

SELF-EMPOWERMENT OR DESPAIR?

An Initial Study of an Alternative Human Rights Advocacy Strategy for Latin America

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1 INTRODUCTION

*"All human beings are born free and equal in dignity and rights. Everyone is entitled to all the rights and freedoms set forth in the universal Declaration of Human Rights, without distinction of any kind, such as race, creed, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Everyone has the right to life, liberty and security of person."*¹

United Nations, Universal Declaration of Human Rights

With these words, the Universal Declaration of Human Right, created more than half a century ago, set out the challenging idea of a common standard of fundamental human rights to be universally protected for all people and all nations. Ever since, a seemingly endless number of efforts has been directed at realizing this goal, be it through the creation of an official human rights post in a government, the establishment of a non-governmental organization such as Amnesty International, the design and execution of a grassroots campaign, or the education of people accordingly. Although some successes could be registered, such as the adoption of human rights principles into a country's constitution, millions of people, today in the 21st century, continue to suffer on a daily basis from devastating abuses of their most basic human rights. Thus, the question arises of why, despite the numerous human rights efforts, a majority of the human beings living on this planet are denied their right to a life in freedom, equality, and dignity? Spontaneously, the most obvious response to this continuation of human rights abuses - despite the operating activism to resolve them - would be that the solution strategy must be flawed, as its usage does not

¹ UNFPA, "Human Rights: Quotes on Human Rights." *United Nations*. 2010. Accessed November 17 2010: <http://www.unfpa.org/rights/quotes.htm>

present a true remedy to the grievances it tries to eradicate. But is that the case? The purpose of this research is to conduct an initial research on that topic. As especially in Latin America, this disjunction between human rights activism and the enduring, and at times even worsening, state of inhumane conditions many people have to live in is striking, I decided to use that region as the focus of my study. My hypothesis is that the dominant strategy in human rights advocacy called “naming and shaming” does not yield the desired results because it is designed to focus mainly on civil and legal rights; however, only if also social, economic, and cultural rights are guaranteed, a life in freedom, equality, and dignity can be ensured. I argue that to enforce these types of human rights, the strategy of shocking people with negative evidence of human rights situations is ill-suited and instead a “strategy of potential”, highlighting positive examples of human rights work, gives people hope and inspiration for how these less tangible issue can be overcome so that action will be taken accordingly. First, I am going to lay out the existing scholarship on human rights advocacy and demonstrate the intellectual grounding of my theory. Next, I’m going to describe the method of how I am going to investigate my hypothesis. Then, I’m going to design two human rights advocacy reports – one using the current strategy of “naming and shaming” and one using my proposed “strategy of potential.” After theoretically comparing them, I’m going to detail the responses to each one of them of people native to Latin America and people with either experience in the region or in the field of human rights. Based on these results, I’m going to conclude my study with a preliminary evaluation of the “strategy of potential” in comparison to the “naming and shaming” approach based on which I will be able to make recommendations for further research on that topic.

Pictures of violated corpses, statistics of brutal victimization of innocent people, accounts of the complicity of influential actors – most organizations advocating for human rights and their laws currently try to capture international attention by shocking their audiences with the startling facts of grievances around the world. This strategy to speak up for human rights and to enforce international human rights norms and law is referred to as “naming and shaming.” Both international organizations and grassroots movements bring to light the horrific crimes and abuses that are committed at human beings to create public outrage and inflict guilt in members not of a society not because of their belonging to a particular nation but because of their membership to humanity in general, so that influential public officials and members of the government are forced to fight these human rights violations in response to the emerging social pressure. While this strategy seems to have resulted in some success, the continued suffering of people around the world from not being granted their rights as human beings raises the question whether “naming and shaming” is truly the right tactic - and whether it is the only one - to advocate for human rights? Does the method of shock and guilt infliction trigger the necessary awareness and respect for human rights in human beings that lead to an improvement of the status quo?

Obviously, the dominance of “naming and shaming” can be traced back to the positive results it has produced. As Katherine Sikkink explains, “the pointed finger of shame, particularly directed by an organization with some appearance of impartiality and political independence, has caused executions to be stayed, death sentences to be commuted, torture to be stopped, prison conditions to be ameliorated, prisoners to be released and more attention to be paid to the fundamental rights of many citizens.”² Rein Müllerson supports her argument

² Sikkink, Kathryn (1993) “Human Rights, Principled Issue-Networks, and Sovereignty in Latin America.” *International Organization*, 47, 3

with his statement that if a population, which suffers from a brutal authoritarian leadership, is simply left alone with its oppressor(s), not much hope exists that such a society develops in a civilized way³. Similarly, Jack Donnelly claims that “in a world still organized around sovereign states, the international contribution to implementing human rights rests on persuasive diplomacy, which itself rests considerably on the power of shame that lies at the heart of investigatory and reporting mechanisms.”⁴

However, considering cases such as Indonesia, China or Guatemala, where human rights abuses continued and still do so, despite “naming and shaming” campaigns directed against them, scholars have recently started to question the universal applicability of this strategy. In her study *Sticks and Stones: Naming and Shaming, the Human Rights Enforcement Problem*, Emilie Hafner-Burton demonstrates that some governments, which were publicly accused of human rights abuses, continue and at times even increase the violence in some aspects, while reducing it in others. The author argues that one reason for that phenomenon is that a government’s capacities for human rights improvements vary across types of violations. Furthermore, so Hafner-Burton, governments are strategically using some violations to offset other improvements in the public eye.⁵

Similarly, J.C. Franklin finds in his study of seven Latin American countries, which he examined for how their governments, when targeted for human rights criticism, respond to subsequent contentious challenges, that the practiced “shaming” leads governments with strong economic ties to other countries to reduce their human rights abuses in specific areas. However the duration of such improvements he considered in his work was relatively short, with periods of less than six months, after which some examples had returned to the previous

³ Müllerson, Rein (1997) *Human Rights Diplomacy*. Routledge: London, UK.

⁴ Donnelly, Jack (1998) *International Human Rights*. Boulder: Westview Press. Pg.85

⁵ Hafner-Burton, Emilie (2008) “Sticks and Stones: Naming and Shaming, the Human Rights Enforcement Problem.” *International Organization*, 62

conditions. Also, criticism by NGOs, religious groups, and foreign governments was more effective than criticism from inter-governmental organization.⁶

In this sense, this quantitative analysis of the effects of naming and shaming in different countries for larger time spans suggests that the still dominating strategy for human rights advocacy might not be the most effective in some cases.

Furthermore, also qualitative case studies reinforce this argument. Wachman indicates in his study *Does Diplomacy of Shame Promote Human Rights in China?* that efforts to shame Beijing gave birth to an indignation of national pride coupled with a cultural relativist defense that prevents improvement of the status quo from taking place.⁷ Thus, certain cultural contexts might not be as receptive to the strategy of “naming and shaming” than others. Allison Brysk’s analysis of sex trafficking advocacy reveals the same insight that the current strategy has proven especially successful in Western, receiving countries as it can tap into the Western moral capital of the anti-slavery campaign as well as the argument of feminism.⁸ Thus, the dependence of the results of naming and shaming on cultural factors demonstrates that it cannot be expected to be universally applicable and that in some cases, an adaptation of the advocacy strategy to the local situation might be necessary.

Additionally, alternative explanations for human rights successes emerge that don’t identify “naming and shaming” as their cause. For example, Keck and Sikkink argue that in the case of Argentina, the rate of disappearances dropped dramatically once the international pressure on the Argentine government had been established in response to the publication of the high numbers of victim cases. However, the political scientists also admit that an alternative explanation for this decline in human rights abuses exists; the Argentine military

⁶ Franklin, James (2008) “Shame on You: The Impact of Human Rights Criticism on Political Repression in Latin America.” *International Studies Quarterly*, 52

⁷ Wachman, Alan “Does the Diplomacy of Shame Promote Human Rights in China?”

⁸ Brysk, Allison (2009) “Beyond Framing and Shaming: Human Trafficking, Human Security and Human Rights.” *Journal of Human Security*, Vol. 5, No. 3

had already killed all the people they thought they needed to kill when the international arena turned their focus onto them, and thus this domestic factor can be identified as actual reason for less cases, although the international attention seems to follow the same timeframe.⁹

In response to this increased criticism of “naming and shaming,” Kenneth Roth explains that organizations using the strategy of “naming and shaming”, such as his organization the Human Rights Watch, “are at our most effective when we can hold governmental (or, in some cases nongovernmental) conduct up to a disapproving public. In my view, to shame a government effectively clarity is needed around 3 issues: violation, violator, and remedy.”¹⁰ Consequently, Roth acknowledges with this argument the subjectivity of “naming and shaming” and the fact that other forms of human rights abuses that cannot be clearly identified in the way he describes do not necessarily qualify for the shaming strategy. Further developing this point, Mary Robinson explains that new opportunities for governments and international organizations to integrate human rights in their policies need to be identified to render their work more effectively. She suggests that new relationships with development organizations, foundations, progressive business leaders, faith-based groups, and grassroots movements aimed at empowering the poor promise large potential for a successful collaboration.¹¹

Along those very same lines, Goodman, in his *How to Influence States?*, claims that because of this orientation to new, more diverse and complex networks, also the prevailing approach for changing human rights practices needs to be adapted. While coercion and persuasion are valid methodologies, Goodman asks for a more complete and inclusive conceptual mechanism: acculturation. “By acculturation, we mean the general process by

⁹ Sikkink, Kathryn & Keck, Margaret E. (1998) *Activists Beyond Borders*. Cornell University Press: Ithaca, NY

¹⁰ Roth, Kenneth (2004) “Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization.” *Human Rights Quarterly*, 26, 63-73

¹¹ Robinson, Mary (2004) “Advancing Economic, Social, and Cultural Rights: The Way Forward.” *Human Rights Quarterly*, Vol. 26, No. 4

which actors adopt the beliefs and behavioral patterns of the surrounding culture. This mechanism induces behavioral changes through pressures to assimilate. The touchstone of this mechanism is that identification with a reference group generates varying degrees of cognitive and social pressures to conform.”¹² Thus, not only outside pressure on political actors can lead to change, but a strong demand and valuing of human rights in the society, in which they feel at home, generates a persuasive incentive to adapt accordingly.

Especially in the case of a non-Western country that struggles with violence and crime within its own borders, which is often the case in slums of poor nations, the “naming and shaming” strategy appears to be little fruitful. As Cavallaro and Mohamedou explain in their study *Public Enemy Number 2? The Rising Crime and Human Right Advocacy in Transitional Societies*, a simplified reporting of illustrating the most shocking examples of brutality, using shaming as the only perspective, portrays the poor communities as the breeding grounds of criminality, which not only justifies harsh incursions from police or other actors but also dehumanizes both perpetrators and victims.¹³ In many societies, public dissatisfaction with state efforts to deal with rising crime has gone hand-in-hand with increased tolerance for repressive approaches to crime control, and, in extreme cases, resort to self-help measures that even more so violate basic human rights. Thus, in a context like this, an alternative strategy to advocate for human rights is necessary that humanizes the members of violent communities in the eyes of the larger public and therefore puts their well-being on the national agenda.

However, more recently not only high crime areas were denied the application of human rights to people living there, but instead also poor neighborhoods in general, often including indigenous communities, have experienced the same phenomenon. For example, the

¹² Goodman, Ryan & Junks, Derek (2004) “How to Influence States: Socialization and International Human Rights Law.” *Duke Journal*, Vol. 54, No. 3

¹³ Cavallaro, James & Mohamedou, Mohammad (2005) “Public Enemy Number Two? Rising Crime and Human Rights Advocacy in Transitional Societies.” *Harvard Human Rights Journal*, Vol. 18

Brazilian professor Cecilia Camtra explains that media framed the image of the poor as enemies of the state in the same way previous enemies of the state had been characterized in the 1960s and 1970s under authoritarian rule.¹⁴ Juan Mendez reiterates this point when stating that “the targets of state violence have shifted from relative well known political prisoners to young persons from a poor district.”¹⁵ Sadly, in our modern times of capitalism and globalization, those people not on board of the ship towards “progress,” be it due to institutionalized discrimination or different cultural values, are excluded from the larger society and identified as threatening the advancement of country as a whole. Thus, also in the case of socially stigmatized and excluded communities, negative accounts of human rights conditions can deepen the split between them and the rest of society, and thus an alternative strategy to advocate for human rights in those cases is necessary that fosters the reintegration of them into the national identity, and thus puts their well-being on the national agenda as well.

In this sense, it becomes apparent that “naming and shaming” approach does not necessarily apply to all cases of human rights abuses. Especially for less tangible economic, social, and cultural rights, no clear “violation, violator, and remedy” analysis is possible. Additionally, already stigmatized communities, ranging from slums to indigenous tribes to riot territory, are often guided by their own rule of law, and seem to experience further exclusion from society in response to a report of negative human rights statistics. However, it is exactly in those areas, in which human beings are most in need of advocacy and support to a guarantee to a life in dignity. While this deficiency in the field of human rights work is obviously recognized, no feasible alternative has been proposed so far. The current scholarship continues to elaborate on the negative effects of previous efforts, but doesn’t put forth suggestions for a new human rights practice to remedy those existing issues.

¹⁴ *ibid.*

¹⁵ *ibid.*

Consequently, I propose a new human rights advocacy strategy for exactly those cases: the strategy of potential – an approach to human rights that highlights efforts taken to improve the lives and livelihoods of human beings and their results. By doing so, the potential strategy humanizes both victims and perpetrators of human rights abuses in those communities and, thus, demonstrates the applicability of human rights to their lives and sufferings. Furthermore, it points out that local efforts of activism exist and prosper in those stigmatized areas, which highlights that also positive forces are present in those areas and thus helps to reintegrate them into the larger society. This, therefore, shows “accepted” members of society, including political actors, that the individuals living in those communities deserve a life in dignity and that the ground for successful activism has already been laid. Consequently, the larger consensus of the excluded communities being enemies of the state changes to them being victims of a lack in human rights, which, through the mechanism of acculturation, leads decision-makers to include their needs in their own agenda due to the pressure of society.

