and Peace Netherlands. The question that remains to be asked is whether these tactics succeed in effectively protecting HRDs.

The limitations of transnational advocacy

To assess the impact of TANs, Keck and Sikkink distinguish five "stages of network influence" (1999, 98). The first stage is "issue creation and attention/agenda setting" (Ibid.). Evidence of the achievement of this stage can be found in the existence of an international protection regime for HRDs (Bennett et al. 2015). Indeed, an international regime shows that the issue has successfully emerged as a matter of public debate. The challenge for the transnational advocacy network working on the protection of HRDs was to convince the general public and powerful actors that this cause differs from the promotion and the protection of human rights in general, and that, as such, this issue deserves particular attention. Indeed, Bennett et al. explain that the international protection regime for HRDs is "goal-driven" – its aim is not to defend values (these would be the same humanitarian values as those of any other human rights activist), but "to protect and support defenders who operate in their own contexts in the face of threats and risks" (Bennett et al. 2015, 884).

Keck and Sikkink's second stage is the "influence on discursive positions of states and regional and international organizations" (1999, 98). Again, there is much evidence that the TAN for the protection of HRDs succeeded in reaching this level of influence. To influence discursive positions means "to persuade states and international organizations to support international declarations or change stated domestic policy positions" (Ibid.). In this sense, the adoption of the UN declaration on HRDs by the UN General Assembly and the creation of an official position dedicated to HRDs – the UN Special Rapporteur on the situation of HRDs – were great achievements, the result of over 15 years of negotiations (Bennett et al. 2015, 883). Moreover, the introduction of the issue of HRD protection in the discourse of certain states is clearly visible in the frame of the Universal Periodic Review, a mechanism of the UN Human Rights Council in which any state can formulate recommendations to any other state (among UN member states) on how to improve their human rights situation domestically. During the first cycle of the UPR (2008-2012), 327 recommendations focused on the issue of human rights defenders (Database on the Universal Periodic Review recommendations and voluntary pledges). Although the recommendations are formulated by states, the issues they choose to focus on are highly dependent on the advocacy work undertaken by civil society organisations. For example, one of the

countries who expressed the highest number of recommendations on HRDs is Ireland (24 recommendations), which happens to be where Front Line Defenders – the first NGO focusing exclusively on HRDs – is based. "Support for human rights defenders" is also one of the top priorities of the human rights strategy of The Netherlands (Ministerie van Buitenlandse Zaken 2012, 1). Indeed, there is a policy officer within the Dutch Ministry of Foreign Affairs who works specifically on HRDs. For Justice and Peace, it is vital that The Netherlands maintain this discursive position in order to secure funding for all its project related to HRDs.

The next stage of network influence is the "influence on institutional procedures" (Keck and Sikkink 1999, 98). A good example of this is the advocacy efforts of the transnational network for HRDs to obtain simplified and effective procedures for the issuance of visas for HRDs at risk who need to be relocated. In 2004, the Irish government in collaboration with Front Line Defenders established a "Facilitated Visa Procedure for HRDs" based on a "fast-track approach to processing applications" (Front Line Defenders 2008, 6). In 2012, the Dutch Ministry of Foreign Affairs announced in its action plan that it will "facilitate the expedited issue of Schengen short-stay visas for human rights defenders in distress who are seeking a temporary stay in the Netherlands" (Ministerie van Buitenlandse Zaken 2012, 5). Currently, several organisations in Europe are lobbying EU institutions for the creation of a special visa regime for HRDs at risk. Indeed, this is one of the main project that the lobbyist of JP is currently working on. In a guidance note shared internally in April 2016, the main elements of the demanded visa regime are stated as follows: "(1) the visa can be delivered through a special fast-track procedure in a short period of time; (2) the visa is valid for a one to three years, renewable, for multiple entries; (3) the visa scheme is explicitly stated in EU and Member States policy documents and thereby make it predictable and reliable." During the Defenders' Days in Stockholm, JP staff could then share this view with other actors of the transnational network and discuss the possibilities for further collaboration on this advocacy project.

Regarding the "influence on policy change in 'target actors' which may be states, international or regional organizations, or private actors" – Keck and Sikkink's (1999, 98) fourth stage of influence – the achievements of the TAN for the protection of HRDs are much more limited. It is true that the

network's advocacy efforts have had a real impact on international and regional organisations. For example, on the 18th of November 2015, the UN General Assembly adopted a new resolution "recognizing the role of human rights defenders and the need for their protection". During the negotiation process, the Africa group tabled 39 amendments undermining the text, but finally withdrew them after a group of over 150 NGOs issued an "open letter calling on all States to stand with human rights defenders and reject the amendments" (International Service for Human Rights 2015). However, the influence of NGOs on states is much lesser outside of the frame of international organisations. As mentioned before, very few states have changed their domestic policy in order to guarantee the effective protection of HRDs (Bennett et al. 2015, 5), and especially not the governments who persecute HRDs, although they should be the TAN's "target actors".

