



The Centre for International Governance Innovation

# TECHNICAL PAPER

## Coalitions Of The Caring: Inter-State Networks For Human Rights

ALISON BRYSK

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Addressing International Governance Challenges

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Thank you for your interest,

A handwritten signature in black ink, appearing to read 'John English', written in a cursive style.

John English

## About the Author

Alison Brysk is Professor of Political Science and International Studies at the University of California, Irvine. Winner of the 2007-2008 Distinguished Mid-Career Research Award, she has authored or edited six books on international human rights. Professor Brysk has researched and lectured in a dozen countries, and in 2007 held the Fulbright Distinguished Visiting Chair in Global Governance at Canada's University of Waterloo/Centre for International Governance Innovation. She has taught graduate and undergraduate courses on various aspects of human rights, international relations, civil society, and Latin American politics at Stanford University, Pomona College, the University of New Mexico and University of California, Irvine. Brysk is active in promoting human rights through campus, professional, international, and advocacy organizations and networks.

## Abstract

A new genre of purposive, inter-state organizations has been established specifically to promote rights, democracy, and the rule of law. Such organizations currently include regionally-based organizations like the Organization for Security and Cooperation in Europe (OSCE); promotional coalitions such as the Community of Democracies and the Human Security Network; and democratic governance networks, including the Network of National Human Rights Institutions (NHRI). These organizations spread norms vertically through layers of global governance and horizontally across issue-areas. While there is little evidence that these networks mobilize new resources, they coordinate and multiply existing finance, expertise, and occasional diplomacy.

## 1. Introduction

The international human rights regime has inspired a new kind of humanitarian alliance. States no longer come together exclusively for mutual defence or the promotion of trade; a new genre of purposive, inter-state organizations has been established specifically to promote rights, democracy, and the rule of law. Such organizations currently include regionally-based organizations like the Organization for Security and Cooperation in Europe (OSCE); promotional coalitions such as the Community of Democracies and the Human Security Network; democratic governance networks, including the Network of National Human Rights Institutions (NHRI); and functional humanitarian organizations like the International Organization for Migration (not treated here). These organizations are composed of member states, have an explicit human rights mandate, and in all cases, the purposive function was either always primary or has become so.<sup>1</sup>

These coalitions of the caring may multiply material and normative resources by acting collectively. First of all, these organizations can introduce new norms to the international agenda and frame emerging problems in terms of existing norms (such as labelling a genocide). This is closely linked to the classic human rights Non-Governmental Organization (NGO) tactic of “naming and shaming” states that violate human rights, with the initial step of “claiming” the right. Second, by virtue of state membership, inter-governmental networks have a strong ability to diffuse existing norms into new venues, such as moving gender equity from global to regional to functional organizations. These networks also have a potentially privileged position to lobby existing human rights mechanisms and institutions collectively. Within their own ranks, inter-state human rights groups coordinate and harmonize existing policies. They also synergize financial, knowledge, and political

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<sup>1</sup> While the OSCE was established with a regional base, its expansive membership has transcended the original Eastern European focus to include Central Asia and Canada, with further linkages to Asia and the Middle East via partnership arrangements. In terms of purposive orientation, even though the OSCE has regional security and economic components, the extensive European Union (EU) architecture has come to

capital. Human rights networks may become policy innovators at the global level when they help to establish new human rights mechanisms, institutions, and “best practices.” Inter-governmental organizations may be a source of direct assistance to victims of human rights violations or at-risk groups. Finally, principled promotion organizations may transform target states through capacity building, and assist with states’ implementation of global norms through the provision of monitoring, funding, and expertise.

The potential contribution of such new organizations to the commonweal can be gauged against the broader panoply of roles that international organizations play in global governance. Promotion networks may contribute to United Nations-sponsored human rights safety nets such as the International Criminal Court (ICC), or the Responsibility to Protect (R2P) mandate for humanitarian intervention. A less demanding role for global governance is the coordination of state policies by functional institutions, such as those concerned with human security spillovers. Inter-governmental networks such as the Network of National Human Rights Institutions set common standards and benchmarks and develop administrative capacity. Beyond coordination or commitment of existing interests, membership in sectors of international society may socialize states to new sets of interests. Clubs of global good citizens can shift the understanding of the common good and build the expectation that contemporary democracies relate preferentially to each other, provide humanitarian aid, and export rule of law. Finally, coalitions of value promoters may operate to balance or outweigh hegemonic interests. The ability of the OSCE to operate in the interstices of Soviet domination in Eastern Europe, and the Like-Minded States at the International Criminal Court (ICC) negotiations to overcome US objections are harbingers of this project.

