



## From Dialogue to Action

### The Potential of the Church for Defending Human Rights

Final Declaration of the Workshop “Defending Human Dignity and Human Rights: A Challenge for International Cooperation”, February 2014\*

*“Our journey leads us from dialogue to joint action”, declared Church representatives defending human rights and other human rights actors from African and European countries at the workshop “Defending Human Dignity and Human Rights: International Workshop on Human Rights Defenders” in The Hague, that took place from February 5<sup>th</sup> to 8<sup>th</sup> 2014. The workshop was the final meeting after previous subsequent workshops on “Human Dignity and Human Rights – Historical Experiences and Present Day Challenges” from May 24<sup>th</sup> to 25<sup>th</sup> 2012 in Berlin, and on “Defending Human Dignity and Human Rights – A Challenge for International Cooperation” from February 7<sup>th</sup> to 9<sup>th</sup> 2013 in Lusaka, Zambia. The workshop in The Hague provided input for enhanced cooperation, by focusing on the question about how the Church at the grassroots level can promote en strengthen human rights, and how this work can be properly linked to the work at the international level. During this workshop it was stated that “Churches and civil society should work together in the promotion of human rights. To this end more systematic and closer cooperation is needed between the respective actors in the North and the South alike to hold States accountable”.*

*This final declaration will function as a recommendation based on the findings in the workshop, by focusing on joint action in the promotion of human rights, and the important role the Church can play.*

\*The workshop was organized by:  
The Jesuit Centre for Theological Reflection, Lusaka, Zambia  
Justice and Peace Netherlands  
The German Commission of Justice and Peace

## I. Human rights in the teaching of the Church

While the concept of human rights – understood as enforceable rights of freedom, equality and solidarity for everyone – is a modern accomplishment, its underlying principles belong to the core teachings of the Church. As testified by the book of Genesis, human beings have an inalienable dignity since they have been created in the image and likeness of God. Respect for this divinely endowed gift must include everyone on an equal footing. It is in this spirit that the encyclicals *Pacem in Terris* and *Populorum Progressio* as well as the Second Vatican Council's pastoral constitution *Gaudium et Spes* embraced modern human rights as a necessary implication of respect for everyone's dignity. Recently the encyclical letter *Deus Caritas est* (DC) spelled out the political implications of respect for human dignity more concretely: "The Church cannot and must not take upon herself the political battle to bring about the most just society possible. She cannot and must not replace the State. Yet at the same time she cannot and must not remain on the side lines in the fight for justice. [...] Yet the promotion of justice through efforts to bring about openness of mind and will to the demands of the common good is something which concerns the Church deeply" (DC, 28).

The Church understands human rights as an integral part of her pastoral work in the broadest possible sense. She has to give voice to the voiceless. When doing so, the Church reminds States, business corporations and other stakeholders of their duties to safeguard human dignity in a "most just society possible" (DC, 28). The role of the Church includes promotional activities aimed at popularizing human rights norms and instruments, practical

support for those whose dignity and rights are violated as well as contributions to building an effective human rights infrastructure at local, regional and international levels. Practical commitment on behalf of human rights is not something merely "external" to the gospel; it constitutes a crucial part of the Church's task to bear witness and thus becomes a case of credible evangelization. When promoting human rights, the Church addresses "all people of good will", thus reaching out beyond her own followers.

## II. The specific potential of the Church for supporting human rights defenders

The greatest asset of the Church for human rights work is her presence on the ground close to the people, evidenced by its various affiliate institutions and organizations dedicated to caring for those in need of support and protection. The Church is also present at regional levels – e.g. in structures of regional bishop's conferences – and the international level, not only through the institutions of the Holy See but also through a multiplicity of international organizations (e.g. religious orders, the worldwide net of faith based organizations, etc.). As a global body the Church brings together people from all regions of the world. Her ability of linking local, regional and international commitment is unique, and it is here where enormous potential lies for making human rights work more effectively.

Numerous people working in the Church see themselves as human rights defenders and manifest this self-understanding in their daily work as teachers, preachers, social workers, lawyers and in many other professional capacities. Additionally ordinary Church members often offer

support to those in need. In many countries where the Church provides educational services through school, universities and civic education human rights is incorporated into the curricular.

