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## The Continuing Challenge of the International Helsinki Federation for Human Rights (IHF)

The ambiguity in the title of this report is no mistake or accident of language, but is meant to suggest that the International Helsinki Federation for Human Rights, or "IHF", still confronts not only the problem of violations of the Final Act of Helsinki and its Follow-up Documents, but the paradoxical challenge of its own existence. If the "community of values" aspired to by the OSCE participating States is to mean anything at all, then civil groups dedicated to upholding the Helsinki principles, and transcending national "interests", must work together in harmony.

The IHF was founded in 1982 to support and provide liaison among the Helsinki monitoring committees which, following the pattern established by the Moscow Helsinki Group, took up the challenge of reporting on compliance with the "human dimension" commitments undertaken in the Conference on Security and Cooperation in Europe (CSCE). Support was solicited for the "project" of constructing a federation of independent human rights organizations bridging both sides of the Iron Curtain. The IHF had the original task of "coordinating" the Helsinki committees and providing a framework for cooperation by which more solidarity could be achieved, since the Helsinki monitoring committees in the Warsaw Pact countries were under pressures and threats that membership in an international alliance helped mitigate.

Obviously, the character of that project has changed, yet in some ways it has remained the same. The IHF has grown and developed in the period since the Soviet bloc communist regimes fell from power. In 1989 there were 17 member Helsinki committees. Today there are 30, and the IHF is cooperating with numerous other organizations, particularly in the former Soviet republics and also in Turkey. There are member Helsinki committees in all of the successor states to the former Yugoslavia as well as in Kosovo and Montenegro. There is considerable variety respecting the problems upon which these groups focus and in the methods they employ. Obviously, the Helsinki committees no longer confront the massive common enemy of the Soviet Union's ideological, hegemonic denial of human rights. In its absence, the sympathetic bond that linked the Helsinki committees in the West with those in the East has changed. The Helsinki committees, combating the main problems caused by ethnic nationalism, find themselves walking the narrow - sometimes non-existent - line between human rights and politics, since many seek to become voices of reason, of tolerance, of humanity, and to provide help to the disadvantaged in societies whose moral compass is distorted by the bitterness

of past bondage and by the temptations of freedom, and whose institutional systems cannot change fast enough to deal with new problems. The human rights movement, which was once focused on the massive injustices of totalitarian regimes, has become more differentiated, more complex, and more diffuse. The IHF has therefore itself become a more complex, multidimensional project.

We are the only international, non-governmental organization focusing specifically on monitoring compliance with the human rights commitments made by the States in the Helsinki Final Act and its Follow-up Documents. Those human rights commitments have become extensive and elaborated: thanks in part to our own recommendations made to the Follow-up and Review Meetings of the OSCE, in which we have advocated for stronger standards, the framework of commitments is larger and more differentiated, and thus the IHF and the other groups monitoring and promoting compliance have a firmer basis to do so. The OSCE has opened itself more to the IHF and other non-governmental organizations.

The startling political changes that have occurred in Europe and the hope for more widespread acceptance of basic human rights principles notwithstanding, most of the main problems we confronted in the 1970s are still problems and some are in fact much worse: to appreciate the enduring relevance of the original Helsinki agreements, one ought to read commentaries by the IHF on the CSCE documents before 1989. They deal with threats to the rights of minorities; with torture and death in police detention; with restrictions by states on free expression and free media; with the intimidation of political opposition groups by state authorities. Some of the human rights defenders in our family of organizations are still under severe pressure and even physically threatened.

But, whereas they were once threatened mainly by totalitarian states, they are now often threatened by nationalistic or racist forces, sometimes with the tacit acquiescence of governmental authorities. The governments in our territory that were once relatively monolithic are now more polyphonic, although the separation of powers leaves much to be desired in many of the formerly communist countries. And the problem in confronting human rights violations thus becomes as complex as it is in developed democracies where "the State" means several kinds of authority, operating simultaneously, and sometimes at cross-purposes. Formerly one-party, totalitarian states, which are now nominally democratic and theoretically committed to the rule of law, now often identify themselves as "national states". Ruling parties, having won elections, at times consider it their right and obligation to control every aspect of society. But when international pressure grows about human rights violations, the governments excuse themselves as having no control over, for

example, the judiciary, although all the judges may be political appointees and are indeed controlled by the party.

As the countries in the Helsinki territory struggle to achieve common human rights standards, the work of our Federation should no longer be characterized by a pattern of Western groups helping those in the East, but by a new dedication to ensure that all OSCE participating States take their human rights commitments seriously. If our Federation and indeed the OSCE itself is to function with integrity, the Western European countries and their human rights organizations need to address the issues like police brutality, citizenship, and the rights of refugees and asylum seekers. They should do so with the assistance of human rights experts from the former Eastern bloc. The human rights movement, in other words, must move west as well as east.

