

DISCOVER HUMAN RIGHTS

A Human Rights Approach to Social Justice

Training Manual

May 2017

**The Advocates for Human Rights
Minneapolis**



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The Advocates for Human Rights
330 Second Avenue South, Suite 800
Minneapolis, MN 55401, U.S.A.

To order copies of the training manual, email: hrights@advrights.org
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“...Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”

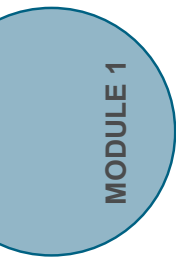
**~ Preamble
Universal Declaration of Human Rights**

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WHAT IS THE PURPOSE OF THIS MANUAL?

A growing segment of U.S. civil society is turning to human rights to secure social, political, and economic objectives that they have sought for decades. To strengthen the capacity of all organizations to use human rights to combat entrenched poverty, discrimination, and injustice, The Advocates for Human Rights has developed a training and accompanying manual entitled *Discover Human Rights: A Human Rights Approach to Social Justice*. Human rights programming translates international human rights principles into practical reality, in the process combating injustice, inequality, and exclusion.

This manual, intended for U.S. social justice advocates, provides concrete steps for integrating international human rights principles into their work. First, this manual helps advocates frame the issues on which they work in terms of international human rights standards. Next, the manual helps advocates identify human rights-based strategies they can use to ensure these rights are fulfilled for all people.

HOW IS THIS MANUAL STRUCTURED?

This manual is designed to accompany the training *Discover Human Rights: A Human Rights Approach to Social Justice*. It also provides participants with a reference to use when they return to their organizations or communities. Using a participatory methodology, this manual combines short presentations with interactive activities including large group discussions, small group work, and role plays. In addition, the manual incorporates case study examples of best practices drawn from the experiences of social justice organizations around the United States and provides tools such as organizational assessments and implementation models to help organizations create an action plan for using human rights principles in their operations and advocacy work.

***“Tell me and I’ll forget.
Show me and I may remember.
Involve me and I’ll understand.”***

The manual is broken into three separate modules:

- Module 1: International Human Rights.** This module is a primer on human rights and the international human rights system and also explores the connection between human rights and social justice work in the United States.
- Module 2: Strategies of a Human Rights Approach.** This module sets out the key definitions, principles, and elements of a human rights approach. Four key strategies for how to apply a human rights approach are explained in detail, as well as how these strategies affect an organization’s social justice work in terms of planning and actions.
- Module 3: Applying a Human Rights Approach.** This module introduces practical tools that can be used to implement a human rights approach, culminating in the creation of a concrete action plan. Each of the tools provided corresponds to the different human rights-based strategies explained in Module 2.



Each module is divided into two sections:

- **Background information** - These sections provide in-depth information for trainers and participants on the concepts covered in each module, including the theoretical framework behind a human rights approach and its practical application.
- **Activities and Handouts** - These sections include descriptions and instructions for each of the activities in the module. Each activity specifies the objectives, estimated time, and materials needed to run the exercise and includes notes and tips for the facilitator. Handouts that accompany the activities, such as case studies, discussion questions, and worksheets, are clearly marked and always appear on a separate page to make them easy to photocopy.

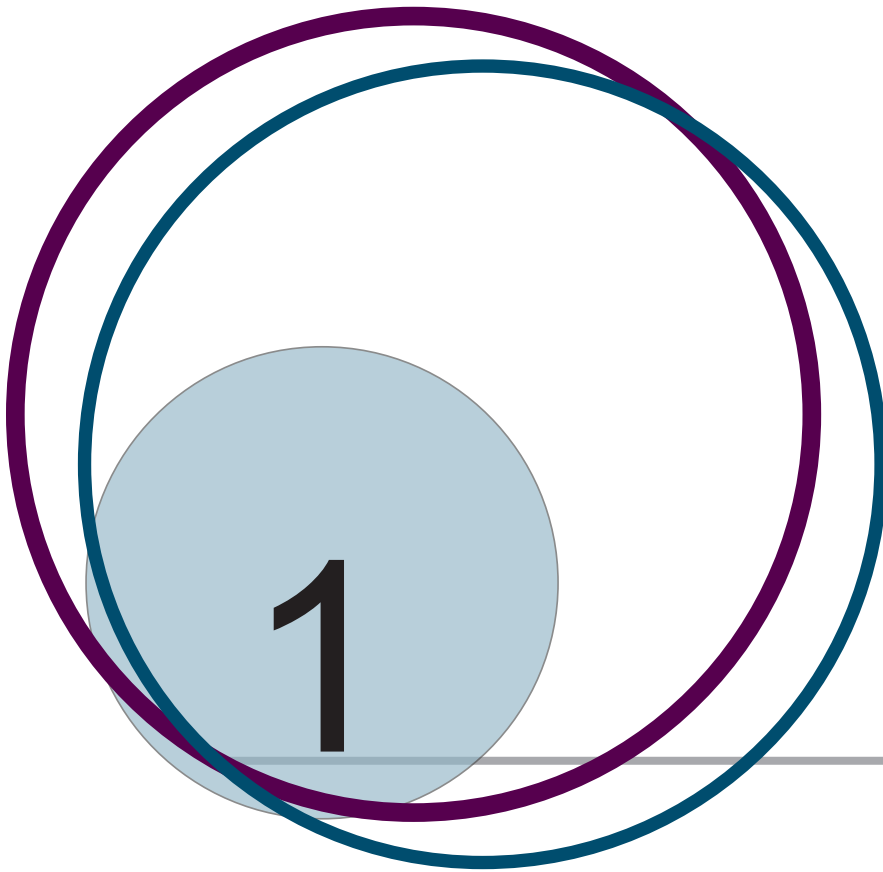


WHY USE A HUMAN RIGHTS APPROACH IN THE UNITED STATES?

When social justice advocates frame their work in terms of international human rights, they join a global movement that has its roots in the 1948 adoption of the Universal Declaration of Human Rights. They also bring the long struggle for human dignity and basic fairness in the United States full circle. Although many human rights principles are similar to those enshrined in the U.S. Constitution, the United States has failed time and again to fully realize those principles. Bringing U.S. social justice struggles into the global human rights movement will add to the growing chorus of voices demanding dignity, justice, and equality for all people.

Using human rights to frame an organization's work adds value in important ways, and this manual contains many specific examples. Human rights principles can strengthen social justice work for many of the following reasons:

- **More complete analysis.** Policy decisions are often based on a limited set of indicators. A human rights approach takes into consideration issues of justice, fairness, and accountability, as well as economic and other traditional factors.
- **Sustainable change.** A human rights approach creates sound and sustainable policies by considering root causes of human rights violations, protecting those most at risk of human rights violations, and working with both those who have the power to determine the policy and those affected by it, generating broad-based support.
- **Greater legal clarity.** The human rights framework defines our basic rights and freedoms through legally binding international law. These legal obligations provide consistent, legitimate, non-negotiable benchmarks against which to measure public policy.
- **More authoritative basis for policy.** Human rights are based on a universal consensus that all persons have the right to live lives filled with dignity and are backed by an international movement of activists, scholars, national leaders, and everyday people fighting for change.
- **Greater accountability.** The human rights framework is grounded in the notion that governments bear a duty toward individuals to respect, protect, and fulfill their human rights, and that they are accountable when they fail in their obligations. Human rights are not a matter of fiat, grace, or charity subject to trade-off.
- **Creates connections.** Human rights are inter-connected. The realization or violation of one right affects the fulfillment of other rights. Understanding the inter-connection of human rights can help build important coalitions, leading to greater social change.
- **Building a better world for all.** The goal of the human rights approach is the realization of a world in which everyone lives with dignity, freedom, justice, equality, and peace.



International Human Rights

What Are Human Rights?

CHARACTERISTICS OF HUMAN RIGHTS

UNIVERSAL

Human rights belong to all people equally regardless of status. Everyone is born free and equal in dignity and rights.

INALIENABLE

Human rights may not be taken away or transferred. People still have human rights even when their governments violate those rights.

INTERCONNECTED

The fulfillment or violation of one right affects the fulfillment of other rights.

INDIVISIBLE

No right can be treated in isolation.

NON-DISCRIMINATORY

Human rights should be respected without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

rights listed in the UDHR the force of law, the UN drafted two treaties, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The division of rights between these two covenants is artificial, reflecting the global ideological divide during the Cold War. Though politics prevented the creation of a unified treaty, the two covenants are interconnected, and the rights contained in one covenant are necessary to the fulfillment of the rights contained in the other. Together, the UDHR, ICCPR, and ICESCR are known as the International Bill of Human Rights. They contain a comprehensive list of human rights that governments must respect, protect, and fulfill.

Human rights are standards that allow all people to live with **dignity, freedom, equality, justice, and peace**. Every person has these rights simply because they are human beings. They are guaranteed to everyone without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.¹ Human rights are essential to the full development of individuals and communities.

Many people view human rights as a set of moral principles that apply to everyone. Human rights are also part of international law, contained in treaties and declarations that spell out specific rights that countries are required to uphold. Countries often incorporate human rights in their own national, state, and local laws.

The modern human rights era can be traced to struggles to end slavery, genocide, discrimination, and government oppression. After World War I, scholars, activists, and national leaders called for a declaration and accompanying international system – the League of Nations – to protect the most basic fundamental rights and human freedoms. Atrocities during World War II made clear that these previous efforts to protect individual rights from government violations were inadequate. Thus was born the Universal Declaration of Human Rights (UDHR) as part of the emergence of the United Nations (UN).

