



TRANSCRIPT

"HUMAN RIGHTS AND THE RISE OF POPULISM IN EUROPE"

A conversation with Michael O'Flaherty and Felice Gaer

Moderator: James Goldston

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ANNOUNCER:

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JIM GOLDSTON:

Welcome, ladies and gentlemen. We-- are very pleased today to have-- a very special presentation on the topic of the rise of populism in Europe and its implications for human rights, and the Europe Union's fundamental rights agency. And-- we really couldn't have-- two better people here to speak about these issues. My name is Jim Goldston, I'm the director of the Open Society Justice Initiative, and Open Society Foundations generally is deeply-- invested in the situation-- in Europe, in is concerned by some recent-- developments there, which we'll be talking about.

We have seen a host of challenges-- to democracy and human rights. It was a couple of years ago now, I believe, that-- Hungary's prime minister literally celebrated the term "illiberalism," and pointed to inspiration from places like Russia, and China, and other-- authoritarian models in contrast with the democratic West, and that's been followed up by troubling actions in respect of NGOs, and civil society, and inde-- independent media.

We've seen troubling developments in Poland with respect to the respect for the independence of the judiciary. We have seen deep animosity to migration and enormous political ramifications from that, feeding forces of intolerance. And in a

number of countries there has been deepening skepticism, if not outright hostility, to the very fundamental regional human rights frameworks and international human rights frameworks that emerged after the second world war-- including in respect of the European Court of Human Rights, and of course the European Union itself.

And these developments have important implications for Europe, but they also have implications for the rest of the world, given the European Union's traditional role as a model for embodying-- human rights and democratic values, and its power diplomatically around the world in influencing others. So we're here to talk about these issues, try to understand what's happening. And we're very pleased that-- Michael O'Flaherty-- is with us, the director of the European Union Agency for Fundamental rights.

Michael-- previously was a professor of human rights law and director of the Irish Center for Human Rights at the National University of Ireland in Galway. He has served as chief commissioner of the Northern Ireland Human Rights Commission, and is a member of the United Nations Human Rights Committee.

And he's previously held senior posts for the United Nations, including in Sierra Leone and Bosnia long ago, which is where I met Michael. And his was a rare voice of sanity and practical common sense in a place where those were in short supply. Michael is gonna open with a presentation, and then we'll get comments from Felice Gaer. And many of you will know Felice Gaer directs the Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee.

Felice has served as the vicechair of the United Nations Committee Against Torture. She has since 2000 been a member of the-- and including chair three times, of the United Na-- United States Commission on International Religious Freedom, and she's really one of the leading experts on international human rights here in the United States and around the world. So welcome to you both. We will start with Michael, get comments from Felice. I will then-- ask some questions, and then we'll open it up to the floor. And I know-- I think we've got some folks on the phone as well. So if they're there, we'll open it up to you guys as well. So Michael, please.

MICHAEL O'FLAHERTY:

Jim, thank you very much indeed. It's a great pleasure to be here. I'm most grateful to the Open Society Foundations-- for hosting the event today. I'm grateful to Felice and to the Jacob Blaustein Institute for their support also. Jim suggested that before I get to our topic it might be prudent to say a word about what the Fundamental Rights Agency is.

So if you don't mind this rather unspectacular-- opening point just to give you the basics. The-- E.U. Fundamental Rights Agency is an independent body of the European Union-- separate from the decision making institutions-- with the task of advising the E.U. and its member states-- that-- to support them to be human rights

compliant-- in the work that they do within the European Union.

So we don't have any role externally. It's re-- with regard to the situation inside the territories of the 28 member states. We're ten years old, based in Vienna. We do our work through quite a wide range of tools, and I-- I've seen some of our publications there. So you have the outputs of some of those tools-- with you. The best known area of work of the agency is its surveys.

We do the biggest human rights surveys in the world. We also publish reports-- of what we call sociolegal analysis. We look at areas of pro-- problematic from a human rights point of view-- legal systems across the European Union-- and we assess not just the provisions of the law, but how it works in practice. We produced a report on surv-- surveillance laws in Europe just two days ago which uses this sociolegal method. We are persistently delivering legal advice to the European Union institutions, in particular the European Parliament-- and we've-- for example, delivered-- numerous opinions around the reform of the asylum and migration laws that has been occurring over the last-- couple of years.

We do public reporting-- on situations of particular sensitivity-- organized thematically. And so that's the basis on which we publish a monthly report on the-- human rights dimensions of the migration crisis as it effects the 14 most impacted E.U. member states. We support the E.U. and its member states with so-called technical cooperation, assistin' them to put in place-- better practices to promote and protect human rights, and we invest heavily in awareness raising, or to put it more grandly, in supporting the development of a culture of human rights inside the E.U.

So that's us in a nutshell. But lemme turn now to our topic of the day. And I'm not gonna waste time arguing that there is a populist problem in Europe; there is a populist problem in Europe, so let's not-- let-- let's not-- not-- rest there. We-- we have a problem and it's growing. Before recent elections-- some 20% of Europe's population voted for a populist party or a populist government.

That figure is-- is-- I don't know what it is today, but it's higher-- as a result of the-- elections that have taken place in recent months. So more-- more interesting than-- determining whether we have an issue is to understand why we have that issue. And-- I'd like to suggest to you that it's-- it's not particularly difficult to my mind-- to understand how we got to where we are right now-- in Europe. In the first place, even while we acknowledge that Europe is-- s-- extraordinarily diverse-- and those of you who are European or who know Europe would appreciate this. We have a very diverse set of societies, but within that diversity-- there are some common concerns. One-- one of them is an unease in the general population across wide swaths of the European Union-- about a sense of either losing-- losing out vis a vis others or-- or-- or-- or-- and the same time, seeing-- what they considered to be a familiar-- familiar world under threat.

So losing out a sense of being under threat is-- is-- with-- with-- with some other-- being defined as the problem is-- is quite commonplace. It's closely linked-- to--

intergenerational (THUMP) problems of growing patterns of economic inequality-- and of economic disadvantage. And here again, there's an othering-- in particular-- a sense of elites that-- run these societies with little regard to-- or appreciation for the levels of economic inequality.

Features such as this have been dramatically exacerbated by the migration crisis-- if that's what you want to call it. We call it a crisis of migration policy, which is-- is a rather different configuration of the phenomenon. And all of this then is whipped up by opportunistic politicians in at least some places.

But while it is only being opportunistically exploited in some places, it's having an impact (COUGH) in all places-- inasmuch as it is undoubtedly shifting politics-- towards the right. (COUGH) Into all of this c-- complexity we see serious concerns with regard to patterns of human rights abuse-- and we see human rights itself, the system, the laws, the institutions being presented-- as-- as-- as-- as the problem, or as part of the problem.

And so-- what is this impact for human rights? That's my particular focus. I'm not some generic-- European society specialist. My agency doesn't have that role. Our narrow concentration is on supporting the better promotion and protection of human rights. So what is the impact of these patterns of populism for human rights? Well-- our work at the Fundamental Rights Agency on a daily basis is throwing up evidence-- of-- of-- of-- of a v-- a v-- very worrying situation.

And if I could take-- there was a really great article in Monday's-- international *New York Times*. I have the name of the author here somewhere-- Max Fisher-- who-- who's writing-- (COUGH) he's writing about Myanmar. But I thought (COUGH) some of the analysis could be transferrable anywhere.