Furthermore, our Federation must prepare itself to deal with massive violations of humanitarian law, anticipating more wars like those in Bosnia and Chechnya. As the program of the IHF which follows shows, it is especially important to strengthen our activities in the former USSR: to work with partners there; to increase the flow of accurate reports; and thus to assist the affected groups to work together on the very difficult task of integrating the distant regions in the OSCE, within the community of human rights values.

#### *The Programs of the Helsinki Committees*

Given the factors we have mentioned above, the work of the Helsinki committees is thus of necessity more multi-faceted, more differentiated, than when those groups could hold totalitarian states solely responsible for violations of the CSCE agreements. The Helsinki committees now function in the realm of "civil society" and have as one of their tasks the expansion of civil society.

We take the term "civil society" to mean the part of society not under the control or ideological domination of the government. Helsinki committees, which have as their primary goal, monitoring their government's human rights record, are quintessentially parts of civil society, because to work with the integrity necessary to their success, they must be independent.

The main categories of work undertaken by the Helsinki committees in cooperation with the IHF Secretariat thus include:

#### *Monitoring and Reporting on Human Rights Violations*

All the Helsinki committees concern themselves with monitoring human rights violations and providing information to their national authorities and,

via the IHF Secretariat, to the OSCE. Some examples of recent work by the committees include the Croatian and Slovenian Helsinki Committees' reports on illegal evictions; the Danish Helsinki Committee's reports on human rights problems in Turkey and Macedonia; the Bulgarian and Romanian Helsinki Committee's work on police brutality, and the Norwegian Helsinki Committee's reports on Albania, Kosovo, and Northern Ireland. Of course, Human Rights Watch/Helsinki, which is the US-affiliate of the IHF, issues thorough reports on many OSCE States each year.

These reports by Helsinki committees are distributed by the IHF Secretariat to international governmental organizations (the OSCE, UN, Council of Europe) and among the affiliates of the IHF, who in turn use them in advocacy to their governments and distribute them to local media. They form the basis for reports the IHF (with a number of individual Helsinki committees participating) makes to the OSCE on an ongoing basis and to the Human Dimension Implementation Meeting, as well as the annual reports of the individual Helsinki committees that are also incorporated into the Annual Report of the IHF as a whole. In the pattern established by the Moscow Group twenty years ago, these reports refer to specific human dimension commitments made in the Helsinki process, but they also refer to legally-binding treaties and national constitutions and legislation. In most of the cases the reports include recommendations, on how national policies and practices can be brought into conformity with specific international human rights standards.

### *Missions*

The Helsinki committees, singly or in groups, collect information, either about ongoing abuses of human rights or in the contexts of specific situations. The IHF has always used such missions to call attention to human rights violations. For example, numerous Helsinki committees and the Secretariat organized a series of missions to Kosovo beginning in 1989. IHF made the first mission of a human rights organization to Albania in 1991. More recently, an IHF mission in cooperation with the Croatian and the Norwegian Helsinki Committees gathered information about atrocities committed by the Croatian Army during "Operation Storm" in the Krajina, and presented a report to the OSCE several days later. The Norwegian Helsinki Committee organized a mission to investigate conditions for the election in Georgia in the fall of 1995. Human Rights Watch/Helsinki organized several missions to Chechnya in 1995, which were the source of written reports and an OSCE briefing in Vienna.

Another form of mission is for the purpose of meetings with government officials. A small IHF delegation met with leaders of the Turkish government

in the fall of 1995, raising a number of issues including torture in detention and continuing restriction on the freedom of expression.

*Forming and Strengthening Helsinki Committees, Building and Supporting Networks of Human Rights Groups*

As in the past, a major activity of a number of Helsinki committees is rendering support for other human rights groups. Large parts of the programs of e.g. the Norwegian and Swedish Helsinki Committees is devoted to assisting our affiliates in the Balkan countries, for example. The Netherlands, Finnish and Polish Helsinki Committees have worked together along with the IHF Secretariat on constructing an "In-Service Training Program," holding a number of seminars for Helsinki Committees. In addition, the IHF published a "Handbook for Helsinki Committees" which includes both practical and theoretical information.

*Human Rights Documentation Centers and Libraries*

A number of Helsinki Committees, e.g. the Bulgarian, Czech, Romanian and Polish affiliates, have established libraries and documentation centers that are substantial resources for their local communities and for the transnational human rights community. The Netherlands Committee has been especially active in helping found these institutions, and is working on creating new ones in e.g. the Ukraine, Latvia, Estonia and Hungary. The Netherlands and Norwegian Committees have worked together on a new Human Rights Documentation Center in Tirana, Albania.