In this sense, building on the theoretical framework of the economic, social, and cultural rights scholarship, my research will not provide a new theory for that field; instead, my project will engage in the initial investigation of a possible alternative human rights advocacy strategy that remedies the currently voiced criticism of existing practices and thus helps moving this young and progressive subfield of human rights from being a mere theoretical and hypothetical discipline to actually develop a practical approach for field work.

3 METHOD

The goal of my research is to initially determine whether this proposed “strategy of potential” for the advocacy of social, cultural, and economic rights of marginalized communities in Latin America communicates to its audience the need for the guarantee of those rights for those communities and reaches the people in a way that they feel personally compelled to support the fight thereof. To achieve this aim, I decided to use the qualitative research methodology of a comparative case study between the traditional “naming and shaming approach” and my “strategy of potential.” The reason behind this selection is twofold: first, the feasibility of a human rights strategy depends on the emotional and personal response of its audience, and, thus, a qualitative analysis thereof allows a detailed involvement to the fullest depletion of the complexity of factors that compose such a response- which is crucial at this initial stage of investigation; second, because I am proposing an alternative strategy to the currently common “naming and shaming” approach, it is important to compare whether the alternative actually results in a similar degree of human rights awareness as the traditionally used tactic. However, although qualitative data will be collected, the scope of the research is limited and therefore doesn’t allow the development of a generally applicable conclusion. Consequently, this research is intended to identify possible responses to the “strategy of potential,” so that the feasibility for further research in that direction both with a qualitative and of a quantitative approach can be determined and that the information necessary for larger scale research designs can be collected.

The two cases of human rights advocacy reports I designed to be exactly the same except the strategy of human rights advocacy they use. Both use Ecuador and Colombia as countries featured to illustrate and support the argument made and both follow the exact same format – title page, introduction, the two cases with direct quotes, and general recommendations derived thereof - and layout – title page with two intriguing pictures, color

accents, same font, and direct quotes in text boxes. In this way, the only variable that differentiates the two cases is their approach to human rights advocacy, which, using John Stuart Mill's "method of difference," determines that if a difference in the audience's response to the two reports is noticeable, it can be traced to this one single factor they do not share in common.

The source I will be using to gather data on the response to the two reports is interviews with people native to the two countries featured in the reports, Colombia and Ecuador, Latin American journalists, and professionals who have either experiences from the two countries or whose work is somehow related to the field of human rights. In total, I have conducted twenty interviews, eight with "locals" either living in the United States or still in Ecuador or Colombia, two with journalists – one from Latin America himself and one from Switzerland but both of them have experience working in the region-, and ten interviews with professionals from a variety of backgrounds, ranging from the special advisor of a mining company working in Colombia to a Bosnian human rights and humanitarian aid activist who is currently traveling on a Peace Boat in the Mediterranean sea¹⁶. I carefully selected each interviewee, so that my answers would reflect a broad variety of opinions on the issue of human rights and thus their reactions might indicate possible tendencies for different target audiences. However, for the interviewees native to Colombia and Ecuador, I consciously excluded members of directly affected communities of both countries and instead targeted, generally speaking, the intellectual middle-class and elite who are part of the society that forms the constituency of the leaders of both countries and thus whose opinions can influence decision-makers attitudes towards the issue. Still, also among this group of interviewees differences are to be expected, as they come from different political and ideological

¹⁶ Peace Boat is a Japanese NGO that seeks to create awareness and action based on effecting positive social and political change in the world. It does so by carry out educational programs during so-called peace voyage on a chartered passenger ship. "The ship creates a neutral, mobile space and enables people to engage across borders in dialogue and mutual cooperation at sea, and in the ports that we visit." – www.peaceboat.org

backgrounds, which, to some extent, mimics the diversity of opinions existing within those societies. Nevertheless, a generalized hypothesis for each subaudience's response to the two reports can be developed – although, as previously mentioned, because no research in this particular direction exists so far, those hypothesis are based on general tendencies on human rights and not specific on the subject to be investigated with this project.

I. Hypothesis for the response of people native to Ecuador and Colombia

I assume that people native to Ecuador and Colombia respond better to my positive report than the traditional negative one. The reasoning for my assumption is twofold: first, as locals they have been confronted with and have witnessed human rights abuses frequently, which must have made them angry, sad, and frustrated. However, when reading a report with positive human rights examples of their own country, they regain hope that a change for the better is possible. Second, as natives to those countries, they don't like the world to look at their home nations as examples of human rights abuses, which can happen if only negative illustrations are published. Thus, a positive report is well received by Ecuadorians and Colombians as it shows a positive aspect of their nation and refutes the negative image that exists.

II. Hypothesis for the response of journalists

As journalists, I expect the interviewees of this group to respond better to the negative report, as “naming and shaming” is a frequently used technique in the media to catch the attention of the audience, and because a negative report has a greater “shock value,” I assume that journalists would favor that one as it will draw more attention to it.

III. Hypothesis for the response of professionals

For the response of professionals, I expect a variety of reactions as I interview people from a diverse background. However, very generally, I assume that due

to their in depth experience with either the countries themselves or the issue of human rights, they don't see the situation of both countries as either black and white and thus, I expect them to present a more differentiated response. My hypothesis is that professionals value both reports, as they feature a different aspect of the issue of human rights abuse, and they would like to see both used because they could address various audiences from different angles and thus reach more people, united under the larger goal of creating human rights awareness within a whole society, which ultimately must be the desired outcome.

4 REPORTS

4.1 “Strategy of Potential” Human Rights Advocacy Approach

First, I composed a human rights advocacy report using my “strategy of potential.” The visual inspiration was the Human Rights Watch Report “You’ll Learn Not To Cry” on child soldiers in Colombia. I chose Ecuador and Colombia as the two cases to illustrate my point of positive examples providing hope and inspiration to its readers and thus encourage them to take the necessary steps to demand a guarantee of social, cultural, and economic rights for all human beings in their society. For Ecuador, I selected the case of the Jambi Huasi, an indigenous health project, and for Colombia, I selected the Ruta Pacifica, a pacifist women’s peace movement. Both cases address issues traditionally marginalized communities face across Latin America and thus are illustrative of the general problems of the region. Both the pictures and the green color scheme used in the report are intended to highlight the optimism and hope reflected in the two examples and thus subconsciously communicate this positive emotion to its readers. However, I retained the traditional format of introduction, body, and recommendation as it is the format people are most familiar with in human rights reports, which thus gives my report the aura of being a “real” report and appears legitimate to people. The title I chose for this report is “Entitlement through Oneself” once again reinforcing the hopefulness for an improvement of the status quo that should inspire the readers to believe that change is possible and therefore should bring them on board of the existing fight for social, economic, and cultural rights that exists in Latin America. The

information as well as the statements included in the report I obtained from the websites of the two initiatives as well as on pages of other non-governmental organizations and international organizations featuring them.

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EMPOWERMENT THROUGH ONESELF

Grassroots Movements for Social, Cultural, and Economic
Rights in Latin America



INTRODUCTION

Latin America's history demonstrates an ambivalent relationship with human rights. While its civil wars, dictatorships, torture, disappearances, colonialist legacies, and discrimination are often used as examples for some of modern history's most brutal abuses of the rights of human beings, its progressive advancements in the guarantee of those rights as a reaction to those atrocities also form some of the most inspiring examples of positive human rights work.

However, like around the world, those positive illustrations of human rights activism, be they bottom-up or top-down, mostly concern civil and legal rights in form of formal legislature and policy. The less tangible economic, social and cultural rights (ESC rights) of human beings, on the other hand, continue to lack recognition in many countries.

In Colombia, more than half of a century of Civil War has inflicted and continues to do so serious harm on its people. One group of victims that faces especially intense abuse is women. According to a special report of the Inter-American Commission on Human Rights (IACHR), "violence against women is used as an instrument to intimidate and spread terror to communities, thereby provoking the displacement of hundreds of families. Acts of violence

against women include homicides, torture and markings against women, as well as acts of physical and psychological violence joined by aggressions and crimes of sexual nature.”¹⁷

In Ecuador, the country’s colonial history has left the society deeply divided along ethnic lines. The indigenous population, declared by the Spanish conquistadores as inferior savages, was forced into marginalization, which continues to cause serious inequalities for them, in comparison to the general population. Around 88% of indigenous households struggle for their survival, living below the poverty line, and the seemingly inexistent economic opportunities darken the future perspective even more.¹⁸

Interestingly, though, in face of the desperate need to end this life without dignity combined with the apparent inexistence of truly helpful assistance from either the government or the international arena, those marginalized communities have turned inwards, to their very own distinct identities, where they themselves found the strength to make a change for the better. Relying on their own knowledge of their dignity and human rights, those communities joined together in a movement to demonstrate to others that they deserve nothing else but a respectful position of equality within their society.

La Ruta Pacifica de las Mujeres and *Jambi Huasi* form two prime examples of exactly this dynamic: both movements are driven by the strength of their very own identity, be it female or indigenous, which not only demonstrates the injustice of their social exclusion and victimization but also their merit of the full respect of their rights as human beings because of their dignified difference.

¹⁷ Martinez, Helda. "Women Suffer Abuse Behind the Front Lines." *IPSNews*. IPS, 2007. Accessed on November 18, 2010: <http://ipsnews.net/news.asp?idnews=36275>.

¹⁸ Hall, Gillette & Patrinos, Harry A. (2005) “Latin America’s Indigenous Peoples.” *Finance and Development*. Volume 42, Number 4. Accessed November 18, 2010: <http://www.imf.org/external/pubs/ft/fandd/2005/12/hall.htm>

RUTAS PACIFICAS DE LAS MUJERES: COLOMBIA

“When we arrived here, we were very scared, we didn’t know anything, we didn’t speak a word – the men discriminated us brutally... However, with the safe space provided by the Ruta Pacifica, we grew and today we are women who lead our struggle for equality, it has helped us, it has awoken us, it has taught us many things. Ruta Pacifica offers us a space that allows us denouncing our sufferings and calming our inner urge to once being able to enjoy justice.”¹⁹

Alba Maria Cuesta, woman from Chocó

In response to the horrific situations of violence, which women have been facing during the

Mission: *La Ruta Pacifica de las Mujeres* is a feminist and pacifist movement with a political and social agenda to strengthen the feminist vision of pacifism, non-violence, and civil resistance to promote the inclusion of the demands of Colombian women and, thus, to advance transformation in both the public and private sphere, which contributes to the creation of peace and social justice in the country.

many years of conflict in Colombia, the feminist movement *La Ruta Pacifica de las Mujeres* entered the public sphere in the year 1996 to change the life in terror, as described by Alba Maria, which women across the country had to endure, for a life in peace and dignity. The movement pursues four fundamental objectives: 1) to enable a negotiated resolution of the war, 2) to make visible the effects of war on the existences of women, 3) to implement the right to truth, justice, and reparation, and 4) to create a collectively shared but also

¹⁹ Ruta Pacifica, *Boletín No. 3*, Accessed on October 22, 2010: <http://www.rutapacific.org.co/boletin3.html>

individually acknowledged historic memory of the violence committed against women so that it will not be able to reoccur.²⁰

The initiating spark for the movement formed the visit of Jesuit monks to the 1996 national meeting of women, during which the clergymen reported about the devastating conditions women found themselves in, in a place called Mutatá. The town had been occupied by paramilitaries, who abused a staggering 90% of all women and girls living in the municipality in form of forced recruitment into sex slavery. Alejandra Miller Restrepo, Cauca Regional Coordinator of *La Ruta Pacifica de las Mujeres*, recounts:

When the women activists present heard about this, they decided to have a national mobilization – a journey, a “ruta” – to that municipality to tell those men to respect women’s bodies, and let the women know that they aren’t alone. Many national organizations signed on. More than 2,000 women traveled there. We chose November 25th, the International Day Against Violence Against Women, for that and all subsequent mobilizations/rutas.²¹

Today, *Ruta Pacifica* counts 350 grassroots organization as members, ranging from neighborhood organizations to human rights activists located in nine regions of Colombia: Antioquia, Bogotá, Bolivar, Cauca, Chocó, Putomayo, Risaralda, Santander y Valle del Cauca. The participating women represent all sectors of Colombian society, so that campesinas, indigenous women, Afro-Colombians, young women, professionals, intellectual,

²⁰ Ruta Pacifica, *Quienes Somos*, Accessed on October 18, 2010:
<http://www.rutapacifico.org.co/home.html>

²¹ Garces, p.3

and students²² join their forces in breaking their silence to create a better future for themselves and Colombia.

La Ruta Pacifica de las Mujeres deliberately chose social mobilization as its vehicle to achieve its objectives as it allows a comprehensive approach to the creation of peace and the guarantee of social and cultural human rights to women. It enables it both to express its disagreement with the war, while at the same time to demonstrate that peace is not only the outcome of a negotiated resolution of an armed conflict but also the result of a redefinition of the ethics, culture, and morality of each individual, each region, and the country as a whole.²³

Therefore, while being most famous for its peace marches – *rutas* – *la Ruta Pacifica de las Mujeres* also engages in different forms of action.

“We fight so that we don’t just see and express ourselves as victims of the war but as social and political actors in the process of negotiation and construction of peace for our country.”

We organize political education seminars. Right now we have a political education school, covering themes like feminism, pacifism, conflict resolution. There are currently 40 women attending the school here in Cauca, they meet every 15 days during a period of 3 to 4 months. Additionally, political intervention advocacy is also an important part of our work. By that I mean we intervene in local/regional political processes, with government authorities, to address the concerns of women in the armed conflict. Furthermore, we also conduct research and publish reports. These

²² Ruta Pacifica, *Quienes Somos*

²³ Ibid.

serve to prove that we are valid interlocutors, because we're rigorous in our documentation.²⁴

In this sense, because *La Ruta Pacifica* works towards the recognition of social and cultural rights of women, the changing of the ideology of the people of Colombia is crucial for a successful outcome, which they identify as being achievable through grassroots, participatory programs that create relationships between different actors and communities combined with traditional political advocacy.

