



Executive Summary: Panel 3 - Democracy Protection and Human Rights

Chair: Dr. Jennifer Welsh, PhD (McGill University)

Paper Author: Dr. Kurt Bassuener, PhD (University of St. Andrews) *and* Mr. Jeremy Kinsman (Canadian International Council)

CIC President Ben Rowswell introduced himself and the project, explaining the origins of the project and how it was inspired by shared concern about democracy and human rights. “More potential is left on the table” since the bilateral effort’s genesis with Foreign Ministers Freeland and Gabriel in 2018. The recognition that our countries’ values are challenged at home as well as abroad called for reinforcing bridges between our countries, not just our governments – this is what RODA is all about.

An opening premise for the panel is that Germany and Canada have similar ambition on supporting democracy and defending human rights. Rowswell proposed two general desired outcomes from the series: 1) develop policy proposals, and 2) develop a network of influencers.

Dr. Norbert Eschborn of the KAS affirmed the strength of bilateral ties and the project's potential, including for establishing real networks. He quoted German Ambassador to Canada Sabine Sparwasser as saying that the countries are “big on announcements, but weak on implementation.”

The German Ambassador herself added that the point is not just to agree on everything, but to translate ideas into something more concrete, such as generating proposals. In that spirit, the Prime Minister Trudeau – Chancellor Merkel bilateral at the G-7 Cornwall summit constituted a steering group of deputy ministers to oversee concrete intensification of the relationship.

In her introduction of the topic, Chair and Moderator Dr. Jennifer Welsh of McGill University noted “the elephant in the room” of the question hanging over democracy is the US, whose evident fragility makes it difficult to predict American behavior and posture very far into the future. It makes it incumbent upon other “like-minded” liberal democracies to cooperate on advancing the democratic agenda, taking account of new actors in the global theatre who must be included and engaged with.

Presenters Jeremy Kinsman and Dr. Kurt Bassuener introduced their discussion paper, “In Search of Democratic Revival.”

Kinsman pointed out that the two preceding panels in the series, on the impacts on multilateral cooperation of the two overriding global crises of global warming and the pandemic, had emphasized the inter-relationships among issues, and outcomes, on climate, health, poverty, migration, food security, debt, trade, openness, security. They all relate to governance and human rights. They affect all people but unequally.

He recalled how human rights defenders and democracy advocates felt abandoned as established democracies turned inward and became less confident in their ability to assist, because of inward stress, uncertainty over solutions, and the disruption of the Trump years.

While the US Administration proclaims it is “back,” democracies are not yet providing compelling examples to others of successful and inclusive delivery of positive outcomes for citizens, which might help reverse the deepening trends of democratic recession around the world.

Sustaining positive outcomes needs the development of civil society where citizens learn and experience agency, and the ability to compromise. Building an inclusive democracy depends at least as much on behavioral elements as it does institutional ones. To develop, civil society needs the nourishment and protection of basic human rights.

Some countries, particularly France, have seen the human rights door as the essential priority, believing that democracy promotion is too easily conflated with geopolitical competition and economic motives; their preference is to focus on human rights protections in international covenants, which are irreducible and mitigatable. In any event,

We must (1) display solidarity and consistently support human rights; (2) we must communicate with those not clearly like-minded, underscoring that human rights abusers cannot hope for full partnerships; (3) empower our own civil societies to reach out to peers, including support in “non-political” areas; (4) these issues need to be discussed in our own solidarity groups including governments and NGOs, like the Human Security Network which developed in the late 1990s and yielded the ICC and R2P; (5) we must focus on what we can do, recognizing it is our deeds that count most.

Bassuener posited that our external constituency consists of bottom-up exponents of human dignity who aim to further the cause of human and democratic rights. Our solidarity with them should be demand-driven – and expressions of support should navigate from their own risk assessment. Our domestic constituency consists of our own civil society, writ large. Citizens are the elementary particles, animated by agency for human dignity. And solidarity is the binding agent among them. Our efforts to assist should be agency-embracing and where possible agency-catalyzing.

Geopolitical competition/alignment – particularly regarding China – was a running theme through the G-7 and NATO summits, as well as evident in US President Biden’s meetings with the EU and with Russian President Putin. The danger of such an approach, even couched as “democracies vs. autocracies” is twofold: (1) that the organizing principle beyond democratic defense becomes about resisting an adversary, rather than about assisting others who wish to maintain or establish accountable governance and (2) that as a result, the actual dynamics, challenges, and opportunities “beyond the perimeter” of established democracies is obscured from view. This not only affects democracies’ credibility, but also can feed a popular conclusion that geopolitical actors are “all playing the same game” – ironically generating the cynicism in which authoritarians at all scales thrive, while demobilizing civic potential.

