

## REVIEW

### QUALITATIVE ANALYSIS: HUMAN RIGHTS OBSERVATION AND PERSONAL SECURITY

*The UN and the EU acknowledge the special danger human rights activists face during their struggle and accordingly call for their special protection. Besides these international organisations, also civil society organisations aim for the protection of human rights defenders while trying to create space for their own struggle. A recently finished master thesis from the Otto-Suhr Institute of the Free University of Berlin examines this topic more closely.*

The author analyses the instrument of human rights observation and its impact on the security situation of human rights defenders (HRD). Human rights observation is defined as documenting human rights violations which HRD experience while struggling for their rights. Also, the collected information will be distributed to a broad public and to the involved state actors. In addition, NGOs doing human rights observation accompany HRD during political activities and to state actors in order to minimise infringement, harassment and discrimination. `Security` is defined in broad terms and not only as physical security.

The thesis includes a case study examining the influence of the International Peace Observers Network (IPON) on the security situation of the affected HRD. For the investigation, interviews were conducted with representatives of the concerned HRD group that IPON works with in Quezon Province, Philippines.

The findings show that the impact of human rights observation differs depending on the security aspect.

Political security can be increased by the instrument of human rights observation. But especially the legal security of the HRD can be slightly improved. The positive impact that can be noticed in that field is partly explained by the fact that a success in the legal area is easier to measure, as numbers of politically motivated cases filed against HRD show as a clear indicator. An improvement in their legal security could at the same time provide space for the struggle of HRD who were and still are often criminalised due to their activity. According to the author, the accompaniment of HRD

to state authorities was partly successful as some HRD then felt more respected and hence more on par with state authorities.

However, the sole presence of human rights observers could not increase the HRD's own sense of security. Only a "targeted presence" is considered helpful. "Targeted" implies that human rights observers are present for one specific activity, which is carried out by the whole organisation of the affected HRD. In this case, documenting violent behaviour of one party by an international group would increase costs for private actors as committing a crime in front of international observers means to have international witnesses. Accordingly, the documentation could help to push through a case against the perpetrators.

The author states that the positive contribution of human rights observation to the political security in contrast to the personal feeling of security is especially due to the different conflict levels.

On one conflict level the HRD are facing their direct perpetrators, in this case landowners, their henchmen and the Guerrilla NPA. On the other conflict level IPON directly faces the state. One conflict level is thus in the private, the other in the state's sphere. Taking a legalistic human rights approach - which a lot of organisations do - shows that, when arguing on a human rights basis, it is difficult to work "with" private actors. As private actors in this approach have no commitments in regard to human rights, it is hard to influence their behaviour struggling with, so to say, the "wrong arguments". On the political security level, on the other hand, organisations can confront state actors directly for not implementing human rights and therefore reach a more positive outcome. When confronted by human rights observers, state authorities feel a stronger pressure to take up responsibility to secure their citizens. Therefore, the author argues the tool of human rights observation is best to address the political security, as in this dimension the state is the main addressee.