Moreover, to achieve this fundamental change of how women are seen in society, *la Ruta Pacifica de Mujeres* uses visual arts, language and symbols to reach out to the people of Colombia through a variety of channels. They paint their bodies with images of nature to reflect the power of growing life, they sing and dance to indigenous and Afro-Colombian songs, and they recite poetry about the beauty of being a woman. Alejandra Miller Restrepo explains why this creative form of advocacy is chosen:

“We believe in the power of words, we believe in symbolism, in rituals, and in poetry. Through those creative outlets we avert our fear and move forward, demanding, naming, making visible, and constructing.”

We think about how symbols of war are constructed, how they're implemented in society, and how to uninstall them and install symbols of life. The body, for instance, is fundamental, because we're feminists. Our bodies are the first territories of autonomy, and they are expropriated, exiled, beaten, violated... it's been critical to express resistance, such as after the 2004 Massacre of Bojaga, a municipality in Choco. The only access there is the Atrato River, and

at that time the paramilitaries controlled it. During a confrontation there with the

²⁴ Garces, Andrew Willis (2009). “Ruta Pacifica: Colombian Women Against Violence. Web <http://upsidedownworld.org/main/colombia-archives-61/1699-ruta-pacifica-colombian-womenagainst-violence>

FARC, in the middle of town, many fled to the church, where 199 were killed by a bomb lobbed inside. No one could get into town because the paramilitaries controlled the river. So ten or fifteen women from the Ruta Committee in Quibdó, nearby, dress up in colorful clothes, brought their tambores, and headed down the river on a small boat, singing alabados, traditional Afro-Colombian songs. The paramilitaries didn't know what to do, but they let them through. They were the first people to reach the survivors.²⁵

In this sense, the women of *La Ruta Pacífica* fight the struggle for the recognition of their rights as women and for the end of the war with their very own non-violent means, as art is often understood as soft, sometimes even feminine discipline. Furthermore, they refuse to use the patriarchic rhetoric of power to advocate for their cause, as it would not allow them to change the very basis of the dominance structure that oppresses women systematically.

Furthermore, having emerged itself from the National Meeting of Women and being composed of 350 grassroots organizations as members, one of the basic principles of *La Ruta Pacífica de Las Mujeres* is solidarity. Thus, whenever there exists a possibility of joining forces with other initiatives and therefore gaining strength, *La Ruta Pacífica* seriously considers the option and often unites with them to fight for a shared cause. It was a founding member of the *Movimiento de Mujeres Contra la Guerra*, together with the *Organización Femenina Popular*, it cooperates with Amnesty International for its *No Más Violencia Contra la Mujer* campaign, and it is part of the *Women in Black* network. Its inclusive framework of women of all segments of society as well as its strong feminist agenda enables it to form these different types of cooperation.

“Alliance does not mean we erase ourselves, alliance does not mean that we establish ourselves or that we act alone, alliance means putting emphasis on something to make it stronger.”

²⁵ Ibid.

Maria Eugenia Sanchez, Coordinator of Ruta Pacifica de las Mujeres - Bogotá, expresses:

We are tired of the various manifestations of violence and do not want more Colombians to live through savagery of war. [In participating in the Women in Black movement], our silent protest calls out for a cessation of violent acts, says no to violence against women and says no to displacement. Likewise, our protest is in silence because words cannot explain the horrors of war. At the same time, silence denounces the absence of voices of women in history. We use black as the symbol of mourning for the women, children, daughters, sons, and husbands who are suffering and have suffered from abusive violence.²⁶

In this sense, locating their own identity in the broad category of women, victims of war, or “not members” of the patriarchic, oppressing elite, allows *La Ruta Pacifica de las Mujeres* to build relationships with other movements that share one or more of those characteristics, which strengthens the impact *La Ruta Pacifica* significantly.

When evaluating *La Ruta Pacifica de las Mujeres*, its activism has resulted in the

“We can affirm, without any doubt, that those who have maintained their initiative for the work for peace for Colombia have been women and the indigenous movement.”

following positive outcomes:

- Increased knowledge among women but also in the general public about the different topics of importance for the *Ruta Pacifica*.
- Higher personal and collective self-esteem among women.
- Shared identity for women communicated through actions.
- Acknowledgment of the daily possibilities for resistance for

²⁶ Feminist Peace Network, *Colombia: Ruta Pacifica de las Mujeres Statement Demanding End to Violence*, Accessed on October 18, 2010: <http://www.feministpeacenet.org/2008/08/08/columbia-ruta-pacifica-de-las-mujeres-statement-demanding-end-to-violence/>

women to the armed conflict.

- Acknowledgment of the different forms of feminism and the support women have provided as individual, social, and political actors.
- Advancement of the configuration of a proper form of pacifism geared towards the reality of *La Ruta Pacifica*.
- Acknowledgment of the international tools, which empower and protect women in the situation of armed conflict.
- Initial changing of the dominant symbols used for women in the context of war and in the general society.
- Knowledge of interregional dynamics between regional offices and the national headquarters.
- Strengthening of the proactive and autonomous roles of the regional offices of *La Ruta*.²⁷

These successes of *La Ruta Pacifica* haven't gone unnoticed in the world of human rights activism. In the year 2001, it was awarded the Millennium Peace Prize by UNIFEM and International Alert for the important work it does for the rights of women in Colombia. Additionally, the movement has received and continues to receive international funding, for example from the Global Fund for Women, which refers to it as exemplifying "the power and courageous, women-led social and peaceful resistance to prolonged political and social violence."²⁸ Moreover, *La Ruta Pacifica* has also been identified as source of inspiration for other women's movements. In 2004, the organization *Mujeres en*

²⁷ Ruta Pacifica, *Boletín No.4*, <http://www.rutapacifica.org.co/boletin4.html>

²⁸ Sutherland, Cassandra, *Ruta Pacifica de las Mujeres*, Global Fund for Women, Accessed on November 1, 2010: <http://www.globalfundforwomen.org/what-we-do/media-center/blog/2009/1558>

*Marcha*²⁹ came to life, adopting a similar concept as *La Ruta Pacifica*. In Spain, the *Mujeres de Negro* walk through the street carrying poster from *La Ruta Pacifica* to not only advance their Colombian counterpart's cause but also to use the strong symbolism of the South American movement for their own benefit³⁰. Thus, *La Ruta Pacifica* is not only successful in advancing women's rights in their very own country, they are able to inspire people around the world to support them and follow their lead in their march for a better future. The Dominican peace activists Ochy Curiel puts it right after having visited the women of *La Ruta Pacifica* in Colombia, when she says, "I would like to continue undertaking *rutas* as they make our feminist activism a movement that transforms the life of women; once we come to realize this embedded power in our mobilization [through the *rutas*], we will find thousands of other creative ways to achieve change."³¹

²⁹ Mujeres en Marcha, Accessed on November 1, 2010: www.mujeresenmarcha.org

³⁰ Exposición de la Ruta Pacifica de las Mujeres, Accessed on November 1, 2010: <http://www.exporutapacifica.blogspot.com/>

³¹ Curiel, Ochy. "Colombia. La Ruta Pacifica de las Mujeres." *Mujeres de Hoy*. Accessed on November 18, 2010: <http://www.mujereshoy.com/secciones/3492.shtml>

JAMBI HUASI: ECUADOR

“Health is not restricted to the absence of pain or disease, but refers to the inner harmony and balance of the individual, the family, the community, the nature and the cosmos. In other words, health refers to a comprehensive realization of the human being within the universe.”³²

Dr. Myriam Conejo, Leader of the *Jambi Huasi*

To improve the terrifying living conditions of impoverished and marginalized indigenous communities in Ecuador, a grassroots non-governmental organization called

FICI created the program *Jambi Huasi*, which established a health clinic within a

“The health of indigenous villages is an important cultural instrument that allows unifying its fights. However, only if the leadership develops its capacity to ‘marvel at our own culture’ and to then share it with other cultures, this will be possible.”

community of Quechua-speaking descendent of the Incas in the Andes called Otavalo. *Jambi Huasi*, literally meaning Health House, abides by the indigenous belief that health forms part of a larger social and cultural context and thus can only be improved with a holistic vision. Consequently, it was created and continues to operate under the following rights-based principles: 1) to use both the indigenous medicine and the

Western medicine for cases in which either or both are necessary to meet the health needs of the Ecuadorian population but in particular, the health needs of indigenous people, 2) to maintain a health care service which is geared towards quality but also respect of the

³² UNFPA, “International Honoree: Myriam Conejo Maldonado, M.D.” *United Nations*. Accessed on October 16, 2010: <http://www.americansforunfpa.org/netcommunity/page.aspx?pid=352>

patient as a human being in his or her wholesomeness, following the indigenous cosmovision of life and thus health shared among the different villages of the area, and 3) to rescue and validate the indigenous medicine and the role its practitioners play in society.³³ Thus, its mission is to provide quality health services that respectfully treat a human being without any form of racial, social, or economic discrimination.³⁴

In its very first years of its existence, in the early 1990s, *Jambi Huasi* focused exclusively on indigenous, Quechua-speaking communities and their needs with mainly indigenous healing practices. However, once having gained ground hold with locals, the program started to enlarge its scope and include ‘mestizo’ populations as target audience, which was also reflected in its inclusion of more modern medicine into its so far traditionally dominated range of health care services. Today, the clinic provides a mix of both forms of medicine. Western medicine forms the basis of the general medical consultation of a patient, the psychological clinic that forms part of *Jambi Huasi*, the clinical laboratory, the pharmacy, and the odontology. Indigenous medicine, on the other hand, is provided through the yachak, the indigenous sage performing spiritual healing rituals, the jakaku, the indigenous “chiropractor” providing massages, and the pakarichik mama, the traditional midwife.³⁵ This combination

“We work so that the Yachaks are aware of their limitations and that if they believe that certain symptoms are better treated with Western medicine, then they transfer that patient to a Western doctor. However, at the same time we believe that the Western doctor has to be willing to transfer his patient to the Yachactatita as well when he considers it necessary.”

³³ Conejo, Myriam *Poblacion Indigena y Reforma del Sector Salud: El Caso de Ecuador*, Fondo Indigena para el Desarrollo de los Pueblos Indigenas de America Latina y el Caribe, 1998, Washington DC.

³⁴ Pesantez, Maria. “La Comunicacion Publica de la Ciencia en el Centro de la Politica Cientifica.” Accessed on October 18, 2010: http://gredos2.usal.es/jspui/bitstream/10366/76232/1/DSC_Erazo_Pesantez_Lacomunicacionpublicadelaciencia.pdf

³⁵ Chelela, Cesar “Health in the Andes: The Modern Role of Traditional Medicine.” *The Globalist*. May 9, 2009. Accessed on October 10, 2010: <http://www.theglobalist.com/StoryID.aspx?StoryID=7727>

of traditional and modern medicine is crucial for the for a long time neglected health of an indigenous person. According to Dr. Alberto Quezada R., former Research Institute director at Cuenca University:

Understanding traditional medicine is a prerequisite for indigenous people's acceptance of modern approaches. For example, oral dehydration salts for the treatment of diarrhea are much more easily accepted if they are connected with traditional medicine practice.³⁶

In this sense, the cultural embeddedness of *Jambi Huasi* not only allows it to identify

“The success of Jambi Huasi springs from its integration within the cultural traditions and the value system of its clients. Health is an intimate aspect of life and ideas about causes and treatments of illness are often deeply situated in a specific cultural context. Health workers that speak the language and understand local customs can be critical to delivering quality care.”

the health needs of indigenous people but, because of its cultural knowledge, it is able to address those needs in a way that is easily understood and accepted by the people within their own ideology.

After having successfully achieved the implementation of a clinic that combines these two forms of medicine, *Jambi Huasi* has widened its focus again to pay special attention to women and their reproductive health, while continuing its work from before. Indigenous women have continuously been identified to be the most vulnerable to conditions of poverty and social exclusion, and by making them a central focal point, *Jambi Huasi* is able to improve the situation of indigenous women significantly. As Dr. Myriam Conejo points out:

³⁶ Chelala, César, *Health in the Andes: The Modern Role of Traditional Medicine*, The Globalist, May 9, 2009

Women needed sexual health information in these communities. After having four or five children, they didn't want to have more. However, because of religious and cultural reasons, it was hard for them to accept family planning. However, because we, [as an organization operating in a culturally sensitive fashion] are not preaching fertility regulation and the use of contraceptives alone as a remedy, these traditional communities are much more receptive to our messages and services.³⁷

The results of the indigenous approach to women's and reproductive health are very promising. The contraceptive prevalence has increased from 10% to 40% in the areas which *Jambi Huasi* is attending, and although the average number of children has remained at a high four to six, women demonstrate the tendency of paying more attention

“Once the community understands that health services are something more than healing and treatment spaces, that they are also spaces to meet, learn, and obtain motivation, then we will be able to create a new understanding of health that is mindful of the rights and responsibilities of all actors involved.”

to safe, healthy pregnancies as they allow more time in between each one of them. Consequently, the valley of Otavalo, home to the *Jambi Huasi*, has experienced a drop in both the infant and maternal mortality rate.³⁸

However, the assistance *Jambi Huasi* provides to the indigenous communities of Otavalo does not simply contain direct responses to health demands within its one physical location of the clinic; instead, after the successful setup of the clinic, *Jambi Huasi* expanded its services to more remote communities, for example in the mountains, whose members would be excluded from health care

³⁷ UNFPA, *Working with Indigenous Communities in Ecuador: Jambi Huasi – a Model for Community Development*, 25 January 2006.

