

AMNESTY INTERNATIONAL

CHASING A MIRAGE?

Ravindran Daniel



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Amnesty International - Chasing a Mirage?

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To Thomas Hammerberg and Ian Martin

For the friendship, guidance and for opening so many doors

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INTRODUCTION

There are numerous academic writings about Amnesty International (AI), and globally, it continues to be a subject of doctoral or master's theses. My motivation for writing about AI is to share my reflections based on my thirty years of experience in working on human rights and built on my association with AI at various points in my career. In the 70s, most activists in India were not fully aware of the concept of human rights even though we were engaged in social justice-related issues. In 1977, when the Emergency that severely restricted rights and freedoms was lifted, we heard numerous stories about how opposition political leaders took various risks to send information to AI. In India and many other countries AI was sought out by victims of repression and violations. In the early 80s, when I joined the International Commission of Jurists as Legal Officer for Asia, I was fortunate to work closely with AI staff working on countries in the Asian region. I witnessed the contribution jointly made by the ICJ and AI at the UN Commission on Human Rights, its Sub-Commission, and other human rights mechanisms. In the 80s, traveling in Europe or the US, I saw firsthand the enthusiasm and commitment of AIs' local sections and volunteers. When most NGOs in the world were still run by elites and were hierarchical in their functioning, AI offered an alternative as a membership-based organization. AI remained my reference point during the last thirty years or so.

AI engaged me as a consultant on three separate occasions in 1992, 2002, and 2010. In 1992, I conducted the first study on AI's Research Department (along with Curt Goering, Deputy Director of AIUSA). In 2002, I was part of a ten-member working group established to

develop a strategic vision of the movement to work on economic, social and cultural (ESC) rights. In 2010, I was engaged as a consultant (with Mindy Sawhney) to review AI's collaboration with Moazzam Begg (former Guantanamo prisoner) and Cageprisoners regarding allegations raised by a senior AI staff member that AI was collaborating with terror supporters.

Because of these three assignments, I was able to observe AI closely and at different periods. In retrospect, all three periods were significant in the history of AI. In 1992, Ian Martin resigned as Secretary-General after failing to convince the International Executive Committee (IEC) to increase its support and appreciation to the work of the International Secretariat (IS).¹ As described in the later sections, 1992 marked the beginning of the weakening of the IS role in the movement. The establishment of the Working Group on ESC rights in 2002 was a response to a 2001 membership decision to engage with the full spectrum of rights. In many respects, it was a break from the past and from the way the organization had evolved since 1961. In 2010, AI was faced with an internal crisis due to allegations made by a senior staff member. 2010, was also important because Salil Shetty assumed office as Secretary-General with a remit to move major parts of the IS to the regions in what became known as the "Global Transition Program" (GTP). In the last decade, AI has undergone drastic changes and witnessed serious issues regard to the treatment of staff, staff strikes, and the unanswered question of the value of its "Global Transition Program".

¹ Hopgood Stephen, Amnesty International's Growth and Development since 1961, in Amnesty International 50 years - Reflections and perspectives, Wilco de Jonge, Brianne McGonigle Leyh, Anja Mihr, Lars van Troost (eds.) SIM Special No. 36 Utrecht, 2011

INFORMATION – FIRST LINE OF DEFENCE

Jonathan Kutab, an Israeli Palestinian US lawyer, stated that control of access to information is a must for violators. On the other hand, he said, “information documentation, and dissemination of accurate details of the violations of human rights remain our single most powerful and most effective weapon in fighting for human rights”.² He also said that to be an effective first line of defense information “must be truthful, accurate, and detailed.”³

Since its inception, AI has used credible information as an effective tool to fight against all types of violators from all parts of the globe. “Complete factual accuracy was central to the organization’s early operations.”⁴ It was inevitable that staff engaged in collecting, assessing, and disseminating information became a significant part of its organizational structure, the International Secretariat (IS).

² HURIDOCs News, N0. 12 May 1993

³ *ibid*

⁴ Grant Stefanie, Amnesty’s Achievements: Some Reflections on the Early Years, in Amnesty International 50 years - Reflections and perspectives, Wilco de Jonge, Brianne McGonigle Leyh, Anja Mihr, Lars van Troost (eds.) SIM Special No. 36 Utrecht, 2011

THE JOURNEY OF AI'S RESEARCH DEPARTMENT⁵

AI's first research entity was called the Amnesty Library. Eight volunteers reviewed foreign newspapers about Prisoners of Conscience.⁶ AI's first annual report stated that the Library staff collected data on 1,200 prisoners during 1961. The information was sent to 70 local Amnesty groups in Europe. In 1961, AI sent missions to Czechoslovakia, East Germany, Ghana, and Portugal to gather information and meet with officials. Individual donors funded these missions. In 1963, AI's International Assembly authorized the creation of a secretariat. By 1964, the Amnesty Library was known as the Prisoner of Conscience Library and was coordinated by a director and had information about 2,800 prisoners in 83 countries. In the same year, the Library set up an investigation bureau run by one full-time staff and one part-time staff. When sufficient information was available, Bureau researchers sent case sheets to local groups for their action on the case. The groups sent solidarity letters to prisoners of conscience and petitions the concerned government seeking the release of the prisoner.

