

Chapter 3: The Diplomat's Toolbox

INTRODUCTION – A MULTILATERAL PROJECT FOR BILATERAL REALTIONS

Chapter 3 sets out from three perspectives the sorts of opportunities and constraints diplomats encounter in democracy development support: 1) the resources and assets at a diplomat's disposal; 2) the ways in which diplomats have deployed these assets in support of civil society, democratic development, and human rights in a multitude of situations over the last decades; and 3) their applications in favor of local partners, policy goals, and programs. Clearly, the local context is paramount, including the attitude, sometimes hostile, of local authorities.

It is emphasized that these are tools of "soft power." As set out earlier, a review of the many narratives of democratic transition of the last decades shows that just as democracy cannot be imposed on a people from outside, nor are democratic activists likely to succeed using violent means from inside.

The context for the presentation which follows is that of **bilateral** diplomatic representation: what embassies and diplomats in dealings with civil society and local authorities can do on their assignments to respond helpfully to requests to support democracy's development.

There is, of course, considerable activity in **multilateral** fora on human rights and democratic development. The *Handbook* project is itself an undertaking of a multilateral organization, the Community of Democracies.

"When the United Nations can truly call itself a community of democracies, the Charter's noble ideals of protecting human rights and promoting social progress in larger freedoms' will have been brought much closer."

-Secretary-General Kofi Annan, at the founding conference of the Community of Democracies, Warsaw, 2000

Democratic development is now a major theme at the UN, particularly through the United Nations Democracy Fund. The UN provides extensive commitment to free and fair elections through its electoral support unit and the assistance provided by the United Nations Development Program to democracy development.

The UN Human Rights Council is meant to be a central instrument in the search for the advancement of human rights, although its effectiveness remains stymied by the maneuvering of some non-democracies determined to block scrutiny of their human rights abuses. The doctrine of non-interference in internal affairs continues to be invoked as a principle protecting such states for not safeguarding the human rights of their citizens.

Other intergovernmental organizations, such as the OSCE and its Office for Democratic Institutions and Human Rights (ODIHR), the OAS, or the Commonwealth of Nations, consider democracy to be interdependent with the imperatives of economic development and human security and commit programs to democracy development support.

There is an important regional dimension. Evidence shows that mentoring of emerging democracies from regional partners is particularly effective because of the shared perspectives of regional and often social adjacency. Strengthening the capacity for democracy assistance within regional organizations is a current multilateral theme, including in Asia, the Americas, and across Europe.

However, this *Handbook* does not attempt to cover conference activity of diplomats associated with the development and guidance of the human rights and democratization agendas of multilateral fora. The *Handbook's* focus is on “in-country” mandates and activity associated with bilateral accreditations.

Scholars in the social sciences we have consulted in the preparation of this *Handbook* have recommended a ranking of “best practices” in an evidence-based analysis from the growing catalogue of examples of democracy development support. Clearly, some support practices will be more effective than others depending on all the circumstances and the mix of contextual issues. But there is reluctance within the Community of Democracies to generalize or theorize with prescriptive recommendations. In this Chapter, the *Handbook* follows methodology that is a) fact-based; b) descriptive rather than prescriptive; but c) which attempts to identify some general principles and approaches by citing specific cases of diplomatic engagement.

FOUR CAVEATS

The *Handbook* assumes that foreign ministries accept a need to adapt their bilateral diplomatic representation to the new paradigms of public diplomacy. But there are four noteworthy caveats:

- a) At any time, a country usually has a range of public and discrete interests engaged in a bilateral relationship. Diplomats in the field need to manage the range of interests simultaneously and effectively. There are many examples of human rights concerns and democracy support being soft-pedaled so as not to undermine security or economic goals in play in a relationship with an authoritarian country. But democracies should not pursue one in the belief that it must be at the expense of the other. The notion that there is a conflict between interests and values is false. They are inter-dependent. Support of democratic values is generally in the national interests of a democracy's diplomacy. A successfully-managed bilateral relationship can in fact usually be deployed to support the case of local NGOs and transparency. The spread of democracy buttresses international security as well as protection for investment and trade. Democratically-elected partners inter-relate in ways which favor predictability and assurance in international relations.
- b) Empowerment by capitals of local diplomatic initiative can be crucial, within a clear understanding of the interests and aims of the overall mission diplomats must represent. Diplomats in the field have to be able to react to swiftly-evolving events. Canadian diplomat Pierre Guimond described democracy support activity in Prague in the 1980s, “Diplomats have to know where the governments want to go in terms of foreign policy and then the ambassador is responsible for delivering the policy. But it's impossible for people in the capital city to decide ‘you should go to all the demonstrations, and you should do this and you should do that’. The foreign ministry knows what we do because we report. It is result-based, not event-based. It's not because we've been to 36 demonstrations that anything will happen. We were there because something is happening.” What “is happening” determines the outcome, and its fate is in the hands of local reformers and activists but with the legitimate support of democratic embassies, representing their democratic citizens at home. They need to feel confidence in their abilities to decide on the ground how to proceed.
- c) Time frames are unpredictable. On one hand, the impact of activity or demarches may not be apparent for some time. It takes consistent and sustained effort contributes to building the self-confidence of civil society and to restraining repressive behavior on the part of non-democratic authorities. Yet in authoritarian societies the gains of democracy can also come swiftly. Repressive regimes tend to implode from within. “Living in any authoritarian country, while you're in the midst of it, it's hard to see that they'll ever cede power or go away. But actually, they cause their own destruction. And their foundations are rotting. It's a question of time.” (Shari Villarosa, former US

Chargé d’Affaires, Burma / Myanmar).

- d) Lastly, as our case studies make clear, local conditions vary. Some authoritarian regimes are neuralgic about embassies connecting with civil society and a few are positively hostile about direct financial assistance, especially to advocacy groups. Such host country authorities may try to confine the activity of diplomats to interaction only with designated official channels. They often aim to restrict interaction with local civil society by withholding official access for diplomats they consider straying from these narrow confines. In the longer run these practices lead to international isolation for the authorities in question. There are international norms for ensuring diplomatic practice does not directly interfere with internal affairs, but there are also overriding obligations for governments to respect international norms with respect to human rights, and for democratic governments to persist in representation of these obligations, even though they may calibrate their practices differently to suit different locales.

1. TOOLBOX RESOURCES AND ASSETS

Diplomats can under-estimate their potential impact of the inherent resources and assets at their disposal to contribute to the validation of the activities of civil society. The following are some of the resources and assets diplomats can usually draw from. In the chapter and case studies which follow, the *Handbook* attempts to show how they have been applied in practice.

IMMUNITY; this unique asset of diplomatic immunity can be employed and virtually shared in ways which benefit individuals and groups pursuing democratic development goals and reform.

Nota bene: Host countries cannot withdraw immunity, but several have expelled diplomats for alleged interference in internal affairs. The excuse is often that they had supported specific political or partisan outcomes rather than democracy development in general. Intimidation is a frequent recourse of authoritarian regimes, including against the families of diplomats.

Examples: There is an extensive record of democratic governments’ diplomats preventing punitive state violence by their mere presence at the scene. In Kiev, in 2004, representatives of the French Embassy, the European Commission, and ODIHR arrived at the home of a youth leader as security forces were about to arrest him and other democratic activists present. Unaccustomed to witnesses they couldn’t intimidate, the state security agents retreated. In Nepal, in 2005, threatened dissidents had been granted visas by resident embassies; diplomats of asylum countries accompanied them to the airport and to departure gates to block their seizure by authorities. In Cuba, diplomats from several EU countries and the US have been appearing to support *Las Damas de Blanco*, wives of jailed prisoners of conscience, who have been harassed and intimidated by groups mobilized by the regime.

There is also a record of harsh state counter-reaction to intervention on the ground by diplomats against repression. In 1973, in Chile, diplomats from several democracies made their ways to the stadium and other locales where the military *putschists* had assembled arrested activists, many of whom were subsequently imprisoned, tortured and/or killed. The regime expelled the most prominent of the diplomats, Swedish Ambassador Harald Edelstam.

Expulsions of foreign representatives have since occurred under many repressive regimes, most recently in Sudan, Burma / Myanmar, and Belarus. But the number of times diplomats have deployed physical presence to discourage arbitrary repression of legitimate activity has increased to a larger degree, to considerable effect. Missions also have a record of using their immunity to provide asylum to democrats under threat, providing them shelter as the US Embassy did for Chinese scientist and dissident Fang Lizhi

who spent almost a year there after the Tiananmen protests in 1989.

It often serves the purposes of repressive regimes to attribute peaceful civic protest to outside agitation from foreign countries. The authorities in Iran have recently done so, and have actually placed local employees of the British Embassy on trial as surrogates for Embassy officials who have immunity, in an attempt to discredit the protests in the public mind. In such circumstances, diplomats are mindful of the need not to expose locally-engaged colleagues or others to the risk of arbitrary retribution, without, however, diluting the right and value to be themselves in direct contact with civil society. Ultimately, the actions of host country authorities against foreign embassies will be costly to the country and will deepen diplomatic isolation.

There is a long history of repressive governments warning individual diplomats that their activities threaten to compromise their immunity, and that expulsion could follow. Such warnings are often accompanied by presentation of police photos of diplomats attending demonstrations, or meeting activists, a technique apartheid South Africa copied from police states in Eastern Europe and the USSR itself. Pressure sometimes extended to intimidation and even violence against family members to underscore the warning to diplomats that their immunity is relative. A more pernicious technique is the use of gangs of toughs to harass and try to intimidate diplomats by proxies, such as the disturbances created by the Kremlin-sponsored youth group “Nashi” against the UK Ambassador in Moscow. Old habits of intimidation die hard, even if they seldom succeed.

More complex are cases of authoritarian regimes such as Cuba that withdraw normal access to local authorities to diplomats they allege are supporting local opposition or reform activists and movements. But here too there are costs as reciprocal access will be curtailed against the country’s own diplomats abroad. Most democratic embassies in Cuba have managed to sustain a supportive relationship with representatives of civil society despite the state’s attitude.

Such efforts to intimidate and discourage outreach to civil society have usually been in vain over the long-term. The consequences of reciprocal action to curtail access and mobility abroad for their own diplomats, and the costs in terms of the relationship’s benefits are often enough for authorities to accept ground rules for access for diplomats to civil society that are reasonable.

That being said, there are examples emerging of a genre of isolated and internationally shunned dictatorial regime which is indifferent to or which disdains the benefits of diplomatic interchange altogether, to the costs of local society. Diplomats in Belarus and Burma/Myanmar have been working in such an atmosphere of withdrawal from international reality, as our case-studies on those countries will illustrate. The actions of the government of Iran against diplomatic missions have been similarly harsh from the time that the revolutionary regime authorized the occupation of the US Embassy and the holding of diplomatic personnel hostage in 1979. There is a side to the government that is indifferent to costs to Iran internationally of such conduct. As our case study illustrates, dominant circles in the Cuban political/security apparatus are indifferent to foreign public opinion, international norms, or even the benefits the Cuban people could derive from greater outside contact.

THE SUPPORT OF HOME AUTHORITIES; such support from their own authorities in sending capitals provides diplomats with effective leverage, the ability to link benefits to behavior, and in extremis, the opportunity to recommend the imposition of sanctions.

Nota bene: Diplomatic relations are reciprocal. As benefits are a two-way street, their leverage can work as much in favor of greater freedom of action for diplomats in support of civil society as it can as a weapon against them by local authorities. Diplomats can urge their own capitals to facilitate or discourage

access for visiting host country officials seeking potentially advantageous business or other partners, and home-state cooperation programs and connections. Diplomats also generate crucial support from home authorities when their own nationals come under attack abroad.

Once on an assignment, multi-tasked diplomats are often stressed under the burden of a variety of reporting and representational requirements. Reports indicate a tendency of senior managers to discourage ongoing democracy development activity in favor of more apparently immediate bureaucratic functions. This argues for clear and explicit corporate support from headquarters for human rights and democracy defense as core priorities of the country programs.

Coup and crisis management: Many episodes requiring the support and even intervention of diplomats develop rapidly. It is essential that officers in the field be able to respond to the requirements without worry that their actions will be second-guessed at headquarters, and their careers affected negatively. Otherwise, hesitant embassies may fail to oppose in time arbitrary uses of force by the government, or by perpetrators of a coup against a legitimate government, as was the case of some democratic embassies in Moscow in September 1991. This is a powerful argument for training foreign service officers in democracy support and human rights beforehand. Case study simulation is an increasingly frequent preparatory tool for diplomats.