In their daily work human rights defenders empower people to stand up for their rights and the rights of others, thereby challenging unequal power relations. A human rights based approach rejects any use of arbitrary power and requires that States establish credible institutions to promote and protect the rights of all. The 1993 World Conference on Human Rights has reaffirmed “the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all” (Vienna Declaration and Programme of Action, 1993).

However, despite of this obligation of the State, in many countries human rights defenders live in dangerous conditions. They experience public defamation, blackmail, physical threats and other forms of intimidation. As shown by the UN “a great many human rights defenders, in every region of the world, have been subject to violations of their human rights. They have been the target of executions, torture, beatings, arbitrary arrest and detention .... Defenders have been the victims of false accusations and unfair trial and conviction”. (UN Fact Sheet No. 29 Human Rights). This situation calls for more systematic work on behalf of the protection of human rights defenders. In other words, those lending their voices to the voiceless need national and international political support to be able to undertake their advocacy activities. Indeed, the need of strengthening human rights defenders has found increased attention in the

international human rights debate. In December 1998 during the 50th anniversary of the Universal Declaration of Human Rights, the United Nations passed a declaration specifically dedicated to human rights defenders subsequently establishing the office of the Special Rapporteur on the Situation of Human Rights Defenders. The strategic significance of defending the defenders has also found recognition in other official documents of regional and international human rights bodies.

Although the Church has been giving numerous examples of praiseworthy human rights defence on the ground, the Church has to date not yet systematically explored her potential for protecting human rights defenders politically. The wide range of human rights commitment manifested on a daily basis at grassroots-level is not always adequately reflected in the Church’s statements and policies at “higher levels”. Existing activities in this area usually seem to remain ad hoc-measures in response to crisis situations. Regional conferences like IMBISA or COMECE and continental organizations like CCEE or SECAM should explore their potential more systematically to back up politically the existing grass-root human rights activists as they exist within the Church. Through the engagement of regional conferences with their political counterparts on questions related to human rights and human rights defenders, they can help to strengthen the position of human rights defenders within and outside the Church, as it has done concerning the right to freedom of religion and belief by European bishop’s conferences. Pope Francis reminds us: “The Church proclaims the Gospel of peace (Eph 6:15) and she wishes to cooperate with all national and international authorities in safeguarding this immense universal good. ... In a culture which privileges dialogue as a form of

encounter, it is time to devise a means for building consensus and agreement while seeking the goal of a just, responsive and inclusive society” (Apostolic Exhortation *Evangelii Gaudium*, 239.).

### III. Enhancing cooperation beyond the Church

Church agencies should also more systematically cooperate with other organizations working on human rights. This naturally includes cooperation with other religious (Christian and non-Christian) organizations. In the face of conflicts in many parts of the world which have or are perceived to have religious dimensions, interreligious cooperation, besides its practical advantages, also assumes a high symbolic significance. National Human Rights Institutes (NHRIs) are emerging as important and significant players in human rights discourse, particularly in Africa. And yet the cooperation and collaboration between NHRIs and the Church has been almost non-existent. It cannot be said how this ambivalent relationship is hurting the course of human rights as well as aggravating the plight of human rights defenders. In addition, there is the broad range of civil society organizations working on human rights. While there is real evidence of cooperation between civil society and the Church on the ground the same is not reflected at international level. In particular catholic organizations are strikingly absent at international or UN related meetings organized by civil society. This observation points to the necessity for the Church to clarify and improve her relations with civil society organizations as well with international institutions. Again Pope Francis pointed to the necessity to engage in fruitful dialogue: “For the Church today, three areas of dialogue stand out where she needs to be present in order to

promote full human development and to pursue the common good: dialogue with States, dialogue with society – including dialogue with cultures and the sciences – and dialogue with other believers who are not part of the Catholic Church” (EG, 238). Consequently, the Church should raise its voice and be present in the defence of human rights wherever their presence is needed.

