

“Rendez-vous” with Bruno Stagno Ugarte
Deputy Executive Director for Advocacy
Human Rights Watch
June 2017

Our engagement with organizations which strive to improve environmental, social and humanitarian issues is core to our investment philosophy. It is representative of the way we consider our responsibilities as a long-term investor and towards our clients.

Since its beginnings, TOBAM has ensured that sustainable development would be explicitly core to its values. Our clients have a long-term approach to investing and our sustainable way addresses the concerns of investors that their investment is being handled with the same long-term view.

The launch of the Anti-Benchmark Emerging Markets Equity strategy in 2011 allowed TOBAM to consider its investments in emerging countries and the human rights track record of certain governments in a more connected way.

Given that fundamental rights are an integral factor to providing opportunity for creativity and innovation, helping fight against corruption and essentially supporting the economic growth of a country, TOBAM decided to support Human Rights Watch and their continued work which promotes human rights in the world.

This was the second organization we chose to formally support – the first being Amnesty International who do equally impactful humanitarian work. Our support of these important causes is something we strive to continue to do into the future as the goals of these organizations are something which won't be achieved in the short-term.

The work of Human Rights Watch is non-profit and non-governmental. Their organization is made up of 400 staff members worldwide consisting of country experts, lawyers, journalists and academics – all of diverse backgrounds and nationalities. With over 100 reports and briefings produced each year (all of which can be found on their website – www.hrw.org), their invaluable work is unrivalled.



In a recent visit to the TOBAM office in Paris (June 2017), Deputy Executive Director of HRW, Bruno Stagno held a conference addressing the employees of TOBAM. This conference was organized to update TOBAM on the recent progress and achievements of the HRW group, as well as to familiarize TOBAM's staff with the initiative set up by TOBAM and Human Rights Watch.

TOBAM staff were updated on the continuing mission in Ukraine that the firm has supported since the beginning of this partnership. All TOBAM attendees were encouraged to participate in the discussion and to voice any opinion or idea they may have had.

The visit was a continuation of the strong relationship between TOBAM and HRW as this was not the first such visit from a HRW representative. In 2015, Ole Solvang who is a senior researcher in the emergencies division at Human Rights Watch, provided TOBAM with a similar presentation to the Paris office to mark the establishment of the partnership between Human Rights Watch and TOBAM.



HUMAN
RIGHTS
WATCH

A CONTINUED PARTNERSHIP: HUMAN RIGHTS WATCH and TOBAM

The continued progress and achievements of the Human Rights Watch non-profit NGO, whom we have partnered with since 2015 is something which does not go unnoticed. Their relentless commitment to improve the lives of thousands of people is admirable.

Human Rights Watch has a simple mission: to defend human rights worldwide and serve as leading partners in this global movement. The organization was originally established in the midst of the cold war, with the objective to defend political prisoners. They apply the principles set out in the Universal Declaration of Human Rights, the International Humanitarian Law and other international human rights standards as a foundation for their work.

Human Rights Watch is known for the high quality of its research; for its strategic, targeted, high-level advocacy; for the independent reliability of their work, and for the impact they have on the lives of millions of people. The strength of Human Rights Watch is their influential membership, the “grass tops” advocacy—their ability to access world leaders and effect policy change. They are non-partisan and independent, they do not accept government funding and rely on a network of supporters.

The World Report 2017 summarizes key human rights issues in more than 90 countries and territories worldwide. It reflects investigative work that Human Rights Watch staff undertook in 2016, usually in close partnership with human rights activists in the country of focus.

In his introductory essay, Executive Director Kenneth Roth writes that a new generation of authoritarian populists seeks to overturn the concept of human rights protections, treating rights not as an essential check on official power but as an impediment to the majority will.

TOBAM's initiative with Human Rights Watch helps finance a mission in Ukraine, covering a wide range of issues: use of explosive weapons, landmines, monitoring of the humanitarian situation, illegal detentions and torture, freedom of speech, disappearances in Crimea.



Bruno Stagno Ugarte, Deputy Executive Director
for Advocacy – Human Rights Watch

Bruno Stagno Ugarte is the Deputy Executive Director for Advocacy at Human Rights Watch since September 2014.

Before joining Human Rights Watch, he was Executive Director of Security Council Report from 2011-2014, Foreign Minister of Costa Rica from 2006-2010, Ambassador to the United Nations from 2002-2006 and Chief of Staff of the Foreign Ministry from 1998-2000, among other foreign service postings.

He also served as the President of the Assembly of States Parties of the International Criminal Court from 2005-2008 and Co-President of the Comprehensive Test Ban Treaty Article 14 Conferences from 2007-2009.

*He is a graduate of Georgetown University, the Sorbonne and Princeton University and author or editor of several books, chapters and articles, including *The UN Security Council in the Age of Human Rights* (Cambridge University Press, 2014). In 2011 he was made an Officier de la Légion d'Honneur. He is fluent in English, French and Spanish.*

During his time at TOBAM, Bruno updated employees and management on current worldwide situations, from the threat of populism, to the Macron presidency to Ukraine and Russia issues to mass refugee problems. Below is a summary of the issues that were presented and discussed.