And he spoke about-- the w-- he asked, "What are the canaries in the mine when it comes to democracy? You know, the tests of the cleanliness of the air deep down in that mine." And he said that, "The canaries are the situation of minorities-- the freedom of the press-- and the situation of activists." So not a bad framing in terms of also-- of what we're talking about in Europe. So let me-- in terms of the patterns of human rights concerns let me take briefly each of those-- three categories.

Firstly, the situation of minorities. We're worried about the situation of minority groups in Europe-- based on our survey work. We're-- we've already-- we've just now completed-- one of the largest surveys we've ever undertaken-- on the-- patterns of discrimination against minorities in Europe. We've already published-- information on the situation of Roma and of Muslims-- and we will produce all of our findings-- comprehensively-- this coming December.

But firstly Roma, where we published the tranche findings last year. And we found that Europe's largest minority-- is-- is-- is suffering unacceptable levels of abuse-- in a context of a failure over-- over time of policies-- to improve their situation of society. Shocking levels of unemployment-- of-- of-- of de facto segregation in schools and houses-- and in fact, a community with regard to which it is acceptable still in Europe

today to be racist. Quite a shocking thing to have to say.

But we're very-- very, very worrying situation, including in terms of-- patterns of assault, intimidation, and harassment. (UNINTEL) to Muslims, (UNINTEL) we published our survey findings just two weeks ago-- we're similarly worried. We surveyed-- migrant Muslims, not indigenous Muslims, in Europe. And-- among the migrant Muslim community-- we identified that at least one in four members of these communities has been subjected to some form of harassment or discrimination-- within the past year, and-- that almost none of these acts are reported to the authorities.

Seriously, by the way, and paradoxically-- let me just say in passing-- it's not relevant to my theme, but-- a very interesting finding from the Muslim survey-- beyond the levels of intimidation, harassment, discrimination was that Muslims exhibit a greater trust in the state than-- than-- than is to be found in the general population.

That's-- that's a by-- by the way, a rather hopeful-- element of these findings, but again, not our primary concern today. But-- but let me stay with-- with migrants-- and-- a brief word with regard to the situation of-- of-- of-- of that other category of minority in Europe, the migrants who've come in the current-- crisis wave. Here we're repeatedly seeing serious problems.

We published-- just-- two weeks ago a report on reception conditions-- across the 14 most affected member states-- and they're not acceptable. There are problems in all 14 countries, notwithstanding some achievements-- over-- recent times. And these are at least in part-- motivated by the populist repudiation of the other, who is the migrant.

One other dimension of the-- the-- the-- the negative impact for migrants in this current climate in Europe is, of course, the famous failure at-- for-- to accept-- migrants for relocation across E.U. member states-- leaving-- an insupportable and unconscionable burden-- for Italy and Greece in particular to bear.

The-- one last group-- minority group I'd mentioned, before moving on-- is-- is Jews. The Fundamental Rights Agency published-- the most significant survey of the experience of discrimination and harassment by members of the Jewish community already some six years ago-- and the results were not good. The laws were not so bad in many places, but the experience of the Jewish community was one of fear-- and marginalization. And we know that the problems persist. I met with the European Jewish Council just a few days ago-- and-- I was reminded of the extent to which-- this community-- feels under threat in-- some parts of Europe, to an extent where there's a worry-- that-- people will actually leave-- the European Union.

And it's on the basis of such worries as that, that we will do a new survey-- of-- of the Jewish community next year-- with results to be published in-- late 2018. But I'm not very optimistic about what that survey will find. So minorities'-- problems in the E.U. Turning to the second of those three canaries-- the state of the media.

We were all appalled two weeks-- go-- with that-- dreadful assassination in Malta, I'm

sure you're all aware. Thank goodness within the E.U. such acts are extremely rare. But their rarity shouldn't distract from the extent to which media is under attack, is under pressure across a number of E.U. member states. We did a report on this last year-- in the context of an initiative by the European Commission, in which we w-- identified patterns of intimidation and harassment-- and of hate-- both-- on and offline, but particularly online-- to a worrying degree.

By the way, with a predominant targeting of women media practitioners. Women journalists fare much worse than men in the context, for example, of online hate speech. (MAKES NOISE) And-- just last week I-- I spoke to E.U. foreign ministers gathered in what's called the E.U. General Affairs Council-- on another dimension of the concerns about the state of the media, and that is at the-- concentration of media ownership, which is a serious-- problem across-- most E.U. member states.

And that's according to the-- media pluralism monitoring project that's run out of the European University Institutush-- Institute in Florence. And then third and finally, in terms of the three canaries in the mine-- civil society. We in Europe are used to speaking about a shrinking civil society space, but it's somewhere else. And it's high time that we recognized the extent to which it's our problem as well.

We conducted research work in recent months which will lead to a publication of ours-- on the 5th of December-- on the E.U.'s own shrinking civil society. We've identified across the E.U. an interplay of regulatory pressure, financial pressure-- (COUGH) and direct forms of attack in some places-- that is-- is-- is-- is seeking to cow civil society-- and to reduce-- its critical role for healthy democracies.

So we've got a populist issue, it's impacting for human rights. Let me in my fi-- the final remarks turn briefly to what we can do. And again, I'll frame my re-- my-- my comments in-- in the-- in-- in the limited space of-- of-- of-- an agency that has the role of standing up for human rights. I'll be the first to acknowledge that an agency such as ours and human rights specialists-- in general can only contribute to resolving problems of the type that I've just mentioned.

But the fact that we have a limited space in no way reduces the importance of acting energetically in that limited space. And I-- by the way, let me say before giving you a few examples of what we can do-- I should be honest with you and say that I'm-- I'm-- I'm optimistic. We're-- we're not in a good place but I-- I do think we can see a way to-- a better situation if we're all sufficiently engaged and focused.

So-- briefly-- and I won't go into detail on these because-- (COUGH) we can come back to them later in discussion-- six areas where we could take action-- better action. The first has to do with-- and this is because it's the most urgent and important-- is doing a better job of protecting human rights actors-- be they in-- in NGOs, be they in the media, or wherever else they might be.

And that's the basis on which my agency will put some recommendations in our December report on such things as doing a better job of monitoring and of-- of-- of-- of-- of engaging the issues when and where they occur-- and doing-- a much better

job in Europe of providing core funding-- for-- organizations that are doing such vital work. We need to-- insist that authorities better protect journalists who are under threat. F-- basic protection but also-- through prosecution of crime where crime is perpetrated against them, by they in-- in-- I said media, but more generally as well.

Because we have far too much information about attacks that go without serious investigation, and of course without prosecution. And then the final-- element of protecting-- sorry, strengthening the protective space-- has to do with-- strengthening Europe's national human rights institutions-- and its equality bodies, among others.

But second, beyond protecting the actors-- it's very important that we reengage or engage with Europe's general populations-- around issues of human rights. For example, we have to do a better job of showing that human rights is about everybody. It's not just-- it is about minorities, it is about the people on the margins, but it's also about everybody.

It's about all of us, and we must do a better job of reengaging with all of us. And one obvious way to do this-- is-- is by paying m-- significantly more attention to the promotion of economic rights in a context of eq-- inequality as I've just described it. Now-- there's-- (SIGH) typically Europeanly complex initiative right now, unhelpfully named the European Pillar of Social Rights. Please don't ask me to explain it in any great detail, but it is an imp-- really important current vehicle, within which we can perhaps make some progress in promoting economic rights of everybody.