⁵ The information for this section is from – Review of Amnesty International's Research, A Preliminary Report for Discussion by AI staff, Sections and Co-Groups, by Curt Goering & Ravindran Daniel, June 1992, AI Index: POL 40/01/92

⁶ Prisoners of Conscience – someone has not used or advocated violence but is imprisoned because of who they are (sexual orientation, ethnic, national or social origin, language, birth, colour, sex or economic status) or what they believe (religious, political or other conscientiously held beliefs).

Amnesty International's Letter Writing Campaign

How it Worked?

In the initial years, AIs members wrote letters seeking the release of prisoners based on the case sheet provided by the researchers. The following is an illustrative example of it worked on the ground:

Julio de Pena Valdez, a trade union leader was arrested in 1975 by the government of the Dominican Republic and was held naked in an underground cell. He later narrated the effect of the letters received by him:

“when the two hundred letters came the guards gave me back my clothes. Then the next two hundred letters came and the prison director came to see me. When the next pile of letters arrived , the director got in touch with his superior. The letters kept coming and coming: three thousand of them. The president was informed. The letters still kept arriving and the President called the prison and told them to let me go.

After I was released the President called me to his office for a man-to-man talk. He said: ‘ How is it that a trade union leader like you has so many friends all over the world? He showed me an enormous box full of letters he had received and, when he parted, he gave them to me. I still have them.”

Taken from: Power Jonathan, Like Water on Stone, The Story of Amnesty International, London, 2001.

By its 10th year, AI had some 1000 groups and 28 national sections. AI's Library and its Research Department had the unique distinction being the only entity in the world focusing on political imprisonment around the globe. AI came to accept that it would monitor abuses in all countries of the world. In his 1970-71 International Report, the

Secretary-General stated that “the political and geographical balance must be universal and not merely selective.” However, the Research Department had only eight full-time staff members and 11 part-time workers. Seven of the eleven were volunteers. The International Executive Committee discussed proposals for increasing the number of research staff, including deploying assistants. In 1973, Amnesty issued its first Urgent Action which became a common tool among international, national, and local groups to issue an alert about human rights violations.

AI, as a movement grew rapidly especially after it received the Nobel Price for Peace in 1977. By 1980, AI had 250,000 members in 134 countries, 39 sections and 2,200 groups. More than 150 people staffed the IS. The 1980 AI Annual Report identified the challenges faced by the Research Department: “Growing strains and challenges are put on our research work. Demands for more work on human rights violations in more countries increase. We are also expected to improve the accuracy and comprehensiveness of our information, as well as the intellectual grasp of the problems examined”.⁷

The Research Department functioned on the premise that no government is beyond scrutiny. The following statement made at the 1989 International Council Meeting (ICM) reaffirmed that: “There is now the irreversible assumption that AI carry out active research on every country in the world. Any failure to research and respond to human rights violations in a particular country is seen by governments, the public, and AI members not as a reflection of priorities, but as evidence of political bias or indifference.”⁸

The expectation, particularly from AI’s sections and membership, was that the research department would respond quickly whenever human rights violations occur. This created tensions between the AI

⁷ See note 5

⁸ *ibid*

sections and the Research Department. In 1991, at the Yokohama International Council Meeting, a resolution was adopted asking for a special report analyzing the level of coverage and adequacy of AI's research into human rights abuses worldwide, setting clear targets and stating financial and other resources needed to achieve these targets. The resolution also sought recommendations on the use of special projects and deconcentration of projects with involvement of sections and groups.