The UDHR was the first international document that spelled out the “*basic civil, political, economic, social and cultural rights that all human beings should enjoy*.”² The declaration was adopted without opposition by the UN General Assembly on December 10, 1948.³

When it was adopted, the UDHR was not legally binding, though it carried great moral weight. In order to give the human



THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (Abbreviated)⁴

Article 1

Right to Equality

Article 2

Freedom from Discrimination

Article 3

Right to Life, Liberty and Personal Security

Article 4

Freedom from Slavery

Article 5

Freedom from Torture and Degrading Treatment

Article 6

Right to Recognition as a Person before the Law

Article 7

Right to Equality before the Law

Article 8

Right to Remedy for Violations of Rights

Article 9

Freedom from Arbitrary Arrest and Exile

Article 10

Right to Fair Public Hearing

Article 11

Right to be Considered Innocent until Proven Guilty

Article 12

Freedom from Interference with Privacy, Family, Home and Correspondence

Article 13

Right to Free Movement in and out of Own Country

Article 14

Right to Asylum in other Countries from Persecution

Article 15

Right to a Nationality and the Freedom to Change Nationality

Article 16

Right to Marriage and Family

Article 17

Right to Own Property

Article 18

Freedom of Belief and Religion

Article 19

Freedom of Opinion and Information

Article 20

Right of Peaceful Assembly and Association

Article 21

Right to Participate in Government and in Free Elections

Article 22

Right to Social Security or a Social Safety Net

Article 23

Right to Desirable Work and to Join Trade Unions

Article 24

Right to Rest and Leisure

Article 25

Right to Adequate Living Standard, Including Food, Housing, and Medical Care

Article 26

Right to Education

Article 27

Right to Participate in the Cultural Life of Community

Article 28

Right to a Society that Upholds this Document

Article 29

Rights Limited by Need to Respect Rights of Other Persons

Article 30

Freedom from State or Personal Interference in the Above Rights

Why Are Human Rights Important?

Human rights reflect the minimum standards necessary for people to live with dignity. Human rights give people the freedom to choose how they live, how they express themselves, and what kind of government they want to support, among many other things. Human rights also guarantee people the means necessary to satisfy their basic needs, such as food, housing, and education, so they can take full advantage of all opportunities. Finally, by guaranteeing life, liberty, equality, and security, human rights protect people against abuse by those who are more powerful. According to the United Nations, human rights:

“Ensure that a human being will be able to fully develop and use human qualities such as intelligence, talent, and conscience and satisfy his or her spiritual and other needs.”⁵

Who Is Responsible for Upholding Human Rights?

Under human rights treaties, governments have the primary responsibility for protecting and promoting human rights. However, governments are not solely responsible for upholding human rights. The UDHR states:

“Every individual and every organ of society ... shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.”⁶

This provision means that not only the government, but also businesses, civil society organizations, and individuals are responsible for promoting and respecting human rights.

When a government ratifies a human rights treaty, it assumes a legal obligation to respect, protect, and fulfill the rights contained in the treaty.⁷ Governments are obligated to make sure that human rights are protected by both preventing human rights violations against people within their territories and providing effective remedies for those whose rights are violated. Government parties to a treaty must do the following:

RESPECT

Governments must not deprive people of a right or interfere with persons exercising their rights.

HOW GOVERNMENTS CAN RESPECT HUMAN RIGHTS

- Create constitutional guarantees of human rights.
- Provide ways for people who have suffered human rights violations by the government to seek legal remedies from domestic and international courts.
- Sign international human rights treaties.

PROTECT

Governments must prevent private actors from violating the human rights of others.

HOW GOVERNMENTS CAN PROTECT HUMAN RIGHTS

- Prosecute perpetrators of human rights abuses such as crimes of domestic violence.
- Educate people about human rights and the importance of respecting the human rights of others.
- Cooperate with the international community in preventing and prosecuting crimes against humanity and other violations.

FULFILL

Governments must take positive action to facilitate the enjoyment of basic human rights.

HOW GOVERNMENTS CAN FULFILL HUMAN RIGHTS

- Provide free, high-quality public education.
- Create a public defender system so that everyone has access to a lawyer.
- Ensure everyone has access to food by funding public assistance programs.
- Fund a public education campaign on the right to vote.

Economic, Social, and Cultural Rights

Economic, social, and cultural rights are different than other international human rights because of the concept of progressive realization. According to the Committee on Economic, Social, and Cultural Rights that oversees the treaty:

“Each State Party to the present Covenant undertakes to take steps,...to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.”

This recognizes that full realization of economic, social, and cultural rights will not happen in a short period of time. Instead, parties to the treaty must:

- **Take steps:** Governments have to start taking clear and deliberate actions to achieve the goals of the treaty.
- **Use all available resources:** Governments have to prioritize spending on economic rights and the international community has to assist countries that have limited resources.
- **Use all appropriate means:** Governments should use a variety of means to achieve the rights, such as legislation, education, and financial support. They should strongly consider creating a judicial remedy for violations of economic, social, and cultural rights.

There are minimum standards that countries have to meet immediately, including providing essential foodstuffs, essential primary health care, basic shelter and housing, and the most basic forms of education. These minimums are not subject to progressive realization.

How Do Rights Become Law?

International human rights law provides an important framework for guaranteeing the rights of all people regardless of where they live. International human rights law is contained in many different types of documents, including treaties, charters, conventions, and covenants. Despite the different official names, all of these documents are considered treaties and have the same effect under international law: countries that ratify a treaty are legally obligated to protect the rights it describes.

The human rights treaty process usually begins at the United Nations or a similar international body. Legal and subject matter experts might first create a draft of the treaty. After the draft is written, the UN or other body will arrange a meeting between representatives of interested countries to negotiate the final terms, or content, of the treaty. This can be a lengthy process if large numbers of countries want to participate. Non-governmental organizations are sometimes allowed to offer recommendations during some of the stages of the drafting process. After the negotiating countries agree on a final text of the treaty, the treaty is opened for ratification by countries that want to become parties to it.

Countries have different methods for acceding to or ratifying treaties. For the United States to become a party to a treaty, the president must first sign it, and then present it to the Senate, where two-thirds of the senators must vote to ratify it.⁹ Through ratification, a country agrees to be legally bound by the terms of the treaty.

Countries that ratify treaties are allowed to enter reservations to those instruments. Reservations are statements made by a country that “*modify the legal effect of certain provisions of the treaty.*”¹⁰ Entering a reservation allows a government to agree to most of a treaty, while excluding or limiting parts that might be controversial or unconstitutional in its own country. Many countries have entered reservations to the major human rights treaties, which can limit the effectiveness of the treaties in protecting people against abuses committed by their governments.

DEFINITIONS

Declaration:
document stating standards or principles, but which is not legally binding

Covenant/Convention/Charter/Treaty:
legally binding agreement between two or more countries

Ratification:
formal process by which a country agrees to be bound by the terms of a treaty

Reservation:
exception that countries make to a treaty (i.e. provisions of the treaty that the government does not accept)⁸

Major Human Rights Treaties

The international community has created a series of human rights treaties to comprehensively protect against human rights violations. Each treaty creates a legally binding obligation on ratifying governments to protect the rights it describes. The following is a list of major human rights treaties by topic with examples of some of the rights they protect.¹¹

International Bill of Rights

ICCPR: International Covenant on Civil and Political Rights (1966)

Freedom from arbitrary arrest & detention
Freedom of expression
Right to vote

ICESCR: International Covenant on Economic, Social, and Cultural Rights (1966)

Right to adequate food, clothing, and housing
Right to education
Right to just and favorable conditions of work

Children

CRC: Convention on the Rights of the Child (1989)

Protection from physical and mental abuse
Right to free primary education
Protection from hazardous work

Crimes Against Humanity, War Crimes, and Genocide

Convention on the Prevention and Punishment of the Crime of Genocide (1948)

Prosecution of people who commit genocide

Rome Statute of the International Criminal Court (1998)

Creation of an international court with jurisdiction over genocide, crimes against humanity, and war crimes

Geneva Conventions I-IV (1949)

Protection of wounded soldiers, prisoners of war, and civilians during war or conflict

Labor

International Labour Organization Core Conventions (Nos. 29, 87, 98, 100, 105, 111, 138, 182)

Freedom from forced labor
Abolition of child labor
Freedom from discrimination
Right to form unions

Migrant Workers

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)

Freedom from slavery or forced labor
Protection from collective expulsion
Right to emergency medical care

Persons with Disabilities

CRPD: Convention on the Rights of Persons with Disabilities (2006)

- Right to participation and inclusion
- Right to accessibility
- Freedom from exploitation and abuse

Racial Minorities

ICERD: International Convention on the Elimination of All Forms of Racial Discrimination (1966)

- Right to equal treatment in the legal system
- Freedom from apartheid and racial segregation
- Right to public education that promotes understanding and tolerance

Refugees

Convention and Protocol Relating to the Status of Refugees (1951 & 1967)

- Right to not be returned to a country where they will face persecution
- Right to identity and travel documents
- Freedom of movement within the host country

Slavery and Human Trafficking

Slavery Convention of 1926

- Abolition of slavery

Convention Against Transnational Organized Crime (2000)

- Prevention of trafficking in persons
- Right to medical, psychological, and material assistance for victims

Torture

CAT: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

- Freedom from torture in all circumstances
- Right to compensation for victims of torture

International Convention for the Protection of All Persons from Enforced Disappearance (2006)

- Freedom from enforced disappearance

Women

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women (1979)