Examples: The leaders of authoritarian states generally want international prestige and positive reception on international travel, not to mention business partnerships sought by industry and economic interests at home. This enables democratic embassies to condition their support for helping to arrange such media, political, and business contacts on moderation of anti-democratic behavior.

In cases when authorities try to intimidate diplomatic representatives, the support of home authorities is crucial. Canadian diplomats reacted to South African Foreign Ministry warnings of expulsion in the 1980s by pointing out that the South African Embassy in Ottawa would suffer swift retaliation with a corresponding negative impact on South African economic and other interests.

It is now apparent that in 2004, the warning by senior US diplomats that the United States Government would freeze personal off-shore assets of Ukrainian officials in the event of government repression had considerable restraining impact on potentially violent behavior.

Sanctions can be a powerful weapon to moderate repressive behavior, provided they have sufficiently widespread international support. But if they are invoked out of general enmity, they can be counter-productive, enabling an authoritarian regime to claim a role of patriotic defense against outside interference.

Even when regimes feign indifference as Pinochet did when the US cut off all but humanitarian aid to Chile in 1976, the international opprobrium of sanctions stings, as does the economic impact.

Selective targeting of responsible top officials' personal off-shore financial and other transactions, as well as those of their families, is increasingly used against anti-democratic regimes, such as in Zimbabwe and Burma/Myanmar. Diplomats on the ground advise home authorities on timing, targeting, and potential impact overall. For example, the EU's targeted sanctions of travel bans and asset freezes on 31 individuals in Belarus, and 126 in Zimbabwe, were developed in consultation with EU missions. As mentioned earlier, the EU has recently widened and deepened targeted sanctions in Burma/Myanmar on the same basis.

It should be borne in mind, however, that the threatened use of sanctions can sometimes be more influential in promoting behavior modification than the finality of sanctions themselves.

A cautionary note about **megaphone diplomacy** is called for. Taking a public stand to denounce the clear abuse of rights of individuals, or suppression, is important. But if the motivation is more to cater to a domestic public audience by “bashing” an adversary in public, the effect on the ground for embassies and democratic civil society allies can be negative. Very often, private demarches to an authoritarian government and low-key media references will have more concrete outcomes. Diplomats may find they need to discourage home authorities from seeking to reap tempting domestic political dividends from such threats against unpopular regimes. Sanctioning an unpopular regime can have the effect of punishing the most vulnerable in civil society, or curtailing exposure to international visitors and other beneficial contacts with the outside.

International solidarity is very pertinent particularly since the impact of sanctions can be neutralized when there are off-setting flows of material support from non-democracies or opponents of sanctions, as in Zimbabwe, Burma/Myanmar, or Belarus today. Iran receives reinforcement for repressive behavior from its beneficial validation from, for example, Venezuela, which professes to be like-minded.

When nationals who are human rights activists are threatened or arrested, the declaration of support for their positions can be crucial. As James Mawdsley, who was imprisoned in Burma / Myanmar for human rights work, put it, there are “ways in which consular duties were more than consular.” He commented “If the FCO had not said the same thing on the outside, I would have been beaten up. But the regime was too afraid to beat me up over issues where the FCO gave me backing.”

INFLUENCE; in the new paradigm of public diplomacy, diplomats more consciously represent their whole society to the host society, beyond traditional government-to-government communication. The reputation of the society they represent and project locally, its experience, values, and capacities to help, are deployable assets. Democracies which have only recently emerged from repressive conditions have experience that has special value. The effect of public diplomacy is obviously reinforced where the sending country's institutions, achievements, governance and life-styles have appeal locally, adding credibility by the force of example in dialogue with local authorities on democratic development. Additionally, multilateral organizations follow a variety of plans and practices to encourage members in the effort to build democratic and transparent governance.

Examples: Countries in transition tend to identify with the examples of those to which they can readily relate. The most applicable examples can often be those of countries with recent comparable experience in democratization. As a Czech Ambassador expressed his country's interest in democracy support, “We were grateful for the help we received from the West in the 1980s. So it should be a priority in our foreign policy to help.”

The European Union's requirement that applicants for membership fulfill the “*acquis communautaire*” of democratic and effective governance has had a profound influence on building what is an enlarging arc of stability and democracy across Europe.

Outside inducements to undertake a rigorous program of democratization and institution-building also emerge from conditionalities that are increasingly prominent features of multilateral and bilateral relationships on every continent, including from regional organizations, though there is often a yawning gap between theory and practice.

African peer pressure, the efforts of the African Union, and the best practices approach of The New Partnership for Africa's Development (NEPAD), as well as positive governance conditions from international economic institutions, have had positive effect in several African countries. However, to date, only a few African countries have followed up with the complete self-assessments of governance

and action programs intended by the APRM (African Peer Review Mechanism).

Their work of African democracies should in principle be reinforced by the obligations of membership in the Commonwealth of Nations and l'Organisation Internationale de la Francophonie both of which state the encouragement of democracy and human rights to be at the core of their activity and purpose. (The relevant Harare, Millbrook, and Bamako Declarations are included in the Annex.) The ability of democratic forces to prevail in such African countries as Ghana, Lesotho, Sierra Leone, and Mali are examples of these shared efforts. The Pan-African Parliament created in 2004 adopted in 2007 the African Charter on Democracy, Elections and Governance. However, by mid 2010, it had been ratified by only four states.

The Organization of American States reinforces the strength of democratic development in Latin America, recently taking a strong stand against what was labeled a military *coup d'etat* in Honduras. ASEAN is making governance increasingly part of its mandate, as can be seen by its criticism of the regime in Burma/Myanmar. Australia's enhanced regional cooperation programs via the Pacific Islands Forum place governance development assistance at the center of their mandate; both Australia and New Zealand have been strong players in efforts to encourage democratic outcomes in East Timor, the Solomon Islands, and Fiji.

The central point here is that outside support is invaluable in encouraging civil society to perceive that they can succeed in their effort to construct in a nationally-suitable way democratic and effective governance. This outward-looking aspiration provides diplomats geared to the merits of public diplomacy multiple opportunities. By choosing to showcase those aspects and features of their own democratic society which are most admired – for example, the way US diplomats can bond with Lebanese esteem for the high quality of American post-secondary education – diplomats can at least help to compensate for any perception of policy differences between governments, or public resentment of foreign policy stands. The US Fulbright program and the EU's Erasmus Mundi constitute people-to-people tools, which have many counterparts elsewhere, and which can greatly improve the context within which US and European diplomatic representatives operate. But diplomats whose countries have themselves had recent experience in winning and consolidating democratic reform may be able to bring special credibility to bear.

FUNDS; small amounts of post funding can be precious to start-up reform groups and NGOs. While most democracy development financial support is provided through NGOs and institutions, small-grant seed money for grassroots organizations from discretely-administered and easily-disbursed post funds can have swift direct positive effect. However, some authoritarian governments have taken issue with the practice of direct embassy financial support to local civil society and have made it illegal. This calls for selective alternative strategies.

Examples: In 2002/03, the Czech Ministry of Foreign Affairs established its “Transformation Policy Unit and Fund” to enable embassies to support democratization, human rights, and transition-related projects in countries with repressive regimes. Most of these projects are deliberately small to enable disbursement directly to local civil society actors without the local government's scrutiny and involvement.

There are numerous examples of embassies being empowered in this way. Sweden provides its embassies funding specifically for democracy development support. In South Africa, in the 1980s, the Canadian government created a large embassy-administered fund with a mandate for direct assistance to civil society, and especially assistance to victims of apartheid. The advantage of having the embassy administer the fund directly drew from the perception that diplomatic representatives on the ground are, in liaison with international NGOs, best placed to identify suitable partners and beneficiaries. The funds helped groups to sustain essential activity and often enabled small but identity-building successes, such as the

distribution of t-shirts, or publicity for civil society rallies, and funds were also dispersed in aid of legal support for human rights defenders.

Many embassies from democratic countries in Russia in the early 1990s had also found that such small amounts they could disburse rapidly from post funds directly to soup kitchens, orphanages, women's groups, etc., were having a clearly helpful humanitarian effect and contributing to the rudimentary beginnings of civil society. Diplomats report they also earned a degree of public credit often not available from the heavily-funded large-scale infrastructure programs which characterized transitional assistance in those years. In Ukraine in 2004, embassy funding requiring little if any paperwork was critical to the survival of such youth groups as Pora! that despite a lack of much administrative capacity were able at a decisive time to stand up for the integrity of Ukraine's elections and for democracy itself.

However, there is a down side in several countries where direct financing of advocacy groups is problematic. Some governments, have made outside material support for advocacy or opposition groups a major issue. Most notoriously, Cuba has used embassy financial support as evidence to prosecute and convict activists.

Russian authorities took exception to the role they allege that foreign foundation and embassy funds played in helping to finance the "color" revolutions in Europe. They charged that the funding overstepped the line by supporting specific partisan political outcomes. In fact, outside financing was at the margin. Nonetheless, there were several years of adversarial attitudes from Russian authorities toward Russian NGOs and severe constraints placed on the operational mobility of international NGOs, although President Medvedev has recently been seeking a positive *modus vivendi*.

Non-political organizations that constitute the foundations of civil society are often able still to benefit from well-intended embassy support, as even most repressive regimes still make a differentiation between development NGOs and advocacy groups.

Obviously, diplomats have to be careful not to expose local members of civil society to the risk of political or even legal retribution. NGOs often can fill the role of providing small amounts of funding, but they do not act as surrogates for embassies.

SOLIDARITY is a valued asset at all phases of democratic development. Solidarity in democratic assistance programs among like-minded missions and international NGOs multiplies impact and minimizes duplication. Solidarity also enhances political messaging through witnessing trials, joint demarches on human rights and other issues, and reduces the ability of authoritarian regimes to play the commercial interests of partners off against each other. Within civil society, NGOs and democratic reformers and activists value the solidarity of mentors with prior experience in democratic reform. Diplomats can assist in making the connections.

Examples: Solidarity among diplomats has been especially important in support of human rights defenders and democratic activists on trial for their activities. This conveys to the authorities that the conduct of such proceedings is indeed being monitored by democratic partners, and not only by the country which may be more specifically concerned if there is an issue of dual nationality or some other national tie to defendants. Prominent early examples would include the trial of Nelson Mandela in 1963, and the trials of Vaclav Havel and other human rights activists in Prague in the 1980s, followed by many in recent years, such as Daw Aung San Suu Kyi in Rangoon or Ayman Nour in Cairo.

Solidarity can also extend to the monitoring of prosecution of violence against human rights defenders, when its perpetrators are brought to trial because of international or other pressures -- for example, methodical attendance by resident EU diplomats at the trial of security personnel who had beaten to death

Canadian-Iranian photojournalist Zahra Kazemi-Ahmadabadi in Tehran.

Solidarity in diplomatic representations by joint demarches can also multiply effectiveness. The virtually unprecedented prosecution and trial of locally-engaged employees of the British Embassy in Tehran in 2009 has been met with a joint response from all EU Missions. Joint demarches can also have particular impact when close allies of the demarching democracies are experiencing stressful human rights situations, such as the case in 2005 when the US, the UK, and Canada made a joint demarche to Afghan authorities against curbs on freedom of speech, though less successfully on several occasions over laws circumscribing the status of Afghan women.

Solidarity among donor democracies and with international NGOs has also been instrumental in avoiding duplication or errors of omission in democratic support programs. In Serbia in 2000, democracies and NGOs cooperated via a “donors’ forum” which greatly increased the effectiveness and coverage of such assistance, a technique now in good use among democratic country embassies and NGOs in many locales.

The most effective form of solidarity among donors and democracy supportive-embassies is that which avoids competition and which benefits from comparative advantage: as stated by a Czech Ambassador, “We learned how to plug-in from the Dutch, the Norwegians and the US. We tried to find where we would have the most value-added, and learned quickly that our democratic transition experience was that. So we concentrated on transfer of know-how. Not everything is transferable, of course. But we still had a lot to offer. If they want, they can even learn from our mistakes.”

In the transitional countries of Europe building up to and following the great changes of 1989, mentoring by successive reformers contributed to the self-confidence and effectiveness of catalytic groups in civil society – *Solidarność* had close ties to Czechoslovak and Hungarian dissidents in the late 1980s; Slovakian reformers helped Croatians, Serbs, and Ukrainians in 2000-2004; the Serbian youth movement OTPOR aided Pora! in Ukraine in 2004. Many of these efforts were facilitated or channeled by diplomats from the countries which had undergone the earlier reforms, a pattern which has been apparent in Latin America and which now characterizes the foreign policies of many newer democracies in their relationships throughout the world.