1992 REVIEW OF THE RESEARCH DEPARTMENT

The review was the first of its kind and was exhaustive. Curt Goering and I interviewed more than 50 percent of the Research Department staff and had discussions with heads and staff of other departments. We met with representatives of 8 sections and received questionnaire responses from 23 sections and 100 co-groups. The review report made 17 recommendations. It proposed various ways to strengthen the link between the AI sections and the research department and to strengthen the monitoring of human rights violations globally. The report noted that: "There appears to be a strong consensus within AI that AI must have a strong, professional, impartial and highly credible research operation that is organically linked to action. The starting point for the place of research in AI is that AI exists to take action to stop human rights violations. Research into those violations is necessary to provide for effective action".⁹

⁹ AI Index: POL 40/01/92

90S - EXTERNAL CHANGES

In 1961, the time when Amnesty came into existence, foundations for the Berlin Wall were laid. The fall of the Berlin Wall in 1989, the end of the cold war and globalization brought a new dimension to global politics and human rights. The 90s saw phenomenal growth of human rights organizations in all parts of the world. About 800 NGOs attended the 1993 UN Vienna Congress on Human Rights.¹⁰ Human rights organizations began working on poverty, increasing inequalities, environmental concerns, and violations committed by non-state actors and companies. The Gulf War, genocide in Rwanda, the war in former Yugoslavia challenged the limits of NGO work in responding to the horrors of war. Human Rights Watch (HRW) challenged AI's dominance with its flexible approach (AI sought authorization from concerned government to send its staff to the field, whereas HRW did not) to monitoring, speedy dissemination of reports, and strong media presence. AI was faced with the challenge of expanding its mandate and its method of operation. AI began mounting campaigns on broad themes like the campaign to obtain a personal pledge to support the Universal Declaration of Human Rights in 1998.

THE MANDATE TO FULL – SPECTRUM OF RIGHTS

In 1961, AI began with a limited focus of working on individual prisoners of conscience whose names were known. Based on its focus, it evolved its methods. To ensure impartiality, prisoners were chosen from the Eastern bloc States, including the Soviet Union, the Western bloc States including the US and third world States of Asia, Latin America and Africa. Another self-imposed limitation was the “own country

¹⁰ See OHCHR <http://www.ohchr.org/EN/ABOUTUS/Pages/ViennaWC.aspx>

rule” under which AI members were barred from working on cases in their own countries. The rule was a safeguard against members facing problems from their governments but also to stress the importance of solidarity in human rights work. It also “arguably prevented the organization from becoming another civil liberties movement with international links.”¹¹

AI’s initial focus on individual prisoners and fairness of their trials expanded to dealing with specific human rights concerning “physical integrity”.¹² It was an evolution based on reality - when AI became aware that prisoners were tortured during their incarceration, it began work on torture. AI initially began opposing the death penalty imposed on political cases and moved to campaign on the abolition of the death penalty in all cases. When governments resorted to extrajudicial killing to avoid imprisoning their opponents, AI focused on extrajudicial killings. In all these instances, AI clarified the legal framework to explain why it is a human rights violation. As a consequence, it naturally played an important role in standard setting at the UN and regional level. The process of identifying violations, its scope, and the applicable standard became internally known as the mandate setting process.

Among others, AI’s mandate evolution included working on abuses by armed opposition groups, opposition to weapons of war and landmines in particular; sexual orientation, administrative detention, forced deportation and house destruction.¹³

In 2001, AI moved to ‘full – spectrum approach’, intending to deal with all violations of human rights. The change coincided with the assumption of office by Irene Khan (not from the movement) as

¹¹ See note 4

¹² Rodley Nigel, Amnesty International’s Work on Physical Integrity – A Personal Reflection, in Amnesty International 50 years - Reflections and perspectives, Wilco de Jonge, Brianne McGonigle Leyh, Anja Mihr, Lars van Troost (eds.) SIM Special No. 36 Utrecht, 2011

¹³ <https://www.ngo-monitor.org/reports/23/>

Secretary-General of AI. The change meant moving away from individuals and specific countries and work equally on civil, political, economic, and social rights. The previous “own country rule” was also abandoned.

THE WORKING GROUP ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In 2002, AI convened a Working Group to look broadly at a strategic vision for AI as it enters the field of ESC rights, as well as assisting in the short- and medium-term planning of the movement.

The Working Group acknowledged the changed global situation and the importance of AI’s role in advancing ESC rights. The report recommended that: “It makes sense to start work on ESC rights by relying on skills that the organization has developed in its earlier work, and that are also relevant for work on ESC rights. Besides, it is likely that in initiating work on ESC rights, Amnesty International will focus on violations that are relatively easy to establish.”¹⁴

The report identified the following elements for AI’s approach to work on ESC rights:¹⁵

1. generic obligations of multiple actors to respect, protect and fulfill ESC rights;
2. the prohibition of discrimination;
3. the recognition that ESC rights are legally enforceable, including that they are justiciable;

¹⁴ Strategy Paper Presented by the Working Group on ESC Rights to the International Executive Committee of Amnesty International, 10 December 2002.