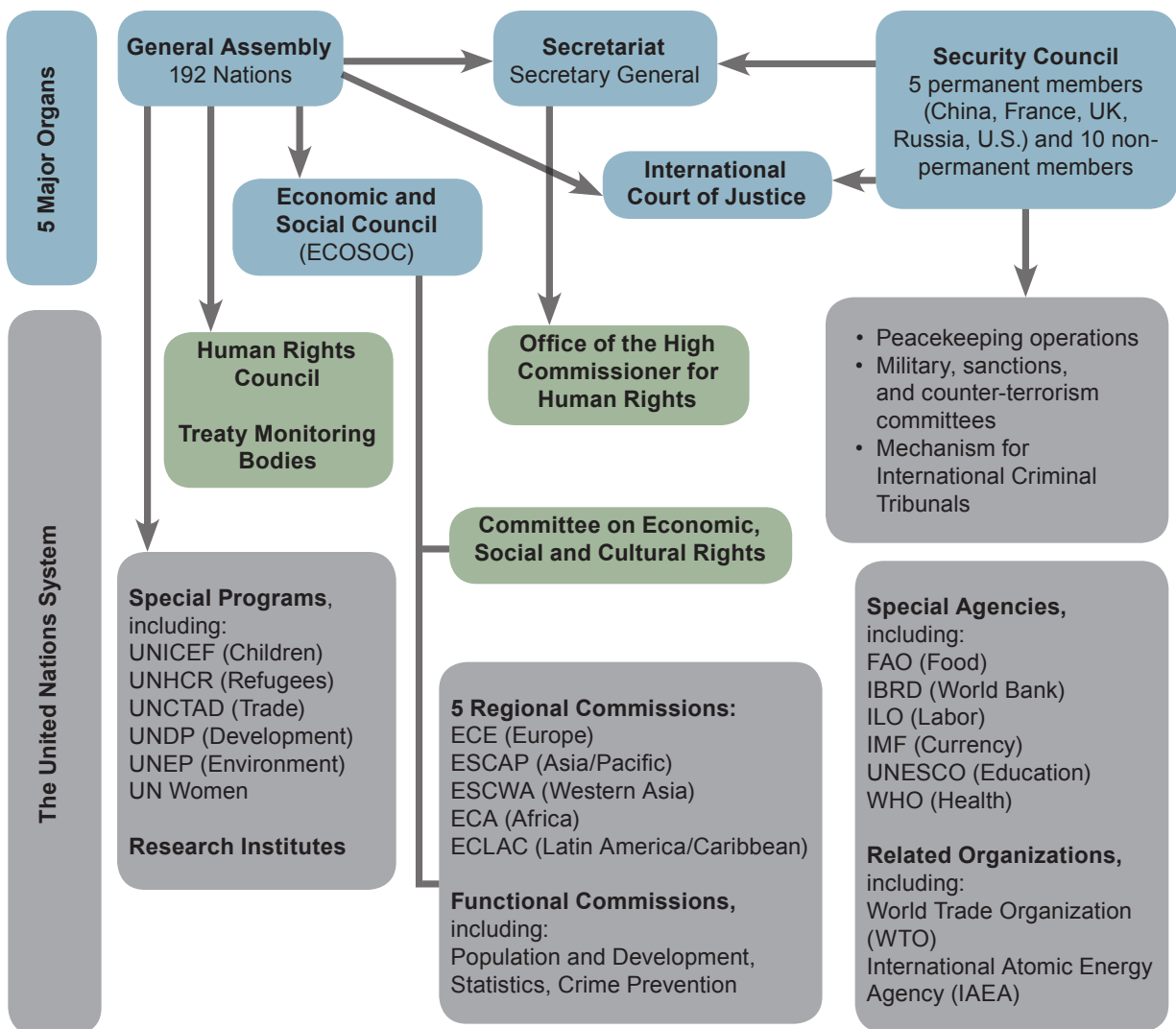
- Freedom from discrimination in politics, work, and education
- Freedom from sex role stereotyping and prejudice
- Freedom from trafficking and prostitution

The International Human Rights System

The United Nations was formed after World War II to help promote international peace and cooperation by creating a forum where countries can resolve disputes and address common problems. Representatives from 50 countries met in San Francisco in 1945 to draft the UN Charter, which created the framework for future UN activities and established key parts of the UN structure such as the Security Council, the General Assembly, and the Commission on Human Rights (now the Human Rights Council). The UN Charter entered into force on October 24, 1945 after it was ratified by a majority of signatories including the United States, the Soviet Union, China, Great Britain, and France.¹²

Today, the UN is a global organization that includes nearly every country in the world. When a country becomes a member of the UN, it is legally bound to uphold the obligations set forth in the Charter of the United Nations, which include the promotion of human rights and fundamental freedoms for all people. As part of its mission to protect human rights, the UN oversaw the creation of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, as well as most other global human rights treaties. These treaties created new structures in the UN to protect human rights.

Structure of the United Nations



Adapted from D@dalos, *United Nations Basic Course 3: How is the United Nations Structured?* (1998-2011) http://www.dadalos.org/uno_int/grundkurs_3.htm (Accessed April 16, 2010).

International Human Rights System at Work

The UN and other human rights bodies engage in a variety of activities to protect, monitor, and advance human rights worldwide. The activities include the following:



CREATE TREATIES. An important function of human rights bodies is to expand our understanding of the scope and content of human rights. One way to do this is to oversee the drafting of new treaties. For example, in 2003 and 2007, two new human rights treaties written by UN bodies entered into force: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities. The UN and other human rights bodies also issue declarations and comments that define and clarify existing human rights treaties, educating governments and civil society on their responsibilities under international law.



MONITOR AND REPORT. International and regional human rights bodies monitor and report on human rights conditions in member countries. Parties to international and regional human rights treaties are required to submit regular reports detailing their compliance. Sometimes a human rights body independently undertakes missions to monitor human rights conditions in a particular country or for a particular group of people. The reports can include information from domestic or international human rights groups, independent experts, and government sources. These reports are used to expose human rights violations to a global audience and pressure countries to improve their human rights records.



TAKE COMPLAINTS. Some UN and regional human rights bodies, such as the Inter-American Commission on Human Rights, are able to take complaints from individuals and others whose human rights have been violated. These bodies may request a government response to the complaint, hear testimony from the victim, and make a public report on the case. If the individual is found to have suffered a violation of human rights, the body may mediate a settlement between the victim and the government, require the country to report on what steps it has taken to remedy the violation, and in some instances refer unresolved cases to international courts.



ENFORCE HUMAN RIGHTS STANDARDS. The UN Security Council can impose consequences on countries that engage in massive human rights violations by enforcing sanctions or authorizing humanitarian intervention. Regional organizations, including the European Court of Human Rights and the Inter-American Court, investigate and rule on cases involving human rights violations in their member countries. The International Criminal Court and special international criminal tribunals (such as those created for Yugoslavia, Rwanda, and Sierra Leone) provide legal remedies for massive human rights violations. These tribunals have the power to impose criminal sentences on people found guilty of genocide, war crimes, crimes against humanity, and crimes of aggression.



DIRECTLY IMPROVE HUMAN RIGHTS. The UN contains agencies that work directly with governments and civil society to improve human rights. These agencies run educational programs, provide training to government officials, and fund projects that increase understanding of human rights and responsibilities worldwide. In some cases, these agencies directly improve conditions for people, fulfilling human rights such as the right to food, the right to education, women's rights, or the right to a clean environment.



Human Rights Legal Bodies

The UN not only helps create international human rights law, it also promotes and protects human rights through different human rights bodies. These bodies are divided into two groups: **charter-based bodies**, which derive their power from the UN Charter,¹³ and **treaty-based bodies**, which oversee international human rights treaties that have entered into force.¹⁴ Depending on their origin and mandate, each of these bodies has different powers to monitor and enforce human rights. They are supported in their work by the **Office of the High Commissioner for Human Rights (OHCHR)**. The OHCHR is

charged with coordinating all of the human rights activities of the UN. It provides staff and logistical support to the Human Rights Council and the core treaty bodies, and it coordinates UN action to promote human rights.¹⁵

UN Charter-Based Bodies

Human Rights Council. The UN Charter called for the creation of a Commission on Human Rights, which was reorganized in 2006 into the current Human Rights Council. The Council consists of 47 UN member countries who meet regularly to review the status of human rights in countries around the world, address human rights violations, and make recommendations to improve the fulfillment of human rights.¹⁶ Council members are elected to staggered three-year terms. Seats on the Council are allocated among different geographical regions, with each region nominating candidate countries that are then approved by the General Assembly.¹⁷ The Human Rights Council conducts its work through three principal mechanisms: 1) Universal Periodic Review, 2) Special Procedures, and 3) a Complaint Procedure.¹⁸

Universal Periodic Review (UPR). The UPR is a relatively new human rights process under the auspices of the Human Rights Council. The UPR is designed to review the human rights records of all 193 UN member countries once every four years.¹⁹ During the UPR, the country under review presents what it has done to improve human rights in its country and to fulfill its human rights obligations.²⁰ As one of the main features of the Human Rights Council, the UPR is designed to ensure equal treatment for all countries when their human rights practices are evaluated.

The UPR involves a three-hour, interactive discussion between the country being reviewed and other UN member countries. During this discussion, any UN member can pose questions, offer comments, and/or make recommendations on the country's human rights record. The review ends with a draft outcome document that includes recommendations to the country under review. The final outcome document is then formally adopted by the Human Rights Council at the next plenary session. The country under review has the opportunity to answer questions, respond to recommendations, and make comments about issues raised during the review. The national government has the primary responsibility to implement the recommendations contained in the final outcome document and must provide information on implementation efforts when it returns for the next review.²¹

ACTION OPPORTUNITY!



Civil society organizations are encouraged to participate in the **UPR PROCESS** through consultations with their governments and by submitting statements to the Human Rights Council documenting issues of concern. Advocates and activists can provide real-life examples of the government's failure to respect human rights obligations. One advantage of the UPR process is its simplicity for participating organizations. Submissions from a single organization are limited to five pages and submissions from coalitions are limited to ten pages. The Office of the High Commissioner for Human Rights prepares a summary of "credible and reliable information" from stakeholders, including non-governmental organizations and national human rights institutions, to form part of the official record of the review. Often, questions asked during the review come directly from submissions that have been made by non-governmental organizations (NGOs). NGOs then have the opportunity to give brief comments prior to the adoption of the country report. NGOs also play a role in holding countries accountable for implementing the recommendations of the final outcome document after it has been issued.

Under the UPR, the Council examines the extent to which governments uphold their human rights obligations under the UN Charter, the Universal Declaration of Human Rights, treaties they have ratified, voluntary pledges, and international humanitarian law. The broad scope of the review allows the Council to examine a range of human rights issues, even when a country may have refused to ratify certain treaties.

Special Procedures. Special Procedures are mechanisms established by the Human Rights Council to address specific country situations or broad human rights themes. Special Procedures mandates are established by resolutions of the UN General Assembly. Special Procedures usually have the power to examine, monitor, and publicly report on human rights situations in specific locations (known as country mandates) or on major human rights issues worldwide (known as thematic mandates). Special Procedures mandate holders are either an individual (called “Special Rapporteur,” “Special Representative of the Secretary-General,” or “Independent Expert”) or a working group usually composed of five members that are representative of different regions.²²

Some of the most relevant mandates in the U.S. context include:

- Special Rapporteur on violence against women;
- Special Rapporteur on adequate housing;
- Special Rapporteur on the right to education;
- Special Rapporteur on the human rights of migrants;
- Working Group on arbitrary detention; and
- Special Rapporteur on minority issues.

