

The UN Human Rights System and Harm Reduction Advocacy

A training package for
civil society organisations



**HARM REDUCTION
INTERNATIONAL**

About Harm Reduction International

Harm Reduction International is one of the leading international non-governmental organisations promoting policies and practices that reduce the harms from all psychoactive substances. We work to reduce drug related harms by promoting evidence based public health policy and practices and human rights based approaches to drug policy through an integrated programme of research, analysis, advocacy and collaboration with civil society partners.

A key principle of our approach is to support the engagement of people and communities affected by drugs and alcohol around the world in policy-making processes, including the voices and perspectives of people who use illicit drugs.

Our vision is a world in which individuals and communities benefit from drug laws, policies and practices that promote health, dignity and human rights.

The UN Human Rights System and Harm Reduction Advocacy: A Training Package for Civil Society Organisations

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i. Introduction

Why is this training important?

Human rights abuses in the name of national and international drug control are well known. There are various mechanisms to bring these violations to the attention of human rights monitors and experts. These mechanisms can help with national and international advocacy on particular issues. This is an avenue of advocacy that has not been utilised very often in the context of drug policies.

Unfortunately, these human rights mechanisms, and the very concept of human rights are not always very well known to civil society groups. They can also seem complicated and remote. This training is intended to be a point of departure for how to use human rights in a programme of work. It provides an opportunity to see how human rights may apply to a particular organisation's work and how it could fit into a group's advocacy.

Aims of the training

This training is therefore aimed at providing civil society groups with a basic introduction to the core concepts of human rights, the UN human rights system and some of the skills needed to engage with the various mechanisms within it.

The training will not, however, provide exhaustive training or detailed human rights education. No-one will leave a human rights lawyer! Nor will it go into detail on specific mechanisms. Rather, it will provide an introduction to human rights concepts, human rights law and the UN human rights system, as well as using human rights law and mechanisms in harm reduction advocacy.

Format of the training

The training is a mix of discussion, group work, exercises and presentations, and is divided into two modules.

Module I is an introduction to human rights. Its aims are:

- » To introduce the basic concepts of human rights
- » To understand accountability and participation as core elements of human rights
- » To introduce international human rights law

Module II is about using the UN human rights system. Its aims are:

- » To provide participants with a more detailed knowledge of the various types of UN human rights mechanisms
- » To discuss why NGOs might engage with such mechanisms, what they would want to get from the process, and what they might expect from it
- » To identify human rights issues from real life examples
- » To connect rights issues to specific human rights mechanisms
- » To understand the main information required for human rights mechanisms
- » To articulate problems, their causes and consequences, and apply a rights analysis to them

Who should deliver the training?

A person with a good understanding of human rights and the UN human rights system should deliver this training, assisted by one or two other people if the group size demands it. There are a lot of gaps to be filled in terms of prompting discussions and assisting with exercises which require this knowledge and experience.

Notes for facilitators and detailed descriptions of the various exercises and discussions are provided in the training outline below.

What if a qualified trainer is not available?

A qualified trainer should always be sought for training of this sort. However, this is not always possible. If an organisation wishes to begin using human rights in its advocacy, then this training can provide a useful framework for that discussion, in particular Module II. We have therefore included essential and preparatory reading to allow those who are not as well versed in human rights to facilitate the session.

It should be noted, however, that some of the presentations cannot be delivered without a good understanding of the subject matter in advance.

ii. Materials

Some of these materials are essential for specific exercises. Others, such as the laptop and projector, are very useful but may not be available. If not, the facilitator can work around this, for example, by printing off Powerpoint slides instead of projecting them and by using written case examples rather than films. The facilitator may also have other materials in mind or that have proven useful in the past. This list is not exhaustive! Materials needed for each exercise are listed in the training outline below

1. Print-outs for each participant of “*A Brief Guide to the UN Human Rights System*” (These should be emailed in advance to all participants if possible)
2. Pen and paper for each participant
3. Marker pens
4. Flip chart and paper
5. Post it notes
6. Bluetack (or something to hang sheets on the wall)
7. Laptop, Projector and Projector Screen
(Alternatively a light coloured wall!)
8. Internet access
9. UDHR cards (Provided in English at <http://www.ihra.net/human-rights-training>. These should be printed out in advance, enough so that each group of 3-4 people has a set)
10. Copy of UDHR in the relevant language
(available at <http://www.ohchr.org/EN/UDHR/Pages/SearchByLang.aspx>)
11. Film clips for the film-based exercises (These are available at <http://www.ihra.net/human-rights-training>)
12. ‘Identity cards’ for the ‘power walk’ exercise.
These should be printed out in advance.
The statements for this exercise are listed in section 1.3.3(a) of the training outline
13. Print outs of the abbreviations of the relevant UN human rights treaties for exercise 1.4.2. (Available in English at <http://www.ihra.net/human-rights-training>)
14. Powerpoint slides for presentations and discussions.
These are referred to where applicable below and available at <http://www.ihra.net/human-rights-training>

iii. Preparatory Reading

*Essential reading for facilitators who may not be familiar with the UN human rights system is marked with an asterisk**

Some trainers may be well versed in human rights but not with harm reduction or drug policy. Essential reading for background and context is marked with a cross†