¹⁵ *ibid*

4. the need to avoid retrogressive measures;
5. the recognition that what matters is the enjoyment of rights, not the nature of the economic system.

The report advocated for alliance building as vital for work on ESC rights. The report recommended that AI should build its work on ESC rights using its strength in monitoring and research methodology. The Working Group proposed a gradualist approach to ensure that AI avoids rhetoric and pursues a rigorous methodology. Unfortunately, it was not the case - Salil Shetty, who became AI Secretary-General in 2010, stated: “the ultimate torture is poverty”.¹⁶

IRENE KHAN’S DEPARTURE

By mid – 2000, the IS was in turmoil and the staff privately criticized the role played by Irene Khan and her deputy for the situation. At the end of 2009, the AI Board decided not to renew Irene Khan’s and her deputy’s contract. The enormous amount paid to Irene Khan and her deputy as severance pay became significant news in the UK and elsewhere. AI’s IEC’s Chair wrote to all Amnesty members to “apologize unreservedly for the considerable upset this decision has caused”.¹⁷ An independent review by Dame Anne Owers on the payments made to the former SG and her deputy concluded that the payments “were greatly in excess of the requirements of law or contract”. The report identified systemic failures that contributed to this whole episode.¹⁸

¹⁶ <https://www.theguardian.com/world/2012/dec/02/amnesty-international-staff-management-restructuring>

¹⁷ <https://www.thirdsector.co.uk/amnesty-issues-public-apology-golden-handshakes/communications/article/1057803>

¹⁸ Final Report (November 2011) by Dame Anne Owers OBE, ‘Independent review of payments by Amnesty International to its former Secretary General and Executive Deputy Secretary General in 2009’

2010 INTERNAL CRISIS

In February 2010, a senior staff member made a public allegation that AI's work with Moazzam Begg, a former British inmate at Guantanamo Bay damaged the organization's reputation since he was suspected of being a strong supporter of the Taliban (which he denied). The allegation and the ensuing publicity caused a major crisis. Along with Mindy Sawhney, I reviewed the issues arising from this allegation.¹⁹

AI's move to conduct campaigns and high-profile events required working with other organizations and individuals who are not from the AI movement. Moazzam Begg was actively involved in AI's campaign called "Counter Terror with Justice". The issue was concerning AI's ability to work with victims without appearing to embrace their views. The report concluded among others that AI in its Integrated Strategic Plan had signaled its intention to work with others, but partnership strategies do not appear to be sufficiently specified at the level of individual campaigns, Sections, and regional/country programs. The review report was submitted to Salil Shetty on the day he assumed office as Secretary-General.

2010 GLOBAL TRANSITION PROGRAM (GTP)

Since the 70s, AI was concerned about the imbalance in its membership that was dominated by the US and other Western countries. It was heavily dependent on funds from the global north. The debate about the role of IS and the sections remained unresolved. AI was keen to dispel the allegation made by governments that it was a Western organization. To resolve these issues, AI pursued various approaches

¹⁹ Mindy Sawhney and Ravindran Daniel, *Amnesty International Working with others: an independent review: Findings and recommendations, July 2010*

that ranged from starting local offices, mounting campaigns to recruit members from the global south, delegating IS tasks to sections, changing methods of work with less intensive work on individual prisoners and abandoning the own country rule, moving to full-spectrum of rights and conducting generalized campaigns.

Starting in 2010, under Salil Shetty, AI began implementing the Global Transition Program (GTP). Unlike previous approaches, the GTP aimed at restructuring the organization by reducing its London office operations and transferring them to regional hubs in various parts of the world.²⁰ Under the plan the following offices have been established: Americas (Mexico City and Lima), East Africa (Nairobi), Southern Africa (Johannesburg), West and Central Africa (Dakar) East Asia (Hong Kong), Southeast Asia (Bangkok), South Asia (Colombo) Middle East (Beirut), North Africa (Tunis), Israel/Palestine (Jerusalem) and Europe (Brussels). New forms of national offices were set up in India, Brazil, South Africa, Kenya, Nigeria and Indonesia.