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fulfill the functional mandate so completely that the OSCE concentrates heavily and increasingly on the “human dimension.” Similarly, the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) qualifies as the purposive arm of a larger functional body, set up specifically to enhance the achievement of value-driven goals.

## 2. The Organization for Security and Cooperation in Europe: From Values to Implementation

The Organization for Security and Cooperation in Europe (OSCE) is the most full-spectrum human rights promotion organization in the current international system. Founded as a security measure in 1975, it has grown in membership from 35 to 56 states and focused its mission heavily on value promotion, especially since the end of the Cold War. The OSCE is thus the oldest, largest inter-state promotion organization,<sup>2</sup> based in the most democratic region of the world; it is a best case organization, and a model of the full range of possibilities. Moreover, the OSCE is noted for its openness and partnership with civil society groups throughout its history. The OSCE is registered as a regional security arrangement under Chapter VIII of the UN Charter, and thus has a privileged partnership with that body. The OSCE's lack of formal status in international law and its non-binding character have been surprisingly irrelevant to its relative effectiveness. By 2007, the OSCE's budget had risen to 170 million euros (about US\$230 million). The OSCE has a total staff of around 3,500 (including 750 seconded by participating states). The OSCE was originally established as the Conference for Security and Co-operation in Europe (CSCE), based on the Helsinki Accords negotiated to establish mutual security accountability between the Soviet Union and the Western alliance. For the first time, human rights were incorporated as a "third dimension" of security. The organization operates by consensus. An initial basic commitment to human rights was expanded through a series of 1980s meetings and accords, largely at the behest of the neutral and non-aligned participants, and specific provisions were negotiated by the UK, Soviet Union, Sweden, Hungary, Austria, and (then-West) Germany. The 1989 Concluding Document "is replete with cross-references to international human rights law."

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<sup>2</sup> The OSCE is the largest organization, in terms of staff and budget. The Community of Democracies has the largest membership, with over 100 participating states.

Principle VII of the ten guiding principles of the Helsinki Final Act is “respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion. They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person.” It further recognizes “the right of the individual to know and act upon his rights and duties in this field.” The term human dimension is used to indicate a broader swath of activities regarding democracy, rule of law, and migration. The OSCE states that it is “a community of values.” These values are explicitly framed as an international concern in the 1991 Moscow Document, which states that “the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.” In the 1992 Document on Further Development (Prague), the Council affirmed that in cases of “clear, gross and uncorrected violations” of human rights, the Council could modify the consensus rule to act “if necessary in the absence of the consent of the State concerned.”

### 3. OSCE Human Dimension Commitments

The main working process of the OSCE is a continuous, institutionalized process of multilateral, inclusive dialogue. The CSCE Vienna Monitoring Procedure introduced a four-stage process for human rights by an international organization: information exchange, followed by bilateral meetings, general publicity of situations and cases to the wider membership, and finally annual human rights review conferences. For example, this procedure freed Czech dissident playwright and future President Vaclav Havel. The accords specifically emphasize freedom of religion, freedom of movement, due process, and the situation of national minorities. Beyond the organization’s own activities, the CSCE provided an enormous stimulus to the development of the international human rights movement by inspiring the formation of Helsinki monitoring groups in numerous countries (which later

formed the core of flagship NGO Human Rights Watch). Just as the original accord linked the stabilization of Eastern Europe's borders to Soviet acceptance of universal humanitarian standards, the United States linked arms control talks in the 1980s to Soviet compliance in a way that ultimately reconstituted state interests.