Cooperation with non-Church actors is particularly important for designing and implementing policies aimed at defending human rights defenders. The opportunities created for this purpose frequently are not even known among insiders. They inter alia include the already mentioned UN Declaration on Human Rights Defenders and the 2008 EU Guidelines on Human Rights Defenders by which EU Member States committed themselves to provide practical support for human rights defenders worldwide. The African Union by Resolution 69 adopted at its 35<sup>th</sup> meeting established the Special Rapporteur on Human Rights Defenders whose mandate includes raising awareness and promotion of the UN Declaration on Human Rights Defenders. The EU Guidelines are based on the UN Declaration. Although these declarations and resolutions aim at the wide range of the defence of all human rights, economic, social and cultural rights are often perceived as having a special status – being not in the same way justiciable as civic and political rights. Therefore the “Draft Guidelines and Principles on Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights” (November 2011) clarifies the understanding of economic, social and cultural rights in African contexts. Taken together these declarations can give clear ideas about the meaning, importance and

practice of defending economic, social and cultural human rights and about the responsibility to protect human rights defenders. Those working in embassies and consulates of EU member States abroad have e.g. formal responsibility to network with defenders, to invite them to conferences, to engage in trial observations, to issue emergency visas in crisis situations etc. These pragmatic measures can help broaden the space (currently shrinking in many countries) for human rights defenders to operate. The problem, however, is that in order for the EU Guidelines and the draft Guidelines and Principles of the ACHPR to become effective more information, coordination and cooperation is needed. This is an area in which the Church obviously can take a meaningful role which still needs to be developed.

#### IV. Encouragement for joint action

During the workshop already existing good practices were highlighted in which potentials of mutual cooperation at the local, national, regional and international level became clear:

- As was already highlighted in this declaration, in many places human rights defenders live in dangerous conditions. For example, they take risks to give physical shelter and support to the marginalised. Often human rights defenders can rely on Justice and Peace Commissions and other faith based organizations but also on networks within wider civil society for protection. Also in Europe asylum seekers are accommodated and supported by the Church and its affiliates; they find shelter in Church asylums, many of the so-called “sans papiers” get advice by faith based

organizations. In African countries the Church offers similar services to refugees and internally displaced persons. Churches speak out for the migrants and undocumented people all over the world. For the entire community of human rights activists it was an enormous encouragement, when Pope Francis visited the Italian Island of Lampedusa and raised a flag on behalf of the dignity of all human beings and against what he called the “globalization of indifference” (EG, 54). This example highlights how religious people working at the grassroots level are encouraged by religious officials in continuing their working for the dignity of others.

- In existing or emerging conflicts the interreligious cooperation of the Catholic Church with Muslims and Muslim organizations opens opportunity to mediate between rival parties. Interreligious cooperation helps to prevent violence and gives shelter to victims and the most vulnerable. Churches in Europe through their close relation with their brothers and sisters in the South can give better clarity and understanding in the North by exposing those who falsely label politically, socially and ethnic motivated conflicts as being religious. Highlighting how religion can be used as a tool to overcome differences will do more truth to the practical value religions have as well.

- In the workshop we heard about successful joint actions at international fora like at the UN Human Rights Council in Geneva: The regular reports of treaty bodies are used as meaningful opportunities to engage Church and faith based organizations with local civil society in the

preparation of so called shadow reports. Especially the newly introduced Universal Periodic Review opens up opportunities to address State's responsibility through inputs during the national level process and directly during the report's adoption at the Human Rights Council. More often than not it is international civil society organizations that are present and respond to State reports at the Human Rights Council. Considering the networks that the Church enjoys from the grassroots to its presence at the Human Rights Council through its organizations, the potential and opportunity has not been explored and used to leverage the Church as a critical partner and voice on human rights issues. There is need to exploit the obvious advantage that local voices have over international players in terms of authenticity and authority in these forums; indeed experience has shown that local participation draws more attention and engagement from members of the Human

Rights Council. The Church could use her network to facilitate these encounters of local and grassroots actors with international society more often.

We are grateful that in many examples we could discover the potentials of this worldwide network of the Church to defend human rights. A precondition for this joint cooperation of local and national organizations at international or global fora is having confidence in the relevance of experiences and messages we have to share with international society. It was summarised in the appeal of the representative of the Pontifical Council for Justice and Peace, Fr Jan Stuyt SJ, to the participants of the conference: "Don't be shy!". This is the message we want to share with everyone: Don't be shy to stand up for the rights of every human being.

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Bonn, Lusaka, The Hague

## V. List of Participants

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