Such a radical move was justified as part of moving closer to the ground where human rights violations take place and to build a truly global movement. The aim as stated in an internal document was “to link its campaigning, activism, and fundraising and to use the strength of its brand to raise its total income and double its membership to 5 million, mostly in the global south.”²¹

Salil Shetty justified GTP as part of a “decolonization of human rights”. According to him, human rights were “misappropriated and instrumentalized in many different ways since 1948”. Among various aspects of such “decolonization” of human rights, he included the role played by “Northern-based human rights organizations including Amnesty International”. He postulates that there has been over-reliance

²⁰ Blueprint for an integrated and results-driven IS, closer to the ground (ORG 30/011/2011) taken from https://www.amnesty.org.uk/files/iin_mar_2013_gtp_0.pdf

²¹ *ibid*

on “American and European guardianship”. “When our power, money, and decision-making comes from the North, we send a message about the moral authority of the North; and we lose our organic connection with struggles in other parts of the world.” On how to “truly decolonize human rights”, he suggested among others, to “connect and reconnect with the struggles at the local level.”²²

Based on the above, Salil Shetty claimed that it was necessary to distribute the AI Secretariat globally to operate closer to the ground so that AI could hope to bring lasting change by “standing shoulder to shoulder with people in their struggles.”²³

Other justifications of GTP were to enlarge AI’s membership, particularly in the South, increase AI’s funding from the South and reduce its dependency on funders from the North. As for the growth in membership, the ambitious goal of 5 million targets was set for the period 2010–2015. The assessment report on GTP found no significant increase in paid membership.²⁴

As for fundraising, GTP’s major goal was to diversify funding sources, including bringing in new institutional donors and increase donations from South-based supporters. During this period, AI was successful in raising funds from North-based institutional donors, but no progress was made in increasing donor support from the South. Three Northern-based donors provided 4.2 million, mainly for implementing the GTP.²⁵ It appears that AI management under Salil Shetty was proud of the fact that they were able to raise funds from private institutional donors. In their response to the GTP Assessment report, they stated that: “It

²² <https://www.amnesty.org/en/latest/news/2018/05/decolonizing-human-rights-salil-shetty/>

²³ *ibid*

²⁴ GTP Assessment - Final Report of Transnational NGO Initiative, at the Maxwell School of Citizenship and Public Affairs, Syracuse University, USA, March 2016 – May 2017

²⁵ *ibid*

was the ambition of the GTP and the message this sent to the external world, that attracted the major foundations to contribute US\$4.0m to the GTP and open doors for their support on other projects for the IS and sections".²⁶ It was paradoxical that "decolonizing" human rights were carried out with funding received from Northern-based institutional donors.

ASSESSMENT OF GTP

An external expert group carried out an assessment of GTP covering the period from 2014 to 2017.²⁷ The assessment team's recommendations indicate that the GTP could have benefitted from more clarity and better leadership. The report recommends the need for a "new narrative" that "...goes beyond moving closer to the ground, beyond the distribution of Amnesty IS and to the distribution of Amnesty as a movement... (making all) regions vibrant communities for public campaigning."²⁸

It recommends that the AI leadership respond to the following issues raised by internal and external stakeholders:

- "The position of Regional Offices in the Amnesty ecosystem as a layer below London IS or as an equal player in the network of IS including London;
- The specific roles played by Regional Offices in relation to Sections and other parts of the IS as well as Regional Office relations with other regions;

²⁶ GTP final assessment IS management response (no AI Index number)

²⁷ Final Report of Transnational NGO Initiative, at the Maxwell School of Citizenship and Public Affairs, Syracuse University, USA, March 2016 – May 2017

²⁸ *ibid*

- The Regional Offices' responsibilities and accountabilities at different levels – national (including Sections, international members, countries without Sections and National Offices), regional and global".²⁹

To use the assessment team's terminology, AI's ecosystem has changed now. Previously, it consisted of the following: International Secretariat (IS), and National Sections and Structures (yet to become Sections). The coordination between the IS and the Sections/Structures remained a major problem. Now in addition to the IS and the Sections, there are the regional offices and the National Offices (different from Sections) which have been set up in several countries. How the coordination would be managed between these multiple entities is not clear. Moreover, quality control of output by national offices remains a grey area.

The report stated that the regional offices should value add to the AI Sections and not sideline them. The report stressed the need to address the role of regional offices in the local eco-system, including addressing the risk of "crowding out and competition with other NGOs".

Concerning leadership, the report noted that AI leadership was caught between its "unwavering" stance in implementing GTP and the need for listening and learning. It recommended that the leadership should listen to staff reporting difficulties that are part of the GTP implementation process. It noted that the middle management was not engaged sufficiently, and the senior leadership was "less than cohesive". Finally, the report observed that: "First, organizations and their large change processes are ultimately all about 'people, people, people.' Compared to some of its peers, Amnesty did not always understand this basic tenet – neither from a human resource frame nor from a political frame."³⁰

²⁹ *ibid*

³⁰ *ibid*

The IS Senior Management, in its response to the assessment report projected an optimistic picture and reiterated that the endeavour to transform AI into a truly global human rights movement would continue.³¹