Human Rights Basics

***The Universal Declaration on Human Rights.**

Available in over 350 languages at <http://www.ohchr.org/EN/UDHR/Pages/SearchByLang.aspx>

***Core international human rights treaties.**

Available in the six UN languages at <http://www2.ohchr.org/english/law/index.htm>

***What Are Human Rights?** A very brief overview from the UN Office of the High commissioner for Human rights <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>

***History of human rights, drafting the UDHR, and the influence of the UDHR.** A useful historical analysis <http://www.universalrights.net/main/history.htm>

***The International Bill of Human Rights** This is a short (10 page) guide to the Universal Declaration, the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights. It includes a background, explanation of some key articles, and some comments on the influence of these documents. Available at <http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx> in Arabic English and French

Human Rights: A Handbook for Parliamentarians, Office of the High Commissioner for Human Rights, 2005. This handbook for government representatives includes discussions on the dynamic between rights holders and duty-holders; rights as inalienable, indivisible and interdependent as well as the principle of non-discrimination. These concepts are repeated in many of the above documents but a thorough understanding of them is necessary. <http://www.ohchr.org/Documents/Publications/training13en.pdf> . An edited version highlighting key points

is available at <http://www.ihra.net/human-rights-training>

The UN Human Rights System

†*A Brief Guide to the UN human rights system

(also preparatory reading for participants and as such should be read by experienced trainers also. Included in English at <http://www.ihra.net/human-rights-training>)

†*Human Rights Documentation and Advocacy: A Guide for Organizations of People Who Use Drugs

OSI, 2009. This guidebook is very much connected to the training programme and covers: Starting human rights documentation; Guidelines for documenting human rights violations committed against people who use drugs; Guidelines for conducting interviews; Monitoring legal systems. It is therefore particularly useful for Module II of the training. The guide also has a useful introduction to human rights concepts and a history of human rights. It does not have to be read in full but facilitators should familiarise themselves with it. Available at http://www.soros.org/initiatives/health/focus/ihrd/articles_publications/publications/hrdoc_20090218 in English and Russian

Working with the UN human rights programme: a handbook for civil society, 2008. This book is long but it is a good reference guide providing greater detail on the UN human rights system than provided in the 'Brief Guide' referred to above. It is therefore a very useful companion. Available at <http://www.ohchr.org/EN/PublicationsResources/Pages/HumanRightsBasics.aspx> in Arabic, English, French, Russian and Spanish

The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies Again, this is quite long but does not have to be read in full. It provides more details about the human rights treaties and human rights treaty monitoring bodies at the UN. Available at <http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx> in Chinese, English, Russian and Spanish

Human Rights, Drug Policy and Harm Reduction

†***At What Cost? HIV and Human Rights Consequences of the Global War on Drugs**, OSI, 2009. The entire book need not be read, but the essays do provide very useful context for discussion during the training. Available in English at http://www.soros.org/initiatives/health/focus/ihrd/articles_publications/publications/atwhatcost_20090302

†**Drug Policy and Human Rights, Human Rights Watch**. <http://www.hrw.org/en/node/82339> This site covers many human rights violations that occur under modern drug control strategies.

†**Briefings on Human Rights and Drug Policy**, International Harm Reduction Association, Open Society Institute, The Canadian HIV/AIDS Legal Network and Human Rights Watch, 2010 <http://www.ihra.net/contents/804>

†**What is Harm Reduction?** International Harm Reduction Association <http://www.ihra.net/what-is-harm-reduction>

†**Harm Reduction and Human Rights: the global response to drug related HIV epidemics**, International Harm Reduction Association 2008 <http://www.ihra.net/contents/251>

Realizing the Right to Health, free online book of essays from eminent human rights scholars and practitioners http://www.swisshumanrightsbook.com/SHRB/shrb_03.html. See in particular, “**The human right to health: conceptual foundations**” by Eibe Reidel http://www.swisshumanrightsbook.com/SHRB/shrb_03_files/01_453_Riedel.pdf

Committee on Economic Social and Cultural Rights, General Comment No. 14, the right to health.

General Comments set out in detail the requirements of specific aspects of human rights treaties. This General Comment on the right to health from the CESCR is well worth reading with drug use and drug control in mind! Available at <http://www2.ohchr.org/english/bodies/cescr/comments.htm> in Arabic, Chinese, English, French, Russian and Spanish

Training Outline

Module 1: Introduction to Human Rights



Overall Aim

- » To introduce the basic concepts of human rights
- » To introduce international human rights law



Total Time

4 - 4.5 hours including the welcome and introduction, but excluding breaks and energisers¹ . (i.e. one day)

¹ '100 ways to energise groups' by the International HIV/AIDS Alliance is available at <http://www.ihra.net/human-rights-training>

1.1 Welcome



Aim

- » To discuss health and safety, fire exits, toilets, food and drink etc.
- » To introduce the group to each other
- » To understand expectations of the training
- » To introduce the agenda and objectives and tie these in with participants' expectations
- » To set ground rules
- » To set the tone for discussions of rights and responsibilities