The last stage, "influence on state behaviour", is the most difficult to fulfill. Indeed there is no clear evidence that transnational advocacy networks have led repressive governments to start respecting the rights of HRDs. Although Keck and Sikkink affirm that "meaningful policy and behavioural change is more likely when the first three types or stages of impact have occurred" (1999, 98), in the case of HRD protection, the emergence of an international protection regime for HRDs did not lead to significant improvements in the effective situation of HRDs on the ground. As observed by Bennett et al., "defenders continue to be attacked, even in countries where they have legally enforceable rights to promote and protect human rights" (2015, 886). According to Front Line Defenders' annual report, there was a new increase both in the number of HRDs killed and the number of countries concerned in 2015 (Front Line Defenders 2016, 7). As governments can no longer openly deny HRDs' rights, they adapt their discourse and find other justifications for the restriction of human rights work, presenting it as "measures to protect national sovereignty; counter terrorism and extremism; further economic security and development; and assert particular cultural, traditional and religious norms and practices" (Bennett et al. 2015, 886). For example, India and Pakistan passed laws severely limiting NGOs that receive foreign funding (Ibid.; Nah et al. 2013, 409) and in Russia, many human rights and environmental NGOs are labelled as "foreign agents" under the law (Front Line Defenders 2016, 7).

The advocacy work undertaken by the transnational networks for the protection of HRDs is absolutely essential to create awareness of the issue, to highlight the need for international protection mechanisms, and to maintain the issue on the agenda of powerful actors (Lawlor and Anderson 2014, 366). However, when it comes to effectively protecting HRDs on the ground, the relevance and impact of the use of advocacy seems questionable.

First, it is not so easy to change the mind of perpetrators. A repressive government might agree to release an imprisoned human rights activist who benefitted from international support, but this does not mean that it will from now on respect the rights of all other human rights defenders. Hafner-Burton studied the impact of 'naming and shaming' campaigns on governments' human rights practices, and found that "governments put in the spotlight for abuses continue or even ramp up some violations afterward, while reducing others" (2008, 689). Noakes (2012) showed that in extreme cases, the inflexible attitude of their target can lead transnational advocacy networks to scale down their claim. For example, the initial goal of the "free Tibet" transnational campaign, which was to obtain independence, was later replaced by a claim for the recognition of the Tibetan people's cultural and political rights within the Chinese state, and this "as a result of Chinese intransigence" (Noakes 2012, 508).

A further reason why advocacy is not always the most appropriate tool to protect HRDs is the risk that it entails for their security. Indeed, putting pressure on perpetrators of abuse against HRDs, and especially denouncing this behaviour publicly, can have two types of (opposite) consequences. In some cases, "increased visibility and national/international recognition of the work of an individual HRD or organization has been seen to contribute to a stronger profile reducing the risk of intimidation and attack for fear of a strong response by various stakeholders nationally and internationally" (East and Horn of Africa Human Rights Defenders Project 2013, 529–530). On the other hand, publicly promoting the work of an HRD can put him or her at risk of being targeted by the government or other hostile actors. Similarly, seeking external support through advocacy can cause the HRD to suffer "acts of reprisal or intimidation" (Ibid.). Even when the advocacy work is conducted through "quiet diplomacy" (Nah et al. 2013, 412), meaning without public visibility, it is not always in the best interest of the HRDs involved.

According to the Observatory for the Protection of Human Rights Defenders, EU delegations in foreign countries, in compliance with the EU Guidelines on HRDs, sometimes undertake such demarches without even consulting – or providing feedback to – the HRD concerned or the local organisations which are already working on this case (2006, 4).

This lack of communication is linked to a larger problem undermining the efficiency of transnational advocacy – the fact that it can be so disconnected from the reality of HRDs on the ground. The creation of an international protection regime for HRDs is presented as a great progress for the rights of HRDs worldwide and yet, many of them are not even aware of its existence. In the form that applicants for The Hague Training Course fill in, Justice and Peace asks if they know about international protection mechanisms such as the UN declaration and EU guidelines, and if they have ever used or referred to one of them in their work. The majority of applicants answer no to both of these questions. Both the Observatory for the Protection of Human Rights Defenders (2006) and Bennett (2015) made a similar observation regarding the EU Guidelines on HRDs. There is a serious lack of awareness of the content and usefulness of the guidelines not only among HRDs, but also among EU diplomats who are supposed to implement them (Bennett 2015, 913; Observatory for the Protection of Human Rights Defenders 2006, 2). The local organisations and HRDs who are familiar with these mechanisms are the ones who regularly engage with international actors and events (Observatory for the Protection of Human Rights Defenders 2006, 3), which is not the case for the vast majority of HRDs around the world. Isolated HRDs, often working in remote areas, rarely have access to any support or protection (Bennett 2015, 917), and especially do not benefit from advocacy campaigns which typically focus on high-profile HRDs and prominent cases of abuse.