GTP AND AI MANAGEMENT

The GTP Assessment Report indicated that there were some serious problems in managing the process. "While this survey overall shows encouraging improvements in staff engagement compared to 2015, it still paints a rather negative view of the Senior Leadership Team. Amnesty leadership's score remains low for its listening abilities, approachability, its clarity of communication, and the extent to which it is trusted and respected by staff. To some extent, these measures all relate back to leadership behaviors – which means that any organizational-structural measures will not address these on their own."³²

The tragic suicide in May 2018, of Gaetan Mootoo, AI staff member for more than thirty years, unraveled the impact of GTP on staff and how the senior management managed it.³³

AI appointed James Laddie QC to conduct an independent investigation on the circumstances preceding the death of Mootoo.

James Laddie's report made observations on the management practice and the conscious efforts to undermine research and researchers. The report noted that the senior management took various administrative steps to "reduce the autonomy and influence" of researchers.³⁴ The

³¹ See note 26

³² See note 24

³³ Rosalind McGregor an intern seconded from the Swiss Section took her own life in July 2018 that further added to the urgency of looking at staff wellbeing.

³⁴ Taken from <https://www.amnesty.org/en/documents/org60/9413/2018/en/>

report acknowledged that many senior staff left between 2011-2015 and noted that the departure of senior staff would impact on AI's capacity to undertake credible research.

The report observed that staff did not trust most initiatives taken by the Senior Leadership Team (SLT). The report noted that "a bunker mentality developed at a very senior level. One of the ways that this manifested itself was in a readiness to dismiss the concerns of longer-serving staff as the gripes of "old-timers".³⁵

The death of Gaetan Mootoo, led to AI engaging a consultancy firm (KonTerra group) to conduct a detailed review of issues related to staff wellbeing. The Group's report acknowledged that GTP implementation has caused substantial disruption and has had a significant impact on staff wellbeing. According to the report, "many former and current staff describe Amnesty as an environment in which staff do not feel that they are valued, protected, or treated with respect and dignity. The Assessment Team received many reports (from multiple offices and regions) of power misuse, discrimination, targeting, bullying, and other practices which have undermined wellbeing." One current staff member described Amnesty as "a toxic culture of secrecy and mistrust—a place where there are back-room deals."³⁶ While GTP aggravated existing tensions between the staff and senior management, Salil Shetty's "muscular approach"³⁷ was seen as contributing to the crisis.

³⁵ *ibid*

³⁶ Amnesty International Staff Wellbeing Review, January 2019.

³⁷ <http://en.rfi.fr/africa/20190525-boisbouvier-translation>

CHANGING ECOLOGY OF THE HUMAN RIGHTS MOVEMENT

We should not forget that AI is not functioning in a vacuum, and that it is part of the larger human rights ecology. This human rights ecology began changing since the 80s. Many local, national, and regional organizations emerged working on diverse issues. Local struggles on various issues are now articulated as claims for human rights. Numerous movements have emerged whose work cuts across the whole spectrum of rights. Illustrative examples are the Right to Information movement in India that emerged from the Mazdoor Kisan Shakti Sangathan (MKSS)³⁸ and the Brazilian Landless Workers' Movement (known in Portuguese as *Movimento dos Trabalhadores Sem Terra*, or MST).³⁹ In many countries, local human rights NGOs play a supportive role in such movements. Such movements have also benefited from AI's monitoring of violations committed against their members. Standing "shoulder to shoulder" advocated by Salil Shetty does not necessarily have to mean physical relocation involving enormous costs and disruptions. AI could have found creative ways to build on its work with such groups.

There have been some such creative initiatives to engage with local movements by international organizations. The International Network for Economic, Social, and Cultural Rights (ESCR-Net) provides a platform for these groups by establishing a Working Group as part of its organizational structure. The Working Group brings together indigenous peoples, peasants and fisher folk, residents of informal settlements and the urban poor, landless farmers, domestic workers, racial and ethnic minorities and people who have mobilized to resist harmful development projects. The purpose is to facilitate a global

³⁸ Aruna Roy and Nikhil Dey, 'Chasing a Right.' Accessed from: <http://www.mkssindia.org/writings/mkssandrti/chasing-a-right/>

³⁹ Miguel Carter, 'The Landless Rural Workers Movement and Democracy in Brazil', American University. Accessed from http://www.mstbrazil.org/files/Miguel%20Carter%20LARR%20Article%20%282011%29_0.pdf

alliance to meet everyday challenges.⁴⁰ International organizations have developed mechanisms to enable local voices to be heard without INGOs mediating for them. ESCR-Net developed an abuse documentation checklist which went viral. For instance, over 100 communities have used it in Mexico to prepare their cases for the visit of the UN Working Group on Business and Human Rights.⁴¹