And then the only other point I'd make in terms of engaging the general population is that we in Europe have to reinvest in civic education-- whereby an effort is made across the education system of instilling a sense of values-- and of rights. Something which is-- is-- c-- notably neglected-- in the curricula and the syllabi-- in-- in many-- some at least-- E.U. member states.

The third of the six suggestions as to how to push back is that those of us who promote human rights approaches, human rights solutions have to get off our high horse-- (COUGH) and get down on the ground, and make the business case for our claims. We have to demonstrate empirically that the way we're saying the actions should be taken or the-- saying what actions should be taken, lead to better outcomes for society.

This is a big part of the work of our agency. For example-- we're deeply involved in the security debates in Europe-- (COUGH) arguing-- I think with some effect-- that it isn't a zero sum game-- between human rights and strong security. We need strong security, but human rights respectful security will actually be better security-- lead-- supporting more stable societies.

Fourth of my six-- we must-- challenge the myths (COUGH) wherever we see them. I am-- I was watching-- I don't know why I keep admitting this, but I was watching Fox News this morning-- (LAUGHTER) in my hotel room. And-- I-- I-- I-- I-- I was just so-- so taken aback, because it's not something I watch in Europe. I was so taken aback

with the level of myth. And-- you know-- and-- but-- and let's go back to where I should s-- more safely talk, Europe. And-- and we must, wherever a myth is presented which feeds populism and undermines human rights, challenge it with hard data. And that's why gathering the data is so important.

And it's way we at the Fundamental Rights Agency put so much-- of our resources into statistics, and surveys, and things of that nature. One example and I'll move on. When the-- attacks-- the sexual violence attacks took place in Cologne in Germany back a year ag-- year and a half ago, where migrants undoubtedly harassed young women, a myth was perpetrated out of the action-- to the effect (COUGH) that migrants were bringing sexual violence to Europe. Nonsense.

We were able to represent survey findings of ours on violence against women to remind through the European media that we have a serious problem of sexual violence, but it's an indigenous one. And so that's an example of challenging myth where you find it. Fifth of the sixth, we who care about human rights, who work for human rights need to build new alliances.

W-- we-- we-- we-- we-- we-- we're-- we-- w-- there are possibilities to engage with actors, with whom we might otherwise-- whom we might otherwise ignore-- that are-- that are-- that-- that these are-- they are opportunities that must be taken more vigorously and energetically. One obvious example is partnership with the business community. But that, relatively speaking, has received a cons-- certain amount of attention, so I won't say more about it now.

But let me suggest other communities-- where the potential for cooperation has been rather neglected. (UNINTEL) with my agency is engaging with right now are, on the one hand, faith communities, how we can find the shared common space to work together towards shared goals-- and there are a lot of shared goals, and we need to rediscover that shared space with faith communities while never once-- diminishing the complexity and the issues-- that will coexist with such cooperation.

And secondly, the arts world. At the Fundamental Rights Agency we believe-- strongly-- that there's-- untapped potential for human rights and artistic practitioners to work together-- for better society. So build better and new alliances. And finally and-- sixth of my suggestions, has to do with how we communicate.

We are of the view at my agency that we-- as part of a larger human rights community have not done as good a job as we should in communting-- 'cating our messages in a way that they're effectively received and-- and-- and-- and impact people. And so we have to-- we have to look at how we frame our messages, which values we engage-- how we personalize, how we respectfully and appropriately engage empathy, as well as the intellect-- and how we learn from other contexts of-- of messaging-- so that we can do a better job. So I leave at that. That was super brief-- (LAUGH) but-- I realize we're going to have a long conversation, and perhaps we can pick some of those items up-- in due course. Thank you.

JIM GOLDSTON:

Thank you very much, (MIC NOISE) Michael, for those provocative comments. Put a lot on the table. I think we'll first ask Felice, who brings all her vast-- international human rights perspective to this discussion, for any comments. (MIC NOISE)

FELICE GAER:

Thank you very much, Jim, thank you to OSI, Jay, and-- thank you, Michael. Clearly-- clearly everything that's been said is a problem and something that needs to be dealt with. What are the complaints and who's responsible for this? Well, I think-- one-- one thing we need to do is-- is ask, "Well, what is it that people who are complaining-- about human rights are saying-- about it? Is human rights part of the problem or part of the solution?" It's clearly, as Michael has indicated, part of the solution.

But it's also been viewed as part of the problem. One of the key complaints is about safety. People wanna be safe from terrorists, and violence, and terrorism. Second-- and they complain that the human rights movement-- that the human rights-- organizations are biased on the side of protecting-- the terrorists, the people who use violence, and not worrying about the victims. That's complaint number one.

Complaint number two-- deals with-- Michael cited the economic inequalities-- people who feel that tradition, custom, culture is under attack and that it's human rights that's out there, doing the attacking. And people want to reassert traditional hierarchies and values, and the way they do that is by-- is particularly when challenged by the other. And whether the other is a migrant, or a Jew, or a Muslim, or a Roma, or anybody-- a woman, anybody else-- coming into the picture-- they feel that, again, the human rights world is on their side, and not on the side of the ordinary person who feels that he or she is being-- already threatened by economic inequality and safety, and now by the other. It's a scapegoat type-- approach-- that follows.

And then finally there's another element to this, which is quite common to populism-- which is the idea that it's-- it's outsiders that are-- that are ruling us. You know, "The-- the people who are-- in this human rights-- world-- well, they are in these foreign organizations. Or worse, they're in these-- European organizations that are ruling us from Brussels, or Vienna, or-- or wherever.

"And-- they are elites, they're lawyers, they're-- some of them are foreigners or very remote politicians-- from-- international institutions. We're not in charge and they don't care about us." Now, this is a classic element of-- populist-- ideology and-- and promotion, is to-- is to talk about the r-- the-- the real people and them, the elites.

And that's used by all the populist-- politicians. In the case of human rights they've got several different elites, and it's also focused on-- both on the-- on the-- the elite lawyers, but also on the elite institutions, the international-- entities-- that have been

so important to the-- the very fiber of-- international human rights law and advocacy-- they are seen as part of the problem.

In the case of the European-- Fundamental Rights Agency, I suppose all of the above-- would probably be checked off by those people who want to promote a populist-- argument like this. Now, the question Michael raises is what should human rights organizations and international organizations do about this? And he set out six very good suggestions. We can talk about the-- about the particulars-- of those-- of those-- points.

But-- there is also really-- another element th-- I think that you didn't touch on, which is that populists themselves don't see democracy as necessarily-- what they wanna see. Because if the real people (their (?) people) are in charge, you don't need these-- complicated-- pra-- procedures, votes-- bureaucrats, politicians. In fact, you have to get rid of dissent if you're in a populist-- mode because you've gotta clean out the government, you've gotta clean out the institutions, and you gotta clean out-- even your own parties in some cases.

And this is very common-- among populist-- leaders-- right now. And if you go back in history-- you'll see the same thing, whether it's history of Europe, or the history of the U.S., or other parts of the world, you'll-- you'll see this-- th-- dissatisfaction with democracy and democratic-- norms. In the early 20th century it was liberal democracy that was challenged.

Guess who-- guess what's being questioned now in all the-- halls of-- populist power? Liberal democracy. "Is liberalism dead? Is liberal democracy-- does it-- does it offer anything more for us anymore?" And that's because populism really is antithetic-- is-- te-- speaks in the name of the people, but doesn't want to see the people's-- the people's views or representation, because they've already decided that they represent-- the singular-- path.