Given the radically different, less permissive, global environment vis-à-vis the 1990s, an audit of our democracy support efforts, navigating from first principles, is deeply needed. The presumptions of that period no longer hold. More creativity and flexibility will be required.

New modalities for engagement would best be identified and informed by a deep bench of self-driven civic actors from a variety of countries. There is a danger of presumptively ruling out support in the hardest cases, partly for fear of doing harm to those who seek change.

Assistance on health, climate, and other shared global priorities may well inter alia provide avenues for engagement, allowing some latitude for facilitating popular agency, which can have a beneficial transferal impact.

Values-based solidarity is the philosophical connective tissue in the paper – among democratic allies, among their and other civic actors in “like-minded” societies, and for those who espouse and take risks in defense of human dignity in more challenging environments. This will entail choices for democracies like Canada and Germany.

The Chair then opened the floor for interventions from the participants.

A theme oft-repeated throughout the workshop was that humility is necessary for all democracies – their credibility as exponents of their values and in defense of human rights depends upon it.

We must interrogate our own institutions and failings. “If we don’t put our own house in order – including within the EU – we won’t be credible,” observed one participant.

Liberal democracies should avoid complicity in supporting authoritarian regimes – including with “elites who are for sale” and law firms and consultancies that actively promote the interests of autocracies and kleptocrats. Mandatory transparency mechanisms and regulations could counteract this current reality. Germany has recently adopted a supply chain law, requiring companies to declare the origin of inputs and certify they not involve human rights abuses. This will be mirrored at the EU-level – which should force a reckoning in many member states.

Among democracies, there is a need for collective solidarity. The “transnationalization of authoritarianism,” including backsliding on civil liberties and accountability, has reached into democracies themselves. We must look to collective protection of dissidents, including granting asylum, and defence of academic freedom.

Situations like Canada’s frictions with Saudi Arabia, or China’s retaliatory imprisonment of Canadians and Australians merit determined solidarity.

Human rights and other liberal priorities need radiation and consistency in multilateral institutions, including the UN – despite deadlock of the UNSC and resistance from many in the UNGA. Together we must consciously collaborate to protect and advance important normative agendas and resist authoritarians’ normative agenda – China, for example, is pushing hard against the universality of human rights norms. One participant summed up the irreducible essentials of our common values to “the human dignity of the individual and democratic equality” which ought to be central in our messaging, as are economic, social, and cultural rights.

Democracies should look beyond our traditional sphere (i.e., Atlantic world), and drop allusions to “European values,” or civilizational discourses that support an apparent agenda of particularism, which is then exploited by autocrats. At the same time, we should be “unabashedly universalist”, insisted one participant, and emphasize the breadth of the pursuit of the values underpinning liberal democracies – such as human dignity, responsible government, and the broad set of rights identified above.

Many people agreed that language is critically important. In other words, part of what ‘needs to be done’ is the development of a new narrative, that is better coordinated among liberal democratic states and more deliberately shared with domestic publics. A new case needs to be made for why democracy support is vital and how it can be done. A participant emphatically called for “the West” to be banished from our lexicon; the democratic world is wider than that. Another noted that the term “allies” carries with it a military connotation that “like-minded” does not. Another noted that “like-minded” did not mean “like us.” We may need to develop typologies for regimes.

Targeted development and infrastructure support especially to potentially biddable governments can counter the Chinese state attempt to maximize "performance legitimacy" as exemplified by the Belt and Road Initiative and marketing of Covid vaccine, though their governance model has little appeal.

Regarding the proposed Summit of Democracy, some observed that the planning is ever-changing and uncertain. The US still doesn't have a clear focus on what it aims to achieve. Several ideas emerged from participants, including to make the summit primarily non-governmental, with a focus on sharing experiences and developing strategies of mutual support. Civic actors from semi-democracies and authoritarian regimes who are agitating for greater democracy and human rights protection could participate with civil society counterparts from democracies. Another observed, in agreeing that that dichotomy of democracies vs. non-democracies was not useful – no democracies provide all their citizens with empowerment and equality – that the key litmus test of governments is their willingness to be reflective of their own shortcomings and openly share this in discussion. A "big tent" approach could be more effective.