³⁸ Ibid.

provisions otherwise, due to their far-off location.³⁹ Additionally, *Jambi Huasi* started a pro-active outreach campaign, educating young people of the area about health-related issues and their rights, to empower the communities and to increase their social capital. It provides training and materials for sex education lessons to teachers, so that they can communicate *Jambi Huasi*'s rights-based approach to health care to their students, who not only expand their knowledge on that issue but also learn about the applicability of human rights in general to indigenous people.⁴⁰ Dr. Myriam Conejo explains:

“It is necessary that the indigenous people consider taking care of their health as a possibility to demand their rights, so that with their request for health, they actually ask for being treated as they should, as deserving human beings.”⁴¹

In this sense, *Jambi Huasi* not only allows that basic health care services are provided to indigenous communities in a way that corresponds and respects their traditions and beliefs, it also teaches the indigenous people - but also the larger population of Ecuador - that indigenous communities are as much part of Ecuador as the rest and equally deserving of a life in good health and dignity.

Thus, once created to attend approximately 4,000 people a year, more than 1,000 people per month were seeking *Jambi Huasi*'s services by 2005, and some patients traveled up to 50 kilometers to be given that help.⁴²

³⁹ Ibid.

⁴⁰ Interview TV Ciudadana, Youtube. Accessed on October 18, 2010: http://www.youtube.com/watch?v=cNMH9Oh9_v0

⁴¹ Conejo, Myriam. “Población Indígena y Reforma del Sector Salud: El Caso de Ecuador.” *Fondo Indígena para el Desarrollo de los Pueblos Indígenas de América Latina y el Caribe*. Washington DC, 1998.

⁴² UNFPA

This impressive success has not gone unnoticed for long, both on a domestic and an international level. The United Nations Population Fund (UNFPA) has been an active supporter of *Jambi Huasi* since the 1990s and it awarded Dr. Myriam Conejo with the International Award for the Health and Dignity of Women in the year 2006.⁴³

Additionally, also the Ecuadorian government acknowledges the value of *Jambi Huasi*'s health care services for the country and, after having studied its processes and results, now plans on creating similar programs in other parts of the country.⁴⁴ Dr. Myriam Conejo concludes with great satisfaction:

“UNFPA has helped us a great deal in improving our services over the past decades. We are very grateful for this support as it has allowed us to expand our services much faster than we could have done on our own.”

The bottom line is that this community-based approach, which is rights-based and gender-sensitive, has influenced the provision of health care far beyond the confines of Otavalo. We changed the way health services are offered in traditional communities by making them totally community-based, non-discriminatory and culturally appropriate. Once people perceive that they are getting the medical care they actually need, it is possible to make rapid and lasting improvements in the health of women, adolescents and men.⁴⁵

⁴³ UNFPA (1994) “International Honoree: Myriam Conejo Maldonado, M.D.” *United Nations*. Accessed on October 16, 2010:
<http://www.americansforunfpa.org/netcommunity/page.aspx?pid=352>

⁴⁴ *ibid.*

⁴⁵ *Ibid.*



RECOMMENDATIONS

Latin America's marginalization and social exclusion of certain groups of society is not only ethically and morally wrong, but even more so, affects those groups' living conditions so negatively that they become a threat to their survival. While the guarantee of those lacking social, economic, and cultural rights appears to be more difficult than making civil and legal advancements for human rights, the marginalized communities have taken it into their own hands, although not even possessing access to the "traditional" tools of power, to make a change for the better, relying on their distinct capabilities and strengths that their own cultures can give them.

While having made the first step in the right direction with extremely promising results, to truly achieve a fundamental alteration of their status quo, those participatory movements need financial, technical, and moral support, so that the grassroots efforts and their produced results "trickle up" to those in charge of the overarching system – both on a national and an international level. Thus, we make the following recommendations to both domestic and international actors of influence:

- Acknowledge and respect the different identities that exist within a nation and demand that the design and implementation of laws and policies is performed accordingly. An important human right might mean something else to a member

of the elite than to a poor campesino and, similarly, the realization might differ based on social-cultural divergences.

- Try to consider a more holistic approach to issues than the dominant Western discourse might suggest.
- Communicate and with that sensitize your audience to the existence and the value of socio-cultural differences.
- Recognize and prioritize the power of participatory actions directed to social change.
- Financially and technically support grassroots movements, as it catalyzes their ability to act and bring along change.
- Communicate your moral and ethical support of those programs, such as in form of an honoring or a prize, or the simple advocacy for the program to create a larger ideological basis for the movement.
- Build on existing movements, grounded in the support of the people, to work towards the recognition of social, cultural, and economic rights instead of a top-down approach as a social change and the eradication of marginalization needs to be enacted before legal frameworks can apply to all people equally.
- Design new human rights programs according to existing community movements and built into them flexibility to allow adaptations as the context demands it.

4.2 “Naming And Shaming” Human Rights Advocacy Approach

Second, I composed a traditional “naming and shaming” human rights advocacy report, using the exactly same format as the previous one, so that the two reports are visually identical. The only difference that exists between the two is the approach to human rights advocacy they use. Because I used Ecuador and Colombia in “Empowerment Through Oneself” and more indigenous people and women as my focal point, I want to retain this focus as the theme of the illustrative cases also used for the negative report, so that a comparison between the two would be possible. The two examples that fit my previously used profile but for which “naming and shaming” has been used are the issue of oil contamination of indigenous lands in Ecuador and sexual violence committed against women in Colombia. However, as other Latin American countries struggle with similar issues, I feel that also these two illustrations are representative of issues faced in Latin America in general. The information provided itself I did not write up myself but instead it is the exact language of two organizations famous for their naming and shaming human rights advocacy: Amnesty International and Oxfam. By using their words, I can assure that true naming and shaming is at work and it is not a bad imitation from my side. However, to not give that away, I composed it in the same style as the report that I actually wrote, so that in my interviews, the people questioned could not tell which of the two is mine and therefore no bias would emerge. To further increase the strategy of shock inherent to naming and shaming I used a red color scheme as well as drastic pictures, which, subconsciously, communicate an atmosphere of danger and harm to the audience. I tried to reinforce this message with my choice of title, which I decided to be “Faces of Despair.”



FACES OF DESPAIR

The Dire State of Social, Cultural, and Economic Rights
in Latin America



INTRODUCTION

The legal framework for human rights protection in Latin America and the Caribbean region is strong. The region as a whole possesses long-established mechanisms, such as the Inter-American Commission for Human Rights and the Inter-American Court of Human Rights, while most countries in the region have national institutions for the promotion and protection of human rights. There are networks of civil society organizations monitoring human rights, and many governments are willing to cooperate with international and regional human rights mechanisms. The rate of ratification of major human rights treaties is relatively high in Latin America, although not in the Caribbean.

At the same time, Latin America has one of the highest levels of social inequality in the world, which has worsened over the past decade. The region's persistent inequality in income hampers development and the enjoyment of human rights. Indigenous and Afro-descendent groups are among the most affected by poverty and exclusion, which highlights the need to promote respect for economic, social and cultural rights.⁴⁶

In Colombia, more than half of a century of Civil War has inflicted serious harm on its people and continues to do so. One group of victims that faces especially intense abuse is

⁴⁶UNHR, "OHCHR Human Rights Programme for Latin America and the Caribbean Region (2008-2009)" *United Nations*. 2009. Accessed on November 1, 2010: <http://www.ohchr.org/EN/Countries/LACRegion/Pages/LACRegionProgramme0809.aspx>

women. According to a special report of the Inter-American Commission on Human Rights (IACHR), “violence against women is used as an instrument to intimidate and spread terror to communities, thereby provoking the displacement of hundreds of families. Acts of violence against women include homicides, torture and markings against women, as well as acts of physical and psychological violence joined by aggressions and crimes of sexual nature.”⁴⁷

In Ecuador, the country’s colonial history has left the society deeply divided along ethnic lines. The indigenous population, declared by the Spanish conquistadores as inferior savages, was forced into marginalization, which continues to cause serious inequalities for them, in comparison to the general population. Around 88% of indigenous households struggle for their survival, living below the poverty line, and the seemingly inexistent economic opportunities darken the future perspective even more.⁴⁸

The following detailed account of the human rights abuses people in Latin America experience everyday demonstrates the need for change. Action to end this suffering must be guided by the principles and norms established in international law, in order to overcome the horrific situation and to guarantee a life in dignity, respect, and justice for all people.

⁴⁷ Martinez, Helda. "Women Suffer Abuse Behind the Front Lines." *IPSNews*. IPS, 2007. Accessed on October 18, 2010. <http://ipsnews.net/news.asp?idnews=36275>.

⁴⁸ Hall, Gillette & Patrinos, Harry A. (2005) “Latin America’s Indigenous Peoples.” *Finance and Development*. Volume 42, Number 4. Accessed November 18, 2010: <http://www.imf.org/external/pubs/ft/fandd/2005/12/hall.htm>

Sexual Violence in Colombia: An Instrument of War

“It was nighttime. Two men with guns and wearing camouflage military uniforms came.... They took my husband outside, pointing the gun at him the whole time. ... I was able to calm our little girl, and I sang to her until she fell asleep. Then one of the men took me from the room to the hallway to interrogate me. He threatened to kill me if I resisted. He took off my clothes, he covered my mouth and he forced himself on me. He raped me. Afterward he told me to get dressed and then he said: “Nothing happened here. That, after all, is what women are for.”⁴⁹

Woman from Bogotá

“Two years ago the Army took us off a bus leaving Neiva. They killed the boy that was with me. I was raped by eight or nine soldiers. They left me on the side of the road, until I was able to flag down a car. When I got to Dabeiba, the paramilitaries were there. They said I was a guerrilla. The paramilitary commander raped me. ... You have to keep your mouth shut. ... If you talk about what happened people say you were asking for it. ... I came to Medellin When the Army comes around it all comes back to me and I am afraid that it will happen again. It is like a nightmare that never ends.”

Over the course of almost 50 years of Colombia’s armed conflict sexual violence has been employed as a weapon of war by all of the armed groups – state military forces, paramilitaries and guerrillas –both against civilian women and their own female combatants- practice, forming a normal part of the armed conflict. However, the persistent hiding and denial of this crime by the Colombian State has allowed the perpetuation of a system of impunity in which these types of crimes are not investigated, those responsible are not brought to trial and are not punished.

⁴⁹ Oxfam, “Sexual Violence in Colombia.” *Oxfam Britain*. 9 September 2009. Accessed on November 1, 2010:
http://www.oxfam.org.uk/resources/policy/conflict_disasters/downloads/bp_sexual_violence_colombia.pdf

On the other hand women refuse to report violations for fear of reprisals, due to feelings of shame, of fear and because of the danger that filing a report could bring them and their families. Even women who want to report sexual violence face obstacles such as a lack of legal guarantees and lack of confidence in the pertinent state institutions. To all that must be added the sense of guilt that often accompanies these crimes and can prompt women to keep such matters private. All of these factors have conspired to make this type of violence accepted as “normal” within Colombian society, and many women do not consider themselves victims because they do not know that sexual violence is a crime. The strategy of making sexual violence invisible has silenced women and condemned them to try to forget.

In general terms, between 60% and 70% of Colombian women are estimated to have suffered some form of violence (physical, psychological, sexual or political). That translates to three cases every two hours. In terms of sexual violence, it is impossible to quantify with any certainty the prevalence of this crime, although different sources say it affects between 35% and 17% of Colombian women. These figures offer only a partial reflection of the magnitude of this problem, given that a majority of the sources agree that sexual violence is grossly underreported at the national level, with up to 90% of all cases going unreported. This

“With indignation we denounce the rape in 2004 of an 11-year-old girl by a police officer who, in an abuse of his power, intimidated her with the argument that if she wasn’t with him she must be sleeping with the guerrillas.”

lack of reporting is one of the biggest obstacles to uncovering the reality of sexual violence. It is also troubling that women have little confidence in public institutions, as demonstrated by figures that show that less than half seek out the assistance of these entities and only about 9% have filed a report. And when women do approach public institutions in search of help they confront multiple barriers and find that existing services are insufficient and inadequate for offering integral attention. The

implication is that a majority of victims do not receive the support and follow-up that is needed to overcome their trauma, with serious consequences for themselves and their families.⁵⁰

The magnitude of these alarming figures lends itself to two interpretations. On the one hand, it makes obvious the vulnerability of Colombian women and on the other hand it reinforces the patriarchal and macho attitudes that deny women's autonomy and rights. If we add the decades-long armed conflict to this general context, the results are tragic. This armed conflict has only intensified the patterns gender violence, aggravating discrimination and the marginalization of women. As a result, women are forced to survive within a particularly dangerous context in which they find safety neither in time of peace nor in time of war.

Women are targeted by armed groups for a wide range of reasons: for defying prohibitions imposed by the group; for transgressing gender roles; for being considered a useful target with which to humiliate the enemy, or for sympathizing with the enemy. The goal can be torture, punishment or social and political persecution. At times sexual violence is used to control the most intimate aspects of women's lives, imposing strict codes of conduct to control their sexual relations, what they can wear, when they should go out or who they should be pared with. Practices like mutilation and slavery are employed to these ends.

The goal of all this is to terrorize communities by using women to secure military objectives. Women become tools to be used to harm, terrorize and weaken the enemy in order to advance one's own control over territory and economic resources. A woman from Pueblo Nuevo recalls:

“From their high school four girls left with the guerrillas four months ago. Eight days ago they ran away. One of them told me that the guerrillas used them when they wanted to have sex. They made them do it in front of everyone. They gave them injections, which they said were for birth control. They whipped them when they failed to complete their chores.”

⁵⁰ Ibid.

“The paramilitaries came to the town, they gathered everyone together, they put on some music and started to drink. They killed some chickens, they raped some women, they killed a few people, and they danced. The paramilitaries wore ski masks. They made the women cook for them; they just raped the very young ones. The party went on for four days. The bodies began to rot in the streets. They burned some of them so that you could not identify them. We heard a helicopter fly over but nothing happened until the fourth day. The paramilitaries took off their ski masks and said the army had arrived. Then cars came, State attorneys and people from the Red Cross. We believe that the army was preventing anyone from getting to the town while the massacre was taking place.”