The-- Michael spoke about-- taking into account-- people's economic rights, and people who feel that they've been left behind by globalization and the economic changes because of that, and that's a really very big and important element that needs more-- more attention. But the other piece of that is this fear and resentment-- the scapegoating of minorities and migrants, and particularly if you put the two of them together it's a toxic cocktail. And we've-- as the high commissioner for human rights said just the other day at our institute, it's-- we've seen this before, and it's a toxic cocktail.

There also are-- criticisms of the actual content of international law and human rights law on issues like the use of force. When is it appropriate or not appropriate to use it, particularly in the context of terrorism and violence? And again, there's a feeling that the human rights folks are-- perhaps-- not seeing things the same way as-- the populists would like to see it on those kinds of issues.

H-- here in the U.S. we have a president who's said he thinks torture is perfectly appropriate, and in fact he thinks it's effective. This is a breakdown of-- our

constitutional principles, this is a breakdown of-- of-- international-- obligations and--
- and-- assurances. It's just a breakdown of-- of the whole-- understanding of the--
rule of law, and the international rule of law, but-- going right to the heart of-- of s--
of some of the basic principles.

Finally we have international institutions that are under attack. The I.C.C. is seeing--
African states withdraw from it-- not Europeans, but Africans. We have-- the--
attacks on the-- from the-- (MAKES NOISE) in the U.K. on the European court of
human rights, and you have-- a prime minister who says, "Law gets in the way,
human rights gets in the way. And when it does we're not going to pay attention to
it."

So you have-- fragile inst-- international institutions, fragile international-- legal--
norms, and you have attacks as well on civil society, which Michael spoke about. You
put this all together and it's absolutely classic-- populist revolt, populist-- ideology in
each of these-- concerns. So pay attention to-- economic inequality and other
inequalities, pay attention to broadening the base, as Michael suggested.

Do a better job of explaining why-- rights are good for everyone-- victims and--
people who are, what we call them, bystanders. And-- that what happens-- at the
local level and what happens at the international level are related. That's something I
think that we didn't talk about, and that's something that-- we need to do a much
better job of explaining-- with regard to the whole question of populism in Europe or
anywhere else. Thank you.

JIM GOLDSTON:

Super. Thank you very much, Felice. (NOISE) So-- (MAKES NOISE) you both put a
lot here. I wanna-- start, if I can-- by asking, Michael, picking up on something you
said-- and actually, Felice just diverted (?) to that actually. So you-- one of your
responses, I think, was-- about what should be done. You said you need to respond to
myth with facts, with data. You do your surveys, your statistics, (COUGH) hard facts.

Felice just talked about reason, explanation, right, explaining to people how they are.
But we've learned, have we not-- I mean, the human rights movement is not at a loss
for facts in lotsa places, and it hasn't been in recent years. We've got all the facts we
need about what's going on in Syria-- and nothing is happening. People have a lot of
facts-- in Hungary, in Poland about what their governments are doing.

Some could say in this country as well, and people are accepting those facts and
voting accordingly. Some people have suggested based on recent developments in
cognitive s-- science that facts are not enough-- not only that they're not enough,
they're not even very helpful in terms of advocacy. You-- the way people think, the
way we, human beings, think doesn't respond to facts as such, certainly not to
collective data. You need to appeal to emotion, to instinct, to-- to aspects of-- of
human understanding that go beyond the rational. Any sense in that, or you think

that's just-- ridiculous? And if so, what are the implications for human rights organizations, which have traditionally relied on fact-based reports to get their job done? (NOISE)

MICHAEL O'FLAHERTY:

The-- the very last term you used, "fact-based reports," I think comes to the-- to the-- to the-- to the heart of things. Because-- we have to distinguish knowledge and gathering of information, and the communication. The-- the-- the-- the communication-- and it's-- when we get to the communication we get to issues of, "How do you effectively transmit the message?" I'll come back to that in a moment.

But let me start by saying that-- the repudiation of facts-- the proliferation of fake data-- and things of that nature should never lead us to conclude-- that we no longer need facts. I-- it's-- it's-- it's-- that's-- that-- that's a point I think I'd be-- I-- I'd be never willing to concede. The-- but-- sorry, but before I get there-- to say also that I don't agree with you, Jim, that we have all the information.

We don't. Time and time again-- when we undertake surveys we're surprised by what we find. It's counterintuitive, it's not what we expected. Take, for example-- work we did a few years back on the situation of LGBT people in Europe. We were of the view that we would-- it was before my time, we institutionally-- were of the view that-- we'd see problems in some parts of Europe but not in others.

And in a couple of countries we'd-- they basically have-- give a clean bill of health. Well, we discovered-- through survey-- work, that there is not one E.U. member state, not one, where more than 50% of gay people are willing to hold hands in public. Now, we didn't expect that. And that's a reminder that we may think we know what's going on but-- that's not at all the case. Like-- I won't bore you, but I could repeat those examples for just about every survey we've ever undertaken.

So-- firstly we don't know what's going on. We do need the hard, solid data-- generated through empirical research. And-- and-- and then armed with that we have the task of effectively communicating our messages. And those messages will be worded and framed differently, whether we're sending them to policymakers or out there into-- into society.

And-- and-- and there we certainly have to do a much better job. We do need to engage with the bits of the brain (LAUGH) that-- that convince us. We brought a bunch of-- experts to Vienna-- couple of months ago-- cognitive scientists, epistemologists-- people from ad agencies-- spin doctors from the world of politics. And we said to them, "We're doing a bad job. Help us get it right. And on that basis-- actually the report is in the public domain, it's on our website-- we-- we got some really smart new thinking-- about how to communicate better.

I'll-- I'll give an example and then I'll stop. It seems there's a certain number of values-- which-- which we-- which-- which-- which-- appeal out there in society. And

some of us-- and-- and those values range from order to-- to-- equality and justice, things of this nature. Different values appeal to different parts and segments of the population. In hu-- the human rights world we tend typically to send our-- to create messaging that engages values such as equality and justice, but not which engage-- values such as security and order.

And-- so one of the challenges before us is to examine whether we can, and how we can also-- speak to people for whom those-- those values are-- are-- are-- are more significant. And tha-- so-- some really interesting things going on right now, and I'm quite encouraged the-- regarding the direction we're going. (MIC NOISE)

JIM GOLDSTON:

Excellent. If we can keep this conversation on a point of hope rather than despair I'll be thrilled. (LAUGHTER) Felice, any-- anything you wanna say about this issue about-- b-- b-- how to best appeal, or the-- the-- the role of facts versus emotion in this discussion? (MIC NOISE)

FELICE GAER:

Well-- I just wanted to add that-- a lot of the human rights movement-- activity is based on emotion. We pick out the individual case in human rights advocacy because it has more impact than the broad statistics. As human rights groups we really don't gather information on discrimination. What the-- what the-- what the Fundamental Rights Agency is doing now is actually a great service to us. We gather some-- cases of discrimination that are worthy enough to talk about, and then we highlight them in these reports.

But we don't do across the board surveys of any kind. When we have information like what Michael just said about in the Muslim survey that they've just completed at the F.R.A.-- that in the Muslim survey-- Michael said that the results show that in every country-- Muslims have more confidence in the state-- and the state's authorities than other people at large. If I'm not mistaken, the people interviewed were new-- they were from special-- communities, and many of them were new migrants. Am I right about that?

