

# 26<sup>th</sup> Annual Human Rights and Peoples' Diplomacy Training for Human Rights Defenders in the Asia-Pacific



## Program Report

*"After this program I can use the skills in my work, sharing the training to target groups and building up the capacity of my colleagues. I now have more understanding about how to be an effective human rights defender".*

TIMOR-LESTE

October 10 – October 26  
2016



## Executive Summary

The Diplomacy Training Program's (DTP) 26th **Annual Human Rights and Peoples' Diplomacy Training for Human Rights Defenders in the Asia-Pacific** was held in Timor-Leste from October 10 to October 26, 2016 in partnership with the Judicial System Monitoring Programme (JSMP). Twenty two human rights defenders from Nepal, Indonesia, Bangladesh, Myanmar, Cambodia, Thailand, Laos, Australia and Timor-Leste participated in this eighteen day program of intensive learning, sharing and skills building. Thirteen of the participants were women.

Timor-Leste holds a special significance for DTP. It is the home of the organisation's Founder and Patron, José Ramos Horta. DTP has held a number of its Annual Programs in Timor-Leste and today there are many DTP alumni in government and the country's civil society organisations. Timorese alumni contributed to this year's program and José Ramos-Horta provided the welcome keynote address and a master-class on advocacy.

DTP believes that there is real and symbolic value in holding the Annual Program in Timor Leste. The country has an inspiring story to share about the impact of committed and strategic advocacy. DTP is committed to supporting the ongoing human rights work of civil society.

Program participants from the region, working on a diverse range of human rights concerns including child labour and trafficking, land grabbing, LGBTIQ discrimination, freedom of expression, rights of persons with disability, Indigenous peoples rights, domestic violence, and struggles for self-determination appreciated the opportunity to visit Timor-Leste.

The program began with a focus on international human rights standards, mechanisms and principles. Some of the specific issues the participants worked on were explored in sessions on the rights of women, the rights of persons with disability, Indigenous peoples rights and the impact of land conflicts. There was a strong focus on practical advocacy strategies; and participants had the opportunity to apply program content in practical exercises including developing a short video, group role-plays on a land conflict scenario and the Universal Periodic Review, drafting submissions and lobby meetings with diplomats from the Australian Embassy. Sessions focused on developing communication strategies to share human rights issues.

The participants were provided with opportunities to learn about the history of the Timorese struggle for independence and to share their own experience and expertise and build links. The program provided time and space for sharing information, strategies and resources, and for establishing networks for continued solidarity amongst the participants.

The program evaluations were very positive. All participants felt that program objectives had been met and they shared enthusiasm for implementing the training in their work and with their organisations. As a result of the program the knowledge, skills and support networks of 22 participants, and their organisations, have been strengthened.

DTP's trainers are experienced and highly respected local, regional and international human rights leaders, academics, diplomats, media and UN professionals who understand and support DTP's philosophy of participatory training. Trainers, presenters and facilitators in the program included: HE José Ramos- Horta; Wathshlah Naidu; Umyra Ahmad Fikri; Pat Walsh; Anjet Lanting; Helen Hill; Gregoro Saldanha; Selma Hayati; Patrick Earle; Susan Marx; Noemi Perez Vasquez; Arul Prakkash; Yuyun Wahyuningrum; Todd Wassell; Bernardo Almeida; Therese Sands; Max Stiles; Juvenal Dias; staff from the Australian Embassy; Knut Ostby; Horacio de Almeida; Renetil members; Luis de Oliveira Sampaio and Casimiro dos Santos. DTP records its thanks and acknowledges them all.

DTP also thanks the Australian Government, through the Australian Non-Government Cooperation Program (ANCP), the New Zealand Embassy, The Asia Foundation and the Ford Foundation for the funding that made this course possible.

DTP also acknowledges with appreciation the program partner JSMP. JSMP Director, Luis de Oliveira Sampaio, Deputy Director, Casimiro dos Santos and their staff advised and assisted with all aspects of the program and, together with the team of volunteers from the National University, ensured that participants and trainers had opportunity to experience the warmth of the Timorese people and the remarkable history and beauty of the country.