In light of all the arguments presented above, transnational advocacy has not proven to be the most appropriate tool to effectively support HRDs in need of protection. According to Bennett et al., "there is sometimes a gap between what defenders do and how transnational actors understand and support them, which can lead to ineffective protection and support measures" (Bennett et al. 2015, 890). The solution might then be to better consider the actual needs of HRDs on the ground when designing the content and conditions of international support (Nah et al. 2013, 413).

International NGOs adapting to the needs of local HRDs: From emergency support to structural empowerment

According to Bennett et al., the international protection regime for HRDs is based on a "Human Security Paradigm" which focuses on the security of "individuals, groups and communities" as opposed to national security (2015, 884). Therefore, who knows best how the security of individual HRDs can be improved than individual HRDs themselves? This is the approach adopted by Front Line Defenders according to its founder Mary Lawlor. Their work is based on the idea that HRDs are "the most expert in the situation they are facing and the situation on the ground that they are trying to alleviate" (Lawlor and Anderson 2014, 365). Lawlor even adds: "So why would you try to barge in, instead of supporting them to do their work?" (Ibid.). In the chapter "How can HRDs be supported and protected in their work?" of Fact Sheet 29 (Office of the UN High Commissioner for Human Rights 2004, 28–37), the longest section is not "Action by States", nor "Action by non-State actors", nor "Action by United Nations departments, offices and programmes", but rather "Action by human rights defenders" themselves. In this sense, it seems more productive for international human rights NGOs to support HRDs in a way that enables them to take action for their own security, rather than working to convince or oblige states to take action for someone else, especially considering that these NGOs can be in direct contact with local HRDs thanks to TANs. Based on the information collected from HRDs on the ground, international NGOs can design projects and tools that directly respond to the demand of local HRDs. Fernandez and Patel, who sought to develop a "critical and ethical approach for better recognising and protecting human rights defenders", posited an "approach in which the defender is understood, and constructed, as a *relational* agent situated in human rights work" (2015, 896). They insist on the importance of considering the context of human rights practice rather than blindly applying universal principles and standards (904). Indeed, there are numerous ways in which HRDs can be offered support or protection, and none of them can be deemed generally efficient or inefficient – it all depends on the context in which it is used and the specific needs of its recipient.

The East and Horn of Africa Human Rights Defenders Project (2013) distinguishes two different types of needs, which call for two different types of intervention. The first type of protection is reactive,

and entails "responding to cases of threats and attacks against HRDs as they arise" (East and Horn of Africa Human Rights Defenders Project 2013, 528). The second type of protection is preventive, and entails "working with HRDs to manage their own security proactively, both before, during, and after the incident of an attack" (Ibid.).

Reactive protection measures include for example advocacy work – exposing the situation faced by an HRD in order to generate public support, bring shame on the perpetrator, and/or compel powerful actors to take action. However, as underlined by Nah et al., "in ideal circumstances, these tactics are used in close consultation and collaboration with HRDs themselves" (2013, 412). Sometimes it is not necessary or relevant to expose the HRD to so much attention, and in some cases it can even be counterproductive. Some HRDs at risk only need to be able to afford legal assistance, medical treatment or security cameras (Lawlor and Anderson 2014, 367). In such cases, an emergency grant can perfectly respond to the immediate needs. In other cases, it's the isolation in which they work that constitutes a danger for HRDs. International accompaniment is a strategy developed by the international NGO Peace Brigades International to respond to such situations. International volunteers are sent to spend several months with HRDs on the field to "provide moral support to HRDs, witness any acts of aggression against them and highlight these violations to the international community who in turn put pressure on perpetrators" (Nah et al. 2013, 412). This tactic allows HRDs to continue their work in safer conditions. Sometimes, the threats are so severe that the HRD is forced to get away from the danger. The most appropriate response might then be "temporary international relocation" (Jones 2015), either in a neighbouring country as it is offered by the East and Horn of Africa Human Rights Defenders Project, or in a totally different region of the world as it is offered by JP's Shelter City Initiative in the Netherlands. Both organisations recently decided to collaborate in order to ensure that HRDs are offered the best possible solution according to their specific needs.