The CSCE was renamed the Organization for Security and Cooperation in Europe in 1994, signalling the institutionalization of an ongoing commitment to a new governance model. The strengthening and expansion of the OSCE was advocated by NATO in 1990 as a complementary component of the new European architecture. In the wake of the Cold War, the creation of new states in Europe enlarged the membership of the OSCE; additional states adhered to human rights standards; and the organization established partnerships with a cluster of Mediterranean and later Asian states. Notably, the membership includes a number of states not incorporated in the expanded EU or NATO. The security and cooperation rationale of the OSCE shifted from management of the East-West conflict to the management of post-Soviet succession and the emergence of ethnic conflict in Europe. The 1992 Moscow Mechanism expanded the Vienna process to include missions of experts and rapporteurs to states with human dimension problems by invitation, by request of a participating state, or *even over the objections of the target state* with the support of five members (Niessen 1994: 581-582—my emphasis). Important contentious uses of the Moscow mechanism include monitoring attacks on civilians in Croatia and Bosnia in 1992 and an investigation of a destabilizing 2002 attack on the President of Turkmenistan. The 1991 Moscow Commitments also explicitly expand recognition and participation of NGOs, facilitating information exchange, country visits, and civic groups' implementation of OSCE norms. The 1999 Istanbul Charter pledges "to enhance the ability of NGOs to make their full contribution to the further development of civil society and respect for human rights and fundamental freedoms." By the turn of the millennium, the organization began to focus on expanded global human rights concerns such as gender equity; the OSCE adopted an Action Plan to Combat Trafficking in 2003. Ironically, current critiques of the OSCE are a testament to its success; detractors contend that the human dimension

has been too prominent, too intrusive, or unbalanced in its application (to Russia and Central Asia). Russia has pressed for institutional reform, greater member-state control, and independence from NATO and the EU. Russia's particular demands for shifting standards for itself and its allies were not met, but a 30th Anniversary Reform Panel recommended greater geographic balance in staffing, a stronger three-pillar committee structure, greater transparency in election monitoring criteria, improved operational capacity, and shorter field missions.

There are several structures within the OSCE that deal specifically with human rights: the Office of Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities, the OSCE Representative on Freedom of the Media, and the Office of the Special Representative for Combating Trafficking in Human Beings (which implements the Action Plan). While the main Secretariat of the OSCE is in Vienna, the ODIHR is in Warsaw and the Minorities Commissioner is at The Hague, reflecting hosting commitments of those member states.

The ODIHR, originally established in 1990 concentrates on election monitoring and assistance as well as human rights promotion and coordination. It includes a Migration Unit that promotes the rights of asylum seekers and migrant workers. The ODIHR also provides a special Contact Point for Roma and Sinti Issues, and a broader Program on Tolerance and Non-Discrimination. This office alone employs over 100 staff and a budget of around 15 million euros.

The High Commissioner on National Minorities, housed in The Hague, specializes in early warning and conflict prevention. The High Commissioner works independently in deciding cases for intervention, but confidentially to negotiate with governments to correct problems, much like the International Red Cross. While the office gives legislative advice to states, and its policy recommendations are often implemented, there is no capacity for individual complaints regarding violations by affected groups; nevertheless, Latvia and Estonia made changes in their citizenship and language laws in accordance with OSCE High

Commissioner's recommendations. The High Commissioner has been active in most of the Balkan, Baltic, and Central Asian member states, including Russia and Turkey. A much smaller, mainly advisory office, the High Commissioner operates with almost 3 million euros per year. The Commissioner coordinates closely with United Nations bodies on minority protection, anti-discrimination, and genocide.

One stream of activities of the OSCE focuses on monitoring, reports, and education. The ODIHR and High Commissioner on Minorities sponsor seminars and educational campaigns on tolerance, and the ODIHR started a new database on hate crimes to better track and coordinate member-state problems and policies (OSCE Office for Democratic Institutions and Human Rights, 2006-2008). The same office published a manual on human rights protection in counter-terrorism for public officials, to supplement training courses. In 2006, the ODIHR sponsored a conference on Implementation and Harmonization of National Policies for Roma. The High Commissioner for Minorities launched a process for truth and reconciliation in Kosovo.

Promotion of elections is also a key activity; the OSCE provides election monitoring, electoral assistance, and training. Election observations have been conducted in 30 participating states and the organization has developed a comprehensive methodology, training materials, and civil society support. These elections have involved thousands of observers from dozens of member states.

