



ENTRi
EUROPE'S NEW TRAINING INITIATIVE FOR CIVILIAN CRISIS MANAGEMENT

Course Concept*
for the
SPECIALISATION COURSE ON:

**INTERNATIONAL STANDARDS
FOR THE PROTECTION OF
INDIVIDUALS & GROUPS:
A TRAINING COURSE FOR FIELD
OFFICERS WORKING ON
HUMAN RIGHTS**

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I. INTRODUCTION

The rise of multidimensional peacekeeping in the late 1980s has brought to the establishment of a variety of field missions, in which the civilian component has rapidly grown in size and importance. Human rights monitoring, reporting, protection and promotion have quickly become a common feature of these operations. This intensification of field work has been hailed as a major development in the area of human rights protection and promotion.

While initially virtually all operations were organized under the auspices of the United Nations (UN), recent years have witnessed the proliferation of non UN-led operations. Among the regional organizations promoting them, the European Union (EU) has assumed a prominent role.

EU support for human rights, democracy and the rule of law is established in its founding treaties, in which the principles of liberty, democracy, respect for human rights, and the rule of law are identified as fundamental European values. Moreover, the EU's commitment to human rights in its external relations has been reaffirmed in the Lisbon Treaty, where it is stated that "in its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights (...)" (art. 3.6). Hence, human rights field missions are accepted as part of the mandate of the EU. Protection and promotion of human rights are considered a corner stone of EU foreign policy and EU development cooperation.

Yet the different scenarios in which human rights missions are deployed, the evolution of the relevant legal standards, the high number of actors and stakeholders involved, as well as the different tasks these missions are asked to perform, requires appropriate training for professionals wishing to serve in these operations.

The following is a list of the main tasks that human rights field operations envisage:

Monitoring: Considered the traditional assignment of human rights field officers, monitoring includes a vast array of functions that change and vary according to the kind of rights and corresponding right-holders that are being monitored;

Fact finding: Human rights field officers are often called upon to undertake fact finding missions that may complement previous monitoring and to engage in the observation of judicial proceedings;

Inquiries: In some instances, human rights officers might be mandated to conduct full-scale legal inquiries on alleged abuses, thus supplementing or substituting the host state authorities;

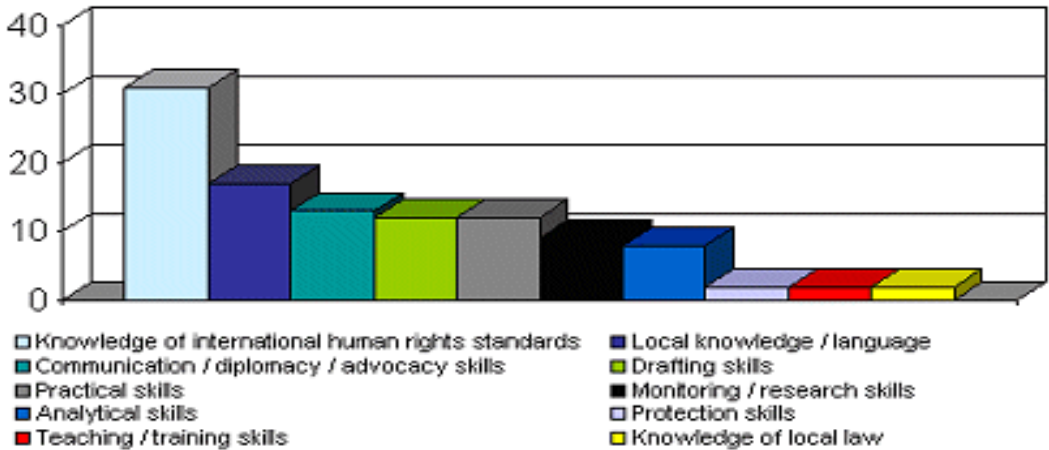
Prevention: Human rights field officers are almost never confined to a simply "passive" role, i.e. to gather information on, and report possible human rights violations. They are also entrusted with the task of directly preventing abuses. The range of activities entailed is rather wide, including human rights education, human rights promotion, capacity-building

activities, and technical assistance in relation to sensitive human rights issues (which often mirror the needs and concerns of vulnerable groups, such as minorities); and

Reporting: Human rights field officers need to be able to make professional reports and assessments on both general and specific situations concerning possible human rights violations, as well as keeping the mission informed of their more pro-active functions. All these tasks and functions, in the light of their very special nature, necessitate an ad hoc training of all officers who are to be entrusted with the implementation in the field.