Time

40 minutes



Method

Plenary discussion, group work

1. **Introductions:** Facilitator introduces him/herself and goes around the group asking individuals to introduce themselves and their background, why they are attending the training and how they hope to use the new skills and knowledge
Time: 10 minutes
2. **Expectations and fears:** Participants are asked to write one expectation and one fear on separate post-it notes. They then are asked to come to the front and place their expectation and fear on labelled flip-charts, explaining their thinking. These will be returned to at the end of the training
Time: 10 minutes
3. Trainer introduces the agenda and objectives and goes over practicalities such as toilets, fire exits etc
Time: 5 minutes
4. **Rights and responsibilities exercise** – Split the group into smaller groups of 3-5. Ask them to write up what they feel they are entitled to from other participants and from the trainer(s)

(e.g. silence when speaking, mobile phones off, confidentiality). Ask each group to then assign responsibilities to each entitlement. (e.g. Including people in discussions requires turning off mobile phones, allowing others to speak without being shouted down) These “rights” and “responsibilities” should be written on flip-charts and placed on the walls
Time: 10 minutes



Materials

Flip charts, pens, post-it notes, laptop, projector, Powerpoint slide with outline of the training²

² This should be prepared by the facilitator in advance. A standard outline has not been provided as each facilitator should create their own sessions. Remember regular breaks and energisers!

1.2 Introduction to Human Rights

1.2.1 What human rights do we have (and how are they relevant to me?!)



Aim

To begin discussions about participants' thinking on what human rights we all have and to begin to connect these to the group's own experiences.



Time

40 minutes



Method

Group work, plenary discussion

1. In this simple introductory exercise, participants are first asked to shout out what rights we have – there are no wrong answers
2. The facilitator writes these up on flip charts as they are called out – separating them into civil and political (C&P) rights on one side, and economic, social and cultural (ES&C) rights on the other (without saying this is being done)
3. The facilitator then asks “Can anyone see the difference between the list of rights on the left and the list on the right?” This leads to a short discussion about these ‘groups’ or ‘generations’ of rights (*Later, we will see that the distinction is often arbitrary – see indivisibility below*)
4. Participants are asked to go through their translation of the Universal Declaration of Human Rights (UDHR) and/or their UDHR cards and see which rights they identified are covered in this core document. (*The aim is to demystify and connect to their existing work and knowledge*). Are there any rights in the UDHR that particularly speak to them and their work? The

facilitator should ask participants to read out those articles. Discuss in plenary. This will draw out some of the issues to be focused on later in this module and module II

5. The facilitator should ask for some of the issues people face in their work and the rights they feel are connected to them. These too should be written up for display



Materials

Flip chart, pens, UDHR cards, UDHR translations

Note: This exercise sets the context for the training and should be referred back to throughout.

1.3 Core Principles of Human Rights



Aim

To better understand the core principles of human rights and how these apply to rights and duties

The facilitator should introduce this section by explaining that we have already discussed what human rights we think we have and connected these to existing recognised rights in the UDHR. This section is about understanding what the main *characteristics* of those rights are.

All discussions should refer where relevant to the introductory exercise. Refer to the flip charts on the wall if possible.

1.3.1 What are human rights?



Aim

To introduce the definition and core characteristics of human rights



Time

15 minutes



Method

Plenary discussion

1. The facilitator should ask participants to shout out words/concepts they associate with human rights, prompting if necessary. In other words – what are the characteristics of human rights?
2. The facilitator should write up the concepts as they are called out
3. He/she should then connect the participants' suggestions to the more commonly referred to concepts noting where these have already been identified and using gaps as guidance to prompt further contributions

4. Powerpoint slides showing the definition of human rights and another on the core principles of human rights may be used



Materials

Laptop, projector, Powerpoint slides # 1 & 2

1.3.2 Universality



Aim

To introduce the concept of universality



Time

10 minutes



Method

Plenary discussion

Referring to the flip charts from exercise 1.2.1 the facilitator should prompt discussion by asking:

- » Are these rights universal?
- » Are they the same for everyone?
- » Is anyone excluded?
- » If so why?

These questions may have arisen in the discussions related to the exercise above but should be focused on for a few minutes to talk about the issue of universality.

1.3.3 Discrimination and empowerment

1.3.3(a) 'Power walk' exercise



Aim

To understand discrimination, multiple forms of discrimination, the effects of not having a voice and the importance of empowerment in human rights (It's also a more active exercise and helps wake people up!)



Time

40 minutes



Method

Game

1. Explain the following to participants:

'You are living in a low or middle income country with restrictive and punitive drug laws and policies. Harm reduction services are minimal, and broader healthcare and education systems are poor. You have the following identity which must be kept secret'

2. The facilitator should read out all of the identity cards, then shuffle them well. One card is handed to each participant.
 - » 12 year old girl living on the street, involved in sex work
 - » 15 year old boy who injects heroin
 - » Single mother with a son who is drug dependent
 - » 15 year old girl with parents who are both dependent on alcohol
 - » 10 year old boy in school with both parents employed
 - » 19 year old girl who injects and whose partner is also injecting
 - » An ex-prisoner who is HIV positive
 - » A current prisoner who injects heroin
 - » 22 year old man with a well paid job who uses cocaine occasionally
 - » 30 year old man with mental health problems living in a shelter
 - » 12 year old boy who is physically and sexually abused by his uncle who is his guardian
 - » HIV positive woman who knows her status and is not working

- » Single mother in prison for a drug offence
- » Head teacher
- » Community social worker
- » Community religious leader
- » Harm reduction worker
- » Police officer
- » Local councillor/politician
- » Prosecutor