Seventy-five percent of the OSCE's budget is spent on field missions. Examples of such missions include negotiations of active conflicts in Georgia, Tajikistan, and Chechnya, as well as post-conflict reconciliation and democratization in Bosnia, Croatia, and Kosovo. The majority of staff members for field operations are local, and most of the remaining personnel are seconded from member states. An evaluation of these operations concludes that: "In a nutshell, the OSCE has been fairly successful in conflict prevention, unsuccessful in conflict resolution and unevenly successful in post-conflict rehabilitation" (Ghebali, 2005: 7). This author classifies the 1992 Kosovo, Macedonia, Estonia, Latvia,

and Ukraine missions as conflict prevention and the Bosnia, Croatia (since 1996), Albania (since 1997), Kosovo (1999), Macedonia (2001), and Tajikistan field operations as peace-building. Prominent less successful cases of attempts at conflict resolution include Azerbaijan, Georgia, and Chechnya (Gheballi, 2005: 8). The longest and largest mission (with 1,100 staff) in Kosovo included human rights capacity building for dozens of municipalities, monitoring of the justice system, anti-trafficking training, creation of an Ombudsperson Institute, and legal education (OSCE Annual Report, 2006).

The OSCE has reshaped state policy through legal reform and the implementation of international legal obligations, particularly regarding minority rights and rights-respectful responses to terrorism. In response to a long-term campaign by the Representative on Freedom of the Media on legal structures that chill free expression, seven OSCE member states have decriminalized libel, and half a dozen more have removed imprisonment for defamation from their penal codes. The ODIHR has also fostered election law reform in thirteen countries and assisted Moldova in drafting legislation on domestic violence. Legal reform often includes promoting the involvement of civil society; a recent program involved training NGOs from the Central Asian republics to monitor detention centres (OSCE Annual Report, 2006).

Finally, the OSCE has provided limited direct aid to victim and advocacy groups. In the area of trafficking, a 2006 high-level conference on best practices, an Annual Report, and a regional inter-sectoral meeting in Central Asia were supplemented by direct work with NGOs to render assistance to victims. The OSCE has also funded or trained representatives of national minorities, and assisted NGOs providing services in post-conflict reconstruction.

The OSCE is above all a self-described “community of values”—a classic illustration of the power of international society to reshape state behaviour through socialization. Speaking to the OSCE Parliamentary Assembly, the High Commissioner on National Minorities made the case for international socialization when he averred that state protection

of minorities is one of the “. . . pillars of contemporary European social and political order. For a state to be European in this sense, it is simply expected and required that it respect these standards.” (Cronin, 2003). In one concrete illustration of the application of these standards, Yugoslavia was suspended in 1992. More broadly, the office of the High Commissioner on National Minorities has come to be seen as a gatekeeper for entry into the EU and other European institutions; moreover, the Commissioner often works in joint missions with these bodies, to create enhanced leverage (Cronin, 2003).

The impact on states through election monitoring, legal reform, and sometimes, conflict resolution reaches deep into fundamental structures of governance. Functionalist coordination, capacity building, and implementation are also dominant functions of the OSCE. Some self-binding effect is visible from time to time, such as when Canada changed some of its legislation regarding indigenous rights in the wake of an aboriginal woman’s complaint about gender equity and an OSCE High Commissioner on Minorities recommendation. In terms of counter-hegemony, the OSCE is primarily a socializing agent within accepted parameters of world order; but, it has sent a Special Representative to Guantanamo Bay, Cuba, whose report called for the US to close the facility (OSCE Annual Report, 2006: 26).

#### 4. The Human Security Network: Norm Innovation

The Human Security Network (HSN) is a group of like-minded countries formed to diffuse and enact the “human security” agenda. It is the most purely promotional and least institutionalized network, with no secretariat, budget, or implementation programs. Founded by Canada and Norway in the wake of the successful landmines campaign, the Network represents an attempt to direct ongoing attention to a cluster of issues which entered the international agenda with the support of temporary middle-power coalitions. Such issues include the International Criminal Court, control of small arms, the protection of children in combat zones, and of course landmines.