### Program Purpose

The program was developed to build participants knowledge of:

- International human rights standards, including economic, social and cultural rights and the rights of women and their relationship to development and the SDGs
- International human rights monitoring and accountability mechanisms
- The UN Framework on Business and Human Rights

And skills in:

- Strategic advocacy and engagement skills
- Using the media, including social media, in human rights work
- Human rights monitoring and documentation

### Program Methodology and Materials

DTP's training approach recognises of the power of individuals working together to effect social change. Program methodology reflects a deep respect for the knowledge, experiences and perspectives that participants bring to the program. The program balances its knowledge- and skills-based curriculum with a teaching methodology that fosters interaction and active participation among course participants.

This approach is complemented through integrating other program activities, including the welcome and closing dinners, film nights, solidarity and cultural nights. These activities are all designed to promote collaboration and networking among participants.



At the start of the program participants are divided into groups to help manage the program and each participant is asked to make a presentation during the program. Participants are given an extensive manual consisting of a number of short chapters on the topics covered, written by experts in the field. The manual is designed to be a practical tool during the training and participants are encouraged to read relevant chapters prior to particular sessions. It is also designed to be a reference tool for participants in their work after the training. An electronic copy of the training materials is distributed to participants at the end of the training.

## Program Overview

### Welcome Address – HE José Ramos-Horta

**José Ramos-Horta** welcomed participants to the program, reflecting on his own experience, Timor-Leste's struggle and commenting on contemporary issues. He talked about the qualities essential in a good leader - strong intellect, good communication skills, humility and compassion.

He described how Timor-Leste had been able to move forward after the violence, repression and destruction of the Indonesian occupation and build a good relationship with Indonesia.

In relation to the United Nations, which he had lobbied and engaged with since 1975, he reminded participants that it is a body comprised of States. It is frequently blamed, in place of its members' governments that are really responsible for the decisions. He emphasised that in relation to situations such as South Sudan and Syria it is not the Secretary General of the UN who has failed, it is the leaders of these states. The current problems in the world necessitate a stronger UN. He spoke warmly and generously of the newly announced UN Secretary General. José encouraged the participants to consider carefully the best ways for bringing about change in their own contexts.



### Human Rights and the International Human Rights System

**Patrick Earle** provided an overview of the history and purpose of the United Nations and the principles and key concepts of human rights and human rights law. **Anjet Lanting** expanded on human rights within the UN - the nine core human rights treaties and optional protocols that have their origins in the Universal Declaration of Human Rights. A case from Timor-Leste, where an NGO filed a complaint under the CEDAW Optional Protocol in response to the sentencing of a domestic violence victim, illustrated the use of Optional Protocols. The role of the Treaty Bodies and the importance of civil society engaging with them and providing information were emphasised. Anjet's overview of the Universal Period Review process was built on later in the program when the participants took part in a UPR role play. Similarly Anjet's introduction to Special Procedures was expanded by **Noemi Perez Vasquez**. Noemi provided information on thematic and country mandates, how the mandate holders go about their work and, most importantly, how human rights defenders can communicate their issues of concern with the special procedures. The role of National Human Rights Institutions (NHRIs) in monitoring the progress of State's in meeting their human



rights obligations was explained by **Horacio de Almeida** from the Office of the Provedor for Human Rights and Justice. An example of how NHRIs and civil society can collaborate to increase the effectiveness of engagement with UN processes was provided in a description of how the Provedor's office and JSMP and other CSOs worked together to prepare for Timor-Leste's upcoming UPR.