MICHAEL O'FLAHERTY:

No, they were-- they were-- it's a strange term, but they were old migrants. (LAUGH)

FELICE GAER:

Okay, all right. Then that kills my argument. My argument was gonna be, if I was a

new migrant and somebody came and interviewed me I'd say that I believed in the state, okay, because who else am I going to-- who else am I gonna turn to in that situation? So-- we have to interpret these-- surveys more. But the human rights movement focuses on emotions. The-- but we don't necessarily do it as well as we did. Who is the symbol of-- of-- human rights today? Who is the Mandela? Who is the Anne Frank?

Who is the-- p-- pick a Soviet dissident, Natan Sharansky. Who is the person that people-- look to and say-- and say, "This guy needs to-- this woman needs to be freed. This person-- is-- is suffering-- immeasurably?" We don't have a lot of people li-- I mean, if you work on a particular country of course you know all the names.

But in terms of popular understanding and knowledge, we don't have those kinds of-- symbols-- in quite the way-- that-- the movement did-- in earlier years, because we are more-- (COUGH) involved in more cases, more situations, we have more reports, we have more information. Too much-- too much information, that's the problem of the digital age, (LAUGH) and it's not-- an unfamiliar problem in the h-- in the human rights world either.

Second point on the emotional issue is after all, populists are engaged at an emotional level with conspiracy theories, with-- fantasies of a variety of kinds. They are-- they have-- they-- they-- they are-- moralists usually, and-- some would say monist, that it to say they have a s-- a simple, single we/they view of the world. And-- believe that they represent the common good, and that there is no legitimate opposition to that good.

Now, that's a very-- stereotyped-- view of what is a populist, but it is what-- but it is what these movements have-- seen and brought-- in the past. And those-- th-- that is heavily emotional. We don't have that kind of emotion. We have hard, cold facts, we have laws, we have lawyers, we have international institutions, and we're distant from them. We need to get back-- to a s-- I agree that we need to get back to a certain extent to educating, but-- appealing to the emotion as well as the rationality-- of-- of all people, if we want human rights to regain its-- primacy.

JIM GOLDSTON:

Michael, you wanted to add to that?

MICHAEL O'FLAHERTY:

(MIC NOISE) J-- just briefly. Felice reminded me-- it's-- it's important. Within the human rights community we can have a diversity of roles. And-- (LAUGH) within the human rights community-- we-- we-- we-- we can have a diversity of roles, and the key is to cooperate appropriately. There will always be a role for dry survey producers (LAUGH) such as ourselves. And then it's your job-- other people in that community,

to take our findings and put a facility on them. We won't always put that face.

The-- but the materials are made available so that the face can be-- can be placed. Example was given there of our s-- of our-- you know-- I think of our-- findings on Roma. They're shocking and they're disturbing, but they're not drilled down to an individual in a village. I've been in the villages, as have many of you. I've been in Roma homes-- eight kids-- on top of each other in a tiny room inside-- frankly, a hovel without running water where they have to use the garden as-- as-- as a latrine. But w-- we're not the best place to be persistently telling those stories. But instead, within a collaboration-- the different parts of the human rights community-- can-- can pull together to bring the best impact.

JIM GOLDSTON:

I wonder-- you know, we're talking about how to best appeal to the public, or the various publics. Why is that important and-- I mean, I don't mean to be naive. But do we risk something? I mean, you-- so lemme start again. Human rights in some views is inherently a minority enterprise, it is the defense of unpopular causes and we should be unapologetic about that, right?

People who are accused of horrific crimes are entitled to due process and the best defense, and it doesn't mean if anybody likes them, or they got populist, et cetera, et cetera, right? So human rights are-- it's in the DNA of the human rights movement not necessarily to seek majority support for its views, and that in no way vesticates the value of the cause. So is there something problematic about trying to be-- when we say, be more effective in our communication about trying to appeal to popular majorities to support the cause?

MICHAEL O'FLAHERTY:

Jim, unpopularity hasn't done us very well. (LAUGHTER) If we-- if we-- if we were to characterize ourselves in the way you characterize us, which I know you did just to be provocative-- we-- we-- we were on the pathway to ruin-- you know, as-- as we lose one by one the constituencies of support-- that are vital for the project to continue to thrive.

But also the-- h-- human rights is not just about the minorities on the edges-- the-- that those we don't like, or that the society doesn't like. Yes, it is, of course, about them, but it's about everybody. It's-- in a way, if I may borrow a term, it's a social contract within society. And again, coming back to the specific context of Europe, it's the fabric which allowed Europe to thrive-- in large part to thrive after the second world war.

It hasn't got a future if it doesn't have the buy-in of-- of-- of-- of significant numbers, majorities even, of people in Europe. It's-- it-- human rights are their human rights,

and-- and-- and we have to bear some of the responsibility for having failed to maintain that sense of ownership-- over the decades.

FELICE GAER:

I think that Michael's absolutely right-- here. After World War II the buy-in, for example, from the churches-- from the-- Roman Catholic church was absolutely essential to getting the universal declaration. The concept of dignity, the concept of-- having-- people behind this issue-- was-- was-- considered-- enormously important. I have been reflecting on the fa-- I'm gonna go back to my first point about the safety issue. We have-- in the United Nations a fund for victims of torture. (MIC NOISE)

And the United States government funds \$6 million, \$7 million, \$8 million a year, and has for at least 20 years-- for this fund for victims of torture, which is-- not a transparent-- fund. And-- the-- and it's-- and it's an eminently important thing to address victims of a crime, particularly a crime perpetrated by-- principally by-- agents of a state, or of states. We don't have a fund anywhere in the human rights world for victims of terrorism. Is terrorism a human rights violation? Can it be? Are there cases where it is, where the state is-- giving-- compl-- is complicit in-- in-- in those acts or doesn't do an-- anyway, you can find the link to the state-- if you want.

That the state may not be the perpetrator of the terrorism, but it may be the-- the state may be the-- (MAKES NOISE) the agent that-- that owes some-- something to the-- to the victims. Does the human rights community? Should we have something like that? Should we be thinking about other kinds of victims-- victims of violence?

We are-- we are quick to run out there and defend the defenseless, and to defend those who are unjustly accused, and unjustly persecuted, and we're right to do that. But should we also be there to assist, defend, call for the support of-- of victims-- of-- of-- victims of violence-- who cannot receive-- (MAKES NOISE) reparation from the perpetrators, because the perpetrators are either un-- uncaptured, or unknown, or indigent. (MIC NOISE)

JIM GOLDSTON:

Thank you. I'm gonna ask one more question then I wanna throw it open and so ask people to start thinking of-- what, if anything, they'd like to say or ask. Michael, you just referred to the social contract, that human rights are for everyone. I wanna ask this question specifically about Europe. And this will reflect my ignorance, surely.

But-- in some ways-- Europe in particular had a stronger social contract than some other places. One might point to the United States. And some-- analysts have suggested that the existence of that stronger social contract, the stronger protections for workers, for people who were not working, for people who had various-- disabilities or other problems, was precisely because-- a number of core European

Union societies were at least perceived by their citizens as being relatively ethnically homogenous.

And the transformation of those societies over recent decades, as more and more migrants have come, initially thought to work temporarily, but in fact to live and bring their families understandably) has changed the nature of the social contract. And people who previously were willing to say, "Well, of course I'm happy to pay taxes to provide some welfare for that person who likes like me or has a sha-- a name like mine, or comes from the same background as I do ethnically, I'm not sure I'm willing to do that for somebody who, in fact, has come from some other place in the world." So is there a greater challenge to the social contract today in Europe because of the growing diversity of Europe's population? And if so, what to do about that.