3. Ask participants to form a line. Then ask them to take one step forward for each of the below statements with which they agree.
 - » I have adequate food and water
 - » I have a regular income or means of supporting myself.
 - » I can negotiate condom use with my partner
 - » I am not in danger of being sexually harassed or abused.
 - » I am not afraid of negative public attitudes
 - » I do not expect to go to prison
 - » I can easily access reproductive health information and services
 - » I have time and resources for recreational activities.
 - » I have access to all the HIV and AIDS information, treatment and services I need
 - » I can pay for treatment at a private hospital if necessary
 - » I have access to and can read newspapers regularly
 - » I have access to the radio and time to listen
 - » I regularly vote in local and national elections
 - » I went to secondary school or I expect to go to secondary school
 - » I will always be consulted on issues that affect me
 - » I can influence decisions made at local government level
 - » I get to meet visiting government officials
 - » I sometimes attend workshops and seminars
 - » I can question spending of community funds
 - » I am aware of my rights

4. Ask participants to guess who the characters are at the front
5. Ask those who have moved to the front to say who they are (their roles). Did they look back to see what was happening to those who did not move forward? Why are they at the front?
6. Ask the group to guess who remained at the back
7. Ask those at the back to identify their roles and say how they feel about being left behind and how they feel about those who moved to the front. Why are they at the back?



Materials

'Identity cards', list of statements

1.3.3(b) Discrimination and state obligations



Aim

To explain the positive and negative obligations of the state relating to non-discrimination.



Time

5-10 minutes



Method

Presentation, plenary discussion

1. The presentation should cover both the negative and positive obligations relating to non-discrimination:

Negative: The state must not discriminate against specific individuals or groups

Positive: The state must take steps to identify vulnerable individuals or groups in need of extra attention to ensure their rights are guaranteed.

2. The facilitator should ask what these negative and positive obligations might mean for people who use drugs and harm reduction



Materials

Materials: Laptop, projector, Powerpoint slide # 3

1.3.4 Indivisibility and interdependence



Aim

To introduce the concepts of the indivisibility and interdependence of rights.

Part I



Time

15 minutes



Method

Group work

1. Participants are asked to form into groups of 2 or 3
2. The facilitator should then explain that although UDHR rights are numbered this does not necessarily mean any hierarchy or order of importance
3. Participants are then asked to arrange in order the top ten most important rights in the UDHR using their UDHR cards

NOTE: There are no right or wrong answers to this exercise. It is essentially a trick question, and supposed to be extremely difficult and problematic. The point is developed and explained in part II of the exercise



Materials

Flip charts, pens, UDHR cards, UDHR translations

Part II



Time

20 minutes



Method

Group work, plenary discussion

The previous part of the exercise will likely have posed some problems for participants. This exercise is about showing why those problems have arisen and explains the interconnectedness of rights (This connects back to the opening exercise and the difference between ES&C rights and C & P rights – it shows that they cannot be separated)

1. The facilitator asks each group to call out their top ten, emphasising again that this is an exercise and that there are no wrong answers. He/she should write these up on a flipchart
2. Differences and similarities should be highlighted
3. The facilitator should then ask about the difficulties people faced in prioritising rights - was it difficult to place on right above another? Were any rights seen as inseparable?
4. To illustrate the point, the facilitator should take one of the top ten lists and use a flip chart to write the rights in a circle
5. Participants are then asked to shout out connections (prompted by the facilitator)
6. As connections are drawn the facilitator should use a different coloured pen to connect the rights. The result will be a web of connections, not a list of rights



Materials

Flip charts, pens, UDHR cards, UDHR translation

1.3.5 Inalienability



Aim

To discuss the concept of inalienability of rights and to consider whether rights can ever be forfeit.



Time

10 minutes



Method

Plenary discussion

This short discussion is intended to highlight the point that people do not forfeit their rights because of drug use. This applies also to people in contact with the criminal justice system and people convicted of crimes.

A central concept of human rights is the fact that you cannot surrender them. This is a natural corollary of these rights being inherent, and not 'given' by the state

1. The facilitator should ask: Do you agree with the principle that you cannot surrender your rights? Under what conditions *could* you surrender your rights?
2. Participants should be asked if in their country/ city/region there is the perception that drug users "have no rights" or "gave their rights away". They should be asked how they feel about this and if they have had to argue against this in their work

1.3.6 When can rights be restricted?



Aim

Although rights cannot be forfeit, they may be lawfully restricted in narrow circumstances. This exercise is intended to introduce the idea that most human rights are not absolute and that restrictions are permissible and sometimes even necessary – but that restrictions are to be strictly and narrowly applied



Time

25 minutes



Method

Group work, presentation

1. Ask participants to form again into their smaller groups
2. To introduce this exercise, the Facilitator should pose the following questions:
 - » Are there limits on rights? Are there occasions when rights could or should be suspended? Who would decide this?
3. Referring to the flip charts from exercise 1.2.1 or their top ten lists, ask the groups::
 - » To separate those rights that can never be restricted from those that can sometimes be restricted. They should try to think of examples connected to their own work. Groups should write these on a new flip chart sheet
4. The groups should then consider:
 - » For those rights that can be restricted – when is this possible? (e.g. Restricting someone's freedom of expression to prevent incitement to hatred?)
 - » After 5 minutes, the facilitator asks each group to present a few of their thoughts

5. In plenary the participants should discuss (10 minutes):

- » What were most controversial discussions in the groups?
- » For those rights that can be restricted – who decides, and what safeguards could be put in place to make sure this was not done too easily?
- » Participants should discuss how might this apply to their work, to drug use, to harm reduction etc

6. The facilitator then gives a short presentation of 5 minutes on the criteria set out in human rights law in order for restrictions to be legitimate, and sets out some of those rights that can never be restricted – e.g. freedom from torture, freedom of conscience etc.



