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Transnational Advocacy in International Politics

By Willy Fautré, *Human Rights Without Frontiers Int'l*

World politics in the 21st century involves, alongside states, many non-state actors that interact with each other, with states and with intergovernmental organizations. These interactions are structured in terms of networks, and transnational networks are increasingly visible in international politics.

Advocacy networks are significant transnationally and domestically. By building new links between non-state actors, state actors and supra-state actors, they multiply the channels of access to the international system.

Boomerang Pattern

Governments are the primary “guarantors” of the laws and the constitution of their country as well as of the implementation of the international instruments they have signed and ratified.

Blockage of the constructive interaction between CSOs and the state

When a government violates or refuses to recognize the legitimate rights of its citizens, three types of reactions can emerge from civil society according to its degree of freedom of action. In totalitarian countries like North Korea or Eritrea, there is no organized civil society independently from the state and the sole reaction of support to the victims can only come from outside: groups of émigrés and human rights organizations. In democratic countries, civil society organizations have enough freedom to interact in various ways – from dialogue to strikes, demonstrations and other forms of peaceful confrontation - with the government and the state institutions. In dictatorial and authoritarian regimes, independent civil society organizations may exist but their freedom is limited by the state. In such countries, individuals and domestic groups often have no recourse within domestic political and judicial arenas to defend their rights. They may have to seek international connections to express their concerns and even to protect their lives.

Bypass strategy

When channels of communication between the state and its domestic actors are blocked, the boomerang pattern of influence characteristic of transnational networks may occur: a wide range of civil society actors can bypass their state and directly search out international allies to try to bring pressure on their own state from outside. International contacts can amplify the demands of domestic groups and then echo them back into the domestic arena.

Let us illustrate this strategy with a recent example of transnational advocacy developed by *Human Rights Without Frontiers Int'l* about China.

Support of a Dozen Foreign NGOs and Members of the European Parliament

In the last few years, various actors of Chinese civil society have repeatedly and increasingly voiced their concerns about the lack of democracy, rule of law and human rights in their country: human rights defenders, lawyers, journalists, intellectuals, dissidents, cyber-dissidents, believers of various faiths, ethnic minority groups, ordinary citizens... They called for help and support from the outside world.

At the end of last year, our NGO took the initiative to mobilize a dozen of NGOsⁱ, mainly based in Brussels and in EU countries, several political analysts and a number of members of the European Parliamentⁱⁱ to make an assessment of China's human rights recordⁱⁱⁱ on the basis of the complaints expressed by Chinese citizens and ethnic or religious minorities. This took the form of an international conference held at the European Parliament.

In the same week, the director of *Human Rights Without Frontiers Int'l* wrote an article entitled "NGOs must focus on defending Chinese citizens" in the *European Voice*, a weekly magazine widely distributed in the European institutions and outside.

The objectives of this conference were:

- to measure the progress and/or lack of progress made by China with regard to the requests of the European Parliament as expressed in its resolutions of the last five years;
- to send an encouraging and positive signal of support to the Chinese people and the defenders of their rights by the EU stakeholders and the European human rights community;
- to enhance the role of the European institutions in the fight for human rights in China and to make of Brussels a significant pole and leverage for the promotion of the rights of the Chinese.

Noteworthy is the fact that the representative of the Seoul-based NGO defending the rights of North Korean refugees in China was intercepted by the Chinese police at the airport of Beijing, submitted to body and luggage search, interrogated and forcibly sent back to South Korea without any explanation. However, this incident was officially reported and condemned during the conference and his statement was publicly read despite his absence.

Signing And Using A Final Declaration As A Leverage

At the end of the conference, the five members of the European Parliament signed a Declaration listing 10 issues of particular concern and recommendations.

This Declaration was to be used as a leverage by the delegations of several states at a major meeting of the United Nations (Universal Periodic Review) in Geneva where China was to present its human rights record. This was the next step of the boomerang pattern: pressure by an intergovernmental organization on the country denying its citizens the enjoyment of their legitimate rights.

One month before China's UPR, the MEP hosting the conference sent this Declaration to a number of diplomatic missions with the UN in Geneva and mandated our NGO to meet their ambassadors and the members of their delegations participating in the UPR process. Our role was to convince them to use the UPR interactive session to raise the issues prioritized at the European Parliament.