MICHAEL O'FLAHERTY:

That's an interesting analysis, and I-- I'm not really equipped to comment on that. But nevertheless-- there's undoubtedly an increasing closing of the space in terms of the generosity-- expressed-- in-- in our societies. But I come back again to the issue of fact and myth. And a lot of the perceptions as to, "He or she will take my job, he or she is-- is-- is-- is emptying our social welfare pool--" is not founded in reality.

The figures are really quite dramatically different to perceptions. For example, the-- 360,000-something-- migrants arrived in Europe in 2015. If you-- but this-- the Union has a population of 500 million. And so I-- I'm not a great mathematician, (COUGH) but that 360,000-something to 500 million is tiny-- it's tiny.

And-- and-- and-- and when the discourse is confronted with some facts it's-- it's-- it's-- it's-- it's left looking rather hollow and empty. Again, typically on the streets of Europe when-- quick surveys are done as to perceptions, what percentage of the population of this or that society is foreign born-- is Muslim, or whatever else the question might be, the typical reaction on the street is dramatically-- higher-- than the actual statistical reality.

And so-- we-- we-- we-- to improve the discourse around issues such as this we have to keep injecting facts. I won't go back over the earlier conversation about how you inject those facts-- but it's got to be done. And-- we-- we've got to-- as I said earlier we have to reinvest in civic education.

I was quite surprised when I came into this role-- because this is something I wouldn't have had occasion to look at previously, to see the extent to which there has been-- there has been a decline in what you might call generically, civic education-- in the school programs-- in Europe. You-- what you might assume as a given-- isn't happening-- schooling on ethics-- schooling on good citizenship. I don't even need us to talk about schooling on human rights, maybe that's-- you know, kids can get through an-- an ethical framework in the classroom or whatever else. But it's-- it's-- it's badly neglected and it needs a surge of-- a surge of attention right now.

JIM GOLDSTON:

Thank you. Felice?

FELICE GAER:

Well, unfor-- unfortunately, scapegoating is all too familiar, and it's not just in Europe. (MAKES NOISE) It's throughout the world. And-- and we will see that and-- that people will revert to that as an argument for indecent conduct towards other people is just one of the sad-- realities that we're facing right now. Michael's absolutely right that-- we need to invest heavily in-- public education, but smart education. We need to use modern media, we u-- need to be more-- proactive in this regard. And-- I mean, you know, books and films are all fine, but you know-- what did I hear yesterday, 65% of the American people get all their information-- all their news from social media-- today?

I mean, the-- the-- these are staggering figures. We need to do that. Seventy years ago when-- when the universal declaration of human rights was adopted-- Eleanor Roosevelt, the-- American-- the wife of the-- wartime president of the United States and the-- first chair of the-- U.N. Commission on Human Rights said, "The destiny of human rights is in the hands of all of our people in all of our communities." It's a really simple concept. That's-- was in her small places close to home speech. And-- and the truth of the matter is that-- sometimes you have to work at the retail level and not just at the wholesale level. (MIC NOISE)

MICHAEL O'FLAHERTY:

Felice tw-- Felice twice mentioned the local level and I-- I-- I-- I just wanted to jump in to completely agree with her. We've too often engaged in terms of human rights promotion with the capitol; we've got to get to the village. And we have to figure out ways to get to the village. There's a very interesting initiative called Human Rights Cities which we're-- we're-- we're s-- we're seeking to support in Europe-- in recognition that most people in Europe live in cities-- th-- but there's also the rural local level.

And-- and we've got to-- we've gotta find ways for the human rights-- system to deliver benefits that you can see and feel at the local level. When I was-- running the Northern Ireland Human Rights Commission I went into-- a small town and-- we used to organize town hall meetings in all the boroughs of Northern Ireland.

And-- I remember in one-- I was going on about what we do this, and what we do that. And a lady-- took to the floor and said, "Yes, but what are you going to do about the trash collection on my street?" You know, and that was a very legitimate question. That-- that mattered for her, and I had to come up with an answer. I-- I did come up

with an as. But the the point is we need to n-- we need to ha-- be aware of those questions and be-- and be responding in a meaningful way.

JIM GOLDSTON:

Super. Thank you both very much. So colleagues, can I invite-- questions, comments? And I think we've got a microphone that is going to circulate. And I see it somewhere in the back--

(OVERTALK)

JIM GOLDSTON:

Yes, hold it close, please, and if you could identify yourself-- before speaking. Thank you. (MIC NOISE)

DUNCAN WILSON:

Thanks very much. That was an excellent presentation. And I'm Duncan Wilson from the public health program here at Open Society Foundations. Michael, you spoke a lot about the-- human rights impacts of the rise of populism. I wonder if you could say a little bit more about the contribution of the denial of human rights to the rise in populism, and the breach at times of what you called the-- the social contract (MAKES NOISE) in Europe-- in the last several years. And I'm thinking particularly about posterity policies-- as-- political choice in response to the economic global recession. And perhaps some lessons not just for individual member states, but also for European Union institutions in relation to their contribution and encouragement of states of adopting such hars-- harsh austerity policies.

JIM GOLDSTON:

Thank you. Do you wanna-- should we take a couple? Or you wanna-- why don't we do that? Why don't we take two or three. So you've got one there, I see. (INAUDIBLE PHRASE).

SHOSHANNA SMOLLEN:

Shoshanna Smollen (PH) with the Jacob Blaustein Institute. Speaking about dispelling myths I'm curious if there's been any additional thought to what vehicles would be best-suited for providing that message in an environment of hostility towards facts and fake news allegations flying on all sides. Who was be the best,

whether it's the human rights community or others, to deliver those messages of truth, fact, and dispelling of myth? (MIC NOISE)

JIM GOLDSTON:

Super, thank you. And why don't we take one more in this round?

(OFF-MIC CONVERSATION)

MICHELLE GALLO:

I'm Michelle Gallo with the grantmaking support group here at the Open Society Foundations. You spoke a little bit earlier about-- the closing space for civil society in Europe-- yet your optimism for human rights in general. I was wondering if you could just speak a little bit more about you-- what you see the effects of the shrinking civil-- civil-- space for civil society, excuse me-- and what-- people who are concerned about this can do to support those organizations, as they are coming under attack-- by governments, or facing increased restrictions and regulations for their work.

JIM GOLDSTON:

Great, thank you. Michael? (MIC NOISE)

MICHAEL O'FLAHERTY:

Thanks. Yeah, fir-- fir-- first the-- the-- auster-- austerity policies. I-- I wasn't in this role back in that period. The-- but-- and so I-- I won't speak about-- what the agency has or hasn't done to engage the issue. I'll tell you that I was struck at the time-- as-- as an observer-- that-- discussions were not happening within Europe, which would b-- have been standard if-- if it was in the context of development policies with regard to African states. And I thought, "We have so much to learn f-- Europe has so much to learn from elsewhere. And we have to do a better job of being Europe in the world, including allowing for the advances that have been achieved to some extent in I-- in world bank contexts, for example-- to be replicated in Europe." So I-- that's as much as I would say on that.

But I wanted to engage one other dimension of denial of rights which you didn't mention, and that-- has to do with the-- the-- health check of the state of rule of law-- in the European Union. Because when you repudiate-- human rights and you repudiate the institutions of democracy-- you put rule of law at threat. And this is obviously a concern for us right now, and it's a context in which-- we're-- we're working hard and supporting the E.U. to strengthen its own tools-- to monitor and be vigilant with regard to the state of r-- of-- of rule of law.