Materials

Flip charts, pens, Powerpoint slide # 4 laptop, projector

1.3.7 Accountability and Participation

Accountability is one of the most important principles in human rights, and is central to the present discussion of the UN human rights system and human rights mechanisms.

Participation, too, is a core element of human rights without which rights cannot be claimed and duties are less likely to be fulfilled.

1.3.7(a) Is this a human rights violation?



Aim

This exercise introduces the discussion around the state as the primary duty bearer and its corresponding obligations in the context of human rights. It is intended to show that there are different levels of obligation including acts and omissions, and also that not all problems are human rights violations. (This will be developed and explained further in Module II)

The exercise is also intended to get participants on their feet for a while.



Time

20 minutes



Method

Game

1. All participants are asked to stand in the middle of the room
2. The facilitator should explain that he/she will read out a statement. After each one he/she will ask, "Is this a human rights violation?" The statements vary from very obvious abuses, to some that are not so clear to others that are clearly not abuses
3. If participants believe that it is a violation, they should go to one designated end/side of the room. If they believe that it is not, they should go to the other end/side of the room
4. After each statement, the facilitator should ask those

on each side why they made their decision and use this as a prompt to begin to discuss state actions and omissions, and how this relates to human rights obligations

Sample statements:

- » A suspect is detained without trial
- » A woman convicted of a drug offence loses custody of her children
- » A convicted felon cannot vote
- » A drug dependent person suffers withdrawal symptoms in custody
- » An injecting drug user contracts HIV via a contaminated needle
- » A person suffers a fatal overdose
- » A person in hospice is not given pain medicine
- » A person in detention is made to stand in an uncomfortable position for a long period of time
- » A person cannot access credible information on safe injecting practices
- » Age restrictions are placed on alcohol consumption
- » Manufacture, sale and possession of certain drugs is illegal
- » A mother stops her child from drinking alcohol
- » A drug user is prevented from forming a drug users' organisation

1.3.7(b) Rights bearers and duty bearers



Aim

To clarify the underlying concept that all rights carry corresponding duties to ensure they are guaranteed. (This will have come up in discussions but should be reiterated)



Time

5 minutes



Method

Presentation

The main points to convey in the presentation (which should be no more than 5 minutes) are:

1. Human rights are not granted by the government. Everyone has human rights by virtue of their inherent human dignity. Human rights law (which we focus on in Module II) recognises these rights and makes them legally binding
2. If someone has a right, then there must be a corresponding duty on those in power to ensure that right is guaranteed. In human rights law, this duty is most often the Government's
3. The relationship is as follows: The rights bearer claims their rights against the duty bearer who has a responsibility to respond to that claim
4. This relationship is part of the reason why **participation** and **accountability** are core human rights principles. A person cannot claim their rights without meaningful participation, and without accountability, how can we ensure that those in charge fulfil their duties?
5. Human rights law helps to set out what the rights and duties at the centre of this relationship entail and provides mechanisms for attempting to hold governments to account



Materials

Laptop, projector, Powerpoint slide # 5

1. The facilitator should ask prompt questions connected to the rights identified in the opening exercise of the module:
 - » For every right, is there a corresponding duty?
 - » Why is this necessary?
 - » Who has responsibility for implementing these rights?
 - » How? (ie what are the obligations and what is the State supposed to do to meet them?)
2. How can individuals and civil society hold states accountable?
3. The facilitator should ask participants to shout out some of the mechanisms that may be utilised for holding states to account for their human rights obligations, highlighting the fact that human rights are not just principles, but legally binding obligations: e.g. courts, parliaments (local and national), media, national human rights commissions, etc.
4. What is the role of civil society and affected groups in raising issues and engaging these various mechanisms?

This should lead into international mechanisms as one avenue for raising human rights issues and holding states to account – and the importance of civil society in engaging these mechanisms.

1.3.7(c) Accountability mechanisms



Aim

This discussion leads on from the presentation and exercise above and from the opening exercise of the Module. It is intended to begin discussion of ways to hold states accountable for human rights obligations.



Time

15 minutes



Method

Plenary discussion

1.4 International Human Rights Law

1.4.1 Introduction to international human rights law



Aim

- » To explain the development of international human rights law
- » To introduce the international human rights system



Time

10 minutes



Method

Presentation

1. This short presentation should introduce the history of the development of human rights, human rights law and the UN human rights system (*As always, participants should be asked what they know about this and experiences they have before presenting*)
2. It should also provide a very basic overview of international human rights law, focusing on the core treaties (there will be more detail in Module II)

Note: This presentation requires knowledge on the part of the facilitator of the UN human Rights system. These notes and the slides provided are not sufficient alone



Materials

Laptop, projector, Powerpoint slides # 6-12

1.4.2 The relevance of international treaties



Aim

To connect the core human rights treaties to the issues facing the participants



Time

20 minutes



Method

Group work, plenary discussion

This is a very simple exercise intended to link the issues facing the participants to the legally binding treaties ratified by their government.