The psychological impact endured by women who are victims of sexual violence varies from woman to woman and depends on a large number of factors, including context, virulence of the attack, the woman’s situation, etc. However there are a series of common consequences, including: depression, psychosomatic illnesses, low self-esteem, alterations in one’s sexuality, and the reinforcement of gender inequities. All of this becomes an impediment to filing a report and requesting that one’s case be investigated.

“We Afro-Colombian women have been pushed around on our own lands and wherever we go by the different groups and by both legal and illegal armed actors. They kidnap us, they kill us, they rape us, they humiliate us... eroding our people’s social fabric in the process. Because of all that, there can be no doubt that the armed conflict has damaged the sensibilities of black women; our ancestral legitimacy, our instructive creativity, our reproductive lives and our love for our land.”

The abuse also has serious social repercussions due to its direct effect on interpersonal relationships. The victim’s social relations can suffer changes, tremendous disruption and the

inability to maintain relationships. Physically, sexual violence has a drastic impact on the bodies of women. Unwanted pregnancies, sexually transmitted diseases, increased risk of maternal mortality, chronic pain, and physical disability are some of the most frequent and serious consequences.⁵¹

⁵¹ Ibid.



Indigenous People of Ecuador: Oil Rights or Human Rights

"Our health has been damaged seriously by the contamination caused by Texaco. Many people in our community now have red stains on their skin and others have been vomiting and fainting. Some little children have died because their parents did not know they should not drink the river water."⁵²

Elias Piaguaie, Secoya Tribe

The human rights situation of Indigenous peoples in Ecuador is a serious concern. For over four decades, indigenous communities have witnessed multinational oil companies cut through the Ecuadorian Amazon and their ancestral lands in search of the country's vast petroleum resources. Testimonies by members of these communities, verified by independent health studies and reports (including "Amazon Crude" by Judith Kimerling) have described how oil companies have left dead rivers, road-scarred forests, polluted air, and daily discharges of millions of gallons of toxic waste in their wake that are affecting the daily lives of the communities in the area.

"The oil companies have had a significant cultural impact, especially on our territory. How we used to live—naturally, that is—is no longer natural. We are experiencing the impact of many other cultures, especially from [modern-day migration]. Before we didn't need money because we had everything we needed. There were animals and fish; there was fruit, and medicines. Everything was found in the forest. But now we must go out to buy everything."

⁵² Amnesty USA, "Chevron in the Amazon – Oil Rights or Human Rights?" *Amnesty International USA*. Accessed on November 1, 2010: <http://www.amnestyusa.org/business-and-human-rights/extractives/chevron-corp/page.do?id=1101670>

Operating in a region of the rain forest known as the ‘Oriente’ both transnational and domestic oil companies threaten the survival of Indigenous populations as well as

those who seek to protect their communities

“What has really damaged us is the pollution in the rivers. This is really the worst part, along with the contamination in the air and the earth itself on which we cultivate our plants and our food. These are the terrible effects that have been visited upon us. Although we talk about remediation, I think it will be difficult to repair what has been damaged. I think perhaps we will never be able to, because even though we might repair the natural environment, modern society is here among us—on our doorstep—and we will never be able to repair that. Or for other reasons we will disappear bit by bit. This is what I can tell you about the impact of the oil industry on the Secoya people.”

and the environment. Over the past

four decades, a succession of U.S. petroleum

companies including Texaco (renamed

ChevronTexaco after merging with Chevron

in 2001), Occidental Petroleum, ARCO,

and Maxus Energy Corporation, among

others, have come to Ecuador in

search of oil. Environmental and human

rights defenders claim that these companies

have left behind a trail of destruction,

posing a serious danger to people’s survival.⁵³

Texaco, for example, began prospecting for oil in Ecuador in 1964, becoming the first company to discover commercial quantities. Subsequently, Texaco's joint venture with Petroecuador, in which the U.S. company was an operating partner, set the standards for operations in the region. According to the 1993 report "Crudo Amazónico" the author and lawyer Judith Kimerling described the situation in the following way:

From 1972 until it left Ecuador in 1992, Texaco intentionally dumped more than 19 billion gallons of toxic wastewaters into the region and was responsible for 16.8 million gallons of crude oil spilling from the main

⁵³ *ibid.*

pipeline into the forest. By comparison, the infamous Exxon Valdez tanker disaster in 1989 spilled 10.8 million gallons off the coast of Alaska. These actions contaminated both the soil and the groundwater of the communities in the area and will continue to threaten the economic and cultural bases of Indigenous peoples' survival.⁵⁴

According to the authors of the 1999 "Yana Curi" Report, which details the impact of oil development on the health of the people of the Ecuadorian Amazon, living in proximity to oil fields seems to have increased the risk of residents developing health problems. For instance, based on the characteristics of the population, cancer rates are statistically higher in the oil producing village of San Carlos than should be expected. Another study published in the International Journal of Occupational and Environmental Health points out the relationship between higher spontaneous abortion rates and living in the proximity of contaminated water streams. In some streams, the levels of oil chemicals like hydrocarbon concentrations was as high as 280 times the permitted levels in the European Community. Meanwhile, Chevron Texaco has not only refused to acknowledge any link between the public health hazards and the environmental problems caused by its drilling policies in the Ecuadorian Amazon, but has also refused to clean up the pollution, claiming that a 'clean up' agreement with the Ecuadorian Government has released it of any further liability. The company has further denied direct

“We met with the center's chief clinician and with the representatives of fourteen communities accounting for about 40,000 people from the Aguarico River basin. Each of them told the same story. Sick and deformed children, adults and children affected with skin rashes, headaches, dysentery and respiratory ailments, cattle dead with their stomachs rotted out, crops destroyed, animals gone from the forest and fish from the rivers and streams.”

Robert F. Kennedy Jr.

⁵⁴ Kimerling, Judith. “Indigenous Peoples and the Oil Frontier in Amazonia: The Case of Ecuador, ChevronTexaco, and Aguinda v. Texco.” November 3, 2006.

“In the Amazon region, there is a crisis caused by the presence of oil and mining companies and their violations of indigenous peoples' rights. The displacement of people from their homes has made it impossible for indigenous people to meet basic living conditions. The oil companies have not only caused the decomposition of our communities and the decomposition of our culture.”

compensation to the affected communities for threatening their health and their economic and cultural survival by polluting their environment.⁵⁵

Serious human rights abuses occur against the people living in the areas where oil companies operated. As set forth in the International Covenant on Economic, Social and Cultural Rights, their rights to the highest attainable standard of health, to an adequate standard of living and to water and sanitation, have been and are still being violated.

Corporate inaction ignores the fact that human rights responsibilities extend beyond states. Since 1948, the Universal Declaration of Human Rights has provided a common standard of achievement, which means that every individual and every organ of society bears responsibility for the universal and effective recognition and observance of the rights and freedoms in the Declaration. In 2003 the UN Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights were adopted by the UN Sub-Commission on the Promotion and Protection of Human Rights and transferred for discussion to the UN Commission on Human Rights. The preamble to the UN Norms notes that “transnational corporations and other business enterprises, their officers and persons working for them are also obligated to respect generally recognized responsibilities and norms contained in United Nations treaties and other international instruments.” While the UN Norms do not yet have legal status as law, they reflect the emerging consensus view, recognizing that if international obligations can

⁵⁵ Amnesty International.

be placed on individuals and states, then corporations too have character under international law.⁵⁶

⁵⁶ Amnesty USA. “Ecuador – Oil Rights or Human Rights?” *Amnesty International USA*. Accessed on November 18, 2010: www.amnestyusa.org/business/ecuador.html



RECOMMENDATIONS

While shocking in themselves, the two cases presented in this report, the one of Colombia and the sexual violence committed against women and the one of the indigenous people's rights in Ecuador, are only two examples of the human rights abuses, especially in terms of the denial of social, cultural, and economic rights, occurring everyday across Latin America. Unfortunately, Latin America has one of the highest levels of social inequality in the world, which has worsened over the past decade. The region's persistent inequality in income hampers development and the enjoyment of human rights. Pressing human rights concerns further include alarmingly high instances of prolonged pre-trial detention, as well as prison overcrowding. Additionally, Latin America is affected by public insecurity and violence, including violence related to organized crime rings linked to drug trafficking and juvenile gangs.⁵⁷

Thus, in order to combat this dire situation, we suggest the following recommendations:

- Make advances in the development of a legislative and public policy framework, and state programs to protect the human rights of the people.
- Create an integral state policy and coordinated and multi-disciplinary programs to address the specific needs of the people in regards to their situation.

⁵⁷ UNHR

- Invest in the diagnosis and prevention of human rights abuses.
- Create a legislative and public policy framework and state programs to address effects of human rights abuses.
- Remove obstacles for people to access justice through a reform of the legal framework, and the eradication of discriminatory socio-cultural patterns within the official apparatus.
- Publicly recognize that the different manifestations of human rights abuses that the region is facing, that they are serious violations of international and national law, and that it is necessary to assign adequate state resources to achieve their prevention, eradication and sanction.
- Apply duly the recommendations previously issued by the Inter-American Commission on Human Rights, and United Nations follow-up mechanisms, such as the United Nations Rapporteurs, the Committee Against Torture, the Human Rights Committee, and the High Commissioner for Human Rights.

5 THEORETICAL COMPARISON OF THE TWO REPORTS

When comparing the two approaches – “naming and shaming” and “strategy of potential” – theoretically, it becomes apparent that although pursuing the same overarching goal of establishing the respect of human rights, their underlying concepts of human rights advocacy are the complete opposite.

In naming and shaming, accounts of human rights violations are reported to the audience in form of statistics to demonstrate the scope as well in form of personal statements of people having experienced the abuse. Thus, horrifying numbers, saddening accounts, and shocking pictures are used to reach out to people. The target audience consists of educated members of the middle- and upper-class in the countries, in which the violations occur but more so people from around the world, who can put pressure on their respective government to encourage the countries with high numbers of human rights violations to enact laws to protect the victims of those violation in the future. Because those people live comfortable lives, naming and shaming tries to “wake them up,” to change their perspective from the assumption that life is good to realizing and caring about the grievances that exist beyond their narrow window they see from their privileged position. Thus, shock assumes the role of destroying this assumption and of causing rage and maybe even pity in the audience for the situation less fortunate individuals have to deal with. In this sense, while an awareness of the pressing human rights situation is created, the solution for it is seen in changes in the law and governmental enforcement as the people are shown as completely powerless.

In the “strategy of potential” approach, the focus lies on the positive examples of human rights activism and not on the destructive consequences an absence thereof presents. Consequently grassroots examples are used to show to the audience that potential for remedy

of inhumane situations exists within a country, which can be used as model and inspiration, and which demonstrates the hope for a better future that people, who are facing the most serious abuses of their human rights, not only continue to foster but also use to enact change on their own behalf. Thus, a detailed account of the local initiatives as well as personal statements of the people involved in it reflects this; at the same time it allows the audience to gain enough information to maybe even enact change themselves. Especially for social, cultural, and economic rights, the disproportionate situation of access and enjoyment of those rights can often appear too complex to be changed. People do not see any chance for an improvement and thus give up trying to do so. No tangible violation or violator exists to be blamed for the abuses, and the systemic cause that results in the issues seems simply too large to be influenced by human action. However, examples of successful local initiatives, that creatively find their way to deal with their situation and to improve it, demonstrate that the system doesn't need to be attacked as a whole but different entry points exist, and by highlighting their successes, audiences can get convinced of their actual effectiveness. Thus, people don't only recognize human rights as an important political issue that the government and the judiciary of the country should enforce but instead they recognize that they themselves have to power to bring along change. The positive examples furthermore serve as a tool for people motivated to enter the fight for change but who do not know where to start as they can either try to get in touch with the existing movements or design their own accordingly.

However, also for highly influential decision-makers, within a country or in the international arena, a positive approach of human rights allows them to use the potential and first efforts that have been created to build off of them and they don't have to start from scratch. This might result in more actions as no time or money needs to be wasted on the initial experimenting with possible solutions but instead, that step has already been completed for them and they can move on from there, which will produce results quicker. Especially for

the case of social, cultural, and economic rights this is crucial as a legal change or large-scale government project is not easily achievable due to the intangible nature of those issues.

Instead, it becomes apparent that although human rights are the concern, their characteristics of economic, social, and cultural rights are so different from civil and legal right issues that they actually demand a more “developmental” approach because they are closely connected to poverty and exclusion. In this sense, while not resulting in a fundamental change immediately, the positive approach carries the potential for immediate results, although they might be concentrated to a specific community or area and not applicable to society as whole; however people immediately see the results and thus more support for human rights in general is possible, which ultimately benefits every single member of society.

Lastly, as already mentioned in the literature review, economic, social, and cultural right abuses mostly harm members of communities that are marginalized from society and this marginalization itself can be held, at least partially, accountable for the disparities experienced. However, for marginalization to occur in a society, an ideology of difference and inferiority of certain communities in comparison to the dominant group must be present. Thus, reporting on the sufferings of marginalized communities, instead of demonstrating their need of more protection, in a situation of social segregation, can often not lead to the desired outcomes as the members of the dominant groups can attribute the abuses to the inferiorities of those marginalized communities. For example, inadequate health care and high maternal death rates among indigenous communities might be explained with the “uncivilized” indigenous health system; thus instead of highlighting the need for the guarantee of their right to health for the indigenous people, the members of the dominant group in Ecuador can not only look further down on them but also oppose an effort for money to be spent to improve their situation as their “cultural savagery” would render any modern effort a waste. However, by highlighting the grassroots programs already in place to change the disastrous conditions, members of the dominant group of society can see that indigenous people are not at all wild

cannibals but instead very smart human beings who are able to organize themselves to improve their own situation. Thus, people recognize the potential that lies within the marginalized communities – which is a first step to change the narrative of social segregation - and believe that assistance actually forms a good investment.