The 13-member group includes classic human rights promoters Austria, Canada, Chile, Costa Rica, Ireland, the Netherlands, Norway, and Switzerland; but, it does not include Sweden, Denmark, Finland, the major European powers, or Japan. A more positive feature of the coalition is the representation of regional transitional democracies such as Jordan, Mali, Slovenia, and Thailand. Global Good Samaritan South Africa remains an observer for the same reasons that human security promoter Japan refuses to join; they fear that the Canadian version of the Responsibility to Protect (R2P) as a mandate for humanitarian intervention threatens state sovereignty, especially in the non-Western world. This disparity has been partially bridged by the establishment of an unofficial “Friends of Human Security” support group, in which Japan and Mexico are included. The criteria for accession to the Human Security Network, as established at the 2004 meeting, are ratification of the Landmines Convention, the ICC, and basic UN human rights conventions.

Human rights and democracy are clearly included in the group’s definition of human security. The first Ministerial Meeting in 1999 stated that: “A commitment to human rights and humanitarian law is the foundation for building human security.” The Network has been an important venue for refining the human security concept and bridging to new issues. The Network has consistently linked human security to development and social and economic rights. In terms of issue expansion, Thailand hosted a meeting on human security and AIDS via the Network, while Mali focused its 2004 Presidency on human rights education. Norm diffusion to new venues can be seen in the adoption of four of the Network’s ten elements of human security (including small arms and children in conflict) by the G8 at the end of 1999, carried by Canada between the two bodies.

The main activity of the Network is an annual dialogue of member states’ foreign ministers. The group issues declarations and expects its members to lobby across various diplomatic settings to achieve the principles set out in the Network statements. In addition, the rotating Chairs make regular presentations on behalf of the Network at the

UN Security Council, Human Rights Commission/Council, General Assembly, and special conferences, as well as at the OSCE and other regional bodies. The United Nations Trust Fund for Human Security's Advisory Board of prominent promoters (chaired by Sadako Ogata, President of the Japan International Cooperation Agency) participates in some meetings of the Network, as well as a looser group of like-minded non-members called the Friends of Human Security.

Major humanitarian NGOs and networks such as the Red Cross, Amnesty International, and the International Campaign to Ban Landmines have been included in the Human Security Network from the start. The Network has also helped to inspire the exchange of research and information, specifically via an annual Human Security Report prepared by a Canadian research centre. The Japanese Trust Fund for Human Security at the United Nations has no formal links to the Network, but there is an informal exchange and implicit convergence on some issues. While Canada established and sustains the Network, the other promoter states are either passive members or non-members. The Network collaborates with the UN Office of Civilian and Humanitarian Affairs (OCHA), the Alliance of Civilizations, and the International Trust Fund for Demining and Mine Victims Assistance.

While the Human Security Network limns the possibilities for concerted agenda change in global institutions, it also delineates the limits of purpose without power. While it is difficult to gauge the precise magnitude of the Human Security Network's contribution, it seems to have fostered a diplomatic safety net for the core issues of protection of civilians in armed conflict; but the group's limited membership, dearth of resources, overlapping niche, and lack of leverage have constrained the coalition's potential to address other issues, or even to implement its full mandate. The landmines and ICC coalitions comprised dozens of states, not 13, and the OSCE includes most of the members of the G8 and UN Security Council—including, of course, the United States. Non-member Japan's control of the relevant resources has narrowed the Network's linkage to the UN Trust Fund, restricting global initiatives to Japan's developmental vision. While the Human Security Network

tried to expand rather than contest notions of national security, many states interpreted human security as a counter-hegemonic challenge to their sovereignty. Interests were not reconstituted beyond the handful of founding states; Network member Thailand even reverted to military rule in 2006, without losing its status in the organization. For the Human Security Network to sustain its core competence of agenda expansion and norm diffusion, it will need to broaden its horizontal membership to a wider range of middle powers, and enhance its insertion in the architecture of global governance.

## 5. “Club Dem”: The Community of Democracies

In 2000, shortly after the Human Security Network was established, a convening group of 10 states met in Warsaw to set up a Community of Democracies promotion network. The initiative for this organization came largely from outgoing US Secretary of State Madeline Albright, just as the Human Security Network had been catalyzed by Canadian Minister of Foreign Affairs Lloyd Axworthy. The Community is widely perceived to be sponsored by the US, although the United States provides no formal resources or leadership. As the group has grown to over 100 members, the certification function of participation has outpaced agenda setting, monitoring, and implementation functions.