There is a striking "self-doubt" within the US, noted one participant, which means the US is not demonstrating the confident energy that normally attends presidential initiatives. At the same time, the US, but is devoting massive financial resources to the issue of democratic solidarity, beyond the absorptive capacity of its democracy support infrastructure, in what appears as a "back to the future" attempt to reanimate the approaches from the self-confident 1980s and 1990s. In light of the "false starts" we have seen from the administration, there is an opportunity for other liberal democratic states to help shape this agenda. But in order to do so, insisted another participant, Canada would have to "step up in a significant way" that shifts from the approach of backing a number of smaller initiatives.

Mutual learning was another common theme, often paired with innovation. Democracy is not static, but constantly evolving – it is not a point of arrival. Efforts to learn from new developments, successes, and failures were raised repeatedly, with some specificity. The notion of the inevitability of "democratic consolidation," one participant averred, was always theoretically weak, as demonstrated by democratic backsliding literature. A new conceptual understanding of democratic erosion, as seen in the US, and even more deeply in India, is needed to better protect democracy, along with both a conceptual and practical move to prioritize innovation within democracy support agendas.

More normative audits of democratic successes and failures – and those of democracy assistance – are required. A Swedish study was cited demonstrating that 20 years of support had a positive impact, though "there is lots of room for improvement." Further dedicated efforts to tease-out the causal and connective tissue are needed.

A participant made a detailed linkage between postwar multilateralism, social democracy, and popular investment in democratic norms. The pursuit of neoliberal economics beginning in the 1980s undercuts consensus, as has the growing power of non-majoritarian decision-making structures within key institutions. Rather than supporting the consolidation of democracy 'at home', as it did in the early post 1945-period, key features of the international order over the past few decades (particularly in the economic sphere) are now undermining it and providing ammunition for populist forces.

What constitutes a democracy? Several variations on the theme of avoiding creating camps and instead engaging those governments constituting a "middle ground" – not openly anti-democratic, but lacking solid practice (for a variety of reasons) – were made.

More than one participant noted it is unproductive not to engage with China, Russia, and Iran, while at the same time and challenging their values. Otherwise, warned one participant, we, or risk being seen to

concede the field. While “trade-offs are inherent in foreign policy”, we have to agree on clear red lines. A “big tent” approach could be more effective. Another This participant also observed that the terminology of “defense” of democracy conveyed a divisiveness and hostility that “protection” did not. Another wondered what “interoperability” in the civilian sphere would look like, observing the lack of effective coordination among democracies.

The quality of governance Government was a recurring theme. As one participant put it “we are not born free; we are born governed...Good government ought to be a fundamental human right.” It was also noted that the balance in the background paper was weighted disproportionately to civil society, which risked overlooking rather than the need to strengthen institutions (including parliaments) and to develop healthy state-society relations. “Civil society on its own”, cautioned one participant, “will not work”. institutional connections, such as parliaments. But the developmental contribution of civil society as a building block of democratic behaviour remains essential. Another agreed that democratic and human rights are not synonymous and the agendas should not be confused as it potentially shortchanges both.

Both civil society impulses and inclusive government that delivers are essential to achieving the results we want to see. Chile was cited as a recent example of bottom-up initiative leading to government action and real change, as well as open government. Corruption was recognized as corrosive of democracy and the social contract; governments are the instruments to fight it – and they may need help to do so.

How to address democratic backsliding/erosion with allies, or their committing human rights violations? The “illiberal democracies” in Hungary and Poland came up for repeated mention in the context of the EU and NATO, and Turkey regarding the latter, which entail serious credibility deficits. It was suggested that a conscious effort was needed to take stock of the erosion of liberal democracy in Eastern Europe, despite all of the tools at the disposal of the EU, and to internalize and share the lessons.

As vividly displayed in the US – and not just under Trump – democracies can have problematic mechanics – the electoral college, gerrymandering, the filibuster, etc. Canada’s own “notwithstanding clause” was raised as an example. How do democracies weigh-in with fellow democracies regarding evident issues in their systems with an approach of mutual learning and solidarity in improving democracy? The University of British Columbia-Harvard Participedia platform, a crowdsourced resource including information and assessments of democratic innovations, can provide a resource to researchers, civic actors worldwide, and governments.