LEGITIMACY; Many democratic activists would agree with Francis Fukuyama that “in today’s world, the only serious form of legitimacy is democracy.” Diplomats can draw for support from a variety of basic international agreements (set out in the Annex). Examples include the UN Covenant on Civil and Political Rights, the Universal Declaration of Human Rights, and the UN Declaration on Human Rights Defenders. These put forward the international norms which diplomats of democratic countries can legitimately claim to represent. Repressive jurisdictions may well maintain such texts are not internationally binding on non-signatories and that such activities amount to interference in internal sovereign matters by foreign representatives. But international norms on human rights are increasingly conditioning behavior and limiting the number of countries which insist on the primacy of national sovereignty, in part because specially mandated regional and other transnational authorities monitor performance.

Examples: Even authoritarian non-democracies go to elaborate lengths to buttress their claim to legitimacy through recourse to superficial facets of democratic practice: rigged elections, and the elaborate use of the word “democratic” to describe republics that are anything but democratic.

On one hand, the affirmation of democratic belief provides considerable leverage to democratic governments to try to persuade such governments to open up more to their own civil society in reality.

But on the other, such governments are all too ready to describe as illegitimate the support democratic

embassies and NGOs provide civil society. These objections run counter to a wide body of international and regional agreements calling for open democratic governance. The UN Secretary-General's Special Representatives on Human Rights, and on Torture, the Special Rapporteur on Human Rights Defenders in Africa, the African Union itself, the Inter-American Commission on Human Rights, the OAS, the OSCE, the Commonwealth of Nations, and "*La Francophonie*" are examples of certifying bodies diplomatic representatives can point to for validation of the legitimacy of their own efforts at democracy development support.

Regional agreements have shown themselves to be particularly effective in conditioning the behavior of an increasing number of countries, although there are regimes which remain hermetically sealed from outside opinion, such as Burma/Myanmar, Uzbekistan, or North Korea. The most prominent example of an effective regional agreement is the Helsinki accords of the CSCE, which in the 1980s provided the benchmark textual references for Charter 77 in Czechoslovakia, and for the Sakharov-Bonner campaign in the USSR, and for freeing up information and expression generally. These agreements were effective because they had been signed by the states in question, and provided a platform for citizens to confront them about the contradiction between word and deed.

The signature in 2008 by Cuba of the UN Covenant on Civil and Political Rights which means to guarantee the rights to self-determination of citizens, their peaceful assembly, their freedom of worship, and their freedom to leave the country is a potentially similar example. But the Cuban regime has done little since to alter long-standing practice to deny these rights. However, the fact of Cuban signature provides diplomats with a commitment to point to in discussion of human rights with Cuban authorities.

2. FIFTEEN WAYS DIPLOMATS HAVE MADE A DIFFERENCE

In putting their assets to work on behalf of supporting civil society's democrats and human rights defenders, diplomats draw from a toolbox of activities and techniques. The tools described below are potentially powerful, especially when deployed using the pro-active and public outreach approach which is the hallmark of modern democratic diplomacy.

Arranged in escalating sequence from more conventional diplomatic activities to more interventionist action, taken together these tools offer diplomats the potential to develop and refine specific professional skill sets in democracy development support. These skills are also integrally related to skills needed for work in support of economic and social development, as well as human security. Democracy, after all, does not sit astride a hierarchy of needs: economic development, human security, and human rights are inter-dependent and equally important to the human condition.

Nor do diplomats themselves sit astride the international community. Just as a vibrant civil society represents the essential foundation of democratic development, so international civil society accounts for much of the content of public-to-public relations today. In this respect, diplomacy is a complement and conduit for broader currents of international democracy development assistance that are occurring continuously.

The Golden Rules

LISTENING, RESPECTING, AND UNDERSTANDING; all diplomats make it their task to try to grasp the culture, psychology, and situation of their countries of accreditation. When diplomats include local NGOs and groups on their initial rounds of calls on taking up their postings, it gives a boost to civil society. This is especially true for the introductory calls by incoming heads of missions. It should be mandatory at the outset to seek advice from local civil society on how best to support their efforts.

Respecting and understanding the different roles and interests of all partners in the democratic development process is a basic requirement for productive relationships and successful support. Outsiders also have to understand and respect the ways in which the local reform process needs to take account of traditional values: social and political practices common in one country can be abrasive in another.

Nota bene: Overall, the first maxim of “respecting” is to listen (ideally in the language of the country). Deference to local culture is essential whenever possible. This includes the need for diplomats to recognize the risks and sacrifices incurred by democratic activists that protest authoritarian regimes, as well as the challenges reformers face in actually running for political office in semi-authoritarian settings. Dissidents need to make and offer the judgment whether contact with diplomats is protective and helpful, or whether it is untimely and risky. But their judgment should prevail. When it is imperative for civil society to demonstrate that their initiatives are undertaken without support from embassies, diplomats could defer to the different and often primary roles played by international NGOs in local activity.

Such as: respecting NGOs - there were demonstrable lifts to civil society groups when newly arrived US Ambassador Harry Barnes made introductory calls to them at the same time as calling on officials of the Pinochet regime in Chile. When the UK was in the Presidency of the EU in 2005, UK diplomats and officials consulted Russian NGOs prior to EU-Russia dialogue meetings, and took pains to debrief them afterward.

But it should always be recognized that in repressive situations democratic activists need space, and often discretion. A Czech Ambassador confides that countries which have themselves “experienced life under a repressive regime are often best placed to understand the situation of dissidents having to face their families and friends’ vulnerability to reprisal – loss of job, imprisonment, worse – for their anti-regime activity.” In Iran, a recent campaign by women’s groups to obtain a million signatures from Iranian women on a petition to improve the status of women would have had its credibility undermined if opponents could show evidence of support from outside. On occasion, democratic activists, human rights defenders, and reformers in Iran, Cuba, or elsewhere have sent the message that they needed for a time to pursue their work without outside support.

International NGOs are frequently closer to the ground than diplomats and often better able to pursue productive working partnerships with civil society. Diplomats need to know when to seek partnerships with them and when to recognize that the integrity of NGO work also needs distance from government connections, even when project funding is provided by government programs in capitals.

Whatever the country, its preoccupations and identity issues are functions of its unique history and diplomats need to show sensitivity to them.

In many traditional societies, local values can collide with the practices of outsiders. It is noteworthy that after the collision of US forces and traditional values in Iraq, cultural anthropologists are increasingly contributing to the training and preparation of personnel to be sent abroad on peacemaking or diplomatic missions.

In traditional Islamic societies, it has been necessary to respect the strength of tradition in supporting democratic transition on such essential but challenging issues as gender equality. Some diplomats such as US Ambassador Barbara Bodine in Yemen have been able to support expanded women’s rights without creating local traditionalist backlash by deferring to the need of local groups to build their bridges to others. However, in Afghanistan, the signing into law in 2009 of provisions reducing the status of women in accordance with Sharia law in order to obtain electoral support from certain tribal areas presented a

considerable dilemma for countries attempting to support at great cost the efforts to build democratic governance there.

SHARING: solidarity among democracies multiplies effectiveness. Like-minded embassies and engaged international NGOs need to share information, and practice project coordination and team play in order to optimize beneficial impacts. Monitoring elections is frequently done as a shared diplomatic project. All these efforts are most effective when local partners are also part of the sharing process and able to assume responsible local “buy-in”. Diplomats in the field can become “cohering agents” of support programs combining democracy and development.

Nota bene: It is generally easier to organize informal cooperation in the field than among capitals, especially among representatives of like-minded countries. Informal cooperation often also includes international NGOs which are well-placed to provide a wider and more authentic picture of grass-roots and technical activity to promote democracy development. An emphasis on “sharing,” however, must respect the differences in role between embassies and NGOs. As embassies diversify activity in democracy assistance, diplomats need to defer to the prior, primary, and often locally preferred engagements of NGOs in the field.

Such as: Missions regularly compare analyses of country situations, specifically regarding human rights in countries such as China, where the issues are complicated and evolving, making assessments difficult. In repressive situations such as in Burma/Myanmar, some democratic embassies work closely together to exchange information and coordinate strategies, and then regularly meet with a broader group of democratic embassies from the region.

The central point is that there should not be a competition among like-minded democratic missions, resident and non-resident, as described by a Czech Ambassador under “Solidarity” above. The best outcomes are when missions work within informal “affinity groups” permitting some to defer to work ongoing already, or to specifically advantageous roles of others, or even to compensate for the handicaps of others due to difficulties in their bilateral relations.

Diplomatic representatives share duties to monitor and verify functions such as court dates and trials of democracy activists or scholars, or when possible, cover such events in force, thereby highlighting the international political stakes for repressive regimes. The practice has been extensive, from South Africa in the 1960s to Burma/Myanmar and Iran today. Joint demarches are also *de rigueur* on human rights and democratic transparency. Of course, in recent trials of prisoners of conscience in China and Iran, diplomats have been excluded from witnessing legal proceedings.

Sometimes, because of specific and long-standing issues in bilateral relations, particular embassies/governments are more “radioactive” than others. This may leave more room for the less controversial to sustain contact and protection. A differentiation of roles which best enables particular countries to play to comparative strengths, credibility, and experience is very useful, without suggesting that such activity is a surrogate for the interests of others.

In Burma/Myanmar, some European democratic representatives plugged into other countries’ programs which were already running, such as the Netherlands’ “foreign policy training” seminars in the region for young refugees from Burmese ethnic groups. Some missions enjoy or have connections to cultural facilities which they share with other embassies, or make available to non-resident diplomats on a visit, as the French cultural organization, the *Alliance Francaise*, has done in Burma/Myanmar.

Sharing information on development issues, including on governance support activity, is becoming

recognized as essential to avoid duplication or omissions. The practice is now more frequent on the local level and here as well includes international NGOs and multilateral agencies active in the country. In rapidly-developing crises, democratic embassies and international NGOs have often set up informal coordinating and clearing-house groups for fast-disbursal of aid to local civil society and the electoral process, such as the “Donors Group” in Belgrade in 2000.

It is most productive when democratic host governments are themselves dynamic partners in the process (though not when more authoritarian regimes insist on control of all development funding, as in Nepal when NGO funds had to be channeled through the Queen).

In Bangladesh there is a “Local Consultative Group” which brings together 32 Bangladesh-based representatives of donor missions and multilateral agencies with key local officials. There are also supplementary groupings such as the “Like-minded Donor Group” comprising local representatives of Canada, Denmark, Netherlands, Norway and Sweden. These groups work in turn with groups of NGOs, such as the Bangladesh Rural Advancement Committee (BRAC), or the Association for Development Agencies (ADAB), which have track records of enhancing the democratic input by civil society into the development process. The process can go beyond co-ordination into joint programming: In Ghana, with the support of a government and civil society seeking governance development assistance, like-minded donor countries (Canada, Denmark, the Netherlands, the UK) have created a collaborative \$8 million program (the Ghana Research and Advocacy Program).

There has been, of course, a contrary narrative of inadequate donor coordination particularly in circumstances of post-conflict reconstruction where the aid flows are very substantial and usually urgent. In Bosnia-Herzegovina, the international tendency was initially toward too much humanitarian assistance, not always strategically coordinated, but insufficient development assistance. There was also inadequate coordination of planning and operations for development and security. Later, in Afghanistan, the aid effort began in 2001 with an unprecedented degree of donor coordination that enabled an overall development strategy. But in subsequent years, it fell much more to diplomats, aid officials, and the military of individual missions to try to ensure coordination and effectiveness on the ground. “Coordinating groups” proliferated with only mixed results as far as international coordination is concerned, though UN and NATO representatives are working now to encourage the integration of democracy support, development and defense in a coordinated way.

Truth in Communications

REPORTING: confidential assessment to home authorities is at the center of the traditional diplomatic role. Missions’ regular assessments of the local situation, capacity, and psychological, political, or even cultural constraints on the likelihood of a democratic process emerging or being successfully sustained can help the development of a template approach to benchmarks and norms to assist in comparisons and common evaluations by NGOs and centers of excellence. Accurate reporting of human rights situations forms the basis for international scrutiny and whether to initiate official intervention.

Nota bene: Reporting must be demonstrably comprehensive and also balanced in its sourcing. Diplomatic professionals always heed the question as to whether their confidential and value-added reporting of circumstances and conditions in the host country draws from a wide range of contacts in the society (such as the “township attaches” at the British Embassy in South Africa, early 1990s) and avoids excessive deference to official sources or to over-arching security or other bilateral interests.