The Community of Democracy’s founding and orienting Warsaw Declaration lists a dozen key civil and political rights, along with rule of law and good governance, and specifically includes “all human rights—civil, cultural, economic, political and social . . . as set forth in the Universal Declaration of Human Rights. . . .” Current standards for membership include free and fair elections; rule of law and equality before the law; multiple political parties; separation of powers; and respect for human rights, including ethnic minorities and gender equality. The 2005 Santiago Ministerial Commitment affirms that democracy and human rights “are interdependent and mutually reinforcing,” and lists as the first concrete goal to “promote and protect human rights and fundamental freedoms. . . .”

The core “convening group” of members was led by the United States, and included leading developing world democracies such as Chile, India, Poland, the Czech Republic, South Korea, and South Africa; it has now grown to 16 members. But the convening group does not involve any of the historic promoter states, such as the Nordic countries, and shows very little overlap with the Human Security Network. Alongside the inter-state structure, the Community includes a Non-Governmental Forum that participates directly in Ministerial meetings as well as in a parallel NGO setting. It meets bi-annually in formal session and occasionally informally at the UN.

The Community of Democracies distributes the diffuse prestige of belonging to the club of democracies through an annual review of states, and resulting invitation categories of Member, Observer, or Non-invitee. “Observer” status applies to states that fail to meet international standards but are in a transition process. States may theoretically be downgraded from full membership to Observer, or may be invited initially to Observer status rather than full membership. For example, Russia and Thailand participated in the first three meetings but were uninvited in 2007; Egypt was first downgraded from Member to Observer in 2002, then uninvited in 2007; and Afghanistan slipped from participant to Observer in the same year. Like the Human Security Network, the Community of Democracies has no secretariat or ongoing budget; but, it has an International Advisory Committee that recommends which states to invite in what categories. The Committee is composed of a dozen geographically diverse notables, such as Costa Rican Sonia Picado, Chair of the Inter-American Institute of Human Rights, former Ambassador to the US, and former President of her country’s National Liberation Party.

The Advisory Committee is supported by a secretariat of international democracy monitoring NGOs: Germany’s Bertelsmann Stiftung, the Ghana Center for Democratic Development, the US-based Democracy Coalition Project, and Freedom House. This assessment process developed in stages over the first five years of the organization and, in part, responded to NGO criticism that criteria of democracy were too limited to formal and electoral measures, and invitations too aligned with US foreign policy.

The Community's emphasis on inclusion has led to an increase in quantity that may sacrifice quality of membership; for example, the centrist monitoring NGO Freedom House ranked 37 of the 103 signers of the Warsaw Declaration as only "partly free" and six more as "not free" (Foreign Policy, 2000: 120, 82). Only 60 of this group were invited to attend the following Seoul meeting as "Members," while the remainder were treated as "Observers." In addition to the invitation rankings, the International Advisory Committee now prepares a screening report with more in-depth information and suggestions for improvement on "countries in which the trend toward respect for democracy and human rights is in flux" (46 in 2007). This report may slightly enhance the Community's reputational leverage and quality control. Strengthening the group's emerging autonomy from US foreign policy, Iraq was not invited in 2007 and Venezuela was critiqued but included.

The Community of Democracies aspires to be a proto-lobby within global institutions like the Human Security Network. Accordingly, it created a United Nations Democracy Caucus in 2004, which directed its members to positively consider pending resolutions on torture, religious cooperation, regional organizations and democracy promotion, and the status of women in the UN system; all of the Community's proposals passed. The project also issued annual scorecards of the voting records of democracies and Community. The latest survey showed mixed success:

The UN General Assembly's Third Committee adopted four key country resolutions despite efforts by spoiler states to end the practice of naming and shaming the worst violators, according to a new survey by the Democracy Coalition Project. The survey, released on 11th December 2006 to commemorate the 58th Anniversary of the adoption of the UN Declaration on Human Rights, analyzes the voting patterns of UN Member States at the 61st General Assembly of the United Nations. The analysis is based on a scorecard that records the voting on five country resolutions condemning human rights abuses in selected states; it also covers a sixth resolution introduced by Belarus and Uzbekistan which sought to undermine the importance of country-specific resolutions. The study showed that efforts to block UN censure

of human rights violators had failed, with members of the UN Democracy Caucus voting overwhelmingly for the four country resolutions that succeeded. The scorecards also showed a poor record by leading members of the Community of Democracies, including members of its Convening Group (Campaign for a UN Democracy Caucus 2005).