At the same time when AI was rolling out its GTP, the Ford Foundation in 2012 launched its Strengthening Human Rights Worldwide (SHRW) initiative. The initiative aimed to strengthen human rights organizations from the Global South as well as support new models of alliances and cooperative work between international and national organizations. The Ford Foundation initiative was based on a theory of change that, "civil society actors (NGOs) who are closest to the problem (violations of human rights) bring a vital perspective to the international human rights movement (IHRM). By strengthening these national-level actors' agenda-setting power and by diversifying the IHRM in terms of global south/north representation, the movement will be stronger and better able to adapt to the changing context of the 21st Century."⁴²

A review of the SHRW initiative showed that national and regional Southern groups are increasingly creating their own spaces in the human rights movement and system. New forms of organizations and

⁴⁰ <https://www.escr-net.org/socialmovements>

⁴¹ Barbara Klugman, Ravindran Daniel, Denise Dora, Maimouna Jallow & Marcelo Azambuja connecting the dots of a new human rights movement ecology: Findings of the learning review of the Ford Foundation's Strengthening Human Rights Worldwide global initiative, Barbara Klugman Concepts (PTY) Ltd, Johannesburg, 30 November 2017. https://www.openglobalrights.org/userfiles/file/Towards%20a%20new%20ecology_SHRW%20Review%20Public%20Report_11_2017%20Final_compressed.pdf

⁴² Barbara Klugman, Ravindran Daniel, Denise Dora, Maimouna Jallow & Marcelo Azambuja Connecting the dots of a new human rights movement ecology: Findings of the learning review of the Ford Foundation's Strengthening Human Rights Worldwide global initiative, Barbara Klugman Concepts (PTY) Ltd, Johannesburg, 30 November 2017. https://www.openglobalrights.org/userfiles/file/Towards%20a%20new%20ecology_SHRW%20Review%20Public%20Report_11_2017%20Final_compressed.pdf

networks are emerging which are neither national nor international, neither Northern nor Southern, which mix national and international groups, and with a mode of work developing that explicitly recognizes that greater effectiveness lies in collaboration.⁴³

The SHRW review observed that the architecture of the human rights movement is shifting. The movement is less vertically structured, less of a ladder from the local to the international, and more like a mosaic. The movement stands or falls by the degree of connectedness between the many and diverse parts of the mosaic and their capacity to listen and learn from each other.⁴⁴

The ecology of the human rights movement began changing in the 80s and the SHRW review captures it. In this changed context, AI's efforts to be closer to the ground seemed to be happening at a wrong time when strong NGOs have emerged in the South and are increasingly challenging the traditional human rights ecology. It is not clear to what extent AI on the ground would be able to be an active partner in the mosaic, or whether it would destabilize the mosaic that had emerged as a result of hard work by South-based groups.

⁴³ *ibid*

⁴⁴ *ibid*

THE WEAKENING OF THE IS AND ITS RESEARCH DEPARTMENT

AI was built on the principle of solidarity for victims of violations of human rights. It was not based on pious solidarity but on monitoring and campaigning on human rights. AI contributed to evolving what later became known as human rights monitoring.⁴⁵ AI's initial monitoring techniques became widespread and numerous national organizations around the world refined them further. Illustrative examples are: AL-Haq in Palestine, the Task Force Detainees of the Philippines (TFDP), The Center for Legal and Social Studies (CELS) of Argentina and the Vicariate of Solidarity in Chile.

AI's research provided the basis for all its work. AI, based on its research on torture, for instance, became aware that the practice was systematic and global in nature. AI also realised that its strategy of appealing on behalf of individual prisoners will not be sufficient in dealing with the issue of torture. AI therefore, in 1973, mounted one of its most creative and successful global campaigns, the Campaign Against Torture (CAT). Interestingly, the campaign strategy included the publication of a World Report on Torture that was based on research by its researchers. AI's campaign was immensely successful to such an extent that no government could now openly justify torture in any form. The campaign also contributed to setting UN standards on prohibition of torture. In 1977, AI launched a campaign against the death penalty on the same lines as its CAT. In 1973, there were about 25 abolitionist countries. Presently, due to sustained campaigning by AI and other organizations, more than 160 governments with varying

⁴⁵ The elements of monitoring are: collecting information on violation/s; establishing sources to verify the information; building evidence and corroboration to establish the facts; identifying perpetrator/s including role of the concerned state/non-state actor/s; determining what national law or international standards were violated; and building statistics/data to prove if a certain practice is widespread and is based on policy of the concerned state/non-state actor/s.