Such as: There are multiple examples of regular human rights reporting, since this is a core vocation of diplomatic representation. In high-profile and relatively open crisis situations, Mission reporting is

generally supplementary to that of international media but often plays a crucial role in providing context or important background. But in situations such as Burma/Myanmar today where international media have been basically expelled, the responsibility of missions to report the conditions and prospects for change is enhanced, though rendered more difficult by a regime very suspicious of contacts between citizens and foreign representatives. Diplomats, including ambassadors, have filled a gap caused by the expulsion of foreign journalists in Zimbabwe, embarking on fact-finding missions in the countryside to document beatings and intimidation of MDC supporters, that Zimbabwe security personnel have tried ineffectively to block.

Many examples of misleading diplomatic reporting exist. A failure to do people-level reporting has led to persistent and damaging misreadings of the public mood, assumptions of assured continuity in power, and missing the signs of impending ethnic or communal conflict. Some authoritarian regimes have objected to a strategic ally contacting their domestic opposition, or even reporting confidential adversary political analysis back home, a condition that constrained US official reporting on Iran in the 1970s, leading to an under-estimation of the public groundswell for reform. On the other hand, home country headquarters can themselves become over-reliant on their leaders' relationships with specific authoritarian leaders and discourage or ignore diplomatic reporting that is critical of the regime, as has happened with respect to Pakistan, Egypt, and Indonesia in the past, among many examples. Then, some situations are potentially so unprecedented in the experience of observers that there is a tendency of diplomatic representatives empathetic toward the country to "look away from the dark signs," as occurred in the build-up to unimaginable atrocity in Rwanda in 1994.

INFORMING; in circumstances where the host state attempts to interrupt or circumscribe access to information, providing the public with pertinent objective information is a public service of open diplomacy. Supporting the emergence of local independent media which is an essential companion of democratic governance is a valued contribution by democracies, as is assisting the development of objective public broadcasting in transitional and emerging democracies. From outside, several international support programs exist to enable Internet users in countries shutting down local networks and sites to access alternative servers beyond the regime's control.

Nota bene: The existence of a healthy independent local media sector is an essential component of democratic governance. Independent media support has in consequence become a basic tool of public diplomacy. The value of independent media outlets is commonly associated with enabling a plurality of voices, including responsible political opposition. From both developmental and governance points of view, the existence of sustainable independent media able to monitor and advocate the quality of

governance is an under-recognized but essential audit asset, including, of course, in developed democracies.

In the absence of free information, regular communication of news bulletins and information by Missions can help fill gaps and correct the record on international or other matters, especially as authoritarian regimes are wont to expel foreign correspondents who criticize them. International cooperative software programs can now be downloaded by Internet users in societies where broadcast or online transmissions are jammed in crisis situations to enable access to international news outlets such as BBC World Service, Radio Free Europe/Radio Liberty, Radio-France, Al Jazeera, etc. In such circumstances, diplomats can also, through interviews with international outlets, serve as witnesses of events and developments otherwise hidden from international view. These reports frequently find their way back to the closed society itself by being picked up by border-based local language border services, as exist among the Burmese refugee communities clustered over the border with Thailand.

Defense of journalists in support of such organizations as Reporters without Borders and PEN International is an important part of human rights defense. Iran and China lead the world for imprisonment of journalists reporting factual stories of journalistic merit, practices that will always stand in the way of normal relations with societies that enjoy freedom of the press.

The merits of adversarial broadcasting from outside vary. If broadcasts are essentially adversarial, such as US government sponsored and funded broadcasting into Cuba, they can tend to be discounted as propaganda. When they emphasize instead objectively presented news and non-political magazine content, such as the Farsi language reporting of BBC World Service that is feared by authorities because of its credibility, they can be very effective in enabling a fact-based counter-story to regime propaganda.

The mentality of repressive regimes emerges clearly from the indictments presented by the public prosecutor of Tehran against Iranian citizens in show trial in 2009. Those indicted were variously accused of having colluded with Western governments, foundations, and individuals in “exposing cases of violations of human rights,” training reporters in “gathering information,” and “presenting full information on the 2009 electoral candidates.” The charges suggest that Iranian citizens are meant to believe that abusing human rights, and repressing information, including on candidates for public office, are all in the national interest.

Such as: Helping start-up independent media outlets has been an increasing activity in democratic development support and there are many examples of such support, especially in transitional situations, such as *Ukrainska Pravda*, or *Feral Tribune*, in Croatia, or *Sud* in Senegal. In Senegal in 1985 a journalist/editor sought start-up funding for a desktop-published newspaper. The US Embassy put him in contact with the Ford Foundation and within months the daily newspaper *Sud* was on its way to its current preeminent position as a daily newspaper at the center of a conglomerate, *Sud Communication*. A diplomat there at the time observes, “Through its reporting it has made government more transparent and opened new channels for political dialogue thereby bolstering Senegal’s political system.”

The Portuguese Embassy in Moscow gave seed funding to a fledgling private radio station which became the flagship of a communications “empire.” In Algeria, democratic governments contributed to such start-ups but at the same time supported the improvement and expansion of standards and coverage on the part of state press and broadcasting.

Multiple international programs exist to support the upgrade of journalistic norms. Diplomatic officers scout for candidates for individual journalist support programs particularly suited to the circumstances of the country. In Colombia, for example, the UK Embassy proposed safety training for journalists, and a training program to help them report more effectively on specific issues there, such as child abuse. In some societies with severe limitations on the press, Czech Embassies have provided non-political courses in basic film and media training – how to write an article, work with a camera, and edit.

In post-authoritarian circumstances, state broadcasters in particular benefit from outside journalistic training. In South Africa, a consortium of public broadcasters from Australia, Britain, and Canada aided the conversion of radio and television from being instruments of state propaganda into responsible news and information organs. In all these transitional circumstances, diplomatic missions have useful contributions to make by providing access to content as well as to training.

Helping to use the visits of foreign democratic leaders and their in-country press events is also useful. For example, in Algiers, the robust exchanges between visiting political leaders and their accompanying press corps had an exemplary effect on the normally passive local journalists witnessing the journalistic give-and-take of the visitors.

Access to outside news is crucial in societies deprived of communications normal elsewhere, as in Burma/Myanmar where the cost of cell phones is about \$2,000, and where the regime has proposed to increase license fees for satellite TV sets from \$5 to \$1000, in an attempt to cut off access to outside information. In such circumstances, embassy and consular information offices, libraries, and cultural centers provide precious connections to the outside world. The American Cultural Center, Rangoon, is a survivor of the sorts of information outlets the US maintained decades ago, and plays a vital role in making books, DVDs, internet connections, seminars, and English lessons available to an avidly interested population. Burma/Myanmar's totalitarian regime which has sporadically expelled foreign journalists as during the latest violent repression of demonstrations in 2007, also interrupts Internet access. Embassies are able to provide access to those who are willing to expose themselves to security scrutiny from Burmese police. In the absence of journalists, certain democratic missions – Australia, the US, the UK and others – were able to report publicly to international news outlets what they were able to witness, and these reports were then played back to the Burmese especially via exile news organizations, often in frontier areas, where the state was not able to block incoming transmissions entirely. When all foreign news correspondents were expelled from Burma/Myanmar in 2007-2008, UK Ambassador Mark Canning objectively described to outside journalists the “fearful and angry” mood of the population, and provided analysis of the regime's probable intentions. His words found their way back to the Burmese public.

Diplomatic representatives of Community of Democracies members are in a position to represent to local authorities the position that a freer flow of information is inevitable. A counterintuitive example of outside intervention of this kind occurred when senior Gorbachev adviser Alexander Yakovlev informed communist authorities in Prague in 1989 that their practice of jamming the broadcasts of Voice of America was contrary to obligations undertaken under the Helsinki Convention to which both the USSR and the CSSR had formally subscribed.

Working with the Government

ADVISING; in transitional situations, working with local authorities and civil society in support of their capacity for effective and transparent democratic governance is a core vocation of most diplomatic missions and diplomats from Community of Democracies member states. Clearly, it is easier for democracies to work as partners with governments in transition. But engaging with authoritarian regimes on joint interests can build confidence that permits advice and representation on governance and human rights issues a better hearing.

Nota bene: Wide-spread transitional assistance programs for democracy development and consolidation are often coordinated by diplomatic Missions which also have a role in scouting for opportunities, making contacts, and identifying programs which are not working, as well as helping to ensure that assistance takes account of local conditions, capacities, and needs. Diplomats in the field can also advise how to support groups in civil society most capable of encouraging bottom-up and “middle-out” change essential to the process of democratic transformation.

Such as: Considerable experience has now been accumulated concerning advice to governments managing democratic transitions, especially in Europe post-1989, and in Africa. Initially, emphases were on economic governance, but increasing attention has been paid to reforms aimed at improving machinery of governance and oversight, and deepening democratic accountability, as well as advising on how to encode human rights, legislative and electoral practices, and the role of civil society. Diplomatic representatives have even been able to advise on areas believed to be culturally sensitive by situating the advice carefully, such as the work of many diplomats in counseling on the expansion of the rights of women.

The body of best practices over the years comprises a substantial record of different techniques. Often, regional programs to improve democratic governance have a special resonance as they draw more directly from experience of nearby countries which recently passed by roughly similar phases of democratic development. Diplomatic representatives who were part of that experience have a special credibility and role to play.

Some advice is transferable from direct analogous experience, such as Chile's counsel to South African authorities on the establishment of a Truth and Reconciliation Commission, a technique central to closure to the trauma of conflict that has been used in adapted forms elsewhere, such as Rwanda. As Gillian Slovo, South African writer and human rights activist has noted, there will be some more interested in truth than in reconciliation, but the two correspond to each other to varying degrees.

There is also a long record of ineffective or counter-productive practice, often from over-reliance on outside consultants with little experience with working conditions in the country. The founder of a Russian bank recalls asking outside financial consultants sent by an international financial institution to leave his premises, on the grounds their advice was hewn entirely from optimum conditions available in Western financial centers, but not in Moscow. He agreed to invite them back only if they first observed how local employees needed to relate to local conditions and capacities, and then tried themselves to function in the local circumstances before attempting to work together to upgrade the operation. It is up to donor missions to make the point that there may be an over-reliance on expensive outside consultants with little familiarity with local culture and practice, and to propose experts with more relevant expertise.

A 2009 article in *Foreign Affairs* by Patrice McMahon and Jon Western cites a Bosnian NGO officer: "Bosnians have come to understand the bargain well. Westerners came with money and ideas, wanting to do good. In the end, we waste their money and they waste our time."

As repeated several times in the *Handbook*, strategic partnerships with some authoritarian regimes are essential to international peace and security, and to national interests of the democracy concerned. As the US administration elected in 2008 points out, engagement can enhance the prospects for communicating key points about governance and transparency, and for legitimizing the space occupied by civil society. The key to credibility is consistency.

DIALOGUING; diplomats on the ground take part in, and supplement, regularly scheduled government-to-government human rights and democracy discussion. The aim is to ensure that democracy development and respect for human rights are maintained in balance near the center of the relationship, and that it is accepted by host authorities that cooperation programs are conditional on positive trends of governance. Such regular discussion can also aim to legitimize democracy development support work undertaken by missions in collaboration with local civil society. The promotion of dialogue processes to promote common ground in divided societies is a strong emphasis of such international organizations as International IDEA (Institute for Democracy and Electoral Assistance) which has undertaken several participatory dialogue exercises in support of positive change in such countries as Guatemala, Mauritania, and Nepal.

Nota bene: It is important that such government to government discussions be regular. They need to cover the "end-state" aims in democracy development and not be confined to specific and sporadic human rights violations or outrages. In order to avoid the "fig leaf" effect of going through the motions for the sake of appearances, discussants should ideally not be limited to host country diplomatic authorities but also include authoritative representatives of "power ministries," as well as having the in-country support of security agencies of both sides.

Such as: many Community of Democracies members undertake human rights dialogues with partners under bilateral agreements, such as the “structural dialogues” of the EU, or the EU’s monitoring obligations under the “essential human rights clause” of the Cotonou Agreement between the EU and African, Caribbean, and Pacific area partners.

Several partners of China maintain human rights dialogues with Chinese authorities. The EU and the UK have urged China to ratify the International Covenant on Civil and Political Rights and have discussed how China might meet the requirements of Articles 6 (death penalty), 9 (arbitrary arrest and punishment), and 14 (right to a fair trial). There is interest among NGOs in seeing China also being held to fulfill Article 19 on freedom of information.