Those appointed to carry out the mandate of a certain Special Procedure typically engage in the following types of activities: examining, monitoring, and advising various bodies on human rights situations; publicly reporting on human rights situations; responding to individual complaints; visiting countries or regions; conducting studies; providing advice on technical cooperation; and engaging in human rights promotion. Most Special Procedures receive information on specific allegations of human rights violations and send urgent appeals or letters of allegation to governments asking for clarification. In 2016, Special Procedures sent more than 500 communications to 119 countries.²³

Complaint Procedure. The Complaint Procedure is a confidential, victims-oriented mechanism established to allow the Human Rights Council to address consistent patterns of gross human rights violations. After receiving the complaint (“communication”) from an individual or group claiming to be a victim or having direct knowledge of a human rights violation, the Working Group on Communications assesses the admissibility and merits of the communication and then passes it on to the Working Group on Situations, which determines whether there is a pattern of gross human rights violations, considers the country’s reply, and presents a report and recommendations for action to the full Human Rights Council. The HRC will not accept complaints unless domestic remedies have been exhausted (except when remedies would be ineffective or unreasonably prolonged) or if another international or regional human rights complaint mechanism is considering the issue.²⁴ The HRC will only accept complaints that include a factual description and are based on clear evidence, preferably direct, first-hand knowledge of the event.²⁵

ACTION OPPORTUNITY!



Civil society organizations can submit communications about alleged human rights violations to Special Procedures through the Office of the High Commissioner for Human Rights.

For all Special Procedures communications, the submission should describe clearly and concisely the facts of the incident, including the following:

- Identification of the alleged victim(s);
- Identification of the alleged perpetrators of the violation;
- Identification of the person(s) or organization(s) submitting the communication (this information will be kept confidential);
- Date and place of incident; and
- Detailed description of the circumstances of the incident in which the alleged violation occurred.

Other details pertaining to the specific alleged violation may be required by the relevant mandates. Communications should not be based solely on media reports. Communications that contain abusive language or that are obviously politically motivated are not considered.

UN Treaty-Based Bodies

Nine core international human rights treaties have entered into force.²⁶ Each of these treaties established a committee of independent experts to monitor implementation of the treaty provisions by its member countries. Each country that has signed and ratified a treaty is required to submit regular reports to the monitoring body on their compliance with the terms of the treaty.²⁷ Some treaty bodies are also able to take complaints from individuals and others whose human rights have been violated. The following are the nine UN treaty-monitoring bodies (*stars indicate those that can receive individual complaints):

MAJOR HUMAN RIGHTS TREATY BODIES

- **Human Rights Committee (CCPR)***
- **Committee on Economic, Social and Cultural Rights (CESCR)***
- **Committee on the Elimination of Racial Discrimination (CERD)***
- **Committee on the Elimination of Discrimination against Women (CEDAW)***
- **Committee against Torture (CAT)***
- **Committee on the Rights of the Child (CRC)***
- **Committee on Migrant Workers (CMW)**
- **Committee on the Rights of Persons with Disabilities (CRPD)***
- **Committee on Enforced Disappearance (CED)***

ACTION OPPORTUNITY!



The **PERIODIC REPORTING PROCESS** provides an important opportunity for civil society organizations to submit to the treaty body separate “shadow reports” with additional information on the government’s compliance with the terms of the treaty. Advocates and activists can provide the United Nations with specific, credible reports of human rights violations or lack of progress on human rights issues by submitting a report that “shadows” the issues addressed in the government’s report. Shadow reports are considered along with the government’s report to the treaty body and highlight problems that the government may have overlooked or wanted to exclude.

Currently, the United States is obligated to report on human rights compliance under the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture. All shadow reports to the United Nations should be based on factual information, written in clear, simple language, and in compliance with formats, page limitations, and filing schedules that vary among the treaty monitoring bodies. Specific information, including case examples or statistical information, should be included and sources cited. Submissions should include references to the specific treaty provisions violated. For example, when reporting violations of immigrants’ rights in the United States to the Human Rights Committee, reference should be made to Article 13 of the International Covenant on Civil and Political Rights, which discusses the rights of aliens. When preparing a submission, there is no obligation to assess compliance under every article of a treaty; rather, it is best for advocates to focus on areas within their expertise where there is evidence of a particular violation.

Regional and Other Human Rights Legal Bodies

The United Nations is not the only international organization involved in creating, monitoring, and enforcing international human rights law. Some of the following international organizations focus on a particular category of human rights issues, while others restrict their focus to a geographic region. This web of human rights treaties and declarations, governed by a network of international and regional human rights bodies, provides activists with many opportunities for improving human rights conditions in their countries. Governments that may resist or ignore one means of addressing human rights violations can be encouraged or compelled through another mechanism.



The **International Labour Organization (ILO)** oversees a group of legally binding conventions that guarantee certain human rights related to work, especially: *“freedom of association and the effective recognition of the right to collective bargaining; the abolition of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation.”*²⁸



The **International Criminal Court (ICC)** is an independent, permanent court that tries persons accused of the most serious international crimes: genocide, crimes against humanity, war crimes, and crimes of aggression.²⁹ The ICC is based on a treaty ratified by more than 100 countries.³⁰



The **Inter-American Court of Human Rights** and the **Inter-American Commission on Human Rights** together interpret and enforce the **American Convention on Human Rights** and the **American Declaration of the Rights and Duties of Man**. The Commission investigates individual complaints, conducts independent monitoring, and refers cases to the Inter-American Court. The Court rules on cases involving violations of the Convention brought by governments or by the Commission and offers advisory opinions on the correct interpretation of regional human rights treaties.³¹



The **European Court of Human Rights** rules on the **European Convention on Human Rights**, which protects rights such as the right to life, freedom from torture, the right to a fair trial, and freedom of expression. Individuals and countries bring complaints before the Court, which then passes judgment. The judgments of the Court are binding and typically involve compensation for the victim of the violation.³²



The **African Commission on Human and Peoples' Rights** and the **African Court on Human and Peoples' Rights** together oversee implementation of the **African Charter on Human and Peoples' Rights**. The Commission receives regular reports on human rights conditions from governments that are signatories to the Charter.³³ The Court adjudicates allegations of human rights violations brought by the Commission, governments, and individuals.³⁴



ACTION OPPORTUNITY!

Increasingly, U.S. advocates have begun using the **INTER-AMERICAN COMMISSION ON HUMAN RIGHTS (IACHR)** process to bring petitions related to the death penalty, domestic violence, and immigration cases.

In evaluating whether a case can be filed as a petition before the IACHR, advocates should first determine whether the government violated any of the rights in the American Declaration of the Rights and Duties of Man. The IACHR maintains extensive information about the interpretation of these treaty provisions, including decisions on past petitions, on its website (<http://www.oas.org/en/iachr/decisions/merits.asp>). Advocates should also consider whether the individual bringing the complaint (the petitioner) has exhausted all options in domestic courts. With certain limited exceptions, the IACHR will not accept a petition until the petitioner has tried all reasonably available means to obtain a remedy in domestic courts.³⁵

An individual, group, or nongovernmental organization may file a petition with the IACHR with information about the petitioner and the human rights violations. After a petition has been submitted, the IACHR sends the U.S. government the pertinent parts of the petition and requests relevant information. The petitioner may comment on the response. During this time, the IACHR may conduct an independent investigation, request information from the parties, and hold a hearing for the presentation of factual and legal arguments. In most cases, the IACHR will try to reach a friendly settlement between the petitioner and the U.S. government. Once the IACHR believes that it has enough information, it will prepare a report with its conclusions and recommendations. The United States then is given a time period for compliance with the report's recommendations. If the United States does not comply, the IACHR may prepare a second report with more conclusions and recommendations, which will be made public. Before it is published, the United States will have an additional time period to comply.

While the IACHR does not have the power to order or compel U.S. compliance, petitions to the IACHR can be used strategically to: 1) allow for new arguments to be considered that may be barred from consideration in federal or state court for procedural reasons; 2) allow more time to negotiate domestic remedies pending IACHR review; 3) generate important publicity on the international stage relative to the issues in the case, and 4) provide an opportunity for a survivor of human rights abuses to be heard.

The IACHR provides an online form for victims of violations, their family members, civil society organizations, or other persons to file complaints alleging human rights violations by OAS member States. To learn more, visit the IACHR website at <http://www.oas.org/en/iachr/>.

Human Rights and U.S. Law

Although international human rights law provides an important framework for guaranteeing the rights of all people in all countries, human rights standards generally do not become enforceable in the United States unless and until they are implemented through local, state, and/or federal law. International treaties define rights very generally, and international courts and monitoring bodies typically lack the ability to directly enforce their decisions in the United States. Because the greatest capacity for protection lies in domestic law, one of the best ways to improve human rights in the United States is to strengthen domestic legal protections for human rights by passing laws recognizing those rights and ensuring that the implementation of those rights by the government and U.S. courts is consistent with international standards.

The U.S. Constitution and the Universal Declaration of Human Rights

In the United States, the Constitution and the Bill of Rights provide broad human rights protections. Many of the rights contained in the Constitution are equivalent to rights found in the UDHR, especially those related to political and civil liberties. In addition, the U.S. Supreme Court has identified fundamental rights not explicitly stated in the Constitution, such as the presumption of innocence in a criminal trial³⁶ and freedom of movement.³⁷ U.S. courts provide a remedy for people whose constitutional rights have been violated. The U.S. Congress also passes laws that protect constitutional rights and provide remedies for victims of human rights violations when court cases may be too costly or difficult. The most important of these domestic laws are those that prohibit discrimination, including discrimination based on race, gender, religion, or disability.

| UDHR ARTICLE | RELATED U.S. CONSTITUTIONAL AMENDMENT |
|--------------|--|
| Article 2 | 14 th Amendment (non-discrimination) |
| Article 3 | 14 th Amendment (life, liberty, security) |
| Article 4 | 13 th Amendment (slavery) |
| Article 5 | 8 th Amendment (cruel and unusual punishment) |
| Article 6 | 14 th Amendment (equal protection) |
| Article 7 | 14 th Amendment (equal protection) |
| Article 9 | 5 th Amendment (arbitrary arrest) |
| Article 10 | 6 th Amendment (fair trial) |
| Article 12 | 4 th Amendment (privacy) |
| Article 17 | 5 th Amendment (property) |
| Article 18 | 1 st Amendment (religion) |
| Article 19 | 1 st Amendment (speech) |
| Article 20 | 1 st Amendment (association) |
| Article 21 | 15 th , 19 th , 23 rd , 24 th , and 26 th Amendments (vote) |

The Missing Human Rights

Although the U.S. Constitution provides strong protections for civil and political rights, it fails to recognize the economic, social, and cultural rights guaranteed in the UDHR. Some rights, such as the right to education, can be found in some state constitutions; others, such as the right to an adequate standard of living including food, shelter, and medical care, have not been recognized as rights. Statutes may address issues such as access to food and treat it as meeting a need for some defined group of people, but they do not recognize it as a right to which all people are entitled. Because economic, social, and cultural issues are not viewed as rights enjoyed by all, public policies can exclude people from eligibility as long as they do not discriminate on prohibited grounds such as race. While ensuring that public policies are not discriminatory is important, it does not address the underlying problem of failing to guarantee for all people in the United States an adequate standard of living and other rights necessary to live in dignity.