The latest updates from HRW's work in Ukraine

It has been two years since the Kiev office was opened. Can you explain the importance of this establishment in Ukraine?

Thanks to TOBAM's generous support, we have been able to open an office in Kyiv in January 2015, composed of two staff members. This office has proved to be instrumental for our monitoring of the Ukrainian conflict - as we used to monitor the conflict from Moscow - and has offered us new opportunities for research and advocacy with officials and local activists.

We have, for example, been the first independent organization to report on violations by both the Russia-backed separatists and the Ukrainians in the Donets Basin after the OSCE (Organization for Security and Co-operation in Europe) a regional body that is tasked with monitoring violations in the Donets Basin, failed to do so:

We sent a very small team to observe and document this situation. **Ole Solvang, our emergency researcher and Mark Hiznay, our in-house specialist on munitions and armaments, went to the various sites where there had been remains including rocket remains fired by the Ukrainian side. They documented these findings.** There were at the same time 220 full-time monitors of the OSCE with armored vehicles, with security protocols, but who were not documenting the situation on the ground because of the politics that had gotten into that monitoring mission. There was no desire to investigate violations committed by Ukraine at the time. After our report, which made the first pages of The New York Times, the OSCE had to admit that "yes, in fact, these things had happened."

We have also reported on attacks on education, infringement on freedom of expression and association and unnecessary delays and hardships civilians regularly face when crossing check points between the

Russia-backed separatist areas and the rest of Ukraine. Following our advocacy about the latter, the State Border Guard Service of Ukraine committed to ensure older people, people with disabilities and other vulnerable groups would be able to use priority lines when crossing the contact line.

HRW's researchers in the field

How do you manage the pressure of the governments or other organizations on the ground? How do you manage the security of your staff on the ground?

We have very strict security protocols. Ole Solvang, our emergency researcher, is part of a very small, elite investigation group we have within Human Rights Watch. **They are professionals, trained in terms of stress, resilience and personal security. This really requires special talent, a psychological background, because their lives can be in danger.** At times, these people were detained and their lives were in danger. We take their security and well-being into account very seriously.

Three years ago, we decided to open a security position, we hired the former head of security of the BBC (who dealt with correspondents and journalists who operated in live situations around conflict).

When one of our researchers is deployed, there is a very meticulous security protocol. There are different codes and times at which he/her must check in, the person is monitored through his mobile phones.

Are there examples of times you are unable to deploy to certain places?

Unfortunately, there are several countries in which we cannot operate. At times, we decide it is not safe to go and decide not to deploy. **We have to recognize what and when it is not possible. It is a matter of security.**

For instance, we work on North Korea, but we do so from Seoul. We cover China from Hong Kong, and our China-dedicated team does travel to China frequently and are in permanent contact with civil society organizations and human rights defenders within China.

Another example is the way we cover Daesh-occupied territories in Syria. We do not have an office in Damascus at present. Our main office now is in Beirut and in Amman from where we do our work, however we do deploy when we can to Daesh-occupied territory.

How do you deal with sensitive information on the ground?

We are very careful with the information we have. There are very strict protocols. We are frequently hacked; our priority is to protect our information. We defend our servers and protect our mobile phones. There are double, triple encryption. **At times, we extract information from countries but we are not an information provider to advance a particular military agenda for a particular party to a conflict. That we do not do.**

How is HRW different to other organizations?

Human Rights Watch is one of the very few NGOs to be truly global – covering over 90 countries all around the world on a very wide range of thematic issues from children's, women's or refugees' rights to health and environment.

Our strength lays in our reactivity to travel where violations take place and our ability to produce extremely reliable reports to expose violations and reach the highest levels of government to call for change.

We are somewhat different from other human rights organizations. We are a “grass-tops”: we do not have volunteers, we are all experts in our field. We do not have the power of mobilizing people in the streets, signing letters, participating in a protest. That is where we find in Amnesty to be a very good partner because they complement with their size and their capacity to mobilize people with what, I would say, is our capacity to reach at the very tops of government. Amnesty is more from the ground up.

We reach the highest levels of government. We bring the reports. Whenever possible, we come accompanied by the researcher, if resources and time permit it. We give them the latest things that we have found in the field. We bring the truth from the ground to their attention. We mobilize governments or organizations, so that they can be levers for change in behavior of those that are really misbehaving on the ground.

With 450 staff worldwide and an annual budget of 80 million US dollars, we are a “low cost / high impact” organization.

Our 3.3 million followers on Twitter makes us one of the most powerful NGO on social media.

What is Human Rights Watch methodology?