It requires some preparation by the facilitator:

- » *Hershe should research which international human rights treaties have been ratified by the participants' government (If it is an international group than any three treaties can be used)*
 - » *Abridged versions of the core treaties are available at <http://www.ihra.net/human-rights-training> but these may require translation if it is a non-English speaking group – the abridged versions are not long*
1. Participants are asked to split into three groups. Each group is given an abridged version of one of the core human rights treaties ratified by their Government, and an abridged version of the UDHR
 2. In the opening exercise, a number of issues facing participants in their work were discussed. These should now be returned to. Each group should choose one main issue they face in their work and find as many articles as they can within the UDHR and their treaty that they think apply to that issue
 3. There should be no wrong answers and more does not necessarily mean better! It is ok if only one or two articles are identified
 4. In plenary, groups are asked to present some of their thoughts and explain their reasoning behind the rights they have selected



Materials

Flip charts, pens, abridged versions of the treaties (available at <http://www.ihra.net/human-rights-training> in English)

Module 2: Using the UN Human Rights System



Overall Aim

- » To provide participants with a more detailed knowledge of the various types of UN human rights mechanisms
- » To discuss why NGOs might engage with such mechanisms, what they would want to get from the process, and what they might expect from it
- » To identify human rights issues from real life examples
- » To connect rights issues to specific human rights mechanisms
- » To understand the main information required for human rights mechanisms
- » To articulate problems, their causes and consequences, and apply a rights analysis to them



Total Time

4-5 hours approx. excluding breaks and energisers i.e. one day

2.1 Recap Day 1



Time

5-10 minutes



Method

The facilitator should go back over the learning and discussions from day 1

The expectations that were noted on day 1 should also be looked at again to see which ones have been met and what remains outstanding

Participants should be given the opportunity to ask questions about day 1

2.2 UN human rights system

2.2.1 Introduction to the UN Human Rights System



Aim

- » To recap on international human rights law
- » To provide participants with:
 - » A basic understanding of international human rights mechanisms
 - » The ways NGOs can engage with them
 - » Some of the reasons NGOs might engage with them



Time

30 minutes



Method

Presentation and plenary discussion

1. The facilitator introduces the *Brief Guide to the UN Human Rights System* handout (which participants should read in advance of the training session)
2. A presentation is given recapping human rights law from day 1, and providing an introduction to the main UN human rights mechanisms. Slides are available at <http://www.ihra.net/human-rights-training> for guidance if required. The key issues to convey in the presentation should be:
 - » The various human rights mechanisms in the UN system. Normally this is divided into “Charter based” and “treaty based” systems, but it is easier for people who are new to it to explain in terms of the type of mechanism (rather than its legal basis)
 - » Political/intergovernmental
 - » Programmatic
 - » Treaty monitoring
 - » Independent expert
 - » How NGOs can engage with these human rights mechanisms
3. The facilitator should ask if any of the group has experience with any of these mechanisms. He/she should then ask the group to shout out some of the ways they think they might communicate with the mechanisms that have been discussed:
 - » Treaty bodies (Periodic reporting and complaints mechanisms)
 - » Special Procedures (Complaints and missions)
 - » The Human Rights Council (Universal Periodic Review/NGO statements during session)
 - » The Office of the High Commissioner for Human Rights
4. The facilitator should use the discussion to explain the various ways in which NGOs may engage with and influence these mechanisms
5. He/she should also describe what to expect from the various mechanisms and what they are capable of (managing expectations)

Note: This presentation requires knowledge on the part of the facilitator of the UN human rights system. These notes and the supporting slides are not sufficient alone.

Materials

laptop, projector, Powerpoint slides
13-19, 'Brief Introduction to the UN human Rights System'

2.2.2 Why use the UN human rights system?

Aim

To begin discussion about what NGOs might want to get out of this work, and some of the activities around engaging with the human rights system

Time

30 minutes

Method

Plenary discussion

1. Participants should be invited to shout out *why* they might engage with an international human rights mechanism (e.g. to raise attention to an issue, to invite international scrutiny etc)
2. Based on the preceding presentation and discussion we now know what these mechanisms are capable of and their limitations, so what would participants hope to get from such engagement?
3. This leads to an important discussion – how should civil society *use* these processes? The facilitator should lead a general plenary discussion, introducing it as follows:

“OK, we have an idea of the basics of human rights. And now we also know that there are a range of international mechanisms out there to use in our advocacy. But why would we use them? What do we want to get out of them? I want you

to imagine that I am a UN human rights Special Rapporteur and you plan to write to me to raise your concerns - what else might you do besides write to me?”

The facilitator should use the discussion to show that there are a lot of activities that can go on around the use of the mechanism itself and that these are as important – in other words, these mechanisms are better the more you advocate *around* the process, e.g.

- » Building new alliances with other interested groups
 - » Press work (examples of press coverage of human rights mechanisms are available at <http://www.ihra.net/human-rights-training>)
 - » Engaging relevant government departments
4. The ideas should be written up on a flip chart and placed on the wall
 5. Examples of the use of UN mechanisms in practice and in the media are available at <http://www.ihra.net/human-rights-training> and should be briefly presented by the facilitator. These include examples of complaints mechanisms, country visits, press work and periodic reporting

2.2.3 Identifying human rights violations

Aim

- » To identify human rights violations from real life situations.
- » To understand what is and what is not a human rights violation.