legal systems and traditions have abolished the death penalty or do not practice it.⁴⁶

By the time the 1992 Review of the Research Department Report was submitted to the IEC, Ian Martin had left, and Pierre Sané assumed charge (not from the AI movement). The Review report was ignored, and the debate about the role of the research department started all over. The impression from the outside was that the IEC and Pierre Sané were keen to reduce the influence of the research department and make the organization more campaign oriented. He started a separate campaign department while the Review report of the Research Department had recommended combining research and action with the researchers playing an equal role in the campaign strategy.⁴⁷ Pierre Sané's predecessors (Thomas Hammerberg and Ian Martin) were known for strict adherence to ensuring that information produced by AI was credible. Thomas Hammerberg, "wanted those who spoke on behalf of Amnesty to have clarity, coherence, and consistency."⁴⁸ Ian Martin was a "stickler to accuracy".⁴⁹ On the other hand, for Pierre Sané "speed became essential".⁵⁰ Under Pierre Sané, when AI was criticized for releasing a report based on secondary sources on the arming of Hutu rebels by some Western governments, Pierre Sané's response was, "he would always prefer a nice piece of research where everything is verified to death. But if that corners you into inaction, then what's the point? Amnesty is a campaigning organization."⁵¹ On the contrary, for instance, AI's 1992 report entitled, "India Torture, Rape and Deaths in Custody" is an example of a campaign based on painstakingly researched information. The report described in detail the pattern and practice of torture, including rape, and deaths in

⁴⁶ <https://www.ohchr.org/EN/Issues/DeathPenalty/Pages/DPIndex.aspx>

⁴⁷ See note 9

⁴⁸ Power Jonathan, *Like Water on Stone, The Story of Amnesty International*, London, 2001

⁴⁹ *ibid*

⁵⁰ *ibid*

⁵¹ Taken from <https://www.nytimes.com/1995/07/26/world/defining-and-proving-rights-abuses-debate-splits-amnesty-international.html>

custody in India. It recorded the deaths of 415 people in the custody of the police and security forces since 1985. In all 415 cases it concluded that there was evidence that the victims, who include women and children, were brutally beaten or otherwise tortured until they died. AI's then India researcher, Yvonne Terlingen, spent around two years to meticulously document and verify these cases from various parts of India. It may have taken some time to finalise it but the report and the campaign contributed to a paradigm shift in the debate about custodial abuses in India. It was an exemplar of the power of information.

Post-Ian Martin, there was a growing mistrust between the senior leadership and IS staff. The leadership considered IS staff, particularly the research staff, unwilling to change and to have imbibed the worst of UK trade union culture. By the 90s, AI recruited its finance and administrative staff mostly from the private sector. Often they did not appreciate the work done by the researchers since no immediate tangible results were seen unlike when organizing an event or a campaign.

Between 2001 and 2010, AI's leadership took a series of steps to weaken the IS and in particular its research department. The planning process was changed from an IS-led process to a movement-wide Integrated Strategic Planning process (from mandate to vision, mission and strategic planning process). Changes in the management structure led to the inclusion of Directors of large sections as part of the SLT, but IS staff or senior researchers were not included.⁵² In 2010, when the GTP was rolled out, the division between research and campaign was structurally incorporated with the creation of two deputy directors dealing with campaigns and research respectively. It meant, campaigners reported to the deputy director on campaigns and the researchers reported to the deputy director on research. According to a long time IS staff member, "that very much exacerbated the divide. Even though the movement recognized that what we were aiming for was impact; it was not clear on how impact was delivered. In my

⁵² See note 1

view, impact is achieved through a blend of research, advocacy and campaigning tailored to the global and/or local reality one aims to address. Somehow, the movement leadership over time has minimized the role of research in this symbiosis.”⁵³ According to another former AI staff member, after 2010, the thinking among senior management was that research could be outsourced and it is not required for all actions or campaigns.⁵⁴ AI leadership justified these steps as needed to strengthen AI as a global movement and its brand.

⁵³ Personal correspondence with an IS staff member

⁵⁴ Personal correspondence with a former staff member who left the organization in 2017.

CONCLUSION

I tend to agree with Hopgood that marrying a global movement with the highest quality research will remain problematic, and it is the research that will suffer in the process. According to Hopgood, to “sustain the degree of coordination, information gathering and activism to keep up this ‘One Amnesty’ momentum was naïve.”⁵⁵

The coming years will show if AI will remain relevant and effective or in chasing the mirage of achieving a brand as a global movement, it will get stuck in quicksand.

⁵⁵ See note 1

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