#### Human Rights Issues:

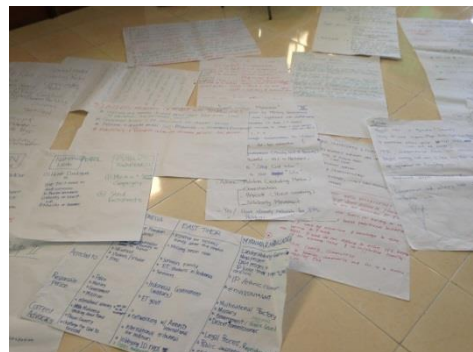
#### **Women's Rights and Gender Equality:**

**Wathshlah Naidu and Umyra Ahmad Fikri**, from International Women's Right Action Watch Asia Pacific (IWRAP) provided sessions on the Convention on the Elimination of Discrimination Against Women (CEDAW), State obligations under both CEDAW and the International Covenant on Economic, Social and Cultural Rights (ICESCR) and how civil society can engage with the treaty committees and treaty bodies processes to advocate for the rights of women. The theoretical content was given context and meaning through a simulation to provide an experience of the intersectionality involved in power and inequality and a case study discussion on the imposition of a curfew on women university students as a response to a string of rapes at night. Advocacy strategies were highlighted in the final presentation delivered by IWRAP which introduced the participants to the work being done to promote an Optional Protocol –ICESCR.

#### **The Rights of Persons with Disability:**

*'Nothing About Us Without Us'*

**Therese Sands**, Director of Disabled Persons Organisation Australia, explained how the Convention on the Rights of Persons with Disability (CRPD) 2006, has challenged the thinking about disability, the agency of persons with disability and the obligations on State actors for the inclusion of persons with disability. Therese provided a comprehensive interpretation of the Covenant with particular focus on obligations and monitoring requirements. In a practical case study based exercise the participants referred to the CRPD to identify the rights being violated and the State obligations to address the violations.



#### **Land Conflict:**

*'If you go back to the human rights law you will find a lot of guidelines to help you get there.'*

The 'there' being referred to is the resolution of conflict over land that is the source of human rights violations in many of the countries the participants come from. The participants described the struggles happening in their countries and identified human rights issues involved. **Todd Wassell** and **Bernardo Almeida** facilitated a role play which brought up the constraints and tensions for civil society in making development related decisions about their land, the vested interests involved and the pressures on all actors. Finding a balance is difficult and dialogue and compromise are required.

#### **Advocacy**

A number of advocacy case studies, drawn from the participants' contexts, were analysed – human trafficking within Timor Leste, inclusion of Indigenous languages in schools in Bangladesh, compensation for migrant workers in Thailand, arrest and torture of activists in West Papua, land grabbing in Myanmar the need for land laws in Timor-Leste and the enforcement of existing land

laws in Cambodia – to identify the key actors involved and the diversity of strategies available to advocates.

**Susan Marx** from The Asia Foundation reinforced the importance of effective advocacy in repressive regimes and provided a systematic overview of the tool kit that advocates need to bring to their work. A strong understanding of the situation and context; specific goals; identifying the spoilers and champions; effective strategies and a commitment to building relationships are essential to the process.

Participants were given the opportunity to apply Susan’s key steps in a practical exercise. The concepts and methodology of effective advocacy were built upon in the sessions provided by **Arul Prakkash** from Witness, which focused on the use of video in advocacy. Prakkash shared a number of video samples to highlight the strengths and value of video advocacy and also ethical and security considerations. He provided technical training on security and safety and on producing compelling and effective film footage. Participants took part in a practical video filming session.

**Max Stahl** and members of **Renetil** (Timor-Leste’s national student resistance) shared their experiences and lessons learned about how to break down the isolation that human rights defenders often face. They discussed the importance of getting the story out, of keeping ideas and resistance alive. If resistance stays strong opportunity for reform will come. *‘To resist is to win’*

**José Ramos-Horta** provided a master class which drew on his extensive experience of international advocacy. He used examples to illustrate that even through conviction is an essential ingredient in advocacy, the virtue of a cause is no guarantee of success – instead it is the tactics and strategy chosen that are key to success. *‘Freedom and dignity cannot be compromised, you can compromise on how you achieve it.’* There is a need to be strategic and pragmatic and to adjust tactics in response to circumstances that arise. José’s own story and the story of Timor-Leste clearly demonstrate that change can be achieved and provide inspiration and hope to advocates.