While any dialogue is better than none, the dialogues should always aim for some results on the broader picture of democratic governance; the risk is that reluctant regimes will only go through the motions and maintain the status quo in practical terms, and even pretend the dialogue confers a seal of approval. Or self-confident countries feeling the pressure may simply refuse to hold human rights dialogues, as was the case of Iran with the EU.

It is normal that degrees of disunity of purpose may emerge within the governments of transforming countries, between hard-line authoritarians and more outward-looking officials. The hard-line advocates who resist change are reinforced and emboldened if there is discernible a parallel competition of purpose on the part of representatives of democratic countries who are protecting special interests.

Human rights dialogues are without practical effect if the intelligence and security agencies of a repressive regime are absent from discussion of human rights, or worse, can claim the authority of ongoing privileged relationships with the security agencies of the sending democracy. Such a human rights and justice dialogue undertaken by the US Ambassador in Guatemala in 1994 was undermined by a parallel relationship of privilege and confidence between intelligence agencies. In general, the principle of “do no harm” has to be overriding in bilateral relationships across the board. Dictators rely for decisive support on their security services. Getting these to the point where they will not open fire on peaceful demonstrations for human rights is often the key moment in a transition. Military attaches and intelligence officers within embassies can be central assets in the diplomacy of democracy.

Dialogues on human rights and democratic governance reinforce subsequent bilateral demarches by diplomatic representatives on specific cases, as discussed below. They can also serve as the place to establish the legitimacy both of diplomatic contacts with civil society, and indirectly to validate certain activities of civil society, without implying that the civil society groups are acting on anything other than their own domestic behalf.

Ultimately, of course, repressive regimes prefer to present decisions to moderate behavior as being taken in their own interest and not as a result of outside pressure, though outside benefits resulting from positive change can be useful to cite publicly as supportive validation of the regime’s decision. Dialoguing democracies should always publicly defer to that preference, while privately keeping up the pressure.

Civic dialogue is also an increasingly used technique for promoting common ground solutions in divided societies or situations with challenging problems, where debate can often lead to divisive position-taking. For example, in 2004 IDEA (The Institute for Democracy and Electoral Assistance, an intergovernmental organization based in Stockholm) commissioned wide-ranging and broadly inclusive citizens’ surveys in Nepal to determine citizens’ conceptions of good governance, democracy, and human security at a time of constitutional stress. Results were presented by key stakeholders in civil society at “People’s Forums”. The delegation of the European Commission in Nepal took responsibility for hosting the presentation of

the polls and surveys to the international community. The findings ultimately found their way into the constitutional processes, which benefited from the participation of experts with comparative experiences of constitutional processes in India, Cambodia, Afghanistan, Thailand, South Africa and Kenya.

DEMARCHING: using official channels to identify emerging or actual problems involving local authorities, to protest human rights violations, and to seek removal of restrictions and obstacles to reformers and NGOs, remains a classic tool of diplomats and Missions, best exercised as part of the above sustained dialogue on the status of human rights.

Nota bene: The technique of privileged diplomatic contact has also been very important in conveying messages to the host country about future conduct or further developments. Usually, such demarches are private if public stands are judged apt to harden the authorities' positions, or otherwise be counter-productive. High-profile quarrels between an embassy and the host government should not be allowed to undermine the efforts of local democratic reformers which always merit pride of place.

Such as: Diplomats reminding host governments of international obligations had positive effect in many circumstances, most notably with regard to the joint undertakings under the Helsinki Final Act of the CSCE, in Prague and other capitals in the late 1980s. Privately emphasizing to host authorities that they risk offending international public opinion at considerable national cost can also be effective, as was the case when religious authorities sentenced women to corporal or capital punishment in Nigeria and Saudi Arabia. Sometimes, of course, such advice is both ignored and resented, as happened in Zimbabwe in the early 1990s when democratic embassies pointed out deep misgivings over the withdrawal of legal redress for farmers whose property was summarily nationalized, which was a precursor of the deterioration to come in relations between the Zimbabwe government and accredited diplomats.

As a peak form of intervention, direct warnings by accredited ambassadors not to proceed with certain courses of repressive action are vital, such as the US Ambassador's cautioning of Chilean authorities in the late 1980s, or warnings in 2004 to Ukrainian authorities that they would be held accountable for use of force, and to desist from jamming mobile phone networks. Marc S. Ellenbogen who writes "The Atlantic Eye" from Prague, recalls Boris Pankin, "the last Soviet Ambassador to Prague, who was the highest-ranking Soviet diplomat to stand against the *putsch* against Gorbachev in the late 90s, who stood down Czech troops who were preparing to put down the Velvet Revolution in 1989. He not only stood down the troops, he stood down the Czechoslovak (Communist) Government as well."

During presidential elections in Kenya in 2008, democratic missions communicated similar warnings about inciting ethnic violence, when there was evidence of organized text messaging transmitting denigrating and dehumanizing threats about people considered tribal and partisan rivals. The Kenyan telecommunications authorities and mobile phone companies then launched their own campaign of text messaging urging instead national peaceful reconciliation. Today, demarches are being made to the Kenyan government to proceed with Kenyan prosecution of those who committed violent crimes against other ethnic groups in the period, or to accept transfer of prosecution to the International Criminal Court in The Hague.

There are multiple examples of diplomatic demarches on the conduct of trials, arbitrary imprisonment, and the treatment of prisoners. International and domestic public opinion often argue for making the fact of such demarches public, but the record shows that with a variety of countries, especially China, diplomats have counseled keeping some initial demarches as private as possible, and have been rewarded on several occasions by positive results. In Cuba too, some democratic ministers visiting Cuba have made public announcements for domestic political purposes of demands to release prisoners of conscience. The public approach has not been productive with Cuban authorities. However, private negotiations prior to

some high-level visits, as outlined in the Cuba case study have had concrete results.

Reaching Out

CONNECTING is related to “informing,” but more in the sense of putting people – academic institutions, researchers, activists, experts, etc. – in contact with each other. Civil society provides democracy’s building blocks. Increasingly, civil society within a country is finding support from international civil society. Much of the content of international relations is now carried through informal transnational networks of working contacts. Bringing local reform groups and individuals into contact with outsiders is at the heart of people-to-people diplomacy, through such activity as visits, conferences, exchanges, and safe public access to the Internet or satellite communications from Mission libraries. Embassies also enable civil society to access international assistance programs. Connecting senior levels of government and members of the democratic opposition and society to contacts in the sending state are important tools. In more closed societies, the message from civil society outside that non-violent change is possible builds confidence and hope among civil society groups inside and even among authorities more inclined to reform.

Nota bene: Civil society is formed by a whole network of groups that are by definition beyond the direct control of the state. Such groups, which take time to develop, are often mobilized around specific purposes, such as women’s and youth issues, human rights, ecological protection, HIV/AIDS, culture, science, professional norms, or even sports. Often, their purpose is non-political, such as the movements in Cuba to create a network of lending libraries, to which embassies contribute books, or the efforts by Catholic diocesan authorities to provide child care for single mothers and social centers for the elderly. Such interest and action groups value contacts with NGOs and others able to help them on questions of material progress. Taken together, they form the continuity of social capital which can form the foundation for democratic development. The experience of citizens’ participation in seeking to advance issues of specific concern can promote a jump from narrow functional objectives to wider ones, especially as their experience and demonstrable achievements earn such groups legitimacy and influence.

Such as: There are eloquent histories of groups of democratic activists and others inside who have connected to supportive groups outside, but none more effective than the connections arranged for the ANC in South Africa and then, for the United Democratic Front after its formation in 1983. Diplomatic representatives in South Africa maintained constant liaison with activists. Their ability to connect activists to supportive groups outside contributed to the preparation of personnel for the eventual responsibilities of government office. Diplomats also assisted with initial informal connections between the ANC and South African authorities or interest groups close to the authorities such as the Broederbund.

Embassies have traditionally been more easily connected to the elites in a society. But experience in many different situations shows that the impulses for political transformation and reform will not succeed if propelled only downward in a society by elites. Support for change is needed across society, from grassroots groups and, increasingly, from the growing numbers of citizens who are fluent with modern communications and are able to compare their situations with others outside. As one ambassador familiar with the incremental changes in governance occurring in several countries in the Middle East put it, “It is not top-down, nor bottom-up, but led in the main by a sort of middle-out.” However, experience has also shown that care must be taken not to ignore those marginalized economically and socially, including victims of destabilizing forces of crime and extremism, and specifically indigenous peoples.

Connecting to democratic opposition activists and leaders is important, so as to help provide skills that enable them to pursue their democratization goals, but that also help prepare a new generation of democratic leaders to assume office in a democratic transformation. Most participating states of the

Community of Democracies are conscious of the need to be consistent in coverage, and note that civil society activity in several authoritarian states in the Middle East is undertaken by the Muslim Brotherhood and its affiliates, with which diplomatic representatives maintain contact. In Algiers, in the 1990s, it became the practice for democratic embassies to make sure visiting dignitaries called on opposition leaders, which both connected these leaders to important outside contacts, and enhanced their legitimacy at home. This policy is pretty much *de rigueur* today in authoritarian regimes such as Cuba, as the case study illustrates. Community of Democracies members will undertake sought-after political level visits and engage cooperative programs, but will insist on meeting civil society and democratic opposition figures. Embassies in Ukraine 2003-4 developed travel programs to capitals for opposition leaders for similar reasons. It is also useful to connect to democratic opposition leaders in exile, sometimes through diplomats and programs in third countries. Such programs have been instrumental in preparation from the South African experience to that of Burma/Myanmar today.

In repressive societies, diplomats can use modern communications technologies to circumvent travel restrictions against local human rights defenders or other activists seeking outside connections. In this fashion, Cuban human rights advocate Oswaldo Payá (animator of the Varela Project, a citizens' petition aimed at promoting greater freedoms) was able to communicate by video to an EU NGO forum on freedom of expression after he was denied an exit visa. EU diplomats facilitated his connections by phone to EU ministers, journalists, and NGOs as well.

CONVENING: providing a safe and discreet locale for discussion, including among adversaries, has enabled contacts and exchanges aimed at political conciliation and the resolution of conflicts. Diplomats can also offer a venue for democratic activists to meet safely among themselves, helping them promote a legitimate status.

Nota bene: as mentioned above, diplomats posted to third countries can also play a convening role vis-à-vis locally resident political exiles, as well as supporting visiting oppositionists from inside the country, or organizing confidential third country contacts between adversaries.

Such as: The first mediated and authoritative contacts between the ANC and South African authorities took place outside the country, and were sometimes arranged based on diplomatic liaison with the ANC offices in Lusaka. But embassy locales inside South Africa were often where South Africans of influence, such as the judiciary, first met ANC members informally.

Diplomatic officers can provide neutral ground for roundtable discussion on sensitive topics which would not be allowed in public, or for participants to speak off-the-record. US and Canadian officers frequently hosted such events in South Africa. It is essential, of course, that embassies not be seen as playing political favorites among the various participants. Political choice must be left in the hands of the citizens concerned.

Publicly visible receptions to honor civil society, cultural groups, and political dissidents which were frequent at democratic embassies in Prague and Budapest in the 1980s, help elevate the influence of protest and reform movements. Receptions also can have the merit of putting democracy activists and authorities together, although practice varies. Some embassies, such as the Czech Republic's Embassy in Havana insist on such mingling. Others hold separate national day-type receptions for civil society and authorities. The local authorities attend or not, depending on the company.

In transitional countries, embassies can also play a convening role in helping to bring disparate parties and leaders together prior to democratic elections, as the US Embassy did in Liberia and Ghana, that facilitates their ability to work with one another after elections in a politically pluralist landscape,

countering a post-election tendency in several countries for majority winners to feel entitled to “take all” and penalize losing opponents especially if they represent ethnic minorities.

FACILITATING; *using the good offices of Missions and diplomats to convene parties on ostensibly neutral ground in order to facilitate positive cooperation among democrats, reconciliation of different ethnic or other groups in pluralist societies, or to encourage democrats and local authorities to seek to advance democratic outcomes. Diplomats can legitimately help peace activists with transmission of messages to others, and to the outside. Missions can also play a role in facilitating third-country peaceful abdication or exit strategies for discredited authoritarian figures.*

Such as: At times of crisis, diplomats, especially from neighboring countries, can play an important role in encouraging the mediation of disputes, including in the aftermath of contested elections. However, as was the case initially in Kenya after the integrity of January 2008 election results was challenged, governments protecting their monopoly of power can shy away from mediation efforts. In Kenya’s case, international mediation was ultimately effective, especially through the efforts of fellow African, ex-UN Secretary General Kofi Annan. On the other hand, Robert Mugabe has consistently frustrated diplomatic attempts by South Africa and Nigeria to facilitate reconciliation in Zimbabwe.