Timeline: Human Rights and the United States

The Bill of Rights guarantees civil and political rights to individuals, including: freedom of speech, religion, and association; the right to a fair trial; and the prohibition of cruel and unusual punishment.



One hundred women and men sign the Seneca Falls Declaration demanding equal social, civil, and religious rights for women.

The U.S. signs the Hague Conventions which define the laws of war and maritime combat, create protections for prisoners of war and civilians, and establish mechanisms for the peaceful settlement of international disputes.



The League of Nations forms “to promote international cooperation and to achieve international peace and security.”⁴⁰ President Woodrow Wilson leads the effort to establish the League, but the United States never joins.

Following the Japanese government’s attack on Pearl Harbor, the U.S. government forcibly interns 120,000 Japanese Americans, many of them citizens, in detention camps.



The American Declaration of the Rights and Duties of Man and the Universal Declaration of Human Rights (UDHR) are adopted. The United States leads the efforts to draft both documents.

1776

The Declaration of Independence states that “all men are created equal ... [and] are endowed by their Creator with certain unalienable Rights.”³⁸



1791

1830

Congress passes the Indian Removal Act, leading to the forced relocation of 70,000 Native Americans. Many Native Americans die on the westward journey. The Act was one of many official government actions that violated the rights of Native Americans.

1848

1863

The 1863 Emancipation Proclamation helps to end slavery in the United States, eventually leading to the 13th Amendment (1865), which abolishes slavery, and the 14th Amendment (1868), which guarantees equal protection of the law to all people in the United States.



1907

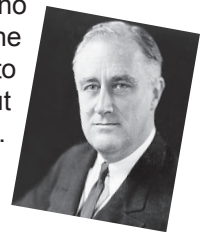
1918

Congress passes the Sedition Act of 1918, which makes it a crime to publish or speak “disloyal, profane, scurrilous, or abusive language”³⁹ about the form of government, the Constitution, or the military of the United States. Over 2,000 people are prosecuted under the Act.

1920

1933

President Franklin Delano Roosevelt launches the New Deal in an effort to bring the United States out of the Great Depression. Legislation passed under the New Deal establishes Social Security, bans child labor, legalizes trade union practices, and provides jobs to millions of Americans.

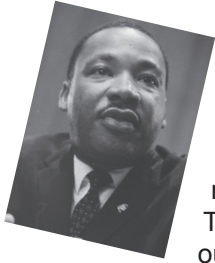


1942

1945

The United Nations is established. One of its purposes is “promoting and encouraging respect for human rights and for fundamental freedoms for all.”⁴¹ The United States is instrumental in helping to create the United Nations.

1948



Martin Luther King, Jr. wins the Nobel Peace Prize for his nonviolent resistance to racial injustice in America. The Civil Rights Act of 1964 outlaws major forms of racial and sexual discrimination in voting, the workplace, schools, and public accommodations.



Sandra Day O'Connor becomes the first woman Supreme Court justice.

The United States ratifies the International Covenant on Civil and Political Rights. While signed, the International Covenant on Economic, Social and Cultural Rights still remains unratified.



Congress passes the Defense of Marriage Act, which prohibits federal recognition of same-sex marriages and allows states to pass similar laws.



Citing international standards, the U.S. Supreme Court abolishes the death penalty for juveniles under age 18.

The U.S. government bans travelers from seven Muslim majority countries from entering the United States. Courts temporarily reverse the ban pending decisions in several cases.

1954

In *Brown v. Board of Education*, the U.S. Supreme Court rules that racial segregation in public schools is unconstitutional.



1964

President Lyndon B. Johnson signs into law the Medicare and Medicaid programs which provide government-funded health care to people over 65 and the poor.



1965

1988

Almost 40 years after its creation, the United States ratifies the Convention on the Prevention and Punishment of the Crime of Genocide.

1992

1994

The United States ratifies the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

1996

2002

The U.S. begins using a detention camp at Guantanamo Bay to hold terrorism suspects in custody without a trial.



2005

2015

The Supreme Court rules that states must allow same sex marriages and recognize such marriages performed in other states.



2017

The United States and Modern Human Rights: A Brief History

The United States has a mixed record on human rights. Despite early leadership on human rights during the 20th century, the United States, unlike many other nations around the world, has not ratified most of the major human rights treaties. U.S. foreign policy does not always respect human rights and the government also fails to protect key human rights domestically, especially economic and social rights.

FOUNDING OF THE HUMAN RIGHTS MOVEMENT

During the first half of the 20th century, the United States was an active proponent of establishing a universal human rights system. It was one of the leaders in creating the Universal Declaration of Human Rights, which was signed in 1948. It also played a prominent role in the Nuremberg International Military Tribunals, which prosecuted individuals for crimes against humanity for the first time.

WITHDRAWAL FROM THE HUMAN RIGHTS SYSTEM

Despite its initial support, in the 1950s the United States stopped participating in and, in some cases, directly opposed the newly established international human rights system. One reason for this disengagement was the conflict stemming from the Cold War, which made it difficult to support a common standard for human rights that might leave the United States vulnerable to criticism from its ideological enemies. The United States also had domestic reasons for refusing to accept international human rights law. At that time, many states in the United States practiced legally-sanctioned discrimination against racial minorities in the form of Jim Crow laws. The U.S. government did not want to be forced to change discriminatory laws and policies as a result of ratifying an international treaty.

RE-ENGAGEMENT WITH THE HUMAN RIGHTS SYSTEM

In the 1960s and 1970s, the United States renewed its commitment to the international human rights system by signing, though not ratifying, several major human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Indeed, during the Carter Administration, respect for human rights played a role in determining foreign policy.

Despite these gains, it was not until the late 1980s and 1990s that the United States ratified some of these treaties, including the Convention on the Prevention and Punishment of the Crime of Genocide (1987), the ICCPR (1992), the ICERD (1994), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1994). During this period, the United States also became more active in humanitarian interventions and prosecuting crimes against humanity.

PRESENT-DAY SITUATION

Today, the United States is still not fully committed to the international human rights system. The government has yet to ratify important human rights-related treaties (see page 31) and opposes some forms of international cooperation on human rights such as the International Criminal Court. There are signs, however, that the United States is increasing its commitment to international human rights. In 2009, the United States rejoined the UN Human Rights Council that it helped to create and signed the newly created Convention on the Rights of Persons with Disabilities (CRPD).

U.S. Reservations to International Law

When the United States ratifies a human rights treaty, it often adds a reservation, declaration, or understanding that restricts protection of certain rights. The United States generally makes two kinds of reservations to treaties:

Declares treaty “not self-executing.” This means that the treaty alone is not enforceable in domestic courts unless Congress passes legislation to implement its provisions. If the United States fails to pass the necessary legislation to uphold its international obligations, people whose treaty rights are violated have no recourse in domestic courts.

Limits scope of treaty. The United States frequently makes reservations limiting the scope of the treaty so as not to supersede the rights protected in the U.S. Constitution. For instance, a reservation to the Convention against Torture reads:

“That the United States considers itself bound by the obligation under Article 16 to prevent ‘cruel, inhuman or degrading treatment or punishment,’ only insofar as the term ‘cruel, inhuman or degrading treatment or punishment’ means the cruel, unusual and inhumane treatment or punishment prohibited by the Fifth, Eighth, and/or Fourteenth Amendments to the Constitution of the United States.”⁴²

This reservation has both negative and positive consequences. On the one hand, it means that the United States is not taking on an additional obligation over the protections currently offered in the U.S. Constitution, essentially negating the ability of the international system to impose higher standards. On the positive side, however, this reservation allows lawyers to use the extensive 5th, 8th, and 14th Amendment case law already in existence to prosecute violations of the Convention rather than having to establish new legal standards.

A more problematic U.S. reservation limiting the scope of the treaty states:

“Nothing in this Covenant requires or authorizes legislation, or other action, by the United States of America prohibited by the Constitution of the United States as interpreted by the United States.”⁴³

This reservation was offered by Senator Jesse Helms during the ratification of the International Covenant on Civil and Political Rights on March 4, 1992.⁴⁴ This reservation has also been added to the Convention against Torture and the Convention on the Elimination of Racial Discrimination. This reservation means that U.S. courts make the final determination about the meaning of treaties that the U.S. government has signed, not the international bodies responsible for overseeing and interpreting the treaty. Thus, rather than accepting the international system of human rights law when it signs international human rights treaties, the United States continues to rely on domestic protections alone.

MAJOR INTERNATIONAL TREATIES THE UNITED STATES HAS RATIFIED⁴⁵

Slavery Convention • (1926) Created under the League of Nations, this convention banned all forms of slavery, putting an end to the slave trade. The United States ratified the Slavery Convention in 1929.

Geneva Conventions • (1949) Based on the first Geneva Convention of 1864, these four treaties were drafted to protect wounded soldiers, prisoners of war, and civilians during war and conflict. The United States ratified the Conventions in 1955.⁴⁶

Convention and Protocol relating to the Status of Refugees • (1951 and 1967) A key document in protecting and assisting refugees worldwide, the 1951 Convention defines the term refugee, their rights, and the legal obligations of their host governments. The Convention protected victims in Europe after World War II. The 1967 Protocol removed geographical and temporal restrictions to address issues of displacement around the world. The United States ratified the Protocol in 1968.