6 INTERVIEWEE'S RESPONSES TO THE REPORTS

However, while my hypothesis – the dominant strategy in human rights advocacy called “naming and shaming” does not yield the desired results because it is designed to focus mainly on civil and legal rights while many of the most striking situations of absence of desperately needed human rights, mostly for marginalized communities, concern social, cultural, and economic rights; instead a “strategy of potential”, highlighting positive examples of human rights work, gives people hope and inspiration for how these less tangible issue can be overcome so that action will be taken accordingly – may be well-positioned in the existing scholarship and intellectually sound and convincing, I believe that it is crucial to determine the response of people with either deep knowledge of the social and cultural context of both countries or with practical experience in the field of human rights. They as insiders are able to indicate whether, according to their expertise, the proposed “strategy of potential” truly provides a promising alternative or whether it is another unrealistic idea of an outsider completely blind to the existing realities.

To start, the twenty-one interviews I conducted can be divided into three groups: 1) people native to Ecuador and Colombia, 2) journalists, and 3) human rights practitioners and other professionals with experience working either in one of the countries or in the humanitarian field. To recall, for each of those entities, I hypothesized a potential response based on my assumptions, gained through research on the countries and analysis of existing work and programs, for each of these entities. First, for the people native to Ecuador and Colombia, I assumed that they would respond better to my positive report than the traditional negative one. The reasoning for my assumption is twofold: one, as locals they have been confronted with and have witnessed human rights abuses frequently, which must have made

then angry, sad, and frustrated. However, when reading a report with positive human rights examples of their own country, they regain hope that a change for the better is possible. Additionally, as natives to those countries, they don't like the world to look at their home nations as examples of human rights abuses, which can happen if only negative illustrations are published. Thus, a positive report is well received by Ecuadorians and Colombians as it shows a positive aspect of their nation and refutes the negative image that exists. Second, for journalists, I expected the interviewees to respond better to the negative report, as "naming-and-shaming" is a frequently used technique in the media to catch the attention of the audience, and because a negative report has a greater "shock value," I assumed that journalists would favor that one as it will draw more attention to it. Third, for the human rights practitioners and other professionals with experience working either in one of the countries or in the humanitarian field, I expected the most diverse set of reactions due to their different backgrounds. However, very generally, I assumed that due to their in depth experience with either the countries themselves or the issue of human rights, they don't see the situation of both countries as either black and white and thus, I foresaw them to present a more differentiated response. My hypothesis was that professionals value both reports, as they feature a different aspect of the issue of human rights abuse, and they would like to see both used as it could address multiple audiences from different angles and thus reach, united under the larger effort to advance human rights, more people, which ultimately must be the goal. But how did they actually respond to both reports? Did their reactions confirm or refute my assumptions about their positions, and more importantly, how do their responses correspond with my research hypothesis?



6.1 Response from “Locals”⁵⁸

Although all of the eight interviewees belong to either the upper middle or the social high class of Ecuador and Colombia, a striking difference became noticeable in their responses to the two reports based on their personal experience with victims of human rights abuses. Interestingly, and contrary to my assumption, only half of them were actually aware of the human rights situation and the existence of human rights advocacy mechanisms in their country and occurring in the international arena on behalf of it; four of the individuals interviewed only had a vague idea of what it is but did not know much about the work that is done to improve it. Those well-informed had actually done work on existing human rights issues, which explains their general interest and thus knowledge on the topic; however, it became apparent that if an individual did not experience such direct involvement in the human rights field, his or her understanding of the subject was limited at best. For example, Karl, a former member of the Colombian army explained, “life in a developing country like Colombia or an even less developed country like Ecuador can be a nightmare if you aren’t part of the top 20% of society. Even as I write this, someone is being raped, a mother is losing her child, kids are being exploited for the most sickening purposes of war (like clearing mine fields), someone’s dad is becoming another statistic of a war. It’s hard for me to put in words what I’ve seen and heard.” Obviously, as a soldier in the armed conflict in Colombia, Karl often found himself confronted with situations of human rights abuses, especially in marginalized communities, which deeply affected him and has become a topic he speaks

⁵⁸ I conducted eight interviews with “locals.” Colombian interviews: Karl is a Colombian military veteran living in Colombia. Ana is an international student from Colombia who is living in the United States for one and a half year now. Lina is also an international student from Colombia but living in the U.S. now already for 5 years. Juan Pablo lives in Cartagena, Colombia. Ecuadorian interviews: Diego is a Master’s Candidate at American University from Ecuador. Daniel and Giancarlo are both international students from Ecuador at Catholic University. Andrés lives in Quito, Ecuador.

about very passionately. Furthermore, although he himself is not part of a social group that suffers from those violations, he developed an understanding and compassion for the different reality other members of the very same society he belongs to have to face. In contrast, when describing the life of indigenous people in their communities, Daniel, an international student at Catholic University from Ecuador, expressed a different take on the situation: “Most of these villages are uncivilized because it is a part of their culture to survive without most of technology that we are used to use every day, but that doesn’t mean that they stop been human beings. They are in need for modern medicine and for education so that they can prosper.” Although he recognized the disparities that exist between his life and that of indigenous people and identified the impoverished conditions in indigenous communities as in need for change, the reason for the differences he located in the indigenous culture that he refers to as “uncivilized” and for him the solution would lie in their adoption of modern practices such a Western medicine and a formal education, which those well-off in Ecuador already enjoy. He, therefore, doesn’t see discrimination to be at work but instead believes that the almost “savage” culture of indigenous people holds them back and produces the existing inequalities. Interestingly, though, both those young men identified themselves as conservatives, thus their political orientation cannot be held accountable for this difference.

Consequently, this variance in their understanding of the human rights situation of their respective country logically affects their responses to the two reports. Although having grown up in Colombia or Ecuador – some of the interviewees now study here in the United States -, those people questioned who were not very aware of the human rights situation in their country were taken aback by the facts presented to them in the negative "Faces of Despair" report. Giancarlos, another international student at Catholic University from Ecuador, could only respond in a single sentence to what he had read: "It is shocking for me to see people suffer from these kinds of problems." Similar responses of appall and outrage were noticeable in the other interviewees who hadn't actively engaged in the field of human

rights in their country. However, those who had experience presented a completely different response. Diego, a graduate student from Ecuador at American University, clinically stated, "I think this report summarizes pretty well the problem these (marginalized) groups face against the Guerrilla on one hand and Oil industry on the other. While I don't know too much about Colombia, in the case of Ecuador, I know the Oil industry has damaged not only the environmental space where many indigenous people inhabit. Their cultural roots have also been invaded and they have been forced to accept this new form of "conquest" of a neo-liberal economy." The other interviewees with previous exposure to the human rights abuses that are occurring in their countries responded alike. However, one reaction stood out, although it shared this previous knowledge of the existing issues. Karl, in response to "Faces of Despair" expressed satisfaction about the report because of its brutal depictions in pictures and numbers. He explained his reaction in the following way: "Reality is reflected fully in this report, as you get the uncut 'footage'. Raw reality is the only way to describe this type of events and letting the victims speak their stories, as they are gives you an understanding on a human level that can't be accomplished any other way." Thus, based on these two dynamics that were visible in the response to the negative report, it can be derived that if personally confronted with human rights abuses, people come to see the brutal reality many of their fellowmen and fellow-women have to face with their own eyes, which thus, does not provoke strongly emotional responses to a "naming and shaming" report and, therefore, neither evokes a greater sense of the need for human rights in their country. Instead, they see affirmed what they already know. However, Karl's response is interesting as it suggests that locally, the reports issued on the topic of human rights abuses are not as graphic as the ones we know from international advocacy groups and that locals don't seem to have access to the international reports that do use this strategy. His satisfaction of finally seeing the brutal reality depicted implies that previous reports have downplayed or softened the hard facts.

In this sense, three general observations can be made in regards to local people's response to the traditional "naming and shaming" report, which indicate some evidence for the actual effectiveness of "naming and shaming" reports. First of all, if people, who are not aware of the horrendous human rights situation of marginalized communities in their countries – who made up half of my interviewees –, are confronted with a "naming and shaming" report, the desired shock effect is apparent. Second, though, people who are already aware of the actual situation do not personally react strongly to the report as it simply confirms their previous knowledge. Third, although not personally affected by the facts shown, people who are already aware of the fact that brutal human rights abuses are occurring do appreciate a harsh "naming and shaming" report, as they feel it righteously depicts the brutal reality some people have to face, which is often not publicly acknowledged in their country. Consequently, two, although generalized, conclusions can be drawn from them: 1) "naming and shaming" reports seem to generate the desired effect of disturbing the comfortable life of those local people who were unaware of the human rights situation, but it is also recognized as positive by those who previously knew about the occurring abuses, although not because it teaches them something new about the issue but because it correctly reflects what they consider reality; however, 2) "naming and shaming" reports, as produced by Human Rights Watch or Amnesty International, seem not to reach the people at the local level in neither Columbia nor Ecuador as those interviewees unaware of the human rights situation in their country seem to be confronted with the shocking realities for the first time and those interviewed who knew about it felt that for the first time a correct illustration of the plight many people experience is shown.

In response to the positive report "Empowerment Through Oneself," I noticed a similar difference in the "local" interviewees' reactions. However, although the reactions were almost in direct opposition between those interviewees who possessed little knowledge about the status quo and those who had personal experience of working in the human rights field,

confronted with this type of report, both groups showed strong personal affection by it. On one hand, the “locals” well aware of the pressing human rights conditions in their country responded extremely positively to “Empowerment Through Oneself.” Juan Pablo, a young Colombian living in Cartagena, interpreted it in the following way: “It’s a story about people helping each other in the worst circumstances and making a difference in their community. In my opinion we live in a world where everybody knows about the problems but it’s the people who try to solve them that make a difference. By following the path that these movements laid down you could have a model for progress on an international level.” Similarly, Andrés, an Ecuadorian student living in Quito, explained that, “I see that it is very important that the most vulnerable groups of a society, turn to themselves to find that balance and empowerment to fight for inclusion into the society as actors. This report gives a great example of what can be done.” Also the other “local” interviewees who knew about the human rights situation in their countries responded similarly. All of them articulated that “Empowerment through Oneself” personally moved them – but in a positive way. They recognized the importance for marginalized communities to find their own identity in their difference from mainstream society, which allows them, in an empowered way, to stand up for their rights and take initiative and ownership for actions aimed at an improvement of their very own destiny. Furthermore, they identified the fact of highlighting some successful examples, such as the Jambi Huasi and the Ruta Pacifica de las Mujeres, as extremely important as it can serve as a model for other people to engage in programs to make a difference. Implied in this statement was the claim that many people in Colombia or Ecuador, although not approving of the life many people have to endure, do not engage in actions to counteract it because they don’t see how they can make a difference. However, by pointing them in the right direction, they can take inspiration from already existing movements and initiate similar ones themselves. On the other hand, the interviewees with little knowledge about the human rights issues existing in their countries were also personally moved by “Empowerment through Oneself” – but in a

negative way. Ana explained her emotional response with the following words: “My reaction was sadness as I realized that the people whose human rights are violated have no other choice than to take care of themselves because nobody wants to get involved with them, not even national institutions.” Equally, Daniel was upset by saying that, “the problem that Ecuador has is that only very few people care about the ones that experience injustices and small movements do not bring along the necessary, radical results.” Among those interviewed who did not know much about human rights in their countries, a consensus existed about the influence “Empowerment Through Oneself” possessed on them as readers: it demonstrated to them that only small groups advocate for a change of the human rights situation, which is not enough for the society as a whole to identify a group’s particular concern as important. At the same time, they were saddened by the conditions many of their fellow citizens have to live under and the report, thus, caused them to become convinced that not only did a lack of those rights present a serious injustice but also that more and broader support for their demands needs to be created for their voices to be heard. Thus, although Daniel referred to the indigenous people at first as “uncivilized” he did seem to react to the positive report in the way that he wanted them to become heard in society. However, there was not enough evidence in the few interviews conducted to conclude that a “humanization” of the marginalized communities could get initiated with a positive report. More specific research on that particular aspect would be necessary to produce a well-founded argument.

In this sense, the “locals” responses to the positive report “Empowerment Through Oneself” allowed two observations: first, all interviewees appeared personally moved by the cases presented in the report; second, although in themselves different, one positive and one negative, the reactions of both subgroups shared one thing in common – they indicated a heightened believe in the need and possibility for change for a better.

To conclude, because the basic assumption of my hypothesis – that people native to Ecuador and Colombia and having spent most of their life there must be aware of the

troubling human rights situation in their country – was wrong, the thus following predictions for their reaction to the reports was neither fully accurate. Instead, the traditional “naming and shaming” report was generally well-received in the way that both subgroups saw value in it. Those unaware of human rights abuses were shocked by the reality they were confronted with and thus, as intended, gained awareness of the existing issues and adopted the position of a change being necessary. Those already aware of human rights abuses, on the other hand, did not personally respond strongly to the report as it simply confirmed the reality they had known existed; however, they did express appreciation of the fact that the report used “raw” illustrations of the status quo without making things look better or less serious than they are, as they felt that this was often not the case in communication materials concerning human rights. Nevertheless, the underlying factor of both these reactions is that apparently “locals” often do not have access to traditional “naming and shaming” reports that have been produced frequently during the last decade by prominent international human rights organizations. Thus, their effectiveness for people on the ground becomes questionable. At the same time, though, also the positive report “Empowering Through Oneself” resonated with local interviewees, although again for different reasons. My hypothesis was correct for the response of those people aware of human rights abuses in their country, as they felt encouraged and more hopeful because of it and pointed towards the usefulness as model of existing grassroots initiatives. However, contrary to my expectations, those interviewees unaware of the human rights situation in their country reacted with the negative emotion of sadness to the accounts. They interpreted it as acts of last resort of people without any other solution available and they did not believe that a grassroots movement comprised of members of marginalized communities would convince the majority of society that they deserve a guarantee of their rights as human beings. Nevertheless, it evoked a feeling of more support being necessary for the sad lives they had come to feel compassionated for, of those poor people to change for the better, and they felt compelled to do so. In this sense, although not confirming my hypothesis,

the interviewees responses did still provide support for the thesis of this research by demonstrating that although “naming and shaming” reports have existed for years an almost general oblivion to their existence dominates the local level. Thus, a successful approach in that way seems little promising as a factor must be at work that prevents the people from being exposed to those types of facts. In response to the proposed “strategy of potential” an increased belief in the need for human rights advocacy could be noticed – although out of different reasons. Those aware of the situation receive hope from the positive examples and thus feel encouraged that change is actually possible and even identify the illustrated cases as possible models for future action. Those unaware of the situation feel saddened as they come to realize that some people need to engage in human rights movements to at least attempt achieving a decent standard of well-being; however, at the same time, they are motivated to encourage more support for the demands of those groups as only if the majority is on board, so the interviewed, true change is possible.