In sum, human rights work — whether of a monitoring or a promotional nature — has become a specialized profession which requires adequate preparation, specific technical skills, and significant substantive knowledge in order to be effectively conducted. Human rights officers are being employed in the field on an unprecedented scale as a result of the recognition that human rights components provide a constructive contribution to the work of field operations.

Training activities must therefore be stepped up and tailored to the specific learning needs of Human Rights Field Officers (HRFOs). A survey carried out within the “Consolidating the Profession: The Human Rights Field Officer” project, aimed at ascertaining what HRFOs perceived to be the competences and skills they would like to be tackled in future training events, produced the following results



Taken from http://www.humanrightspersonals.org/index.php?option=com_content&task=view&id=16&Itemid=61

While it appears that right balance must be found between keeping HRFOs up-to-date with theoretical developments in the human rights area and instructing them on how to translate their theoretical knowledge into practice, knowledge of international human rights standards appears to rank high among their priorities.

Moreover, some branches of the law are becoming increasingly relevant for the EU. The rising flow of individuals across the Union’s external borders requires a sound knowledge of migration and refugee law. The EU’s remarkable commitment to foster accountability mechanisms for violations of Human Rights and to the promotion of reconciliation in troubled settings call for a better understanding of international criminal justice and transitional justice issues.

Accordingly, the present training curriculum will endeavor to provide a comprehensive coverage of the relevant standards, and will include areas of international law that are becoming increasingly relevant for the work of human rights practitioners, such as International Humanitarian Law, International Criminal Law, Refugee law, the Law of Internally Displaced Persons and issues of Transitional Justice.

Given the breadth and depth of the subject matter to be covered, it is virtually impossible to tackle all relevant issues in a 5-day course. The agenda will thus be structured over an 8-day schedule. However, it will be possible to reduce the duration of the course if selected participants a) will already have a sound knowledge of International Human Rights Law and Institutions; or b) will be available to familiarize themselves with the above topics by studying reference material that will be sent to them in advance of the course.

The overall goal of the course is to provide specialized training for human rights professionals ready to be deployed to field missions on very short notice.

II. TARGET GROUP

The target group includes individuals already possessing some field experience and/or having worked on human rights issues in the respective countries of origin.

Ideally, the trained professionals should be ready for deployment as Human Rights experts, yet it is important to stress the need for mission- and country-specific training, to be carried out before and during the field mission.

III. OVERALL OBJECTIVES

The overall objective of the course is to provide HRFOs with the specific competences and skills they will need to fulfill their tasks as members of a human rights field operation. The curriculum will include the theoretical as well as the practical aspects of an officer's tasks, yet it is assumed that prospective participants possess already a basic knowledge of international human rights law.

The methodology is participatory and will include case studies, scenarios, simulations, group works and exercises as well as preparatory pre-reading. This last element will be of particular importance should the course duration be reduced to 5 days.

Due to the large number of training subjects, it is likely that not all learning objectives can be adequately addressed. Therefore, the learning objectives of each subject are marked as either essential or desirable. Essential learning objectives will be used as basis for the certification process. In addition, those topics that could be dealt with through preparatory study will be marked as "propaedeutic".

Resource persons and trainers will include experts coming from International organizations (EU, UNHCHR, UNHCR, OSCE) and academics.