Opposition movements often begin as rival factions, or splinter into them. Diplomats in South Africa, Chile, and Serbia helped opposition movements in these countries overcome their factional disarray and build united alliances for democratic reform.

Many of the divisive forces in societies devolve from ancient ethnic or tribal differences which can re-surface even in working democracies with sudden violence, as we have seen in Kenya. Some democracies have pursued a special vocation in public and private diplomacy by attempting to mentor the reconciliation of ethnic division in such locales as the Western Balkans, Northern Ireland, the Middle East, Sri Lanka (especially Norway), Afghanistan, and Iraq by bringing to bear some of their experience with pluralistic societies. Settlement immigration countries such as Canada and Australia have gained specific expertise which they offer regarding public and mediation diplomacy on migration issues in the Middle East and elsewhere. But when ethnic or irredentist issues break down into violence, as in Kenya, it is essential that the democratic international community attempt to intervene. Such efforts in Kenya were accompanied by diplomatic warnings that those responsible for inciting ethnic violence would pay a price by being barred in future from travel to the democratic countries concerned.

In societies where outside contacts are restricted, diplomats can pass messages and legitimately facilitate communications between democratic activists and outside supporters, or contact between ordinary citizens and family members and civil society elsewhere, using embassy communications channels and Internet access.

Another technique of facilitation is “end-game” strategy offering “safe exits” to resolve acute crises. Such an exit for President Marcos of the Philippines, and later for Mobutu Sese Seko of Zaire, and President Fujimori of Peru defused potential threats of violent resistance to democratic transition. The endgame to the crisis in Kyrgyzstan in 2010 depended on an exile arrangement that was brokered by the US, Russia, Kazakhstan, and with the help of Belarus.

A reverse example would be the strong leadership role of the Japanese diplomats and government in brokering a solution enabling Cambodian political leaders in exile to return to Phnom Penh to contest the first democratic multi-party elections in 1998 without fear of reprisal. Indeed, several diplomats personally visited one such leader in exile in Bangkok, Prince Ranariddh to provide the assurances.

FINANCING; *arms’ length resources to a range of local groups, individuals, and projects can be*

especially valuable to start-up NGOs, independent media, or anti-poverty action groups. Often small projects avoid the sorts of government controls and bureaucratization associated with large-scale aid activity. But embassies have the critical role of “spotting” for more substantial financing for larger projects which can be worthwhile.

Nota bene: This is a notoriously sensitive area. Protests by authorities of “outside financing” are common and lead in many cases to curbs and restrictions. Precious financial assistance will be marred if it can be made to appear motivated by ulterior political considerations.

Such as: There are examples of fast-disbursing grassroots local initiative funds of diplomatic missions wherever there has been a democratic transition. Mission funds should avoid competition with the programs of international NGOs, which have longer-term development of civil society as a central purpose. Embassy-operated donations often go toward very specific and modest cash flow requirements of youth movements, start-up independent media operations, the organization of public events, or serve a humanitarian need in emergencies. Czech, Slovak, Danish, Norwegian, and Swedish funding today operates in such a manner in repressive societies. In countries in difficult democratic transition, such as the Congo, the funds can be rapidly directed to pockets of need, best carried out in consultation with other donors to avoid duplication and oversight. In the 1980s, Canadian Embassy funds in South Africa could be deployed immediately to victims of apartheid to cover legal or other court costs. In all cases, even though such funds are often modest, for shoe-string beneficiaries they have the merits of fast-disbursement and being unencumbered by paperwork obligations in emergency situations.

There is a record of allegations by repressive governments that such disbursements engage embassies and diplomats improperly in internal matters of state. Authorities in apartheid South Africa and Pinochet’s Chile threatened expulsions over the practice, and in Russia in 2005, local reform groups and NGOs which accepted such funds were penalized by denial of accreditation and their ability to operate. Both Cuba and Iran have prosecuted opposition groups and human rights activists on the evidence that their acceptance of foreign funds constituted treasonable activity. Embassies adjust practice to ensure that there is no liability to recipients from such small-scale funding, and in some countries refrain from financial support of opposition figures, concentrating on development NGOs. It is important that any embassy funding be demonstrably at arms’ length to specific electoral or partisan political purpose so that embassies can vigorously contest any constraining action by authorities.

SHOWCASING; *at the heart of public diplomacy, democratic development showcasing is less a matter of national self-promotion than an effort to present examples, models, or solutions suitable for local application. There is, of course, no more powerful example than the election of an African-American US President. Through their outreach, missions are in a position to highlight via seminars, training, conferences, and even cultural narratives, norms accepted elsewhere, best practices, and successful achievement which can be of instructive or motivational benefit to the public, local authorities, NGOs and reform groups. As mentioned earlier, representatives of democracies which have themselves emerged from repressive regimes have enhanced credibility as mentors for human rights defenders and democratic activists today. Most societies have had to confront the need to correct the abuse of civil liberties in their own histories, and these narratives can be presentational assets in emerging democracies facing the challenges of change and reconciliation.*

Nota bene: Sometimes “best practices” in civil behavior are evident in host countries in non-political spheres such as sports, economic and cultural activity that cross ethnic or confessional lines in otherwise divided societies. They merit support for showcasing from within the host country itself. Civic consciousness is especially important for security forces and personnel. Exposing security forces to best practices in human rights and democratic practices via international training can help to prevent harsh

reactions to non-violent protests. Discipline training in non-violent techniques is also valuable for civil society to reduce the risk of counter-productive provocation.

Such as: Democratic societies have had experience in many aspects of governance whose features can be immensely instructive to societies looking toward others' experience as they undergo transition, with the caveat that most applications are not directly transferable but need considerable adaptation to local social and cultural conditions. Some of the demonstration and assistance can be very specific and technical: Canada, for example, promotes guidance to multilingual societies on the practices of simultaneous legislative drafting to enable legal linguistic equivalencies. Especially compelling is training conducted by countries which have themselves emerged from repressive regimes, since the representatives of such newer democracies can more readily relate to the challenges and conditions of dissidents and civil society operating under the strains of repression.

But much public diplomacy is more general, in support of the merits of pluralistic accommodation, the peaceful settlement of disputes, or moderation in the pursuit of political objectives. Such showcasing efforts exposed Chilean opposition groups of the left, for example, which were somewhat doctrinaire, to the advantages of dialogue and pragmatic adaptation evident among successfully elected European social-democrats in the 1980s. Showcasing of exemplary efforts in non-sectarian hiring practices can help lead the way: the coffee growing industry today in Rwanda, for example, or in Northern Ireland where major Canadian employers hired across traditional sectarian lines, or where the professional ice hockey team composed of foreigners refused to reveal members' religious affiliations.

More general still are events presenting the cultural or other achievements of a democratic society to enhance its capacity to serve as a democratic role model. Again, the American Cultural Center in Rangoon deserves recognition as an example of how a facility provided a public with considerable acquired interest in the outside world precious exposure to international culture otherwise denied by the repressive and inward Burmese military regime.

The showcasing of ethics for military and security personnel has only been accorded importance relatively recently, but with demonstrable beneficial effect. The training of Ukraine military officers in democratic governance responsibilities in NATO partnership programs contributed to their restraint in dealing with demonstrations during the electoral crisis of the Orange Revolution. NGO-to-NGO training workshops which showcased the techniques of disciplined non-violent protest contributed to a counterpart restraint on the part of dissident and protest groups in those and other demonstrations.

The training of police, customs officials, and prosecutors to provide an understanding of civic responsibility has been a staple of many democracy support programs of Community of Democracies donor countries.

By way of contrast, during the Cold War, counter-insurgency training in inter-American programs that did not emphasize human rights indirectly contributed to subsequent massive abuses by Latin American militaries against democratic activists and others.

The issue of consistency is paramount. There is little benefit in showcasing positive narratives of civil behavior if there are contrary examples of illegal or abusive treatment of people in the custody of the showcasing state, or if the state coddles relationships with abusive partners for strategic reasons.

“Older” democracies have, of course, experienced large-scale abuses of civil rights in their own pasts, in respect of racial or religious minorities, indigenous people, women, or labor movements, and have also suspended normal civil liberties at times of exceptional stress, in war, or at times of fear. The process of democratic self-correction is endless. But transparent presentation of the lessons of such corrections can

also be a showcase feature for the benefit of emerging democracies struggling with ethnic and other tensions and inequalities, not in the manner of preaching, but in that of empathy for the challenges involved in pursuing change.

Defending Democrats

DEMONSTRATING support for human rights defenders, democratic activists, and reformers, by using the prestige and offices of the Head of Mission and other diplomats to show in public respect and even solidarity enables missions to send the message that such citizens and groups have legitimacy and importance in the eyes of outside partners. Diplomats understand that such demonstration needs to stop short of seeming to embrace particular individuals or parties with respect to democratic political outcomes. Care should always be taken to be seen supporting a democratic process and not specific results. Encouraging international humanitarian awards and recognition for human rights defenders also helps legitimize their positions in their own countries.

Nota bene: Public demonstrations or protests in authoritarian societies require courage and the willingness of citizens to entertain risks in the exercise of freedom of speech. Such courage merits the public support of democratic representatives. The public representation of sympathy by diplomats on specific issues or events can be used in tandem with private demarches to authorities. All diplomats need access to grassroots activity and opinion, and some embassies in non-democratic countries assign primary responsibility for contact with dissidents to specific embassy officers, but in presentation, it is important to demonstrate that the head of mission remains the visibly engaged chief officer for human rights, without making him or her a lightning-rod for the hostility of host country authorities.

Such as: Historically, changes in repressive regimes occur because the people support change as their democratic right, expressed in most instances, in the absence of elections, by public protests or demonstrations, though “street action” is more often less effective than the build-up over time of a civil society capacity to support democratic transition. It is standard practice for repressive regimes to ban such gatherings, but the people often find a way to circumvent peacefully the states of emergency or special laws which authorities decree and erect to protect the undemocratic status quo. In apartheid South Africa, marches to public funerals of fallen activists became a vehicle for protest, and the presence among the people of the representatives of democratic diplomatic missions sent to demonstrators and to authorities a message of support, as well as offering a shield of sorts against violent repression.

The role of diplomats in showing support for the rights to protest by appearing personally at such demonstrations or symbolic marches has been established in such locales as Budapest, Santiago, Manila, Belgrade, Kiev, Havana and Katmandu. Ambassadors such as Mark Palmer in 1980s Budapest made a point of being seen to be personally engaged with opposition and activist groups. In other locales, such as Zimbabwe, ambassadors were especially targeted by security forces and it fell more often to embassy political officers to be present to witness protests, although some ambassadors such as James McGee of the US took a pro-active personal role in going out to show support for intimidated and even abused opposition supporters. Whatever the level of representation, it has been reinforcing for democrats to see the support. Australian diplomat Roland Rich recalls that Indonesian pro-democracy demonstrators said at the time that “having foreigners alongside was like borrowing a little piece of their democracies.” But demonstration of privately-communicated support for the rights of activists can also be very effective in sending a message to authorities monitoring communications. Maintaining regular phone contact with democratic opposition leaders has been a protective recourse in many crisis situations, and especially when it is assumed that local security is listening in.

More publicly visible are diplomats’ home visits to threatened or confined democracy activists, or, as in

Havana in 2009 to the wives of prisoners of conscience, and the monitoring of political trials. Some embassies of democracies in repressive societies make it a habit to invite the families of political prisoners to embassy events with a family theme, such as parties at Christmas or other festivals. Ambassadors in such societies also accompany released political prisoners home from prison at the time of their release.

Again, such gestures, as well as receptions and other hospitality events which make a point of including both dissidents and officials, can reinforce the self-confidence of civil society in the legitimacy of their peaceful work, as well as helping to create sometimes productive initial contacts between authorities and civil society leadership.