6.2 Response from the Media⁵⁹

Both journalists interviewed possessed a detailed knowledge about the human rights situation in the Latin American region because of their previous work in the area. While performing the duties of journalists, they were often confronted with news pieces about the problematic developments in Ecuador and Colombia. Additionally, as Andrea noted, “as journalists, you almost become conditioned to do research, even if its not for a specific piece you are working on. As conflicts are my focus, human rights situations have always interested me and thus I’ve tried to keep up with everything that was going on as best as possible,

⁵⁹ I conducted two interviews with journalists. One with Luis, the Latin America specialist at the International Center for Journalists and former journalist in Panama. The other one with Andrea, a Swiss television reporter and documentary film maker who has worked in Ecuador but also in other countries around the world with issues of human rights abuses.

consulting regional but also international sources.” Thus, it is little surprising that both journalists also demonstrated great insights into the issue of marginalized communities. However, although acknowledging the continuation of serious human rights abuses, both journalists pointed out that some improvements of the status quo were noticeable in the last years, compared to a decade ago. Luis explained that “marginalized groups, such as indigenous communities or women, at first were not even mentioned in reports on human rights – it was almost as if they didn’t exist. Nevertheless, more recently, you find those viewpoints included in the media coverage. For example, within the whole story on the false-positives scandal, Blanca Nubia Monroy’s plight of having lost her son in this scheme was featured in newspapers around the world as one of the illustrative cases of the event.” Thus, obviously, as I assumed, both journalists are well aware of the human rights situation of Colombia and Ecuador.

Interestingly, though, their reaction to the two human rights advocacy reports differed from my hypothesis. First of all, the traditional “naming and shaming” report produced a negative response in both men. Andrea provided the following explanation for his reaction: “Immediately I thought, ‘not again, leave me alone with this.’ To be really honest with you, I feel that the strategy of shock and pointing the finger in blame at a specific party involved in the conflict has been exhausted a long time ago, and journalist colleagues who continue to use it, in my opinion, are simply not brave enough to step outside their comfort zone and risk one or two failures in order to experiment with other strategies to talk about the issue of human rights abuses in Latin America.” In this sense, Andrea, having followed journalistic work during the last years on the issue and he himself having produced reports on issues such as women’s empowerment in Africa, expressed a frustration about the similar “naming and shaming” approach to be used over and over again. Luis further added to this point that, “while it can bring temporary attention to the issue of human rights abuses, it does not bring about transformational changes.” Consequently, both journalists expressed their belief that

“naming and shaming” reports do not actually help to improve the human right situation in a country. Andrea, further explained that “while in itself not bad [naming and shaming], in recent years it has become the central focal point of most work on human rights while forgetting to add actual substance to the report. By using ‘naming and shaming,’ one runs a great risk of engaging in an almost boulevard-like style of writing that easily results in success without having to offer much substantive information that widens the intellectual horizon of a reader. However, there are moments, of course, where it is the appropriate strategy, such as in an event of extreme crisis that needs immediate attention.” Consequently, he identifies “naming and shaming” as a strategy only to be used very carefully. Thus, both journalists do see some value in the strategy of “naming and shaming” as for Luis it can raise awareness and for Andrea it can be necessary in a situation of emergency, but both seem to share the consensus that “naming and shaming” as the strategy of human rights advocacy will not yield in the desired result of all people in a society enjoying a life in freedom and dignity.

The positive report “Empowerment Through Oneself”, on the other hand, received great praise from both journalists. Luis explained that, “in Latin America, there is a problem of credibility with many human rights groups. Some of that is unfair, but in other cases, the perception is legitimate. There is a need to create a new cadre of human rights activists in Latin America that could gain the trust and respect of local societies. A strong and vibrant press is always important to bring awareness and promote support among the population.” Consequently, for Luis, the positive report could function as a tool to give credibility to grassroots movements so that they could become empowered and truly be effective. Andrea’s response complemented Luis reaction by adding the audience’s response to the report, when he stated that, ‘naming and shaming’ results in a bad conscience in the people who do enjoy a much better life, which, if triggered too often, can simply be ignored and thus renders the whole shock value useless. Instead of hit over the head with brutal facts, new media audience should become sensitized to the different realities people have to face but people also use to

stand up for themselves. While “naming and shaming” might yield an immediate result, only the more sensitive one will prove successful in the long run.” Consequently, the positive report tries to engage in this form of sensitization as it will reinstall a sense of ethics and morals that has gone missing in our world constant breaking news of catastrophes from around the world. As a journalist always pursuing a goal with his work, Andrea explained that for human rights a shock of the public that leads to short-term rage but then disappears again, a fundamental issue such as human rights cannot be correctly addressed. Instead, a strategy that pursues a long-term change is necessary and he believes that reporting on positive developments as model for inspiration could function as one way to achieve this.

Lastly, Andrea raised an interesting point, when he said that “what I see missing in today’s human rights advocacy is a steady follow up. A yearly report is not enough to make people truly care about human rights issues that don’t concern them directly. However, new media tools such as blogs offer us a new possibility to create this constant connection between those in need for change and those who have to power to demand it. For example, people living in marginalized communities where a local project is implemented could keep an online diary reporting about the successes and failures of the program they notice in their daily life. In this way, members of the dominant group in their society but also people from around the world can almost take part in their struggle for the respect of their human rights – and thus also make the achievement thereof a priority in their own ‘comfortable life.’” In this sense, human rights advocacy should use different media tools besides written reports to constantly engage with the people they want to reach. Only if a human connection is made between those in power and those in need for help, a true change for him can be created and media can be used a vehicle to achieve this.

Thus, to conclude, as with my previous group of interviewees also the two journalists I confronted with the two human rights strategy reports proved my concrete hypothesis for their possible reaction to it - I expected them to respond better to the negative report, as “naming-

and-shaming” is a frequently used technique in the media to catch the attention of the audience, and because a negative report has a greater “shock value” – wrong. They explained that “naming and shaming” was an overused concept that had lost its edge and often resulted in news pieces without much substance as the journalist could be sure that the shock itself would sell the edition and that the content, thus, didn’t matter as much. However, their reaction to the two reports confirmed the argument of my research that an alternative human rights advocacy strategy to “naming and shaming” might be possible in a “strategy of potential” report. They point out two arguments that support my thesis: first, illustrating the empowerment of a marginalized group of people leads to the empowerment of those groups, which often lack credibility and thus enable them to live up to their potential and evoke the change they are able to; and second, “naming and shaming” results only in short-term responses from the public; however, for issues so fundamental as human rights, a long-term awareness should prevail which is better created through sensitize the audience instead of enraging them – thus creating hope through demonstration of positive developments might be the right way to go. Lastly, as journalists, they point towards the different tools especially new media presents to achieve more awareness. For example, a blog could create a constant connection between members of marginalized communities and those living their comfortable lives either in the same country or somewhere else in the world, so that, through constant presence, the issues of human rights could not get forgotten and thus truly would be addressed.

6.3 Response from Professionals⁶⁰

As expected, the largest variety of responses I received in the answers from professionals who either have experience in the region or experience in the field of human rights in general. From the eleven interviews I conducted, two interviewees were professionals working in the mining industry and thus having been involved in Colombia, two interviewees were working with Colombian NGOs, three interviewees were employees of Swiss development organizations, and the last three interviewees were employees of an official institution such as the Ecuadorian embassy or the Swiss Department of Foreign Affairs.

To start, I was shocked by how little the two individuals from the mining business knew about the general situation of human rights in Colombia, where they worked for more than two years. Robert, the special advisor to the company provided the following statement in response to my question of what the human rights situation on Colombia is, according to his insights gained during his times on-site: “I met women in all walks of life, and they all appeared to be successful and happy. Naturally, there must have been cases that were not so positive, but I didn't meet any. I saw thousands of women in the streets of Medellin, in the smaller cities and remote rural towns. None of them came running up to me with any horrors stories.” Obviously, the interviewee possessed only very limited knowledge about the

⁶⁰ I conducted eleven interviews with professionals. Two were with employees of an international mining company active throughout Latin America. Robert works as the special advisor for the company, Michael works in the administration. Two were with human rights activists involved with local NGO's in Colombia, Andrew and Andrea. Three were with members of employees of development organizations. Jasna is the Europe responsible for the Japanese NGO Peace Boat. Peter was the Inspector General of UNPROFOR, the Special Advisor for OSCE in Bosnia, and is currently the president of the biggest Swiss Relief NGO Helvetas. Christoph is the managing director of the Swiss NGO, The Society for Threatened Peoples. Karl is responsible for Central America of the Swiss Evangelical Aid Society. Finally, the last three were with diplomats. Christian is the intern at the Swiss Embassy in Bogotá, Colombia. Silvia is responsible for Human Rights issues in the Ecuadorian Embassy in Washington DC. Fred is an advisor for the Swiss Department for Foreign Affairs (DEZA).

situation in Colombia and based his analysis thus on his very own experiences. Although he acknowledges that other, less positive cases must exist, his account of what he experienced in Colombia strongly suggests that what is communicated about abuses of human rights might not reflect the whole reality as aspects of the Colombian society exist that function well and that are without violence. Michael, an employee in the company's administration, shared this perspective completely. Both men, because of their Western-rational, and economic background, obviously did not believe in claims made if they were not well founded with scientific evidence.

Consequently, neither report would satisfy this requirement. This demand for evidence also became visible when the Robert stated, "I would want to have factual evidence that the numbers suggested in report called 'Faces of Despair' were accurate. If so, this is a horrific percentage of human right's violations affecting the majority of citizens. But as no studies or documents were provided, I would hasten to conclude that the balance of the discussion in the document might be exaggerated without proof of this evidence." The fixation on sources and rational grounding prevented him from actively engaging with the material presented and he did not feel affected by it in any way, as long as no scientific study to bring proof for the actual numbers cited in the case can be provided. What is further interesting is that he chose to respond only to the "Faces of Despair" report and not in one word even mentioned the "Empowerment Through Oneself." I assume that as a less tangible issue of social, economic and cultural rights that cannot be based on factual evidence as much as a traditional "naming and shaming" report did not appeal in any way to him and thus, he simply disregarded it as unimportant. Consequently, I have to conclude that none of the witnesses' and victims' accounts appear as important to him as numbers.

Therefore, to reach professionals from the business sector, I would suggest that it might be of interest to consider another alternative to the existing but also proposed advocacy strategy, as the two interviewees fixation on hard facts and well-researched data to back them

up prevented them from even looking at the personal stories of victimization, suffering, and self-empowerment that both reports expose. In this sense, to reach this target audience a comprehensive research study with a tight executive summary might fit with this audience's desire for proof of evidence, so that they can be convinced that the issue of human rights abuses is real and, thus, they could start joining the fight for human rights, using their perspective and their knowledge on the issue.

The second subgroup of interviewees is composed of two professionals, Andrew and Andrea, who have been working or continue to do so with Colombian NGOs but also NGOs and other organizations in the United States, trying to advance human rights and human development in Colombia. Obviously, both possess a detailed knowledge about the situation of Colombia but also insider knowledge that only very few can consider theirs. Thus, there is no need to trying to demonstrate their knowledge on the issue of human rights in Colombia as this is self-explanatory based on their positions.

In regards to their reaction to the two reports, both interviewees demonstrated the most modern perspective of human rights advocacy and thus the strategies that should be used. First of all, Andrew clearly stated that traditional “naming and shaming” reports are not effective in Colombia. He explained that the most recent development in that direction, the false-positive scandal that issued serious accusations against the president, did not translate into a response from the electoral majority of the country. Thus, although atrocities were reported and fingers were pointed to ascribe guilt, the social context of the country was ultimately not changed. However, also having worked in the international arena, Andrew and Andrea recognized that under different circumstances, such as to mobilize support for Colombia in the U.S. and Europe, “naming and shaming,” a well-known and well-respected custom, might be the strategy to bring about the best results. However, Andrea also highlighted that any grand scale campaign is fallible because it is so overly present that a group opposing it can take it apart easily. Instead, so the interviewee, small grassroots

movement spread out but still connected with each other might be a sustainable form human rights activism.

On the other hand, my “strategy of potential” proposed in “Empowerment Through Oneself” was extremely well received by both interviewees. Andrew explained that the sad reality for many people in Colombia and the previously failed attempts at correcting them created systemic hopelessness among the people. Thus, by illustrating the positive examples of activism, they are providing hope for the future and they are encouraging people to get active themselves. Andrea highlights in this connection that our modern world, however, doesn’t just allow for written reports. Instead, she calls for more creative solutions for human rights activism - especially with emphasis on technology. Thus, in our interview, Andrea pointed towards new media technology, such as facebook or cell phones that completely change the way we think about the world, but thus also the way we should think about human rights activism. She further elaborates that in our modern world of speedy technology, an individual’s attention span on one topic is greatly reduced and thus to expect people to sit down and read 180 pages to gain an understanding about the human rights situation in a specific country is very unrealistic. Thus, it becomes even more important to, act very creatively; burst the frontiers of the previous knowledge and experiment with what is possible today. Big organizations are too concerned about their reputation to risk something, but grassroots initiatives possess exactly that potential – it just depends on whether they truly assume that role. However, even a written report of positive examples like the one I presented them with, for both interviewees provides an inspiration for other people. Not to say that every successful grassroots campaign should 1 to 1 be implemented somewhere else, but instead it should be seen as an inspiration for others to adapt to their specific context.