To guarantee its credibility and independence, Human Rights Watch never takes side in a conflict and makes sure to balance its coverage between abuse in Western democracies and in authoritarian regimes or war-torn countries. Our biggest program is actually the United States division in order to document abuses such as the use of torture, mass surveillance, juvenile detention, etc. The situations we denounce are always violations of universally-ratified conventions. Our researchers and investigators travel to the field to gather evidence and interview stakeholders. The evidence is then corroborated and cross-checked by lawyers. It is then published in reports and press releases and broadly shared with diverse international and local media to get attention on all fronts or shared through our own channels such as social media or our website. Our advocates bring our reports and the latest things we have witnessed on the ground to the highest levels of power to call for an end to abuse.

Can you shed some light on the current situation with refugees?

We have been covering the refugee crisis since the beginning. We report on violations on the ground at every step of the journey refugees undertake to flee war and seek safety: in the origin countries (i.e. Afghanistan, Syria), in the transit countries (i.e. Libya, Turkey or Greece) and in the host countries (i.e. France, United Kingdom).

Human Rights Watch documents and reports on poor detention conditions for refugees held in transit countries such as Libya or the Greek islands, especially for the most vulnerable such as women and children, elderly or people with disabilities.

We also carefully monitor that host countries respect their legal obligations, treat asylum seekers with dignity and don't deport them back to countries where they are in danger.

The mass exodus

The Syrian conflict began in 2011 and the mass exodus of Syrians to Europe in 2015. It took four years of unspeakable crimes, chemical weapons, barrel bombs, torture, and demolitions of entire opposition neighborhoods for people to say, "There's just no future for my country, so I'm going to Europe."

Refugees will try to go to the neighboring country first, in Jordan, in Lebanon, in Turkey, and only much later to a country where probably they do not speak the language. Where for them, fitting in is a lot harder.

The reality is that 90% of refugees are in the Global South. The largest refugee camp in the world is Dadaab in Kenya with 350,000 Somalis. The second largest one is in Pakistan with Afghans. The average life span of a refugee camp in the Global South is 17 years.

Once refugees go into these camps, they stay there for the rest of their lives. They do not use these camps as just a transient place before they have the opportunity to get to Germany or Canada. It is a very limited number that do that. Most stay in these camps and the next generation is born there.

There is a lot of false information or incomplete information, especially, about the refugee issue because it became so politically toxic. By creating an EU fortress or fortresses within Europe, it means compounding the problems in the source countries. By sending more Afghans back into Afghanistan, in an unstable and fragile country, one is certainly just reversing all of the return on investment of the ISAF (International Security Assistance Forces) and NATO (North Atlantic Treaty Organization) interventions in Afghanistan in the past. Same thing will be happening in Syria, in Yemen, if you just force people back into these extremely fragile situations.

What are the current difficulties that HRW is facing worldwide?

Human Rights Watch is deeply concerned by attacks on civil society and the rise of authoritarian regimes in countries such as Russia, China, Turkey or Kenya.

Attacks against civilians and civilian facilities – schools, hospitals – seemed to be on the surge in many conflict areas. We have been working as of late on initiative to safeguard schools from the military. Unlike hospitals, attacks on schools are not considered a violation of war. What we are trying to do is to create binding obligations so that militaries do not target schools, militaries do not occupy schools, and militaries do not convert schools into barracks. This creates the impression that schools are potential targets for attack by enemy combatants.

Finally, the rise of populism in Western democracies is also worrying and we need more than ever to reaffirm human rights values in parts of the world where there used to be taken for granted. Working with the Trump administration has obviously been a big challenge in the light of their statements on human rights. Our teams have however been able to meet with a few top-level officials and expose our concerns on various domestic and international issues. For example, the United States had threatened they might withdraw from the UN Human Rights Council because they felt it was disproportionately critical of Israel. After meeting with our executive director, the US lightened their position and called for reform of the council.

Efforts in France

We have been working on the new administration here in France. As a nonpartisan organization, we send out a human rights questionnaire to all of the parties that participate in elections.

We had a questionnaire with 11 main issues: from the right to asylum, to identity checks, to counter-terrorism measures, to French foreign policy both on the bilateral/multilateral, to arm sales, to business and international financial institutions, to the rights of women.

We got responses from certain candidates, particularly from Mr. Macron. With these responses, we can go back to the Macron administration and hold him to the task in terms of their own answers.

Benedicte Jeannerod, our France director, continues to lead efforts towards the Macron's administration to make human rights a priority of his national policy and diplomacy.

She has met with Jacques Toubon, Défenseur des droits, many times on the new draft bill which the French administration has presented or hopefully intends to present in terms of counter-terrorism to make permanent some of the temporary measures that are possible under the state of emergency. **We are very concerned about that in light of the implementation of some aspects of the state of emergency here in France.**

Therefore, she is working with le Défenseur des droits to present a common position and in line, of course, with the answers that Monsieur Macron gave us to our own questionnaire as a way of bringing some pressure to bear to the Assemblée Nationale once we have the results of the upcoming election.

In addition, we are working with the foreign ministry, with the justice ministry, with the interior ministry. We are working with Macron's diplomatic advisor. We are working with the French team in New York, the French team in the EU and Brussels. We work with the government in many ways, always triangulating, so that we can get our messages across and create as much advantage as we can.



For more information

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