IV. GENERAL BACKGROUND

The underlying assumption on which the course is based is the understanding that Human rights field work is essential to a) address the consequences of high and low intensity conflicts to bring redress to the victims of human rights violations; b) pave the way to a sustainable reconciliation process; c) reduce the likelihood of resurgence of hostile attitudes along ethnic, religious, political or other lines; d) foster the rule of law and the development of democratic institutions so that the full respect of individual rights and liberties can be more fully guaranteed.

V. MODULES AND SUBJECT AREAS

The course will focus on around 10 main subject areas. These will be divided into three main training modules. The first will be devoted to the knowledge of human rights standards and mechanisms (including germane areas of international law).

The subjects covered are as follows:

1. International Human Rights Law
2. Other branches of International Law developed for the protection of individual and collective rights
3. Policies, mechanisms and tools for the protection of HR in the field

The second one will deal with human rights monitoring in the broad sense, both at the general and specific level and will also include a reporting component. The following subjects will be included:

4. Monitoring;
5. Fact finding;
6. Reporting.

The third module will be devoted to capacity-building in general, thus including the following subjects:

7. Human rights education;
8. Human rights promotion;
9. Capacity-building aimed at national human rights institutions; and
10. Technical assistance.

Each module will be organised around a distinct and self-contained training component with specific learning objectives. With respect to the previous EGT curriculum, the subject areas devoted to “investigation and inquiry” and to “monitoring of judicial proceedings” have incorporated in the topics “fact finding” and “monitoring” respectively, where they will be addressed in more general terms. This choice is due to the specific nature of the above activities, which require particular knowledge and expertise that cannot easily be transferred in the framework of an 8 day course. In addition, not all field missions include these tasks within their mandates.

MODULE I - International norms and mechanisms devoted to the protection of individuals and groups

Participants should already know the basics of this module, which will illustrate the main tenets of international human rights and of other areas of international law aimed at safeguarding basic rights and freedoms. Great importance will be attached to human rights organs, bodies, mechanisms and institutions, both regional and universal, and their competence and powers, as well as their actual engagement in human rights field operations. Specific sessions will be devoted to International Humanitarian Law, Refugee Law (with references to the legal principles protecting IDPs and other categories of displaced individuals), International Criminal Justice (which includes both International Criminal Law as well as other mechanisms devised to offer redress to the victims of human rights abuses). In addition, the module will include a reference to the status and code of conduct of human rights officers.

Subject Areas and Contents

Subject 1: International Human Rights Law

- International human rights law (civil and political, economic, social and cultural rights). **(essential/propaedeutic)**
- Bodies and mechanisms for the protection of human rights (conventional and Charter-based); **(essential/propaedeutic)**

Subject 2: Other branches of International Law developed for the protection of individual and collective rights

- International humanitarian law, refugee law and other legal instruments protecting displaced persons, international criminal law and current paradigms of transitional justice; **(essential)**

Subject 3: Policies, mechanisms and tools for the protection of HR in the field

- Human rights institutions and agencies; **(essential/propaedeutic)**
- Typology of human rights field operations; **(essential)**
- Human rights officers: Status and code of conduct **(essential/propaedeutic)**
- Rule of law and human rights **(essential/propaedeutic)**
- EU policies, mechanisms and tools aimed at promoting the respect of human rights in third countries; **(essential/propaedeutic)** and
- Resources and funding opportunities **(desirable)**.

MODULE II – Human Rights Monitoring, Fact-finding and Reporting

Monitoring in general is the active collection, verification and immediate use of information to improve human rights protection. This module will concentrate on those activities aimed at gathering credible information on events and developments within the host country and society. The module will provide participants with all the basic techniques that are necessary

for this task, duly taking into account the differences between gross and individual human rights violations. Case studies and role playing sessions will be paramount. Specific reference will be made to the monitoring of judicial proceedings.

Fact finding, itself a part of monitoring, nevertheless entails a more detailed “investigative” approach than simple monitoring. Consequently, training sessions will be devoted to the special features of this activity and the different approaches that gross and individual violations require. The module will be closely interrelated with that on monitoring and will also include references to the more specific tasks related to investigation and inquiry activities.