Pressure Through The UN

From 3 to 6 February 2009, a four-person delegation of HRWF Int'l met the ambassadors of France, Germany and Slovenia as well as the human rights officers of Canada, Greece, Netherlands, Slovakia, UK, USA. They asked them to voice the MEPs' concerns through oral questions during the interactive session of China's UPR and provided them with background papers and analyses of their experts. The pre-selection of these countries happened to be the right one as seven of them were ranked in the top ten UN member states with the most constructive behavior in the last 12 UPR sessions by UN Watch in a report released on 6 February (See <http://www.unwatch.org>).

Eight of the ten topics of the Declaration were put on the agenda of the various visited delegations. However, despite our efforts, the one-child policy and the environmental issues were not mentioned during the 60 out of 115 planned interventions of the delegations during the question time. The speakers' list was so long that only half of them could take the floor during their two-minute speaking time. The chances were slim for these two issues to be debated as they were not mentioned either in the Compilation of the information contained in the reports of the treaty bodies, special procedures and other relevant official UN documents prepared by the Office of the High Commissioner for Human Rights.

Such UN meetings have their own internal rules and 'liturgy', and states in the dock can be very creative in manipulating them to their own benefit. In the case of China, the delegations we had lobbied had a difficult time in being the voice of the Chinese civil society, a difficult exercise.

This article is not meant to analyze the UPR mechanism but it is worth mentioning that every time Western states criticized China's policy concerning the Tibetan and Uyghur minorities, the head of China's delegation regretted that "some countries were politicizing the debates". Noteworthy was the unconditional support of a number of countries such as Algeria, Benin, Cuba, Egypt, Gabon, Mali, Nicaragua, Pakistan, Saudi Arabia, Sudan, Venezuela, Zimbabwe and others which used their two minutes to praise the remarkable achievements of China, and sometimes to support China's criticisms addressed to "some countries."

Conclusions: UN Pressure Back to China

Criticisms expressed at the UN undeniably put some pressure on China, the final stage of the boomerang pattern, and it is to be hoped that the Chinese government will be less deaf to the freedom needs of its citizens. Their demands were at least heard and amplified by a number of international press agencies and media, which will constitute an encouragement to human rights defenders and civil society in general in China. However, the way to democracy, the rule of law and human rights is still very long.

In December 2009, Cambodia will present its human rights record at the UPR in Geneva. The transnational advocacy network put in place in Brussels to prepare China's UPR could be an inspiring model for a coalition of Cambodian and European NGOs.

ⁱ Amnesty International (EU Office) - Human Rights Watch (EU Office) - Reporters Without Borders (EU Office) - International Federation of Human Rights (Paris) - Solidarité Chine (Paris) - China Aid (Washington) - Database Center for North Korean Human Rights (South Korea) - Human Rights Without Frontiers Int'l (Brussels) - Friends of Tibet (Brussels) - World Uyghur Congress (Munich) - Coalition to Investigate the Persecution of Falun Gong (Brussels) - Internationale Gesellschaft für Menschenrechte (Frankfurt am Main)

ⁱⁱ *Istvan Szent Iványi MEP (ALDE)*, host of the conference and vice-chair of the EP Delegation for Relations with the Korean Peninsula.

Edward McMillan-Scott MEP (EPP-ED), vice-president of the EP.

Graham Watson MEP (ALDE), president of ALDE and member of the Conference of Presidents, Representative of the e-Parliament.

Marco Cappato (ALDE), member of the Committee of Foreign Affairs and the Subcommittee of Human Rights, 2008 EP Rapporteur on Human Rights in the World.

Helga Trüpel MEP (GREENS), member of the EP Delegation for Relations with China.

ⁱⁱⁱ Freedom of expression - Human Rights Defenders - Arbitrary detention and re-education through forced labor - Inhuman Treatment and Torture - Labour Rights – Housing and land rights - Environmental rights - Freedom of Religion or Belief - Tibet Issues - Uyghur Issues – One Child Policy - Death Penalty – Refoulement of North Korean Defectors in China.