

## Panel discussion

**Karl DONERT\***

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As an international NGO, EUROGEO is one of about 250 international, non-profit, non-governmental organisations with participative status in the Council of Europe (47 countries). The association also works with the European Parliamentary Assembly (27 countries) and has consultative status in the United Nations. The association therefore plays an important role in connecting science and research to policy development and implementation.

In this context and in my role as President of EUROGEO (European Association of Geographers), at the Council of Europe I have witnessed a number of disputes that turn on challenges to human rights and specifically the rights of citizens to secure social, political, economic and environmental objectives that are sought after by them (Agrawala et al. 2014). The role of NGOs in supporting democratic processes should not be underestimated.

The Council of Europe provides a well-developed regional-level structure with mechanisms that seek to protect human rights, democracy and the rule of law. Its statute states that its aim is to achieve greater unity between its members for the purpose of safeguarding and realising the ideals and principles, which are their common heritage and facilitating their economic and social progress. Countries may become members of the Council of Europe if they accept the principles mentioned and they collaborate sincerely and effectively in the realization of the Council's aim.

Included in its measures are non-judicial, expert bodies set up by treaties to provide monitoring and observance of the performance of states party to that given treaty. Their members are independent experts often from NGOs acting in their own capacity. They may monitor states' actions, evaluate reports prepared by them, examine situations and in some cases comment on complaints regarding states' activities. Participatory NGOs have a standing opportunity to provide input on human rights issues. According to Reitvelt (2015), these bodies can be effective against violations and they also represent a very important professional authority regarding the content of a given treaty. As a result their role is of utmost importance related to further development of law.

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\* President, EUROGEO, United Kingdom.

In the Council of Europe, civil society actively participates in discussion / debate leading to policy making on issues of democracy, human rights and the rule of law. The Parliamentary Assembly (PACE) is the organ of the Council of Europe that debates matters within its competence and presents its conclusions, in the form of recommendations, to the Committee of Ministers of Foreign Affairs of the member states. Each legislative assembly elects from among their members delegates and their deputies to PACE. The Assembly creates committees and other groups to assist in the fulfilment of its tasks. In this context, our experience suggests that trading off ‘peace versus justice’ becomes a real dilemma. This is because the violation of ‘rights’ complicates any negotiation processes that are intended to bring conflict to an end.

The core document within the Council of Europe for the system of human rights is the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). This was adopted on the 4th of November in 1950 in Rome. It took into consideration the Universal Declaration of Human Rights of 1948 and was considered to be a significant step to collectively enforce certain of the rights stated there. The main purpose of ECHR was to achieve a greater unity between the member states through agreements by using legal matters and in the maintenance and further realization of human rights and fundamental freedoms.

A central feature in the Council of Europe of many recent ‘peace’ agreements is their extensive reference to ‘human rights’, based mainly on the ratification of the international instruments, but also on the establishment of commissions on reconciliation and/or other justice mechanisms and of course in detailed principles to be respected in upholding democratic decision-making. The latter is often believed to be the ultimate step in a transition period. The adoption by the Council of Europe of the European Social Charter in 1961, signed in Turin on 18 October, was a response to the growing importance of economic and social issues in disputes. This extended the umbrella of the Council of Europe’s human rights involvement into these important areas.

At the Council of Europe, lawyers, policy makers, experts and civil society get together to try to resolve issues and make sense of the challenges, issues and disputes normally from an evidence-based scientific perspective. The role of NGOs in the process has been critical in providing expertise, influencing policy makers and transforming policy to reach strong, sound agreements. The responsibility of NGOs in the process does not stop there as they are engaged in monitoring progress and following up actions, especially in encouraging transparency.

In terms of territorial disputes, a responsible approach to peace-making is needed that will create favourable conditions that are transparent and not ambiguous. This implies that those involved have the ability to not only deal with the past but also consider future perspectives. This is a major test of the credibility and reliability of any agreements reached.

The use of such a system in disputes like those of the East Sea would offer access to an open mediation process and give hope for the near future. In this context, it could be argued that ignoring human rights in the short-term, cannot lead to peace in the long-term (Krickovic and Novikov, 2015). However, this has been contested, as according to the International Council on Human Rights Policy (2006), peace mediators sometimes

believe that the introduction of human rights can be an obstacle to successful negotiations as it can restrict their ability to bring all parties to the table. To resolve this, Beitzel (2017) suggest a clear distinction needs to be made between the role of conflict managers, who tend to concentrate on short-term solutions to events that sparked the conflict and democratisers that focus on longer-term solutions that address the root causes of the conflict, with an emphasis on the need for enduring democratic stability.

Addressing the citizen, as an individual, is fundamentally important. The concern for the protection of an individual's human rights is a vital part of a peaceful society. Human rights for individuals are associated with the rights contained in international instruments and agreements. It is significant, that with the use of digital technologies, we now have the potential to properly and more fully engage citizens, empowering them to have a say in decisions that are made and offering them open and transparent opportunities to express themselves.

Social justice for people requires a strengthening of the capacity to use human rights to prevent and manage conflict and post-conflict situations and combat entrenched poverty, discrimination, and injustice. Society requires informed citizens so that lessons for learning and responding to the needs and perspectives of citizens. While justice assigns rights and duties, it also comes with responsibilities. Powerful educational activities and understanding are vital if we intend to encourage individual and collective actions in order to support peace and justice. Education needs to provide citizens with i) the capacity to critically analyse the realities of society; ii) an awareness of their individual and collective roles and responsibilities; and iii) opportunities to empower effective mobilisation and participation as actors within society. However, education must also offer balance and criticality in an environment with increasingly open access to information and media, fake news and biased reporting.

In conclusion, based on the context of the East Sea a number of questions might be pertinent for the future. How can the power structures, developed on nationalism and competition for natural resources, be challenged? Do fundamental human rights need to be ensured for all and based on an open and transparent approach for citizens and their right to choose? Is the protection of these rights vital to peace-making in the region in the future? Or will economic interdependence and regional integration issues, as suggested by Kayembe and Zhao (2017) have the potential to solve such territorial disputes?

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