*Human Rights Education*

A number of our affiliates have established pathbreaking human rights education projects, most notably the Polish Helsinki Committee's Human Rights Summer School and programs for journalists and judges, and the numerous programs of the Netherlands Helsinki Committee to train lawyers, judges, and others whose understanding of human rights principles is essential to the implementation of human dimension commitments. The Norwegian Committee has been active in training primary school teachers and assisting in curriculum reform e.g. in Albania. The Czech, Hungarian and Slovak Committees have worked with the IHF to provide training to human rights lawyers and others in that country. The Macedonian Helsinki Committee plans an initiative on human rights education. Indeed, a great many of the Helsinki Committees engage in human rights education, broadly conceived.

### *Access to Legal Defense*

In the new situation of the post-totalitarian countries, the realization of human rights is often possible only after presentation of a legal case, which requires professional assistance. The Bulgarian, Romanian, Czech, Croatian, Serbian, Slovak, Hungarian and other Helsinki Committees have worked hard in recent years to address this situation, creating programs by which legal counseling is available through their organizations. Some committees focus on the needs of specific groups, e.g. asylum seekers, refugees, Roma and foreigners.

### *The Programs Organized by the IHF Secretariat in Vienna*

The centrally organized and administered projects of the IHF can be understood in several broad categories, under which are found not only our actual, running projects but those we are planning and for which we have solicited financial assistance:

#### *I. Strengthening Civil Human Rights Organizations and Their International Contacts*

##### *a. Human Rights Groups in the Russian Federation*

In partnership with the Moscow-based Human Rights Research Center, the IHF has participated in building a "network" of Russian non-governmental organizations (NGOs) devoted to monitoring human rights. The project has been supported by the TACIS Programme of the European Union. The IHF is now working with a number of Russian organizations which are providing data that are incorporated to IHF reports to the international community, in particular, the OSCE. These groups include Memorial, the Glasnost Defense Foundation, and the Soldiers Mothers, in addition to the formal IHF affiliate, the Moscow Helsinki Group.

The IHF tries to assist these and other organizations to become stronger and more efficient, and to improve through joint missions the flow of reports on concrete human rights violations to the OSCE.

##### *b. Human Rights, Fundamental Freedoms and the Rule of Law in Belarus, Moldova and the Ukraine: A Cooperative Program with Human Rights NGOs*

The project will consist of training programs, local seminars, study visits, fact-finding missions and research, analysis of legislation, advocacy in international bodies, and publications.

*c. Strengthening Human Rights Activity in the Caucasus: A Program of Cooperation with NGOs in Georgia, Armenia and Azerbaijan*

The project will consist of training programs, internships in European human rights organizations, fact finding missions and research, analysis of legislation, a conference on "human rights and regional security," advocacy in international bodies, and publications.

*d. Strengthening Human Rights Activity on Kazakhstan, Tajikistan and Uzbekistan*

The project is organized in cooperation with the IHF's Almaty affiliate, and will consist of training programs, internships in European human rights organizations, fact finding missions and research, analysis of legislation, a conference on "human rights and regional security," advocacy in international bodies, and publications.

*II. The Promotion and Implementation of Human Rights Standards in Regional and Thematic Projects*

*a. European and International Human Rights Standards and Their Implementation in the Baltic States*

The project includes a program of seminars for NGO representatives, officials, parliamentarians and members of international organizations on specific implementation issues, including inter alia children's rights, minority rights, and citizenship issues; it includes research undertaken by the local partners in each of the three Baltic states. The project has been co-financed by the PHARE Democracy Programme. The project ended in June 1996.

*b. Strengthening Legal Representation and Tolerance in the Czech Republic, Slovakia and Hungary*

The project includes a series of actions to encourage members of the legal profession in the respective countries to engage in human rights work, and in particular to assist minority defendants. It has been co-financed by the PHARE Democracy Programme. The project ended in June 1996.

*c. Human Rights and Regional Security in Southeast Europe*

The project has provided a framework for analysis of the relationship between human rights and regional security, considered within specific foci, e.g. the transborder identification of human rights problems; adverse effects of efforts to achieve security by the consolidation of state structures; and the indivisibility of security at the international level and the universality of human rights. Concretely it has included a series of workshops and conferences, and associated research papers, and will result in a number of recommen-

dations to the OSCE. Funding has been provided by the PHARE Democracy Programme and the Open Society Institute. The project ended in June 1996.