Reporting is the main instrument for transmitting data and information in the ambit of field operations. Bad/good reporting directly affects the fruitful contribution of officers to the mission. The course will train participants on how to best fulfill this task, concentrating on six essential points which correspond to the objectives of this module. Particular attention will be paid to the study of real reports.

Subject Areas and Contents

Subject 1: Monitoring

- Typologies of monitoring (conventional, extra-conventional and peacekeeping/human rights field operations); **(essential/propaedeutic)**
- Selection and identification of information sources; **(essential)**
- Interview techniques/collecting testimony/receiving different types of complaints; **(essential)**
- Interviewing vulnerable groups or individuals with particular characteristics; **(essential)**
- Confidentiality awareness and sensitivity to the physical/psycho-social security of information sources; **(essential)**
- Verification and cross-checking of information and documentation; **(essential)**
- Relationships with NGOs and local authorities; **(essential)**
- Data and information processing; **(essential)**
- Assessment of information collected – assessing credibility; **(essential)**
- Indicators that signal the probable occurrence of human rights violations (early warning systems); **(essential)**
- Main human rights issues related to the monitoring of judicial proceedings **(desirable)**; and
- Trial observation combined with other forms of monitoring. **(desirable)**

Subject 2: Fact-finding

- Fact finding techniques (e.g. systematic visits); **(essential)**
- Cross-checking and cooperation with governmental and nongovernmental actors; **(essential)**
- Relationships with local authorities and the host society at large; **(essential)**
- Data and information processing and assessment (partially overlapping with monitoring); **(desirable)**
- Investigation and inquiry: relevant methods and standards. **(desirable)**

Subject 3: Reporting

- Different typology of reports (periodic reports, emergency reports, interview reports, incident reports, etc); **(essential)**
- External reporting;
- Identification of information required by the report; **(essential)**
- Cross-checking of information; **(essential)**
- Organisation and presentation of reports **(essential)**; and
- Correction and additional information. **(essential)**

MODULE III – Capacity building in HR field operations

Human rights education is seen as an effective instrument against human rights violations as it aims to prevent such violations occurring in the first place, by fostering within each person an awareness of human rights issues and a sense of the individual's ability to defend or promote them. Promotion is another preventive tool that can be particularly effective when organised so as to favour the maximum “multiplying effect” possible in the host country and society.

The module will also focus on methods and techniques that will enable participants to assist host countries in the establishment and strengthening of national actors active in the promotion and protection of human rights. Technical assistance is also part of capacity-building activities. This subject will focus on how to provide host countries with technical assistance aimed at reforming and managing institutions and policies that have a direct effect on the respect for human rights.

Subject 1: Human rights education

- Skills and methods for teaching the essentials on human rights; **(essential)**
- Basic tools for organising human rights education programmes; **(essential)**
- Tailoring human rights teaching to different audiences; **(essential)**
- Documentation of ongoing projects, methodologies and methods of human rights education; and **(desirable)**
- Instruments for exchanging examples of good practice amongst practitioners of human rights education (formal and non-formal). **(desirable)**

Subject 2: Human rights promotion

- Sensitisation of local actors on human rights issues (e.g. minority issues); **(essential)**
- Methods of information dissemination; **(essential)**
- Support activities for human rights institutions/organisations; **(essential)**
- Organisation of an awareness campaign; and **(desirable)**
- Networking and partnership activities. **(desirable)**

Subject 3: Capacity-building aimed at national human rights institutions

- Justifying the need for human rights laws to encourage the establishment of national human rights institutions; **(essential/ propaedeutic)**
- Effective functioning of national human rights institutions; **(essential)**
- Selection and identification of problem areas; **(essential)**
- Identification of funding sources. **(desirable)**

Subject 4: Technical assistance

- Legal and policy drafting; **(essential)**
- Identification of priority areas and issues; **(essential)**
- Streamlining procedures; **(essential)**
- Identification of best practices for human rights-related institutions; and **(essential)**
- Dissemination of human rights-related best practices. **(essential)**