VERIFYING and WITNESSING; the verifying of election processes and results is an important and widespread international practice in which diplomatic missions have an ongoing responsibility. The witnessing of trials and hearings by diplomats is also widespread and is now generally accepted internationally as a means of providing or supporting an independent verification of disputes, or the health of detainees. There are, of course, terrible histories of fearful and depraved repression of opponents and activists without any concession to pretense of legal authority, such as the tens of thousands of murders carried out by the Argentine military 1976-83. But today even autocratic regimes prefer to display the trappings of a legal process, however sham. In the Internet age, summary trials of dissidents and activists can rarely be completely hidden from view. "Show trials" meant to distort the truth for public consumption are similarly exposed for what they are. In taking public and private issue with the distortion of the process of justice for repressive political purposes, diplomats are representing the norms and standards of universally applicable human rights and the rule of law, and the arguments by repressive authorities that these matters are strictly internal concerns are without merit.

Nota bene: Enquiries and demarches about detainees and political prisoners need to focus on the illegitimacy of their incarceration, in addition to the conditions and circumstances of prisoners. International and diplomatic scrutiny of elections themselves is also by now widespread; but inadequate attention is paid to prior and ongoing support for the selection, formation, and training of preparatory and supervisory national election commissions able to adjudicate fairness in pre-election publicity as well as the election process itself.

Such as: Diplomatic representatives have been prominent whenever possible at prosecution trials of democratic activists, journalists, and representatives of civil society, for example in Prague, Cairo, and Tashkent. Of course, there are still repressive jurisdictions where such trials are secret and closed, including recent mass sentencing of demonstrators and monks in Burma/Myanmar. The fates of such prisoners remain an enduring *prima facie* concern of missions. The very fact of incarceration is the forefront issue; presentation of "prisoners' lists" to authorities in China and Cuba has been a mainstay of diplomatic representation for years.

The conduct of authorities toward those in custody also matters greatly. Diplomatic representatives in various jurisdictions have insisted on verifying the health of such prisoners, such as after arbitrary arrests of Zimbabwe opposition leader Morgan Tsvangirai and colleagues in the opposition MDC.

When violent prisoner abuse becomes public knowledge to the point that authorities are pressured to conduct official inquiries or even trials of security personnel, such as with respect to the killing of Canadian-Iranian photojournalist Mrs. Kazemi in Iranian hands, diplomats have sought to witness these legal proceedings as well, with admirable solidarity.

International verification of elections, especially by regional organizations, is now an almost universal practice. Some democratic groupings have been able to provide such authoritative monitoring that they

attract wide international participation, such as EU-led election monitoring in Lebanon, and the Congo, which included many non-EU observers among the team, or Commonwealth monitoring of elections in member countries.

The OSCE election observation missions (ODIHR) have become integral to the organization's *raison d'être*. Though its bestowal of "failing grades" for elections, in Kazakhstan, Uzbekistan, or Azerbaijan, deemed not to be "fair and free," is often ignored by authorities at the time, the accumulated challenge to their legitimacy is an important asset for diplomatic representatives in those countries.

The observation exercise does more than legitimize the election returns: as demonstrated in the case of South Africa, the presence of international observers provides encouragement and re-assurance to democracy advocates, and also security, by showing that the eyes of the world are watching. This helps promote restraint on the part of all parties to the process.

Embassies themselves and their personnel have for years taken an active role in the observation process, including significantly in verifying local elections, as was done in Ukraine by the Japanese Mission which in 2004 observed violations in a by-election in Mukacheve that anticipated abuses practiced in the general election shortly after.

In the 1988 presidential elections in Senegal, several democratic embassies agreed to pool their efforts. "Embassy officers who attended rallies shared their impressions with counterparts, and a coordinated election-day schedule was drawn up to avoid overlapping visits to polling stations. The candidates and party campaign leaders knew of and appreciated this careful, coordinated attention to their campaign efforts." Ultimately, "the diplomats agreed that the results reflected the will of the people: the majority of Senegalese voters wanted Abdou Diouf to remain in office. This joint position proved useful in maintaining a common diplomatic position in response to civil disturbances which broke out in poorer sections of Dakar as dissatisfied voters felt their preferred candidate should have been chosen."

Such efforts are sometimes not appreciated by the host country. In the presidential elections in Zimbabwe in 2002, the EU observation team's leader, Swedish politician Pierre Schori was declared unwelcome and the observation team pulled out on the grounds that it could not do its job. But resident EU and other democratic embassies coordinated coverage on their own of the polling booths which while less than adequate, was extremely helpful in reaching the conclusion the election had not been fair and free.

While democracies have increasingly placed governance at the core of development assistance programs and do emphasize aid for the election process, there needs to be more attention paid to the training of local election commissions whose credibility is essential to sustaining belief in the integrity of results and avoidance of post-electoral violence as has occurred only recently in Kenya.

PROTECTING: "We were very active in attending political trials, so that defendants knew that if anything would happen to them, there would be protests" (a diplomat in Prague, 1980s). Visible support for individuals and groups under threat, as well as their families, provides some reassurance for democratic activists and human rights defenders and NGOs. Ultimately, in the event of breakdown and crisis, Missions have performed an essential humanitarian function by giving refuge to asylum-seekers.

Such as: In periods of tension, diplomats can often defuse a crisis. Their presence on the scene may persuade security authorities to back off a violent confrontation with peaceful groups.

Protection can be implicit, communicated by signs of support, by telephone calls to check on the security of targeted activists, and by declarations. The authorities may seek to label such declarations as outside interference. It suits the political narratives of repressive regime to paint protests as being foreign-

inspired. But as the Burmese confrontations illustrated in 2007, or those of Iran in 2009, the people know when their protest and appeals for change are popular and authentically and wholly indigenous, and welcome supportive declarations as statements of solidarity endorsing the legitimacy of their popular cause.

Diplomats can cast a wide protective net. People arbitrarily jailed fear for their families. In Turkmenistan, the British Embassy made it a point to be in visible contact with the families of persons arrested for political reasons.

In more dire circumstances when the force of repression is without brakes, or beyond persuasion, the episodes of diplomats extending protection have been many, going back to the legendary work of Swedish diplomat Raoul Wallenberg during World War II, or Varian Fry, US Consul in Marseilles, who, without much support from superiors, saved many artists, Jews, and leftists on Nazi arrest lists. Latin American diplomats in Europe also saved thousands of lives, notably Mexican Consul in Marseilles Gilberto Bosques, Salvadoran Consul in Geneva José Arturo Castellanos and Luis Martins de Souza Dantas of Brazil. It was Australian diplomat Bruce Haig who drove South African democrat and editor Donald Woods to safety out of South Africa. It was New Zealand's Ambassador John McArthur who spirited a trade union official dressed as a woman to the Swedish Embassy and asylum.

Sadly, however, the list of embassies which did not intervene or provide refuge because it was seen to be outside the scope of classically sanctioned diplomatic conduct was for many years a much longer one. But more recent practice has increasingly been to help wherever possible, as in the episodes of humanitarian acceptance of thousands of asylum-seekers in Santiago, Chile, after September 1973, at the Embassy of Peru in Havana in 1980, the events of 1989 in Prague when embassies opened their grounds to East German refugees, the granting of safe shelter for a year to Chinese dissident Fang Lizhi by the US Embassy in Beijing in the aftermath of Tiananmen, the assistance by the embassies of Poland, Czech Republic, Hungary, and Slovakia in gaining safe exit for threatened democratic opposition members in Ukraine prior to 2004, or the acceptance by Australia of West Papua self-determination activists, 2006.

3. THE PARTNERS AND APPLICATIONS

In becoming “coherence agents” with specific skill sets, diplomats are usually more likely to be effective in their support of democratic development by a focus on practical applications than by the articulation of lofty aspirations of political theory. The partnerships which matter the most are those with a human face.

A) People-to-People, Democrat-to-Democrat

• Local Groups, Coalitions – Students, Youth, Ecologists, Trade Unions

Coalitions of groups and bodies such as the United Democratic Front in South Africa are often the foundations of an emerging democratic society. In retrospect, they even constituted a form of government-in-waiting, though often, because of the closed circumstances of their society, they have little opportunity to gain the relevant and necessary experience. Nearly every country has such local groupings of NGOs (although they are sparser in number in the Middle East). Their activities and primary interests are often not even political: groups that are trying to fill social services gaps, such as day-care or centers for the elderly are basic components of emerging civil society and merit support on humanitarian and developmental levels. Beyond their specific interests, through informal publications, performances, and public outreach, they can together also spawn a new civic sense of national identity and purpose. In the process they acquire a growing stature of legitimacy, reinforced by the efforts of democratic embassies and NGOs to engage them as partners and provide them support and, as appropriate, training. In this sense, they constitute continuity in transition and adaptation to democratic governance.

- Women's Groups

As underlined in the Introduction, the issue of women's rights is crucial to successful economic and democratic development. Countries that do not accept gender equality as a universal human right condemn themselves dually: they deny the rights of half their citizens, and they hobble their prospects in so doing.

In many societies and situations, groups formed to defend and advocate on behalf of women are often the first experience women may have of personal involvement in public and social issues. Representing home and family perspectives as well as specific workplace or professional interests, women's groups have a central role in the emergence of civil society. A special place in national consciences has been earned by the mothers and widows of those missing or killed under repressive regimes, such as the Mothers of the Disappeared in Argentina, Women in Black in Serbia, or the wives of prisoners of conscience, such as *Las Damas de Blanco* in Cuba.

- Cultural Groups

As Alain Déléroz, Vice-President of the International Crisis Group recently wrote (in homage to a murdered theater director in Tashkent), "art is one of the finest forms of resistance to dictators."

The role of cultural groups in expanding the habit of freedom of expression was essential in many experiences in democratic transformation. Diplomats have a convening capacity that can showcase artists and creators whose work can be politically catalytic. As far back as 1975, Australian diplomat Diane Johnstone invited black artist Michael Muapola to her Pretoria apartment to exhibit his paintings to her guests, which incurred the wrath of the apartheid regime, but contributed mightily to African self-respect. From Minsk to Rangoon, diplomats have hosted performances by artists banned from presenting in public.

Cultural groups and artists have catalytic roles going beyond performance or art. Writing of Prague in the late 1980s, Canadian diplomat Rob McRae spoke of his introduction to Karl Srp, "the head of the so-called Jazz Section.....of the musician's union (which) under Srp had become a hotbed of underground music and video production, as well as samizdat (clandestine) publishing." McRae subsequently observed that through culture, "a new civic society had begun to emerge outside the control of the state, with a whole network of underground publications, performances, exhibitions, videos, newspapers, artistic and literary salons.' These had started to reach beyond the opposition to the grey zone of individuals who were at least inwardly, if not openly, opposed to the regime."

- Human Rights Defenders

The work of human rights defenders in repressive societies is completely central. It is lonely and is always courageous. Their cause is immensely assisted by the solidarity shown by the representatives of democracies, and the international acknowledgement of their efforts, such as the Nobel Peace Prize bestowed on Iranian human rights defender Shirin Ebadi. Chilean human rights lawyer Ignacio Walker (later Foreign Minister) recalls that over four years under the Pinochet regime defending hundreds of unjustly accused and jailed democracy activists, he won few cases in the biased courts, but the demonstrable support he received from embassies and especially the Roman Catholic Church and the international recognition they bestowed, "saved many lives."

- Scholars, Researchers, Academic Institutes, Think Tanks, Centers of Excellence. Conferences on the challenges facing democrats in authoritarian settings are constantly taking place in democracies with the participation of dissidents and scholars in exile, and embassies often facilitate attendance from civil society from within the countries in question.

Connecting scholars to scholars and think tanks to think tanks is a multiple enrichment. For embassies, partnerships and projects undertaken with the scholarly and research community often engage the future leaders of the country, however unlikely it may seem in repressive societies at the time. They also engage a country's construction of objective collective memory, which is important in building a process of reconciliation. One of the most ambitious projects in preparation for the assumption of the responsibilities of government occurred as the result of a request made by Nelson Mandela shortly after his release from prison, to Canadian Prime Minister Brian Mulroney, to help the ANC boost its competence in economic matters. The initiative spawned the "Macro-Economic Research Group" (MERG) involving over 100 economic specialists from several developed democracies. Though the MERG report itself was eventually shelved, the exchanges and conferences involving ANC personnel constituted a very sound preparation for the responsibilities of office.

B) Institutional Partnerships and Processes

- *Independent Media* The role of independent media goes beyond the healthy practice of speaking truth to power. Media, including the rapidly growing phenomenon of blogs, have a monitoring role on governance, and catalyze public discussion. Supporting the emergence of independent media outlets has been one of the consistently successful partnership activities of embassies, often conducted in partnership with NGOs and news gatherers from Community of Democracies member countries. Through support for networks of alternative outside servers, democracies can encourage access to international information and websites for Internet users inside repressive and closed societies.