This follows on from the work in Module I where examples were given and participants had to consider whether a violation was involved or not. Here, participants are not given the example, and must consider the situation(s) presented and connect to the learning so far.

The facilitator, however, should prompt with questions and assist groups.



Time

30 minutes



Method

Film/Group Work/Discussion

A film clip is shown to the group. Two films have been selected and are available at <http://www.ihra.net/human-rights-training>. If facilities are not available to show a film, short case studies based on the clips may be used and should be prepared by the facilitator in advance.

1. The group is then asked to split into smaller groups of 3 or 4 and to discuss the clip for 5 minutes
2. Plenary discussion:
 - » Which issues were raised?
 - » Which rights were involved? (*Participants may refer to their UDHR cards and translation of the UDHR, also to what they have learned about other human rights treaties*)
 - » Were any human rights violations involved?
 - » How did the violations manifest themselves?
3. To assist the facilitator in leading the discussion, sample prompt questions on each film are available at <http://www.ihra.net/human-rights-training>

Film Clips:

Glue in a can/'Glue made me a ghost'

This 6 minute film is about a day in the life of young street children sniffing glue Cambodia, Khmer/English subtitles (It is easy to translate as it has little dialogue. It deals with many issues with which participants will be familiar: addiction, homelessness, police abuse, vulnerability, lack of healthcare, stigmatisation etc)

Front AIDS

(This is an excerpt from a longer documentary. The Facilitator should stop the clip at 2:30)

Again, this film does not have a lot of dialogue, and it is short, so easy to translate. It recounts a protest by AIDS activists in Kaliningrad, Russia, that was broken up by police. It raises important issues related to the participants work such as harm reduction, denial of treatment, freedom of expression, police abuse, the need for political change etc.



Materials

Laptop, projector, internet, UDHR cards

2.2.4 Which mechanisms?



Aim

To connect issues and objectives to suitable human rights mechanisms



Time

15 minutes



Method

Plenary discussion

1. The facilitator should remind the groups of some of the various mechanisms and mandates identified in the presentation earlier.
2. Participants should shout out which mechanisms could be approach to address the rights issues raised by the film clips/case studies.
 - » What is their thinking behind this? (Is it an urgent issue or one that is more about broader policy? Is it about a specific treaty they have identified? Etc)
 - » What would they need to check in real life? (e.g. whether the state had ratified a convention, whether the state was up for review at a treaty body etc)
 - » The facilitator should re-emphasise: What would they be looking for from the relevant mechanism? And how would they use it? Participants should be invited to think about this now in the context of the issues raised in the films
3. The facilitator should remind the group of some of the limitations – e.g. that in order for Treaty Bodies to be used the state must have ratified the relevant treaty! Also, for periodic reporting, their country must be up for review. Special procedures may be approached

without this, as may the Human Rights Council and the Office of the High Commissioner

2.2.5 What do human rights mechanisms need to know?



Aim

This exercise is to help participants understand what human rights mechanisms might need to know in order to take up an issue of concern to the group. It is not aimed at a specific mechanism but rather at four important aspects of any such communication.

Note: It should be explained that this is not a test, but an introduction to the exercises that follow.



Time

15 minutes



Method

Role play

1. In this role play, the facilitator takes on the role of one of the human rights mechanisms identified from the exercise above.
2. One of the groups is invited to explain the issue from the film, requesting assistance
3. The facilitator, as the human rights mechanism should ask questions of the group that identify the need to:
 - » Articulate the problem, its causes and consequences clearly
 - » Make a clear connection to specific human rights obligations of the state
 - » Ensure those rights are connected to the mandate (or treaty) of the relevant mechanism
 - » Explain clearly what the state's obligations are to address the problem

4. The facilitator should write up these central requirements on a flip chart



Materials

Pens, Flip chart

2.3 Communicating with UN human rights mechanisms: Articulating the problem, applying a rights analysis

Note: This training cannot provide detailed guidance on all of the human rights mechanisms but the following exercises are helpful no matter which one is chosen and can help with discussions around incorporating human rights into advocacy strategies.

Once the decision is made to engage and the relevant mechanism is chosen, it is up to the group to look into the details and format for submitting a complaint/shadow report etc. Further information is available in the *Brief Guide to the UN Human Rights System*, including links to websites and other resources.

2.3.1 'Problem Tree'



Aim

This exercise is intended to help articulate a problem, its causes and effects, to clarify advocacy objectives around specific issues, and to apply a rights based analysis to them.

It is a relatively simple exercise but has many steps so it requires a lot of assistance and guidance from the facilitator throughout.