*d. Media Freedoms and Hate Speech in Southeast Europe and Former Yugoslavia*

This project has allowed the IHF to monitor "hate speech" in the electronic and print media in Southeast Europe and the successor states of Yugoslavia, including Kosovo and Montenegro. The regular reports of monitors in the respective countries and provinces are being collected and edited in a final report which will be used to increase awareness of the nature and consequences of hate speech among journalists and the public. The project has been funded by the PHARE Democracy Programme, the Council of Europe, the Austrian Federal Chancellor's Office, the Open Society Institute, and the US Institute of Peace. It is due to end in June 1996.

*e. Human Rights Monitoring and Training Program for Bosnia and Herzegovina*

This project is undertaken by the IHF in cooperation with the Helsinki Committee of Bosnia and Herzegovina and with financial support from the EU, the Council of Europe and the Open Society Institute. By this project the human rights provisions of the Dayton Agreement can be monitored and promoted through fact-finding missions, reports to the OSCE and Council of Europe, and the UN, public meetings, and human rights education activities. The project will extend into the summer of 1997.

*f. European and International Human Rights Standards and Their Implementation in Albania and Macedonia*

The project includes a program of seminars for NGO representatives, officials, parliamentarians and members of international organizations on specific implementation issues, including inter alia children's rights, inter-ethnic relations, police standards and other domestic human rights legislation; it includes research undertaken by local partners in the respective countries.

*III. The IHF in the OSCE, the Council of Europe and the UN*

This project allows the IHF to promote human rights in international organizations. This includes supporting participation by Helsinki committees and other human rights organizations in seminars and meetings of the OSCE; making fact-finding missions and reports; providing a major report at the semi-annual Human Dimension Implementation Meeting organized by the OSCE's Office for Democratic Institutions and Human Rights; and carrying



on an ongoing "lobbying" program, meeting OSCE delegations in Vienna and elsewhere, and informing them of human rights violations in specific areas.

In the future we intend to expand this lobbying work in a more comprehensive advocacy effort in the OSCE, the Council of Europe and the United Nations, and efforts relevant to compliance with the human rights commitments supported by all three IGOs.

This program will be realized *inter alia* through:

- a) participation in OSCE meetings and seminars;
- b) advocacy and consultation in Vienna and Warsaw OSCE institutions;
- c) organization of presentations to OSCE delegations in Vienna;
- d) organization of NGO missions and contributions to OSCE missions, in the priority areas identified by the IHF, such as Russia, Turkey, Central Asia, Bosnia and Herzegovina, the Caucasus and Slovakia;
- e) preparation of reports to the OSCE, the Council of Europe and the UN;
- f) participation in public sessions of the various UN Committees and of the Commission on Human Rights;
- g) preparation of reports for the International Criminal Tribunal for former Yugoslavia.

#### *IV. Publishing Projects of the IHF*

The IHF's regular publishing program consists of:

- a. The *Annual Report*, a comprehensive report on human rights in the OSCE participating States, based on annual reports of the national Helsinki committees and other human rights organizations. The 1996 Annual Report covering the period of 1995 and the beginning of 1996 is now under preparation.
- b. The IHF Newsletter, *Human Rights and Civil Society*, is published quarterly with partial financing by the PHARE Democracy Programme.
- c. The IHF "*FAX-Bulletin*" is the Helsinki Federation's monthly internal newsletter, a vehicle for information exchange, coordination, and planning for the 30 Helsinki committees.
- d. *Helsinki Monitor - Quarterly on Security and Cooperation in Europe* is a journal published by the IHF and the Netherlands Helsinki Committee, which, for many years, has reported on the OSCE process.
- e. *Handbook for Helsinki Committees*. This publication has been widely distributed for training human rights NGOs in Eastern Europe and the former USSR. It has been translated into Albanian, Slovak and Russian. A revised edition is planned.

Other publications of the Federation include periodic reports, statements and appeals to the OSCE and other international bodies, open letters to national and international officials, etc. Of course, many Helsinki committees publish newsletters, journals, and books.

### *Conclusion*

A federation is no easily understood form of organization. But a human rights federation is appropriate because it is structured to support "grass-roots" activity: the formation and strengthening of civil institutions, which share a common set of values, and which come together across borders as a transnational family.

Like any federation, there are sometimes overlapping and conflicting interests at play. But the potential for meaningful collaboration is high because of the freedom and flexibility of our system. The experience of the past years, since the hegemony of the Soviet bloc has crumbled apart, confirms the continuing need for an international federation of human rights organizations in the OSCE participating States. The challenge of the IHF is thus a relevant and compelling challenge.