A program on regional organizations has helped institutional diffusion, beginning with a 2001 conference hosted by the Organization of American States (OAS) and followed by subsequent exchanges with the OSCE. The 2002 Seoul Plan of Action emphasizes linkages with regional organizations. Regional caucuses at the 2005 Santiago conference focused on strengthening the African Peer Review Mechanism, the Inter-American Democratic Charter, and the compatibility of Islam and democracy.

The Community has also begun to host a small number of OSCE-style missions, such as a 2004 US/Portuguese visit to East Timor and a 2005 Romanian delegation to Georgia. Although there is no systematic work on capacity building or implementation, the Community has pledged to set up a Budapest International Centre for Democratic Transition that would broker experience, skills, and resources for democratization.

The Community of Democracies has played a nascent agenda-setting role that in some ways complements the International Institute for Democracy and Electoral Assistance's (IDEA) implementation of the same values, but somewhat rivals the Human Security Network as a norm promoter at the global level.<sup>3</sup> Working within the same established

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<sup>3</sup> Founded in 1995, IDEA includes all of the Global Good Samaritan states and other historic human rights promoters, but not the United States. While the OSCE combines norm and policy promotion, and the Human Security Network and Community of Democracies focus respectively on agenda change and certification, the IDEA concentrates almost exclusively on implementation. IDEA emphasizes that its mandate is democracy, not human rights per se, and that there is no universal form of democracy; however, the organization explicitly adheres to certain core democratic values, which include respect for human rights, alongside process measures such as free and fair elections.

normative framework as the OSCE, but with a global geographic base, the Community as club is an experiment in the power of reputation in international society. More conscious coordination of club membership with projection of global governance incentives, from UN posts to regional mechanisms to certification for bilateral relations, could provide more universal benchmarks and enhance the leverage of human rights standards.

## 6. “Team Gov”: The Network of National Human Rights Institutions (NHRI)

NHRIs have proliferated since the 1990s at the urging of the United Nations and with the help of pioneering human rights promoter states exporting their own models. The UN Office of the High Commissioner for Human Rights (UNOHCHR) has assisted at least 25 countries to set up a NHRI, notably in post-conflict situations or transitional democracies. Such institutions are autonomous, government-funded bodies of independent experts and representatives of social sectors with a legal mandate to monitor and advise on human rights conditions, legislation, institutions, and education within their national boundaries. Some are tasked with reporting to UN treaty bodies, although this function is more commonly performed by the foreign ministry. National human rights institutions are related to, yet distinct from, Ombudsperson programs of citizen advocacy, which have also proliferated, networked, and articulated with international agencies during the same period; for example, the 2006 International Conference of National Human Rights Institutions in Bolivia was partially sponsored by that country’s ombudsperson.

Since the turn of the millennium, the 100-plus national human rights institutions have established an international trans-governmental network to set standards, exchange resources, promote practices, and foster insertion in global institutions. Like the Human Security Network, this network is a forum without independent organizational resources, and it does not participate in implementation like IDEA or the OSCE; it does perform a certification function similar to the Community of Democracies, a coordination function like the OECD Development

Assistance Committee (DAC), and a network-knitting enhancement of global governance.

The NHRIs are modeled on early efforts such as the Danish Institute for Human Rights and Canada's Human Rights Commission (created in 1978 to implement that country's Human Rights Act). The 1991 Paris Principles adopted by the United Nations Human Rights Commission and General Assembly set out criteria for the independence, competence, and international status of such bodies. These principles are used to screen applications for membership in the Network, since the establishment of a NHRI occasionally appears to reflect a state's diversionary effort to derail international criticism or subvert civil society organizations, rather than a legitimate effort to improve or lock in emerging human rights policies. The members of the Network in turn designate an International Coordinating Committee, consisting of 16 members—four from each region.