Time

45 minutes - 1 hour



Method

Group work and group presentations,
plenary discussion

1. The facilitator should explain the 'problem tree'. It is a diagram that helps to clarify, visually, advocacy objectives. The 'roots' of the tree represent the causes of the problem. The 'branches' represent the effects. (An example is provided in Powerpoint slide # 20)
2. Participants are asked to form into groups (around 3-5 people per group). Each group should identify a focal problem they address in their work. This should be brief and clear. **Note:** A problem is not the absence of a solution, but an existing negative state e.g.
High rates of HIV among injecting drug users
High levels of police abuse against drug users
3. Each group should choose a different problem and write this in the *centre* of a flip chart sheet
4. Each group should then brainstorm as many **causes** of that problem as they can, writing each one on a separate post-it note and sticking them to the flip chart sheet *below* the problem
5. Each group should then brainstorm as many **effects** of that problem as they can, writing each one on a separate post-it note and sticking them to the flip chart sheet *above* the problem.
Note: Through the participants' work, they are likely directly involved in addressing the effects through service delivery etc.
6. Participants should now arrange their post-it notes on the flip chart sheet, ranking the causes and effects into those that are more direct, and those that are more indirect (A good way to talk through this is to ask "Why?" e.g. There is a lack of access to clean needles and syringes. Why? Clean needles and syringes are not available. Why? There is no funding. Why? There is no government support...and so on).
The result should be that the most direct causes are directly beneath the problem with more indirect ones coming further below. The most direct effects should come directly above the problem with more indirect effects coming further above
7. What are the connections between the causes? And between the effects? Participants should draw lines of connection, or cause and effect, where they see them,

or rearrange the post-its to show these relationships. The result will be a chart that sets out a problem, its direct causes and effects, the more indirect causes and effects, and the various connections between them

8. Once this is done, the facilitator should ask one person from each group to say a few words about their 'problem tree' and talk about their thinking behind it
9. The participants should now use their UDHR cards and translation to connect various rights to the problem and to the causes and effects they have identified. Do the consequences raise new human rights issues that at first appear unrelated to the problem? (What does this say about the issue of interdependence discussed on day 1?)
10. In plenary each group should present their rights analysis
11. The problem trees should be placed on the wall



Materials

Pens and flip chart paper, post-it notes, UDHR cards and translation, laptop, projector, Powerpoint slide # 20

2.3.2 'Solution Tree'



Aim

This exercise follows on directly from the 'Problem Tree' exercise. In this exercise, the problem tree is transformed into a tree of future solutions to address the focal problem. An example is provided in Powerpoint slide # 21)

This helps to connect human rights law to practical advocacy objectives/ solutions to problems



Time

30-45 minutes



Method

Group work

1. Participants are asked to remain in their groups. On a new flip chart sheet they should create a 'Solution Tree'
2. The problem should be reformulated as an issue to be addressed or an aim (e.g. "High levels of police abuse against drug users" may be re-stated as "Reducing police abuses against drug users")
3. With new post-it notes, each cause and effect should be reformulated into objectives. If a statement makes no sense after being reworded, a replacement objective can be written, or it can be left unchanged. In doing this, the causes should start to transform into 'means', while the effects should start to change into 'ends'
4. Participants should try to draw lines to show 'means and ends' relationships to replace the cause and effect relationships in the problem tree exercise. In other words, does one objective lead to progress towards another?
5. Participants should now re-apply the rights analysis from the problem tree

In doing so, the groups are beginning to suggest advocacy objectives and the immediate responses needed, as well as indicators of success, and they are connecting these to specific human rights obligations.

Each 'solution tree' should be placed on the wall for a 'gallery walk', allowing participants read some of the solutions at their leisure



Materials

As with 'Problem tree' and Powerpoint slide # 21

2.3.3 State obligations – respect, protect, fulfil



Aim

To connect the solutions the participants have identified to state obligations to 'respect, protect, and fulfil' human rights.

This is an extension of the human rights analysis and a useful way to understand the nature of state obligations. It assists in articulating recommendations to human rights mechanisms.



Time

15 minutes



Method

1. The facilitator should ask the groups to shout out some of the things the government must do to address the **effects** of the problem. (Throughout, the facilitator should ask and prompt about which rights are involved)
2. The groups should then shout out some of the things the government must do to address the **causes** of the 'problem'
3. Throughout, the facilitator should have been writing some of the ideas up in a flip chart, grouping them into three columns: **Respect, protect, and fulfil**
4. The facilitator should then ask the group what they think are the differences between the three columns

This leads to a discussion about the obligations to respect, protect and fulfil in plenary. The facilitator should explain the importance of this framework when articulating abuses to human rights mechanisms.

Powerpoint slide # 22 may be used to show the definitions of these three levels of obligation



Materials

Flip charts, pens, UDHR cards, laptop, projector, Powerpoint slide # 22

2.4 Recap Day 2



Aim

To recap on the day's learning and to see examples of successful engagement with UN human rights mechanisms



Time

30 minutes



Method

Discussion

1. This is an opportunity for the facilitator and participants to take stock and to look back over the day's work. The facilitator should lead the discussion, using a flip chart to note:
2. He/she will also provide some examples of successful engagement with these mechanisms and changes that have occurred (Examples from reporting to the Committee on the Rights of the Child and from a complaint to CEDAW are available at <http://www.ihra.net/human-rights-training>)
3. Participants should be directed to further resources (See <http://www.ihra.net/human-rights-training> and trainers notes)
4. The *expectations and fears* should be revisited – have expectations been met? Were fears allayed or were they justified?
5. The facilitator should note outstanding questions and undertake to answer them in follow-up

Feedback and evaluation

A sample evaluation form is available at <http://www.ihra.net/human-rights-training>