Convention on the Prevention and Punishment of the Crime of Genocide • (1948) This convention declares genocide a crime under international law. It requires punishment of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide, and complicity in genocide. The United States ratified the Convention in 1988.

International Covenant on Civil and Political Rights • (1966) This treaty is one of two (the other being the International Covenant on Economic, Social, and Cultural Rights) which codifies the rights set forth in the Universal Declaration of Human Rights. The ICCPR contains human rights such as the right to equality, life, freedom from slavery, freedom of movement, and freedom of expression. The United States ratified the Covenant in 1992.

International Convention on the Elimination of All Forms of Racial Discrimination • (1966) Seeking to promote understanding and tolerance among all races, this convention outlines measures to be taken by states to eliminate all forms of racial discrimination, giving individuals freedom from racial segregation and apartheid, the right to equal treatment in the legal system, and the right to public education that promotes understanding and tolerance. The United States ratified the Convention in 1994.

Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment • (1984) Requiring freedom from torture in all circumstances, this convention commits its parties to take effective measures to prevent torture, including criminalizing all acts of torture under its jurisdiction and giving victims the right to compensation for torture committed against them. Under this treaty, no person can be returned to a country where they may be subject to torture. The United States ratified the Convention in 1994.

MAJOR INTERNATIONAL TREATIES THE UNITED STATES HAS NOT RATIFIED

International Covenant on Economic, Social and Cultural Rights • (1966) Part of the International Bill of Human Rights, this is the only covenant that requires governments to promote and protect such rights as health, education, social protection, and an adequate standard of living for all people. The ICESCR has been ratified by more than 150 countries. President Carter signed the Covenant in 1977, but the United States has yet to ratify it.

American Convention on Human Rights • (1969) Adopted by the nations of the Americas in San Jose in 1969, this Convention contains a list of individual civil, political, economic, social, and cultural rights which are based on “respect for the essential rights of man.” President Carter signed the Convention in 1977, but the United States has yet to ratify it.⁴⁷

Convention on the Elimination of All Forms of Discrimination against Women • (1979) The most comprehensive and detailed international agreement that seeks the advancement of women, CEDAW has been ratified by 189 countries. Although President Carter signed CEDAW in 1980, today the United States is the only Western country that has not ratified the treaty.

Convention on the Rights of the Child • (1989) Protecting children from physical and mental abuse and hazardous work, and giving children the right to free primary education, the CRC has been ratified by 196 countries. President Clinton signed the CRC in 1995 but the United States has yet to ratify it, the only country in the world not to do so.

Rome Statute of the International Criminal Court • (1998) The ICC conducts trials of individuals accused of genocide, war crimes and crimes against humanity when there is no other recourse for justice. 139 countries have signed the ICC, including the United States. In 2002, President Bush stated that the United States did not intend to be bound by its signature to the Rome Statute and that it had no intention of ratifying it.⁴⁸

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families • (1990) The Migrant Workers Convention protects migrant workers and their families from abuse and inhumane treatment in the countries where they work. No industrialized, migrant-receiving country outside of Latin America, including the United States, has signed this treaty.

Convention on the Rights of Persons with Disabilities • (2006) The CRPD is the first global convention that specifically addresses the human rights of persons with disabilities. President Obama signed the treaty in 2009, but the United States has yet to ratify it.

International Convention for the Protection of All Persons from Enforced Disappearance • (2006) This Convention affirms that enforced disappearances constitute a crime against humanity when practiced in a widespread or systematic manner. The United States has not yet signed this treaty.

International Labour Organization Core Conventions • As of 2016, the United States has only ratified 12 of the 162 active ILO Conventions. In addition, the United States has only ratified two out of the eight conventions that the ILO describes as fundamental to the human rights of workers.⁴⁹

Endnotes - Module 1: International Human Rights

1. United Nations (UN), *The Universal Declaration of Human Rights*, Article 2 (Dec. 10, 1948), <http://www.un.org/en/documents/udhr/index.shtml> (accessed Jan. 24, 2011).
2. The Office of the High Commissioner for Human Rights (OHCHR), "Who We Are: Brief History," <http://www.ohchr.org/EN/AboutUs/Pages/BriefHistory.aspx> (accessed Jan. 24, 2011).
3. UN, *UN Briefing Papers/Human Rights Today: A United Nations Priority*, "Universal Declaration of Human Rights" (1998), <http://www.un.org/rights/HRToday/declar.htm> (accessed October 22, 2010).
4. Human Rights Educators' Network of Amnesty International USA, Human Rights Resource Center, and Stanley Foundation, *Human Rights Here and Now*, "Appendix 5: The Universal Declaration of Human Rights" (Minneapolis MN: Human Rights Resource Center, 1998), http://www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-5/8_udhr-abbr.htm (accessed May 10, 2011).
5. United Nations Cyber School Bus, "Understanding Human Rights," <http://www.un.org/cyberschoolbus/humanrights/about/understanding.asp> (accessed January 24, 2011).
6. UN, *The Universal Declaration of Human Rights*, Preamble.
7. OHCHR, "International Human Rights Law," <http://www.ohchr.org/en/professionalinterest/Pages/InternationalLaw.aspx> (accessed May 10, 2011).
8. UN, *Vienna Convention on the Law of Treaties*, Section 2 (May 23, 1969), 1155 U.N.T.S. 331, http://untreaty.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf (accessed May 10, 2011).
9. United States Senate, "Treaties," <http://www.senate.gov/artandhistory/history/common/briefing/Treaties.htm> (accessed Nov. 10, 2010).
10. UN, *Vienna Convention on the Law of Treaties*, Section 2.
11. For a detailed list of international human rights documents by topic, see www.discoverhumanrights.org/training.html.
12. UN, *Charter of the United Nations*, Introductory Note and Article 110 (June 26, 1945), <http://www.un.org/en/documents/charter/index.shtml> (accessed May 10, 2011).
13. UN, *United Nations Documentation: Research Guide*, "Human Rights Bodies," <http://www.un.org/depts/dhl/resguide/spechr.htm#hrbodies> (accessed January 24, 2011).
14. Ibid.
15. OHCHR, "Who We Are," <http://www.ohchr.org/EN/AboutUs/Pages/WhoWeAre.aspx> (accessed January 24, 2011).
16. UN Human Rights Council, "The Human Rights Council," <http://www2.ohchr.org/english/bodies/hrcouncil/> (accessed January 24, 2011).
17. UN General Assembly, *Human Rights Council : resolution / adopted by the General Assembly*, 3 April 2006, A/RES/60/251, <http://www.unhcr.org/refworld/docid/4537814814.html> (accessed Mar. 5 2011).
18. UN Human Rights Council, "The Human Rights Council."
19. OHCHR, "Universal Periodic Review," <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRmain.aspx> (accessed January 24, 2011).
20. Ibid.
21. OHCHR, "Basic Facts About the UPR" (Nov. 2008), <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx> (accessed January 24, 2011).
22. OHCHR, "Special Procedures of the Human Rights Council", <http://www2.ohchr.org/english/bodies/chr/special/index.htm> (accessed January 24, 2011).
23. Ibid.
24. Human Rights Council, "Human Rights Council Complaint Procedure," <http://www2.ohchr.org/english/bodies/chr/complaints.htm> (accessed January 24, 2011).
25. Ibid.
26. OHCHR, "Human Rights Treaty Bodies," <http://www2.ohchr.org/english/bodies/treaty/index.htm> (accessed May 10, 2011).
27. Ibid.
28. International Labour Organization, *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up* (June 18, 1998), <http://www.ilo.org/declaration/thedeclaration/textdeclaration/lang--en/index.htm> (accessed July 5, 2011).
29. International Criminal Court, "ICC at a Glance," <http://www.icc-cpi.int/Menus/ICC/About+the+Court/ICC+at+a+glance/>

(accessed January 24, 2011).

30. Ibid.
31. Inter-American Commission on Human Rights, "What is the IACHR?" <http://www.cidh.oas.org/what.htm> (accessed January 24, 2011).
32. European Court of Human Rights, *The Court in Brief*, http://www.echr.coe.int/NR/rdonlyres/DF074FE4-96C2-4384-BFF6-404AAF5BC585/0/Brochure_en_bref_EN.pdf (accessed January 24, 2011).
33. African Commission on Human and Peoples' Rights, "Mandate," http://www.achpr.org/english/_info/mandate_en.html (accessed May 10, 2011).
34. African Court on Human and Peoples' Rights, "FAQ," <http://www.african-court.org/en/court/faq/> (accessed May 10, 2011).
35. Exceptions to this exhaustion requirement will be made when: the domestic legislation of the State concerned does not afford due process of law for protection of the right or rights that have allegedly been violated; the party alleging violation of his or her rights has been denied access to the remedies under domestic law or has been prevented from exhausting them; or there has been unwarranted delay in rendering a final judgment under the aforementioned remedies. (See: Rules of Procedure of the IACHR at http://www.oas.org/xxxivga/english/reference_docs/Reglamento_CIDH.pdf).
36. *Coffin v. United States*, 156 U.S. 432,433 (1895), <http://constitution.org/ussc/156-432.htm> (accessed January 24, 2011).
37. *Kent v. Dulles*, 357 U.S. 116 (1958), <http://supreme.justia.com/us/357/116/> (accessed January 24, 2011).
38. United States, *Declaration of Independence* (July 4, 1776), http://www.archives.gov/exhibits/charters/declaration_transcript.html (accessed January 24, 2011).
39. *U.S. Statutes at Large* 40 (1919), 553.
40. The Avalon Project, *The Versailles Treaty*, "Part 1: The Covenant Of The League Of Nations" (June 28, 1919), Yale Law School, <http://avalon.law.yale.edu/imt/parti.asp> (accessed May 10, 2011).
41. UN, *Charter of the United Nations*, Article 1.
42. University of Minnesota Human Rights Library, *U.S. reservations, declarations, and understandings, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, Cong. Rec. S17486-01 (Oct. 27, 1990), <http://www1.umn.edu/humanrts/usdocs/tortres.html> (accessed May 10, 2011).
43. University of Minnesota Human Rights Library, *U.S. reservations, declarations, and understandings, International Covenant on Civil and Political Rights*, 138 Cong. Rec. S4781-01 (April 2, 1992), <http://www1.umn.edu/humanrts/usdocs/civilres.html> (accessed May 10, 2011).
44. US Senate Executive Report 102-23, *US Senate Report on Ratification of The International Covenant on Civil and Political Rights*, III. Committee Action (March 24, 1992) in Jeffrey L. Dunoff, Steven R. Ratner, and David Wippman, *International Law: Norms, Actors, Process: A Problem-oriented Approach* (New York: Aspen Publishers, 2010), http://sitemaker.umich.edu/drwcasebook/files/senate_committee_on_foreign_relations_report_on_the_iccpr.pdf (accessed January 25, 2011).
45. Information on the status of all UN treaties, including signatories, ratifications, and reservations, can be found in the UN Treaty Collection, *Multilateral Treaties Deposited with the Secretary-General*, <http://treaties.un.org/Pages/ParticipationStatus.aspx> (accessed May 10, 2011).
46. International Committee of the Red Cross, *Annual Report 2010*, "States Party To The Geneva Conventions And Their Additional Protocols" (May 2011), <http://www.icrc.org/eng/assets/files/annual-report/current/icrc-annual-report-2010-states-party.pdf> (accessed July 7, 2011).
47. Department of International Law, Organization of American States, *B-32: American Convention On Human Rights "Pact Of San Jose, Costa Rica"* (Nov. 22, 1969), <http://www.oas.org/juridico/english/sigs/b-32.html> (accessed May 10, 2011).
48. Curtis A. Bradley, "U.S. Announces Intent Not to Ratify International Criminal Court Treaty," *American Society of International Law* (May 2002), <http://www.asil.org/insigh87.cfm> (accessed July 7, 2011).
49. ILOLEX: Database of International Labour Standards, "Ratifications by country: United States," <http://www.ilo.org/ilolex/english/> (accessed May 10, 2011).