The main activities of the Network include information exchange, attendance at a series of conferences, and promotion of some direct exchanges between established and emerging national institutions. The network website and correspondence provide members with all relevant international human rights documents, updates on human rights developments in the UN system, information from fellow national institutions on programs and practices, a bibliography, and training resources. It has also compiled UN Treaty Body Recommendations relevant to national institutions, to encourage a greater role in monitoring and implementing the Network's mandated harmonization of national law with international human rights instruments.

There is a bi-annual International Conference on National Institutions, which issues a thematic Declaration that often claims or frames new norms; for example, the 2006 Bolivia conference was devoted to migrants' rights, and declared that "NHRIs shall advocate for a human rights approach to migration." The Santa Cruz Declaration also urged NHRIs to promote the ratification of the International Convention on the Protection of the Rights of All Migrant Workers, one of the most

under-subscribed UN human rights instruments. NHRIs are directed to participate in training of state migration authorities, to register individual complaints, and to collect accurate and disaggregated data on migration abuses and discriminatory practices. The International Network has also supported the establishment of an additional layer of regional networks, which meet annually. Finally, the accredited NHRIs are official participants in the annual sessions of the UN Human Rights Commission/Council.

The Canadian Human Rights Commission has been notably active in funding, training, and networking newer NHRIs. Canada has a bilateral “institutional linkage project” with several million dollars of Canadian International Development Agency (CIDA) funding with India’s National Human Rights Commission. Further agreements have been signed with Mexico, Indonesia, South Africa, Bolivia, and Peru. Various forms of Canadian assistance were critical to the establishment of commissions in Indonesia, Thailand, and Cambodia—including seconding Canadian officers to Indonesia’s Commission. Canada helped organize the regional African Conference on National Institutions in 1996, via an agreement with Cameroon.

The transnational network, anchored by the Network of National Human Rights Institutions but including notable UNOHCHR, bilateral, and ombudsperson participation, is a nascent exercise in institution building with great potential significance. In theory, the single most high-yield measure in terms of capacity building and reshaping sovereignty involves implanting national institutions charged with implementing international standards. However, since states still control most of the basic operating conditions of such bodies, the autonomous influence of these institutions has been thus far limited in practice. The proliferation and iteration of multiple layers of human rights institutions, standards, conferences, and knowledge will build social capital for global governance. While this capital is insufficient in the absence of accountable authority or political will, it is a critical resource for meaningful change under propitious conditions.

## 7. Conclusion

What is the cumulative value-added benefit of this burgeoning collection of inter-state promotion networks? In terms of the humanitarian motive for inter-state cooperation, the collection of value promoters spreads norms vertically through layers of global governance as well as horizontally across issue areas. While there is little evidence that these networks mobilize new resources, they coordinate and multiply existing finance, expertise, and occasional diplomacy. As far as enlightened self-interest in development and conflict resolution is concerned, the convergence of multiple organizations and interventions seems to have contributed to the stabilization and integration of some amenable transitional areas, such as the Balkans, although not in more starkly troubled regions. Through the creation of additional mechanisms for monitoring and promotion, inter-state networks expand the menu of policy tools for willing state promoters of human rights. Inter-state promotion efforts also appear to foster the gradual construction of a community of values and interests through membership certifications, governance resource interdependencies, and the strengthening of the linkage of bilateral policies to global institutions.

The inter-state layer of the human rights regime helps to construct global governance, neither from the top down nor from the bottom up, but from the middle out. Coalitions of the caring can help to mobilize the regime as a whole, and more commonly build preventative capacity for democratization and citizen empowerment. Such institutions, in turn, slowly shift norms and identities throughout the global system.

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Le CIGI a été fondé en 2002 par Jim Balsillie, co-chef de la direction de RIM (Research In Motion). Il collabore avec de nombreux partenaires stratégiques et exprime sa reconnaissance du soutien reçu de ceux-ci, notamment de l'appui reçu du gouvernement du Canada et de celui du gouvernement de l'Ontario. Le CIGI exprime sa reconnaissance envers le gouvernement du Canada pour sa contribution à son Fonds de dotation.

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