#### Program Location:

Being in **Timor-Leste**, meeting resistance fighters and survivors of the years of conflict, hearing the stories and forming relationships with the resilient and warm people of the country and all against the back drop of the beauty of Timor-Leste, was a powerful experience for the program participants.

The program relocated to the ex-Balide Comarca, the rehabilitated colonial prison and heritage site which serves as the Commission for Reception, Truth and Reconciliation (CAVR) national office for a day. Participants were given a guided tour of the exhibition and **Pat Walsh** explained the work of the Commission. Later in the day the group visited the Santa Cruz cemetery. A trip out to Liquica provided an opportunity to visit the massacre site and talk with survivors about the massacre and the work that is being done to provide justice for those involved. In nearby Maubara a training session on the opportunities and challenges for human rights in ASEAN was facilitated by **Yuyun Wahyuningrum** on the beach. A boat ride out to Atauro provided a rest day and opportunity to see a little more of the natural beauty of Timor-Leste.

#### **Program Evaluation**

##### Expectations:

Ensuring that programs align with participants work and needs is a key priority for DTP. A needs analysis is



conducted prior to the program and participant expectations were captured on day 1 and during the program. It was therefore pleasing that in the end-of-program evaluation questionnaire all participants reported that expectations had been met. They valued accessing new information on human rights and advocacy and reported that they were returning to their organisations with additional tools to apply to their work and with more confidence about speaking up on their issues. There was appreciation for a better understanding about how their work as individual human rights advocates was connected to the roles of international and national organisations. Learning from other human rights defenders in the region and having the opportunity to share their work more widely was significant for meeting expectations. The value of the practical sessions on advocacy, lobbying and networking were also seen as instrumental to building tools to be more effective in their work.

#### Highlights:

*Personally, all of the programs are best because I have never learned them in my life, even in university.*

Group diversity was reflected in responses to the question asking about program highlights. The content on international human rights standards - the treaty system, CEDAW, Indigenous peoples rights, the Universal Periodic Review (UPR) reporting to the Special Procedures and gaining information on how to communicate human rights violations - was a highlight for some. While the more skills focused sessions – the video advocacy and developing advocacy strategies - was a highlight for others. It was clear that participants both enjoyed and found the role play sessions effective for learning - the role play on the eviction case with The Asia Foundation and the role play with the diplomatic staff were nominated as highlights by some of the group. The opportunity to interact with and learn from people from around the region was the best part for some.

*....being able to learn about the amazing story of Timor Leste's struggle for independence and hear from key players first hand.*

One aspect of the program which featured a number of times as a highlight was the location of the program in Timor-Leste. Learning about the Timor struggle and the life and culture of the people, meeting HE Jose Ramos Horta and Max Stahl, visiting the Santa Cruz cemetery and the sight- seeing trips were named as highlights.

#### Least Useful

*Honestly, for me, not one part or aspect from this program, I don't like it. I like all of the topics in this program, it was very exciting.*

A number of the participants struggled to identify parts or aspects of the training that they felt were less useful than others. Some participants did experience difficulty with the program being delivered in English particularly when trainers spoke too quickly or presented sessions which were heavily theoretical or didn't provide visuals (power points) to accompany their input.

All participants are required to make a presentation on their work during the program. While generally these presentations are viewed very positively there was some dissatisfaction expressed that some presentations ran over-time and cut into session time and some presentations were too narrowly focused.

#### Plans for Implementation

All participants were able to identify how they could apply the training to the work they are involved in. Some had quite specific and immediate plans – join a radio talk show to share the information;

develop a film on the rights of Indigenous students to their languages, become involved in the UPR process in their country and use UN procedures in a current land defence campaign. Others had more general plans related to sharing program content to build capacity of colleagues and target groups, to draw on human rights principles, CEDAW and the UDHR to challenge the stereotypes that give rise to gender-based violence, apply international standards to work related to migrant workers and integrate government human rights obligations into advocacy and use the new networks to build wider support.