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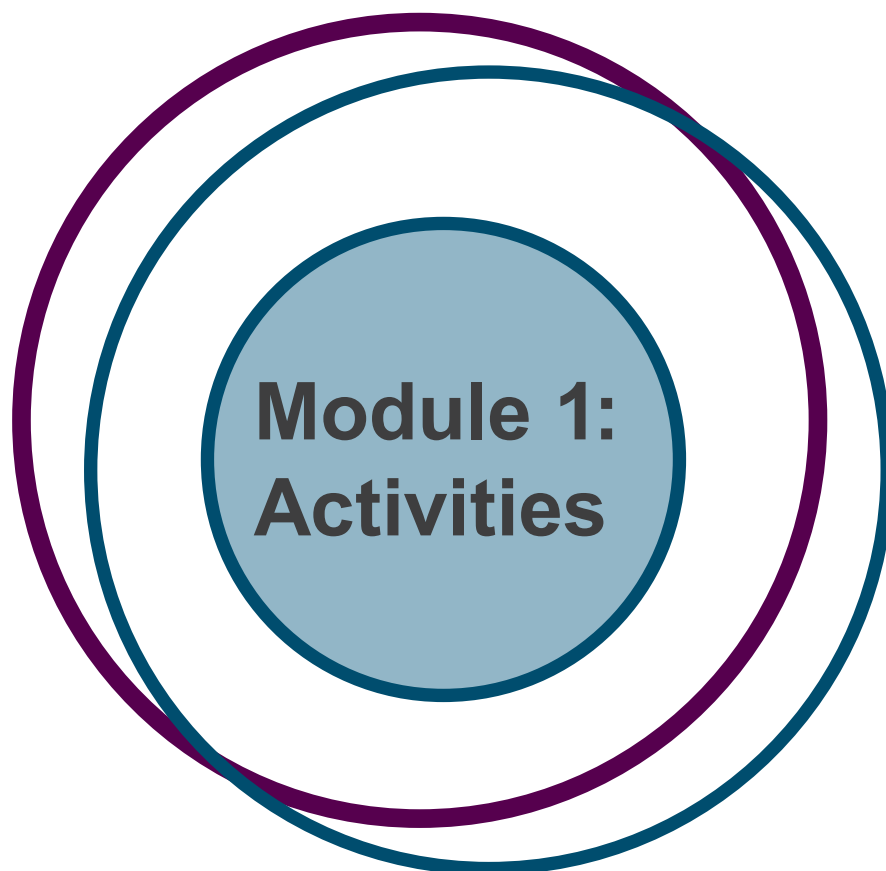
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Human Rights Mixer

| | |
|-------------------|---|
| Objective: | To reveal what participants already know about human rights |
| Time: | 10 minutes |
| Materials: | Handout: <i>Human Rights Mixer</i> |

Procedure:

- 1. Explain.** Explain that participants will be working closely together, so it is important that they get to know one another. This icebreaker will help them get acquainted using a human rights perspective.
- 2. Distribute.** Distribute a copy of Handout: *Human Rights Mixer* to each participant and review the instructions. The aim of the activity is to get an answer from a different person for each square. Indicate that they will have five minutes to complete as many squares as possible. As an incentive, you can have a prize of some kind for whoever gets the most responses in five minutes.
- 3. Mix It Up.** Start your timer and ask the participants to start the game. When five minutes have elapsed, instruct the participants to stop.
- 4. Share.** Ask the person who completed the most squares to share some of his/her responses with the group. Ask participants to return to their seats and briefly introduce themselves to their neighbor.

Adapted from Human Rights Educators' Network of Amnesty International USA, Human Rights Resource Center, and Stanley Foundation, *Human Rights Here and Now*, "Human Rights Squares" (see p. 32, n. 4).



Human Rights Mixer

Instructions: Using members of the group as sources of information, fill in an answer for as many squares as you can. Each answer should come from a different person.

| | | | | |
|---|--|--|---|--|
| A human right | A way that we affect the human rights situation in other countries | Document that proclaims human rights | Group in our country that wants to deny rights to others | Something you do to uphold human rights in your daily life |
| Organization which fights for human rights in your community | A human rights issue that you've worked on | Group in your community whose rights are denied | Right someone in another country has that you do not | A human right important to you right now |
| Recent event or action that improved human rights in this country | Type of human rights violation that most disturbs you | Right sometimes denied to women in our country | Right fulfilled in the U.S. that is not always fulfilled in other countries | A movement in our country that advanced human rights |
| Right denied to some people in your community | Right of yours that is respected | One word that describes why you do social justice work | Book, movie, or song about rights | Someone who is a defender of human rights |

Interview Icebreaker

| | |
|-------------------|---|
| Objective: | To introduce participants and actively engage them at the beginning of the training |
| Time: | 20-40 minutes |
| Materials: | Paper, pens |

Procedure:

- 1. Pair Up.** Divide participants into pairs. Ask them to find someone that they don't know well or have not met yet.
- 2. Interview.** Ask participants to interview their partner for approximately five minutes focusing on questions such as:
 - What is your name?
 - What kind of experiences have you had in social justice work?
 - Name two good things that happened in the past year that give you hope for the future of social justice and human rights in the United States.
- 3. Report Back.** Ask participants to introduce their partner to the large group with a minute-long summary of the main information they gathered.

Adapted from Caritas Internationalis, *Peacebuilding: A Caritas Training Manual*, "Interviewing for Expectations and Experiences" (Vatican City: Caritas Internationalis, 2002) http://www.caritas.org/upload/pea/peacebil-ing_1.pdf (accessed July 6, 2011).

Procedure 2:

- 1. Prepare.** Ask people to sit in a circle and invite participants to fill in the blanks in this sentence:
*"My name is _____ and I am with _____ (organization) [or I am interested in _____].
 I believe that everyone should have the right to _____."*
- 2. Introduce.** Give a few minutes for people to think, and try to make sure they feel comfortable in taking the sentence as seriously or lightheartedly as they wish. Start by demonstrating your own answer. If people do not want to answer this question, say that you will come back to them at the end to give them another opportunity. As facilitator, this is an opportunity to gather information about your participants. While people are sharing with the group, jot down for your own notes what people say: name, organization or interest, and the right they wish to uphold.
- 3. Find Patterns.** When participants are finished introducing themselves, ask them to repeat back the answers they heard from the others. Ask if they can identify any patterns or commonalities within the group. This can lead into the next exercise in which participants will have the opportunity to express their expectations of the training in more detail.

Adapted from *Inspiring practice: Resources, tools and activities for human rights education*. Northern Ireland Human Rights Commission (Belfast: NIHRC, October 2008) http://www.dpiap.org/resources/pdf/Inspiring_Practice_Resources_Tools_Activities_09_05_14.pdf (accessed January 2013).

Expectations and Ground Rules

Objective: To identify what participants want from the training session and establish agreed upon rules for the workshop

Time: 15 minutes

Materials: Flip chart paper, markers

Procedure:

- 1. Prepare and Explain.** Prepare two large pieces of flip chart paper that say “Expectations” and “Ground Rules.” Explain that “Expectations” refer to what participants hope to get out of the training and “Ground Rules” refer to what kind of rules they think participants should follow to create an open and respectful atmosphere during the training.
- 2. Brainstorm.** Ask participants to write one or more things on each piece of paper.
- 3. Decide on Ground Rules.** When all participants have written their comments, ask everyone to read over what has been written under “Ground Rules.” Ask them if there is anything that should be added or anything with which they do not agree. Once all the participants are satisfied with the list, hang the ground rules on the wall where it can be referred to throughout the workshop. Explain that this is a participatory workshop and that everyone is expected to respect the ground rules and hold themselves and each other accountable for upholding them.

Examples of some standard ground rules include:

- Listen and hear what is being said
- Avoid put-downs of yourself or others
- Refrain from speaking too often or too long
- Give everyone a chance to speak
- Be on time

- 4. Review Expectations.** Next, review and discuss what is written under “Expectations.” Some of the expectations may be things that will not be addressed during the training. Explain to participants that the training will not cover those topics and if possible refer them to outside resources. Other expectations may be things you will want to address later in the training. Finally, some of the expectations may match the workshop objectives. They can be a useful transition to the slide on “Workshop Objectives.”

Adapted from Caritas Internationalis, *Peacebuilding: A Caritas Training Manual*, “What Do You Expect?” (Vatican City: Caritas Internationalis, 2002) http://www.caritas.org/upload/pea/peacebil-ing_1.pdf (accessed July 6, 2011).