Turning to-- the vehicles to dispel myth-- the-- a few points here. Firstly, the media continues to play a vitally important role. The media hasn't died, the media hasn't gone away. The traditional, classical, professional media-- remains enormously important. And we have found time and time again that the media has taken material of ours, has digested it, and has turned it into quite effective messages.

But for that to be done better we need to support media-- in terms of-- the-- the-- the skillset-- to-- to work with human rights stories. Again, that's-- a c-- a concern and a preoccupation of my agency. Another vehicle has to be ourselves-- we, the citizen journalists, who tweet every day. And-- and-- and-- and again there are the-- the-- the-- the-- I think efforts can be made to promote the messaging of human rights-- through-- all of us that are-- out there online.

Another dimension-- that I'd mention is-- in terms of disseminating the truth and combating the myth, is that we have to do a better understanding within the human rights world-- of understanding-- the algorithmic formulae and how they-- serve their own purposes so-- so-- so that we can outmaneuver-- there. And look, I-- I-- I maybe-- maybe there's some really smart people here who are already deep into this. But for most of us we've only barely begun to understand what an algorithm is-- and how vitally important it is to grasp it, and either create our own alternative algorithms or challenge those-- that are-- that are in use.

Last thing I'll say-- is not so much about who disseminates the message-- but about how we read-- how we all read messages. And again-- to promote and protect human rights we have to invest in media literacy-- so that-- that-- that-- general population-- is better equipped-- to go online and sift the nonsense from truth-- the-- the provocative fake-- from-- from-- from the other.

And then-- shrinking civil society space. Well, we-- we-- we-- we-- we did a survey in all of the E.U. 28 member states, and we found that-- there's-- there are four features. And the-- the composition of the four or the interplay of the four-- d-- differs from country to country. What are those four? Let me see if I can remember them.

The first is regulatory pressure-- both direct and-- of a secondary nature. Meaning-- a very legitimate regulatory exercise to control or to make lobbying more transparent, and have an impact for NGO activism, which was perhaps not ever intended by the lawmaker. That's just one example. But regulatory pressures, there's a lot more m-- maligned ones as well, of course.

Second, many issues around funding-- from the most prosaic, which is such that-- because you work in the-- one of the richest corners of the world-- nobody will give you money because they assume that you-- you have access because you live in a rich corner of the world-- to the-- the famous prohibitions on foreign funding and-- and then everything in between. So financial pressures. By the way, I w-- won't go on about this, but another huge concern that's familiar to many of you is-- that-- (CLAP) project based funding is not conducive to strong institutions because it tends not to support the core. And so we've got to tackle that in Europe as just about everywhere

else.

The third-- area of pressure is lack of access. You're only as good as your ability to access the decision maker. But if the decision maker always has a door shut to you-- or doesn't give you meaningful feedback on consultation process, or worse, has completely hollow consultation process, you're not able to do your job. And then the final-- the fourth area, sadly, in Europe as anywhere else is the extent of-- direct physical attack on buildings and on humans-- (THROAT CLEARING) in-- in-- which in some places-- du-- goes uninvestigated.

So as I said, the-- the-- the balance of those four and how they interplay will vary enormously across the European Union. But-- but-- but th-- together they are-- they're-- they're weakening that civil society voice-- in a manner which is diminishing the quality of our democracies.

JIM GOLDSTON:

(MAKES NOISE) Felice, anything you wanna add?

FELICE GAER:

I do. I know the question about how the denial of human rights contributed to the rise of populism was focused on the austerity programs, but I'd like to point out, especially here-- given all that OSI has done with the-- former Soviet Union states and the former Eastern Bloc countries that-- recently h-- we saw in the German election that the large votes for the most right wing parties came from what part of the country? The former Eastern Germany, which was formerly part-- which was formerly the D.D.R., the East German-- Socialist Republic. Now, what's my point? My point is that a lot of people have had no experience with human rights. The denial of human rights there had led to-- if you like, a flawed population-- that doesn't-- doesn't-- doesn't see the value of-- some of the-- western rights. And-- and I think that that's an issue that needs some further attention-- how-- in-- in-- in countries where there was this kind of denial of rights-- how populism has-- populism has a greater-- appeal.

On the question about myths, the biggest myth of the populists is that r-- when it comes to human rights is, "Rights are only about them, they don't help us." And that's exactly where, as Michael says, education is extraor-- is needed. We need to get the message out better that rights actually do protect everybody, and they do protect the populists as well as-- the outsiders, and the minority elements, and the-- the-- the them-- that they speak about.

Finally on the question of sh-- shrinking space for-- (MAKES NOISE) civil society organizations, there is a really serious-- issue, because there are issues of taxation, there's issues of-- funding-- there's issues of organization, and registration-- that are--

coming back. They're coming back-- they never left in many of the Eastern Bloc countries-- former Eastern Bloc countries-- but they're coming back in many other places where you don't expect them.

So how to support this and how to encourage it? Well-- we have a problem. When states are saying you can't have foreign funding, or you have to label yourself if you do have foreign funding, like the Hungarian-- case right now-- the-- or Russia-- then-- then there's a need to help develop-- indigenous capacity-- for s-- for support. And-- that is-- well, that's the work we've all been working on.

And-- I-- we've done a creditable but not a great job-- in doing that, and we need to-- reinvigorate those kinds of efforts, it seems to me, and the support for tho-- for those efforts. Because the-- I think the-- the-- the-- the biggest fights in-- over-- human rights in-- in the first-- 40 years-- were about whether individuals groups and (UNINTEL) of society have the right to promote, protect-- universally-- recognized human rights.

That ended up with a declaration saying, "Yes, you do," which had no mention whatsoever about the funding issue in it, because it was too controversial to be in there. But we have the Human Rights Defenders Declaration, and we have a body-- we have a mechanism to-- to-- to-- to work about that-- to work on that at the international level. But we're not doing much at the national levels-- or even-- I would say, even at the European level-- on that issue. So there's-- there's a lotta room for activity in this area.

JIM GOLDSTON:

Those are great points. (MIC NOISE) I-- I-- I just-- and I-- I-- I agree completely with your first point, Felice, about the importance of-- of the depth of rights education, and knowledge, and sympathy in places where there hasn't been as much of a history. On the other hand, I think it is important to keep in mind myself that we are experiencing huge challenges to rights principles and the rights discourse in places like the United Kingdom and the United States, which have prided themselves on having a long rights history, but where growing skepticism-- exists. Any further questions or comments from colleagues? Yeah. (MIC NOISE)

JOHN WAGNER:

I'm John Wagner from the International Humanist and Ethical Union. And your point about building alliances really resonated with me, the idea of working-- reaching out to businesses and faith groups and arts groups. But the obvious groups you didn't mention are the people who have either no religion or even more difficult, those who have no religion in particular. And I wonder how you think about engaging those groups in the human rights s-- struggles.

JIM GOLDSTON:

Thank you. To the right, yup.

KEN SIEGEL:

Hi, I'm Ken Siegel. I'm wondering how much is the problem of human rights really rooted in the world's economic inequality and growing economic inequality between the have and the have-nots? Two hundred years ago (UNINTEL) pointed that out, about how-- the population is outrunning resources. Well, he was talkin' about food, but now it's resources of all kinds. So that's my question. With the increasing population of the world and the-- the diminishing of fossil fuels and the rest of 'em, and the monocultures that Monsanto was promoting-- can the achievement of human rights-- a universal program of human rights really be achieved when most of the world doesn't have anything?