The third subgroup of interviewees is composed of interviewees with three employees of Swiss development organizations and one with a former employee of the United Nations. Interestingly, when describing the situation of human rights in Latin America, each one of

them emphasizes a different point, which is a focal point of their organization, but which addresses different dimensions of the issue. Karl from the Swiss Evangelical Aid Society elaborated on the strong presence of legal rights while, but highlighted that at the same time, social, economic, and cultural rights are missing. One of the driving forces behind these disparities he identified as the liberalization of the economic market that reduced protective measures for small producers to a minimum. Peter, president of Helevtas, pointed towards the fact that there exist great differences between the human rights situations of countries within Latin America and nobody should mistakenly assume that because they are considered part of one region, they share the same fate. Still, the one factor they share in common is that a small upper-class oppresses a large, marginalized low-class, with the highest numbers of victimization among indigenous populations. Christoph, managing director of the Society for Threatened Peoples Switzerland explained the situation from uniquely an indigenous viewpoint as the indigenous people in Latin America form the focal point of the work of his organization. He pointed out that between human rights and the rights of indigenous peoples, although in a lot of aspects very similar, there exist also differences that should not be overlooked. He cited the example of free, prior, and informed consent that has not been abided by officially in any Latin American country he works with. Thus, it becomes apparent that based on the work professionals in the field of human rights perform, their interpretation of the situation of human rights in a specific region shifts. While people not directly involved with human rights work use a more general perspective, practitioners in the field have their focal point on issues, in which they are experts. I believe this to be crucial to understand human rights advocacy strategies, as, because every organization possesses a focus on core issues it identified as important, their advocacy strategy is naturally geared towards these, which means aspects that other human rights practitioners might see as important can be excluded. Thus, a variety of human rights advocacy efforts are needed to bring about change in the whole system, which might indicate that a greater variety in strategies might also be an

asset as, because of the different viewpoints, different messages want to be communicated and I am not convinced that one single strategy fulfills that purpose. Thus, seeing this variety among human rights practitioners, my proposal of an alternative strategy for a sub-sector of human rights, the economic, social, and cultural rights, appears to become more convincing.

In terms of reactions to the two reports, when confronted with “Faces of Despair”, the four different human rights practitioners agree that to have documents that acknowledge the reality as it is, without any form of “beautification,” is important for the understanding of a particular situation. Christoph, for example, stated that, “these kinds of reports must be emotional and touching, while depicting the facts in the most realistic way possible.” The others responses agree with this perspective. However, all four professionals also acknowledged that, in order to bring along change for the better for the victimized communities, more and different human rights activism is needed. Christoph put it, “however the most important challenge is how to create a willingness to change the behavior of the actors.” Thus, although acknowledging the value in traditional “naming and shaming” reports, Wiedmer doesn’t identify it as strong enough to enact change, which should ultimately be the goal of human rights activism. Similarly, Peter explained that in order for change to occur, civil society and its respective institutions need to be developed and strengthened. For that, he said though, a different form of media support would be necessary. Thus, it becomes apparent that “naming and shaming” continues to be valued among practitioners in the field of human rights. However, they also identify more and different advocacy strategies as necessary and needed to transform the current abusive state into one respecting human rights.

On the other hand, after having read “Empowerment Through Oneself,” the four human rights practitioners no longer demonstrate such a shared reaction to the material presented. Peter explained that, although valuable, he believes that the key to transforming societies to becoming more respective of human rights lies in outside support from Western organizations as they can help with the build up and management of young civil institutions

that empower a society. As a former head of a UN missions, this position appears reasonable to me. However, it stands in stark contrast with Karl's response, in which he expressed that, "giving voice to the perspective of local people and their own organizations is extremely important and I believe in the near future, we will see many organizations starting to pay more and more attention to that. I would argue that so far, the perspective of the victims has not received the attention it deserved." In this sense, Karl identified the local focus without paying too much attention to international actors as progressive, promising and needed. Lastly, Christoph voiced a response that was torn between excitement about the new approach offered, while questioning its effectiveness given the existing structures. Thus, his proposal would be to merge the two approaches into one that blames while offering solutions. Jasna expressed the same reaction. In this sense, the four interviewed human rights practitioners, all from different backgrounds, clearly have a different vision on what the human rights situation in Latin America is and what its focal point should be, and thus, consequently, their responses to the two reports are respectively different. Peter's position might be indicative of the older, more traditional approaches to human rights activism, which, when he worked for the UN in the Balkans, for sure was the one used and continues to be supported by many people in the field. However, Christoph's and Jasna's ambivalent responses indicate that a possible change in this traditional approach might be occurring, as he applauds the fresh perspective brought in by the "strategy of potential" while questioning the feasibility given the continued dominance of the established techniques and approaches. Karl's full support of using the local perspective and his prediction that this approach will be used more in the future further indicates a possible change in the way human rights advocacy campaigns will be designed. Consequently, because of this suggested shift in the field of human rights, further investigation of the feasibility of the "strategy of potential" would be interesting.

The fourth and last subgroup of interviewees is composed of employees of an official state institution including the Ecuadorian embassy, the Swiss Department of Foreign Affairs

(DEZA), and the Swiss Embassy in Bogotá, Colombia. To start, quite contrary to the human rights practitioners, the employees of official state institutions extremely well informed view on the human rights situation in the region does not focus on a particular issue but tries to depict the whole complex system of issues from the most neutral point possible. Silvia, human rights responsible at the Ecuadorian Embassy illustrated this, in her answer:

“The Human Rights situation in Latin America varies considerably from country to country. However, Latin America as a whole continues to struggle with several social issues that have often been the effect aftermath of a legacy of institutionalized discriminatory practices that can be traced back to colonial times. The most prevalent issues that continue to plague Latin American societies are: poverty, domestic violence, lack of employment and access to health services, police violence and corruption, gang violence, and disenfranchisement of minorities. These problems are further exacerbated by the fact that Latin America is the continent with the most unequal distribution of wealth in the world. Furthermore, the one violation that is common to most countries in the continent is impunity. Despite the institutionalization of laws that protect human rights, often the lack of punishment to offenders - and often even of investigation – continue to be a major issue in Latin America.”

Given her employment in a political institution, I would assume this high degree of “objectivity” is demanded from her government. While acknowledging the complexity of the issue of human rights and different variables that play a part in it, none of them is given more weight than the other, which thus implies that all of them need to be addressed equally in order for the existing issues to be truly resolved. Both Christian, the current intern to the

Swiss Ambassador in Bogotá, and Fred, advisor to the DEZA confirm this position in their descriptions of the status quo of human rights in Latin America.

Consequently, this view of the human rights situation in Latin America being the construct of a variety of factor that are equally important to address directly translated to positive reactions to both forms of reports. First, the three officials agree that “Faces of Despair,” although shedding a very negative light on the existing issues in the region, can be important in bringing along change for the better as it demonstrates that, besides the formal, legal recognition of human rights in many countries, their social system prevents those rights from being extended to all people within it. Christian explained that “many members of the middle and upper-class who live in urban centers and enjoy full access to the judicial system often believe that changes in law is all that is necessary to address human rights violations. However, with such a report, they are confronted with a reality outside their own and they come to realize that the privileges of a democratic state that they enjoy do not necessarily extend to people living in marginalized communities.” Thus, the young diplomat clearly identifies the “naming and shaming” report as possessing value for human rights activism. Similarly, Silvia stated that “the use of quantitative data will probably shed light on how prevalent these violations of Human rights are and will bring more action on these issues.” In this sense, the officials agree that factual evidence for the continuation of human rights violation even after changes in the law were evoked are important.

At the same time, all three officials responded positively as well to “Empowerment Through Oneself.” However, they see it addressing a complementary issue, the hopelessness that exists in many societies because of the continuation of human rights, and the lack of perspectives on possible solution. Thus, while the traditional “naming and shaming” report for them was intended for those member of the middle and upper-classes unaware of the continuation of human rights abuses, this positive report should, for the three, target existing human rights movements and programs, as well as communities suffering from human rights

abuses. Fred noted in response to this report that, “many times I see people getting discouraged that despite the achievement of legal recognition of rights and awareness campaigns, the violation of human rights continues to occur in their country. Thus, they come to question whether the time and effort they dedicate into human rights activism is actually worthwhile.” The DEZA advisor recalls experiences of trips to Latin American countries, where he could witness the frustration of those trying to bring about change. Silvia’s reaction expressed a similar take: “I really enjoyed reading the “Empowerment Through Oneself” report. It definitely shed a more positive and hopeful light on the issue. This type of report may be more effective within already active groups in giving them hope or tangible evidence that they can achieve change. I think it also sheds important light on the empowerment that every individual can and must achieve in order to get theirs and others’ rights recognized.” In this sense, the state officials recognize value in this human rights advocacy strategy as well. Even more so, especially Silvia’s personal reaction of “enjoying” the reading of this type of the report indicates her own frustration of being told over and over again that her country, Ecuador, engages in some of the most serious human rights abuses of the region. Thus, the personally positive emotion conveyed in her reaction further speaks for the value of the “Empowerment Through Oneself.”

To sum it up, my hypothesis for the professionals interviewed was that they would value both kinds of reports as they feature a different aspect of the issue of human rights abuse, and they would like to see both used as it could address audiences from different angles and thus reach, united under a comprehensive effort for human rights, more people, which ultimately must be the goal of human rights advocacy; it seems like the results of my interviews confirmed this hypothesis, with the exception of the two businessmen from the mining sector who did not respond positively or negatively to either one of them. However, even their indifference to the two reports demonstrated that my broader thesis of the need of alternative strategies for different aspects of human rights seems to be correct. The other

professionals, with both their issue-focused perspective or comprehensive understanding of the problems identify aspects of the existing human rights situation in Latin America possibly being responsive to a positive human rights report. However, the two practitioners having been active in NGOs in Colombia themselves point out that the field of human rights needs to liberate itself a lot more from its constraints of formal rules and standard procedures and instead embrace creative effort, with a special focus on new media technologies to wide their width and depth of impact in Latin American and around the world.

7 CONCLUSION

To conclude, the Latin American phenomenon that despite a formal integration of human rights principles into state law or the declaration of abidance by international standards, millions of people continue to suffer from violations of their rights inherent to them as human beings is puzzling. I asked myself, why, despite the numerous human rights efforts, a majority of the human beings living on this planet are denied their right to a life in freedom, equality, and dignity? Prompted by my spontaneous response to the question that the solution to the existing issues must be flawed if not producing the desired results, I thoroughly reviewed the existing scholarship on human rights advocacy and found that “naming and shaming” seemed not to put an end to many abuses of human rights, although successful in some cases. Especially unfit, it appeared to be for cases of human rights violations occurring in marginalized communities, as those abuses often occurred in terms of social, cultural, and economic rights that were too little tangible to fit the necessary “violation-violator-remedy” formula needed for a successful “naming and shaming” effort – according to Roth – and because of their marginalized situation already, a deeper division between them and society in general might be the result due to criminalization of certain communities. Thus, I developed the research hypothesis that the dominant strategy in human rights advocacy called “naming and shaming” does not produce the desired results because it is designed to focus mainly on civil and legal rights; however, only if also social, economic, and cultural rights are guaranteed, a life in freedom, equality, and dignity can be ensured. I argue, to enforce these types of human rights, the strategy of shocking people with negative evidence of human rights situations is ill-suited and instead a “strategy of potential”, highlighting positive examples of human rights work, gives people hope and inspiration for how these less tangible issue can be overcome so that action will be taken accordingly.

Consequently, I composed two human rights advocacy reports: one using the traditional “naming and shaming” strategy and the other embodying my proposed “strategy of potential.” As countries to be featured I chose Ecuador and Colombia as they provided examples for both approaches.

However, I did not want this research to be another intellectual inquiry from some Western student at an expensive university in the United States how thinks she knows what is best for a troubled Latin American country. Therefore, I decided to confront people who know more about human rights, more about those countries, or even a combination thereof with both reports and record their reactions to each one of them. Based on those results, I would evaluate the feasibility of my idea. I conducted a total of twenty-one interviews, with “locals,” journalists, and professionals with work experience in the field of human rights, and their responses were very different. However, generally speaking, their responses to the two reports indicated that, although not everyone of them approved equally or at all of my proposed alternative, a general consensus existed that the “strategy of potential” is a promising approach to which a majority responded positively – although they had different reasons to do so. “Locals” both gained hope that a change for the better is actually possible and realized that the existing grassroots movements need support. The journalists identified a desperate need for change in the strategy of human rights advocacy as they see “naming and shaming,” converting an effort initially driven by a cause becoming empty of substance because so much weight is placed on shock value and people get numbed for being constantly exposed to, which renders the effort of awareness raising fruitless. And lastly the professionals acknowledged that there exists room for different strategies besides “naming and shaming” and a positive report of local, grassroots efforts in marginalized communities definitely possesses the potential to be one of them. Thus, it appears that people with concrete knowledge about human rights and/or about Latin America - but Colombia and Ecuador in particular – say that there is something very compelling to my “strategy of potential”

approach for that specific context. However, because it is an initial study on the general response, no further conclusion can and should be made, as for that to be possible, more in-depth research is necessary. However, although at this stage not yet having produced a statistically significant result, I am still encouraged by the positive responses I received from people from a great variety of backgrounds all of whom are knowledgeable in their way on the issue of human rights in Latin America in their particular way. Therefore I am compelled to continue this approach further reaching out to and engaging with more people who can bring substance to my intellectual endeavors by giving me similarly valid inputs as I received from those twenty people but ultimately hopefully through cooperation– so that together we can make the promise made by the Universal Declaration of Human Rights of a life of freedom, equality, dignity, and justice applicable to truly all people in Latin America.

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