Missions also on occasion directly help local news agencies and outlets with project funding. Examples are given earlier in the *Handbook* of start-up funding for a radio station in Moscow and a desk-top newspaper in Dakar which became the hubs of successful diversified independent communications enterprises. The first principle, of course, has been to separate such assistance from any intention of influencing the news or views reported by the outlet in question.

Support can be threefold. In Algiers, over the last several years, embassies have encouraged the emergence of independent newspapers and outlets, without seeking to influence the news or editorial content of their publications. At the same time, they have encouraged the state-operated newspaper El Moudjahid in its efforts to present balanced reporting of events. Lastly, they have encouraged training for local journalists (who also benefit from the examples shown by traveling press corps accompanying visiting dignitaries of direct and candid questioning in pursuit of transparency and newsworthy information).

The transition to democracy from authoritarian regimes can be particularly challenging for public broadcasters as they transit from a propaganda role to one of objective news-gathering and reporting as well as analysis. Such democratic arm's length public broadcasters as the Australian, Canadian, and British Broadcasting Corporations have mentored transitions, such as with the South African Broadcasting Corporation (with its 15 million daily radio listeners) at the behest originally of their resident embassies, and after an initial grant by the Australian labor organization Apheda.

- *Legal Proceedings* The rule of law and the building of national justice and judicial systems are essential to democracy-building. As former Premier of China Zhao Ziyang (who spent the last sixteen years of his life under house arrest) confided in visiting Soviet leader Mikhail Gorbachev in 1989, rule of law has to replace rule by men. But as democracy scholar Thomas Carothers has written, "Law is not just the sum of courts, legislatures, police, prosecutors, and other formal institutions with some direct connection to law. Law is also a normative system that resides in the minds of the citizens of a society." It is behavioral, and takes time to evolve in this way.

Some countries, such as China, hold to the “rule by law,” but in a somewhat rigid way. They lack transparency and the appeal systems that in democratic legal cultures invest parliamentary bodies with law-making prerogatives, and the independent judiciary with an ongoing capacity for review and reversal.

In many countries, the legal and judicial communities play important roles in civil society. There are several recent examples of bar associations and even groups of judges taking public stands on issues of governance or corruption, such as in Burma/Myanmar, Lebanon, Pakistan and the Philippines. It can be rewarding therefore to develop embassy partnerships and soundings with local bar associations, law faculties, and NGOs such as the Moscow Helsinki Group in order to support their efforts to improve the functioning of the court system, capacities for legal-aid. Embassies can also help to connect such groups to international norms and to experienced partner institutions in member states of the Community of Democracies.

Corruption issues merit a separate and very important emphasis. The US National Security Strategy (2010) identifies pervasive corruption as a violation of basic human rights. Working with the UN, the OECD, and other international agencies, members of the Community of Democracies do work through their embassies to promote greater transparency in all financial transactions, including those concerning their nationals working for foreign corporations, and especially concerning all flows of development assistance.

- *Security Agencies, Policing*

It is commonplace that security is essential to the building of support for democracy and to development, and international agencies such as the Geneva Centre for Democratic Control of Armed Forces play an important developmental and counseling role.

Embassies increasingly pay attention to the opportunities to strengthen police training in transitional democracies via closer relations with local authorities. As Gary Haugen and Victor Boutros have written in *Foreign Affairs*, “the human rights community must focus on building up the political will and capacity of local law enforcement institutions to bring justice to the world’s poor.”

Even in repressive regimes, it has often been important to maintain productive contacts with security and police agencies. Indeed, elements of military and intelligence services have on occasion shown themselves to be among the more moderate components of hard-line governments. Embassies which partner with the police agencies for essential matters of cooperation against trans-national criminal activity, including anti-terrorism, have found these professional contacts could be engaged to lower the temperature at times of internal political confrontation.

- *Political Parties*

Obviously, paying attention to political parties and groupings, or democratic oppositionists, where they are able to function, is a long-standing core activity of embassies. Repressive regimes resent the cultivation of their opponents, and even some close authoritarian allies of democracies, such as Singapore and Iran in the 1970s actively discouraged such contacts, but diplomats can hardly do objective reporting in their absence, nor fail to support the right of beleaguered opposition parties to exist and travel outside the country.

Most definitions of democracy insist on the existence of a multi-party competitive and open electoral system. Embassies should not attempt to influence the electoral success of specific parties. But it is usual for embassies to connect parties or groupings of one democratic tendency or another to similar groupings in their home countries, where parties frequently have formed foundations for the purposes of such outreach. Examples include the German Stiftungen, the Swedish Olaf Palme Foundation, the US NDI or

IRI, or la Fondation Robert Schumann and la Fondation Jean-Jaures in France. Democracies also have multiparty foundation models such as the Westminster Foundation in the UK, the Netherlands' Institute for Multiparty Democracy, the National Endowment for Democracy in Washington, or the Norwegian Center for Democracy Support.

Some of the party-to-party mentoring is technical, and most is developmental without regard to specific policy choices or programs. But some political experiences of democratic parties in donor states have had a profound effect on the development of democratic options elsewhere.

- *Parliaments and Government Agencies*

Whether democracies are heavily presidential, or primarily parliamentary as far as the exercise of power is concerned, their democratic *bona fides* depend on there being competitive and fair elections to office.

The Handbook of National Legislatures by M. Steven Fish and Matthew Kroenig presents a global survey of parliaments. Direct parliament-to-parliament mentoring between democracies and emerging or transitional democracies has been a feature of democracy support for decades. Agencies such as the Netherlands Institute for Multiparty Democracy, the Westminster Foundation, or the Canadian Parliamentary Centre or various interparliamentary assemblies, have provided programs for such functions as committee organization, presiding officer responsibilities, or fiscal review. Even in circumstances where there are not obvious democratic *bona fides*, support programs for parliamentary transparency, the audit capacity, and technical issues can be shown to have an impact on developing the beginnings of democratic capacities and reflexes.

There is related capacity-building support activity for such functions as an Ombudsman's Office, Freedom of Information, Privacy, and various watchdog and regulatory offices and agencies that have been brought into being over the years in the public interest in democracies.

- *International NGOs and Organizations*

Of all local partnerships for diplomats and embassies, international NGOs are among the most valuable in the complementarity they represent to diplomatic activity and their role and purposes merit great deference. Such organizations as Human Rights Watch, the International Crisis Group, members of the World Movement for Democracy, Amnesty International, the San Egedio Foundation, and developmental NGOs of all kinds such as Oxfam, *Médecins Sans Frontières*, CARE, *Action Contre la Faim*, World Vision, and, of course, such intergovernmental organizations as UNHCR, UNICEF, the WFP, or the IOM reach segments of society in their work, and issues close to the ground, often out of reach to accredited diplomats. In several capitals, there are mixed donors' groups involving participation of embassies, NGOs, and international organizations, for the purposes of information exchange and avoidance of duplication.

C) Capacity-building

Democracies are easily distinguishable from tyrannies. But their goal is not a common identity. It is effective action to the benefit of citizens. Successful action relies on hard work over time, and on achieving a mix of the right capacities for building achievement and public confidence. The most obvious characteristic of failed and failing states is their "negative capacity," which almost always negates the chances of democracy until stability and progress are restored.

Building democratic capacity requires sound and transparent governmental institutions, functioning infrastructure, and orderly processes. Assistance and support for democratic governance is pointless without support for economic development and capacities to deliver education, health care and other essential aspects of infrastructure. But many assistance programs over the last decades, in Eastern Europe

as well as in developing countries, invested excessively in process and institutions and not enough in civil society, which must form the building blocks of democratic transformation, particularly via the emergence of action groups which for environmental, economic, or other specific interests challenge the status quo. Microfinance facilities have particular importance because of the contribution they can make to the capacity for acquiring self-reliance. Connecting such groups to international NGO partners is a major part of democracy capacity-building.

Methods are not self-evident. There is no transferable template for democratic transformation, no one size or style of economic or political model that fits all. The necessity of adaptation to local conditions and deference to local civil society rely on the existence of effective civil society partners, and consultation with them. Ultimately, the chances of success will be in their hands, and in their collective abilities to encourage a national governance culture which assumes transparency and accountability and responsiveness to the public.

These capacity-building issues represent the substance of the work of a myriad of partners, governmental, intergovernmental, and nongovernmental, in all phases of international cooperation.

There is attached to the *Handbook* an Annex indicating how Missions might identify and contact NGOs and development organizations pertinent to capacity-building activities, though the list of partners is far from complete. Diplomats in the field will know how to identify local NGOs and potential partners from their own NGO community.

The capacity-building activities and issue areas, all interrelated, include several main emphases:

- *Anti-Poverty and Humanitarian Relief*

Intergovernmental bodies such as the Council of Europe and the OAS, international agencies, NGOs, and research institutes are working constantly on applications and long-term solutions. Development economics increasingly uses “randomization” to determine the validity of courses of action in different circumstances and locales. The impact of small-scale assistance projects and micro-credit initiatives on setting the foundation for start-up economic activity has been promising; but it also benefits the building and spreading of civil society roots and capacity for autonomous self-administration and governance.

The work of such organizations as the World Food Program and the FAO, and NGOs such as *Action Contre la Faim*, on food security is very germane to democratic capacity, as is work on refugees and migration undertaken by the UNHCR, IOM, and many NGOs. Especially important is building the democracy and human rights issues into the development agenda.

“Microfinance recognizes that poor people are remarkable reservoirs of energy and knowledge. And while the lack of financial resources is a sign of poverty, today it is also understood as an untapped opportunity to create markets, bring people in from the margins and give them the tools with which to help themselves.”

- Kofi Annan

- *Elections / Electoral Machinery / Public Education*

The International Fund for Election Systems, the OSCE Office for Democratic Institutions and Human Rights (ODIHR), IDEA, the United Nations, the Commonwealth of Nations, the European Union, and others, team up to provide in many cases one-stop shopping on election preparation and administration issues. Electoral capacity is more than the technical administration of elections that are free and fair. It requires apt electoral laws, governing all aspects of the electoral and political cycles from expenditure through news presentation. Especially important are workable and accepted provisions for adjudicating disputes.

- *Governance, Institution-Building*

Member country programs, activity of the trades union and labor movements, the OECD/UNDP democratic transition program, the International Centre for Democratic Transition in Budapest, the European Union, and others assist in the preparation of institutional reforms. These can often have an emphasis on functions vital for public confidence-building and legitimacy, such as data collection (as in Liberia's 2008 census, conducted in partnership with the UNDP), residential taxation systems which are fair, and functional actuarial services. As mentioned above under Partnerships, the functions of ombudsmen, privacy oversight bodies, freedom of information adjudicators, reliable statistical agencies, auditor-generals, and a host of regulatory agencies that inform and protect the public interest are increasingly the object of government-to-government assistance programs or administered through international NGOs.

- *Environmental* Such issues as deforestation, desertification, extractive industries, and hydro dams become political causes with rapidity. The tens of thousands of environmental action groups which have been formed to mobilize opinion against action inimical to local and specific interests have been responsible for the politicization of millions. International partner NGOs have been part and parcel of the progress toward a more sustainable approach to developmental capacity-building.

- *Gender Equality* Generations of rural and urban women have been introduced to democratization through groups formed to address the situations and specific interests of women, whose capacity to contribute to development is obviously critical to success, but often underdeveloped. The practical goals of many such groups – material concerns such as the cost of living – combine with preoccupations about violence to women, a phenomenon on the increase in many countries.

- *Judiciary* International NGOs on the rule of law and judicial reform, international bar sections and associations on the role of defenders and legal aid, holding offenders accountable, combating corruption, essential for developing capacity for public confidence.

- *Health, Education, Essential Infrastructure* International NGOs, international financial institutions (e.g. the World Bank), humanitarian agencies, think tanks, research centers, and authoritative policy analysts, etc., address these fundamental capacity issues of infrastructure, including sanitation.

- *Local, Sub-Federal, Ethnic, Tribal Groups* Federal member states of the Community of Democracies, the Forum of Federations, and many other organizations and NGOs assist transforming democracies to extend democratic benefits to include more marginal members of society, and indigenous peoples who are often overlooked by elites, as well as addressing the issues of ethnic, tribal, and sectarian conflict which sadly still ravage the population in much of the world.

- *Human Security, including Conflict Prevention* Human security networks, the United Nations, international NGOs and foreign policy and security research centers, etc., address the fundamentally necessary capacities for security and public safety without which neither democracy nor development can survive.