JIM GOLDSTON:

(MIC NOISE) Thank you. W-- one more we'll take.

NEIL FELDMAN:

This is less a question to you than just sharing something that's been going on in my mind that I'm very concerned about and don't know the answers to, so I wanted to hear from others.

FELICE GAER:

And do you wanna tell us--

NEIL FELDMAN:

Oh-- oh, my name is Neil Fel-- oh, my name is Neil Feldman. I was tr-- originally trained-- in national security and foreign policy, now I'm an (UNINTEL) journalist. But one does not forget one's original training and profession. And-- you touched on this a little bit-- populism and-- something that I think many people have observed, is the extraordinary similarity-- between, say, Trump supporters in America-- supporters of Brexit in Britain and throughout the continent-- and the difficulty we have, all of us, in communicating. I-- I-- I am guessing I'm not the only person in this room who doesn't know how to talk to a Trump suppor-- (COUGH) supporter-- who has (UNINTEL PHRASE), and issues of education-- facts-- lur-- but how to appreciate

where they're coming from. A goodly number of Trump supporters are not homophobes, racist, et cetera. A lot of them in America voted for Obama twice but were so despairing of their economic future that they voted for a guy who's gonna blow up everything and somehow make something good. And that's, of course, very similar to what's happening in Hungary-- and-- and-- and Brexit, and these other countries. And some help please, if you will.

JIM GOLDSTON:

(MIC NOISE) Michael.

MICHAEL O'FLAHERTY:

Thanks. Given the nature and the mandate of my agency I have colleagues in this room who are telepathically telling me not to respond to what you just said-- (LAUGHTER) because-- I-- I-- I-- I'm not sure I could say anymore, actually, than I've said already, in terms of how we-- we talk with s-- and sit down respectfully with people who don't necessarily agree with us-- but we have to do it. Because w-- there is no future if we can't-- find those-- th-- the opportunity for those shared spaces.

And in fact, that even to some extent motivates-- the importance of the relationship we're building with faith communities. Because-- it's sometimes the case that the-- faith leader can-- can engage in a way where the human rights actor self-- you know, so-- so identified, cannot. And if there's a commonality of goal there, then what a great achievement.

Many years ago I-- I ran the U.N. human rights program in Sierra Leone during the war. And how often-- I couldn't tell you how often it was the-- Christian and the Muslim leaderships-- that convinced villagers to cooperate with us on this or that. It was the imam and the priest together at the meeting-- that-- that delivered that achievement in a way I never could on my own. So-- that's as much as I could usually say on that. With regard to-- humanist groups, and atheist groups, and humanist groups and-- you make a perfectly fair point. We also have to be engaged in a dialogue there as well.

The-- European Commission, which is-- s-- we're-- we're independent of the European institutions, the most-- one of the most important of which is the European Commission. But under the-- the E.U. treaties it is required to engage in a dialogue on a yearly basis with both religiously motivated and-- and-- and humanist-- humanistically (PH) motivated groups in order to-- to-- to promote-- a Europe based on values.

So the bigger E.U., I think, does engage but your point is well taken. (RUSTLING) And-- yes-- sir-- I-- I couldn't agree more-- with the-- the importance of putting inequality at the top of the agenda. A long time ago I remember listening to Mary

Robinson, the then U.N. high commissioner for human rights. She was asked, "What is the single most compelling, most worrying, most primordial human rights abuse-- that there is in the world?"

And I remember she said, "Poverty." And you know, I've never found a reason since then, notwithstanding everything that's happened since, to disagree with her. The-- the-- the role of poverty in undermining human capacity and social capacity is so obvious it doesn't even need mentioning. And historically the human rights movement has always-- treated socioeconomic rights as second best. And-- that's-- that's-- that's an imbalance that's going to have to get sorted out if we're to have a future.

JIM GOLDSTON:

(MIC NOISE) Thank you. Felice?

FELICE GAER:

Well, there's lots of issues. And I-- I wanted to just draw attention to the fact that the-- in Europe, because of the exper-- because of the experience-- in Europe with populism-- national socialism, fascism-- with populism at the beginning of the 20th century and what it led to, and-- the annihilation of mil-- the wars-- the wars and the annihilation of millions, and the economic-- ruin and the like, the institutions that were built after World War II were designed to make it less likely that there would be a chance for populists to take over.

So the governments were constructed in a way that you had to have a cer-- you couldn't have all the parties in the legislature-- you have to have thresholds for some-- to be represented. There would be somebody else, there were checks and balances along the way. There-- there was a complicated structure created, and it was done deliberately. The irony is that complicated structure is what populists today point to as they, telling us what to do.

It's what they point to as-- a complicated system that they have no patience for. And it actually has become the target of the populist groups today. So-- this is a problem you can't solve overnight. It's-- I'm just observing that this-- that there are these two things going-- out of sync: the history, the construction of institutions to deal with that history, and the attack on those institutions.

Get rid of the institutions and you go back-- to go, and do not collect \$200. So-- I just think there's a lot of issues here. And on this question of-- being able to talk to those you oppose, that's what Michael's talking about-- bringing together-- experts who can help you figure out how to message in the same way that they have been able to message, with their conspiracy theories, the rigged system, the delegitimized system, creating-- they create enemies and-- they declare that they represent the common

good.

We need a better articulation of it, we need better examples of it, we need more vigorous attention to-- to the popu-- to the public education side of-- of human rights. It's always hard to judge and evaluate what it accomplishes. It's a lot easier to go to a court and get a decision, and come out and say, "You gotta do this."

But you have to have people willing to respect the rule of law and respect the judgments of the courts, and we just need (MIC NOISE) to rebalance some of our resources and the tremendous intellectual energy-- in this community in that direction.

JIM GOLDSTON:

I agree completely, (MIC NOISE) and yet I do wanna say one thing. It's not so easy to go get a court to say, "Do this," (LAUGH) but--

FELICE GAER:

Fair. Fair, fair.

JIM GOLDSTON:

Thank you so much. Michael, last word? (MIC NOISE)

MICHAEL O'FLAHERTY:

Well, the penult-- penultimate word (LAUGH) is-- is-- and I forgot to say something earlier. I was asked to advertise an event tomorrow. It's being organized by the E.U. delegation to the U.N. on Muslims in Europe. And I'll be speaking there and presenting our recent findings in considerably more detail than I could today. But there'll be a number of other speakers as well. We have a colleague here from the E.U. delegation. Maureen, where-- where-- Maureen is at the-- right at the very back, and she has fly-- maybe she could stand up for a second just so people can see you.

Maureen has flyers. So if anybody's interested in attending that event tomorrow Maureen can give you the necessary information. And then the final word-- Jim, is just-- thank you for an invigorating conversation. You know, we're all in the same boat. And-- we need-- we-- we-- we-- we need the help of-- the U.S.-based friends-- to a considerable degree. We'll only all-- survive this strange time in world history by cooperating together across continents.

The diver-- notwithstanding the diversities of our problems, there's a huge amount of commonalities also. And-- so I-- I hope today's conversation is just one part of-- of--

of a strengthened partnership-- to protect something vital-- to-- the future of a civilized society, (COUGH) regardless of which side of the Atlantic we find ourselves.

JIM GOLDSTON:

(MIC NOISE) Very well said. So please join me in thanking-- Michael and Felice.
(APPLAUSE)

(OFF-MIC CONVERSATION)

* * *END OF TRANSCRIPT* * *