Democratic governments have a responsibility to engage with counterparts on democratic deficits. Deficiencies in a country’s domestic policy have wider impact beyond its borders. Countries acknowledging gaps between actions and words make good partners.

Several participants noted Canada’s deficits in democracy development support: insufficient resourcing, inconsistent inconstant commitment, and fragmentation across government and within Global Affairs. Canada fails to capitalize and invest in what it does well. “Canada needs to recognize its gems,” as one participant put it. Radio Canada International’s being discontinued was juxtaposed with DW’s support to democracy and human rights activists. The partnership with Germany might prompt Ottawa to up its game.

A participant observed that neither Germany nor Canada carries the baggage of the US with regard to other countries, and therefore might have greater latitude to operate on behalf of supporting democracy development. Concretely, this could be pursued by each country choosing a country in which it has a greater interest or leverage, then developing a joint strategy that could possibly include other like-minded democracies and integrated across government.

At the same, a participant who had not spoken later stressed in writing, Germany and Canada need to “pay more attention to the quality” of their own democracies. In developing their agendas at home and abroad, both countries need to evaluate democratic processes with an eye to policy outcomes. Particular importance also needs to be paid to stronger inclusion mechanisms, as inclusive democracy is clearly a marker of strong democracy today. Finally, this participant stressed that at this pivotal time in history, when democracy is being challenged, leadership that is driven by outcomes, and not by image, is essential. The obsession with image has been one of the pathologies of advanced democracies that has also diffused globally.

Chair Jennifer Welsh wrapped up with main takeaways, building on one participant’s effort to segment Canadian and German efforts at three different levels:

1. At the more micro level, she had heard that several specific initiatives that Canada and Germany can be undertaken jointly. This includes: a) broadening Germany’s recent law on supply chains; b) identifying new ways to coordinate advanced democracies in their efforts to counter transnational threats to democracy (perhaps starting with collaboration on protecting diaspora of authoritarian government); c) initiating a collaborative ‘pilot’ by choosing two specific countries are of particular interest to Canada and Germany respectively but in which we can have a particular synergy in impact, and discussing how to coordinate diplomatic, economic and development assistance tools; and d) convening a joint session with policy branches and select researchers to examine studies on the effectiveness of democracy and to establish new categories that accommodate the phenomenon of backsliding. The emerging deputy ministers’ network could provide a ready infrastructure for collective action on these specific action steps. In addition, both countries could proactively seek to shape US thinking on the forthcoming Summit of Democracies, and stress the need for a forum for mutual learning below the level of heads of state.
2. At a more meso-level, participants had stressed the need for Canada and Germany to step back and re-evaluate their foreign policy narratives and to consciously craft and disseminate a new ‘case’ for the urgency of democracy support and language around its modalities. In addition, specific strategies for the realization of democracy support are required. On the Canadian side, this could extend to the mandate of a new Centre on good governance and democracy, but also more investment specifically for democracy support. As part of this strategic development, the two countries should focus on elaborating the three elements of the agenda stressed in the workshop: protection, support and innovation (identifying priority action steps within each) and then build and resource a consolidated agenda, concentrating on elements of the agenda in which their countries have distinct advantages. Inequality is particularly corrosive. There needs to be greater attention to the interaction of institutions and civil society. Political economy needs more thought devoted to equity and fairness.
3. At a more macro-level, deeper reflection and analysis on the structural factors that have undermined democracy is essential. First, Canada and Germany could examine the political economy of democratic recession, and identify specific proposals for addressing inequality that can form part of a broader ‘build back better’ agenda. As part of such an effort, the two countries could jointly commission and convene, research on the relative success of democracy assistance, as well as the political economy and multilateral and social democratic underpinnings of internal and external democratic legitimacy and solidarity. Such dedicated, clear-eyed research and public exchange could inform the deployment of resources beyond the two countries. Second, Canada and Germany could seek to reinvigorate the collective action that is so essential at an international level to support democracy, by identifying particular normative agendas in which

they will invest diplomatic and political capital and help to build broader coalitions. This effort could begin through a lesson-learned exercise on failures of collective action (e.g., Hungary) and long-range planning of diplomatic efforts given the evolving composition of different inter-governmental bodies.

4. Finally, Germany and Canada could collaborate on their engagement with the US on democracy support, but also seek to identify key democratic partners globally (i.e., beyond the West) that could be key discussion partners in a new and more coordinated democracy support agenda.

Summary prepared by Dr Jennifer Welsh