### Support Networks

*I can have people all around the Asia Pacific to share human rights issues and discuss them to gain a broader idea/insight. For example knowing Timor-Leste had not ratified the CRPD and they're lacking in national law that support the rights of people with disability. We can share commonalities in tackling those accessibility issues.*

A core objective of DTP's programs is to enable the sharing of experience and knowledge between human rights defenders. In this program the opportunity to meet and share with people working on similar issues in other places was evaluated highly. This was particularly so for participants who felt there was little interest or support for the people they were advocates for. Collecting new ideas about where support might be found and tapping into the contacts that others' shared was appreciated. Participants commented that the theoretical sessions on building networks and alliances increased their confidence about advocacy and networking. Engaging with the diplomatic posts was a new experience for many participants and they planned to trial this in their own countries. Program trainers were also counted as new, and valuable, contacts for the participants in their work.

*This training really help me to think widely and very open minded, and in same time challenge me and provoke me to learn and do more!*

### Reflection and Lessons Learned

This reflection incorporates the feedback gathered from daily group reflection sessions and the end-of-program evaluation with participants and the observations of DTP staff. The evaluation with the partners has yet to be completed.

Location: DTP has held its Annual Program in Timor-Leste a number of times now. There have been compelling reasons for this. The country owes its existence to the commitment and effectiveness of its advocates and the story of Timor-Leste's struggle is relevant and a source of inspiration to others in the region. Issues of human rights and development, peace, transitional justice and reconciliation are ongoing challenges for Timor-Leste and there is value both for human rights defenders in Timor-Leste and in the region to come together to build knowledge, skills and alliances to respond to these shared concerns. The participants of this 26<sup>th</sup> Annual Program reinforced the significance of being in Timor-Leste.

DTP has a close connection with the human rights movement in Timor-Leste, both through its founder and patron HE José Ramos-Horta and through the large number of alumni in the country. There is continuing encouragement from individuals and civil society and the UN to continue to engage with Timor-Leste.

*Recommendation: DTP should consider holding the 27<sup>th</sup> Annual Program in Timor-Leste.*

Venues: The Annual Program is the longest of DTP's programs – 18-21 days in duration. The Training is demanding and time away from family and work present certain challenges. Some participants



found the accommodation/training venue in Dare difficult, particularly the lack of internet availability.

*Recommendation: while being mindful of costs, the intensity and duration of the program should be factored in to the selection of accommodation/training venues. A certain standard of comfort, including internet connectivity, needs to be provided.*

Participants: DTP programs aim for an optimum number of 25-30 participants. In this program the final number was 22. Some of the positions reserved for Timorese participants were not filled and a number of suitable applicants were declined due to funding constraints.

*Recommendation: DTP should continue to build connections with funding bodies and individual donors to enable more sponsorship to be offered. DTP should continue to support CSOs in the region to secure funding for the capacity building training of staff and partners that they are requesting of DTP.*

### Schedule

Participant evaluations were very positive and there was a high level of satisfaction with the schedule. There were two areas where participants suggested improvements could be made.

1. Time management – some sessions, including the participant’s presentations, ran overtime. This sometimes resulted in trainers covering content too quickly or not leaving sufficient time for practicals and questions.

*Recommendation: DTP needs to provide tight facilitation of all sessions, including participant presentations, to ensure that the pace of the training responds to the learning needs of all participants.*

2. English proficiency was a challenge for some participants.

*Recommendation: DTP should provide more guidance to trainers on how sessions might be more accessible for people with limited levels of English. The need to provide visuals and time to incorporate new information into existing perspectives should be emphasised. Seating arrangements to partner less English proficient participants with people who can provide translation/explanation and clearer information on the brochure and application form about the need for a certain level of English are some things DTP could consider.*