Preventive protection measures focus on "security management", for instance to "help HRDs to identify resources, allies and foes, and assist them in security planning in order to minimize risks and mitigate/prevent the negative impact of an attack" (East and Horn of Africa Human Rights Defenders Project 2013, 528). The idea is to empower local HRDs or organisations in a way that will allow them

to be more secure in the long term. This is something that transnational advocacy networks failed to do according to Rodrigues (2011). Indeed, he observed that once advocacy campaigns set up by both international and local NGOs come to an end, local NGOs have rarely been empowered in the process, and are more or less abandoned by international network members. By raising awareness among HRDs of the risks they face and the rights they have, by teaching them how to better protect themselves, and by offering them opportunities to expand their network transnationally, international NGOs can have a lasting impact on HRDs' security. Justice and Peace, through its training programme 'The Hague Training Course for Human Rights Defenders on Security', seeks to combine all these aspects of protection. In the selection process, JP targets grassroots HRDs with few resources and little international support – in other words, those who will gain the most from such an experience. They are trained on physical, psychological and digital security, as well as international protection mechanisms, and advocacy and policy influencing techniques. Being in The Hague is also a unique opportunity for these isolated HRDs to expand their transnational network, meeting other HRDs from other parts of the world, but also getting acquainted with key actors and institutions – NGOs, Dutch Ministry of Foreign Affairs, International Criminal Court, etc. These contacts can prove to be crucial in the future when they need international support.

Another essential feature of 'The Hague Training Course' is that the trainees commit to share the knowledge and skills gained with other HRDs in their own country or region. They are supposed to organise at least one local training for their colleagues and/or other local organisations on the components of 'The Hague Training Course" that most apply to their own context and needs. Through this process, the HRDs make the training their own and act as translators – literally or symbolically, bridging the gap between "the worlds of transnational human rights and local cultural practices" (Merry 2006, 38). Involving individual HRDs as actors of their own protection and that of their peers reinforces their confidence and sense of ownership (Observatory for the Protection of Human Rights Defenders 2006, 4). Furthermore, this process of re-training has a multiplier effect – if the 20 participants of 'The Hague Training Course' each train 10 of their colleagues, 200 defenders have already been reached, and this logic goes on and on as each trainee becomes a trainer for others.

The use of preventive protection measures by international NGOs is in fact a long-term investment in human rights in general. Indeed, empowering local HRDs is an indirect but fruitful way to promote human rights 'from the inside'. HRDs are not only "key interlocutors in the diffusion of human rights norms from global spaces to local realities" (Fernández and Patel 2015, 898), they are "key agents of change" in their local contexts (Bennett et al. 2015, 884). For instance, Meernik et al. (2012) found that a human rights situation is more likely to draw the attention of the international community – and particularly of international NGOs conducting advocacy – if there are local human rights organisations working to raise the alarm from the bottom up. Therefore, protecting local defenders generates a virtuous circle, as better protected HRDs will be more able to defend human rights in their country, and progress of human rights in the country will in turn reduce aggression against local defenders.

Conclusion

The protection of human rights defenders is an emerging but fast-growing field of human rights work, which relies entirely on transnational communication. Indeed, all kinds of information on abuses against HRDs but also on protection tools and tactics, as well as mobile staff and HRDs at risk themselves, are constantly circulating across borders. These movements are what gives shape to a worldwide community of human rights defenders sharing the same goals and values.

From this perspective, the theory of transnational advocacy networks (Keck and Sikkink 1998) is very useful to understand the structure and functioning of the transnational network for the protection of HRDs. Nonetheless, Keck and Sikkink's exclusive focus on advocacy as the only purpose served by TANs is inconsistent with the use that human rights NGOs make of such networks in practice. Indeed, the observation of the daily work of an NGO focusing on the security of human rights defenders – Justice and Peace Netherlands – has revealed that advocacy is not the only way to achieve positive results for HRDs at risk. It is one tactic among others, which can have a crucial role in setting the issue of HRD security as part of the global human rights agenda, but which can also have adverse consequences when it comes to the effective protection of HRDs on the ground. As has been demonstrated, there are many ways in which international NGOs can provide direct support to local HRDs without resorting to states, and with a more significant impact on their security in the long term. The 'Shelter City Initiative' and 'The Hague Training Course' project both set up by Justice and Peace are only two examples of how international NGOs can respond to the practical needs of HRDs at risk.

The problem with Keck and Sikkink's theory might be that it is already dated. Human rights work has considerably changed since 1998. Based on the example of Amnesty International, Rodio and Schmitz show how transnational human rights activism "has evolved slowly from a largely reactive practice of publishing reports about abuses and writing letters to a more proactive approach addressing some of the structural root causes of many gross violations" (2010, 443). Keck and Sikkink's view on transnational networks of activists might have been accurate in their own context, but it would need to be updated in order to reflect today's human rights practice.

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