What Does It Mean to Be Human?

Objective: To define what it means to be human and to relate human rights to human needs

Time: 10 minutes

Materials: Flip chart paper, markers

Procedure:

1. **Prepare.** Write the words “HUMAN RIGHTS” at the top of the flip chart paper. Below the words, draw the outline of a human being.
2. **Brainstorm.** Ask participants to brainstorm what qualities define a human being and write the words or symbols inside the outline. For example, “intelligence” or “sympathy.” Next ask participants what they think is needed in order to protect, enhance, and fully develop these qualities of a human being. List their answers outside the outline, and ask participants to explain them. For example, “education,” “friendship,” or “a loving family.”
3. **Discuss.** Discuss the following questions as a large group:
 - What does it mean to be fully human? How is that different from just “being alive” or “surviving”?
 - Based on this list, what do people need to live in dignity?
 - What happens when a person or government attempts to deprive someone of something that is necessary to human dignity?
 - What would happen if you had to give up one of these human necessities?
4. **Explain.** Explain that everything inside the circle relates to human dignity and the wholeness of being human. Everything written around the outline represents what is necessary to support human dignity. Human rights are based on these necessities.

Read these sentences from the Universal Declaration of Human Rights (UDHR) and explain that this document sets the standard for how human beings should behave towards one another so that everyone’s human dignity is respected:

...Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world.

Preamble, Universal Declaration of Human Rights

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 1, Universal Declaration of Human Rights

Adapted from Human Rights Educators’ Network of Amnesty International USA, Human Rights Resource Center, and Stanley Foundation, *Human Rights Here and Now*, “Human Beings/Human Rights” (see p. 32, n. 4).

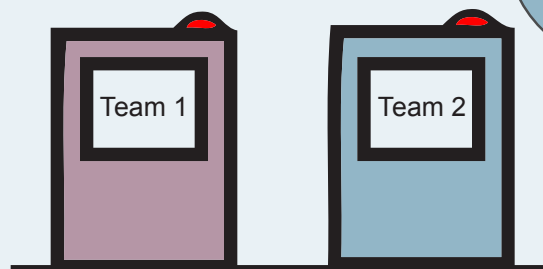
Human Rights Quiz Bowl

Activity

- Objective:** To review participants' knowledge of basic human rights concepts and definitions
- Time:** 20 minutes
- Materials:** Facilitator Handout: *Human Rights Quiz Bowl Questions*
Human Rights Quiz Bowl PowerPoint
2 buzzers or bells

Procedure:

- 1. Prepare.** This activity can be done as a review of the background reading material for module 1 or as an opportunity to allow participants to demonstrate their knowledge of international human rights. Note: Depending on time constraints, facilitators may choose to use this activity in place of the Module 1 lecture. Facilitators can use each quiz question as opportunity to communicate the basic international human rights concepts covered in the background section of Module 1.



Set up two game stations, one for each team, that the facilitator can stand between as the groups compete. If possible, supply each station with a buzzer or bell.

- 2. Create Teams.** Split participants into two groups. If you want, you can ask each group to come up with a team name.
- 3. Explain.** As the facilitator, act as the host of the quiz bowl. Explain to the group that they will be competing in a quiz bowl to test their knowledge of international human rights. Give each group one of the buzzers or bells. Participants must listen to the whole question and all answer choices before ringing the bell.
- 4. Play.** As the host of the quiz bowl, the facilitator will stand between the two opponents from each team and ask the questions. Once they hear the question and answer choices, the first team to buzz/ring in will get a chance to answer. If they don't provide the correct answer, the other team can steal the point by providing a better answer. Facilitators can choose whether to keep score and perhaps share a small prize for motivation. Each participant should get a chance to answer at least one question. Quiz questions are provided in the facilitator handout: *Human Rights Quiz Bowl Questions*.



Human Rights Quiz Bowl Questions

1. **Who has human rights?**
 - A. A criminal
 - B. An illegal immigrant
 - C. A citizen
 - D. **All of the above**
 - E. None of the above
2. **In what year was the UDHR adopted and how many countries voted for its adoption?**
1948 and 48 countries.
3. **Name three rights from the International Covenant on Civil and Political Rights.**
(see page 59)
4. **Name three rights from the International Covenant on Economic, Social, and Cultural Rights.**
(see page 60)
5. **According to the UDHR, who is responsible for upholding human rights?**
 - A. Governments
 - B. Businesses
 - C. Civil society
 - D. Individuals
 - E. A and B
 - F. **All of the above**
6. **Who enforces international human rights standards?**
 - A. The International Red Cross
 - B. **The governments of individual countries**
 - C. The United Nations
 - D. Nongovernmental human rights organizations
7. **What does it mean when a government enters a reservation to a treaty?**
The government modifies the legal effect of certain provisions of the treaty – can include specifying an interpretation of or refusing to accept certain provisions.
8. **What rights included in the UDHR are missing from the U.S. Constitution?**
Possible answers include: economic, social and cultural rights; the right to food, health, housing, and education; the right to an adequate standard of living; and the right to social security.
9. **Name two international human rights bodies.**
(see pages 20-23)
10. **Provide an example of the kind of work performed by the international human rights system.**
International human rights bodies create treaties, monitor and report on human rights conditions around the world, take complaints from individuals, enforce human rights standards, and directly improve human rights.
11. **Who is subject to review under the Human Rights Council's Universal Periodic Review?**
 - A. Countries that have signed the ICCPR
 - B. **All UN member countries**
 - C. Countries referred by a vote of the General Assembly
12. **Can nongovernmental organizations (NGOs) participate in the work of international human rights mechanisms?**
 - A. **Yes**
 - B. Sometimes, if the NGO maintains Special Consultative Status with the UN
 - C. No
13. **What types of reservations to treaties does the U.S. use most frequently?**
 - A. Declares the treaty not self-executing
 - B. Interprets the treaty to match the protections offered by the U.S. Constitution
 - C. Declares that the treaty only applies internationally
 - D. Restricts application of the treaty to a particular group of people
 - E. **A and B**
 - F. A, B and C
 - G. All of the above
14. **Name two treaties that the U.S. has ratified.**
(see page 30)
15. **The U.S. is the only UN member country not to ratify this treaty. Name the treaty.**
Convention on the Rights of the Child
16. **How many people in the United States live below the poverty line?**
 - A. 250,000 (0.08%)
 - B. 2.3 million (0.7%)
 - C. 16.1 million (5%)
 - D. **40.6 million (12.7%)**

The People Behind the Statistics

Activity

Objective: To gain a deeper understanding of the impact of human rights violations on the lives of individuals in the United States

Time: 30 Minutes

Materials: Posters of rights, tape
Handout: *The People Behind the Statistics Discussion Questions*
Handout: *The People Behind the Statistics Statements*

Procedure:

- 1. Prepare.** Before the training, choose which rights you want represented in your activity (e.g. Right to Health, Right to Food, Right to Safety and Security). Participants will be breaking up into small groups based on these rights. It is important to have enough people (at least 3 or 4) in each small group for good discussion, so limit the number of categories to match the number of participants (e.g. for a 12 person training, choose three rights). Choose an equal number of quotes from each right and cut them out from Handout: *The People Behind the Statistics Statements*. Make posters for each of the rights you will be using in the activity and hang them around the room.
- 2. Introduce.** Give each participant Handout: *The People Behind the Statistics Discussion Questions*, a copy of the Universal Declaration of Human Rights, and one of the quotes from the *Statements*. Make sure to mix up the statements so they are read in random order. Explain to the group that too often when we are looking at statistics, we forget they represent real people with real stories. Based on actual data, the statements they are about to read will show the impact of human rights violations on the lives of individuals in the United States.
- 3. Read.** Ask each participant to read their statement out loud to the group. Once they have finished reading, they should choose which of the rights hanging on the wall has been violated in their scenario and go stand next to that poster.
- 4. Small Group.** Once all the statements have been read, there should be separate small groups representing each of the rights on the posters. In their small groups, give participants 5-10 minutes to discuss the questions below (also see handout). Remind them to answer these questions as best they can from the point of view of the person in their statement. **Note:** As part of the small group work, facilitators can choose to add the Module 1 Activity: *Where are the Rights?*
 - Do you consider the problem that you face to be a human rights violation? Use your copy of the UDHR to identify the right being violated in your scenario.
 - Does the violation of this right affect the enjoyment of other rights?
 - Are these problems universal or are there groups that are particularly at risk (due to race, class, gender, ability, age, etc)?
 - What societal changes need to happen for your rights to be fulfilled?
 - As a group, what are your top 3 priorities for change?
 - What are some of the obstacles your group faces in achieving its priorities?
 - How might social justice groups help you achieve your goals for change?
- 5. Large Group Discussion.** After 5-10 minutes, have each small group report back to the large group on the results of their discussion. As large group, discuss the following:
 - What is your initial reaction to what the small groups shared?
 - How realistic are the proposed solutions?
 - Was it helpful to think about these issues from a human rights perspective?
 - How did it feel to think about these issues from the point of view of a person who has suffered a human rights violation?



The People Behind the Statistics

Discussion Questions

In your small group, discuss the questions below. Answer the questions, as best as you can, from the point of view of the person in your statement.

1. Do you consider the problem that you face to be a human rights violation? Use your copy of the UDHR to identify the right being violated in your scenario.
2. Does the violation of this right affect the enjoyment of other rights?
3. Are these problems universal or are there groups that are particularly at risk (due to race, class, gender, ability, age, etc.)?
4. What societal changes need to happen for your rights to be fulfilled?
5. As a group, what are your top 3 priorities for change?
6. What are some of the obstacles your group faces in achieving its priorities?
7. How might social justice groups help you achieve your goals for change?



Right to Health

We have no health insurance because my state did not expand Medicaid and I earn too little to get a subsidy on the individual insurance exchange. 2.5 million people fall into this coverage gap, even though we were promised everyone would have health insurance.

I have a disability and some of my special needs are not covered by my insurance provider. I understand that my case is not unique at all. Individuals with disabilities are four times as likely as non-disabled individuals to have needs that are not covered by insurance.

I am an African American mother. My infant son died before we could even bring him home from the hospital. Did you know that infant mortality rates for African American babies are twice as high as those for whites in the United States?

I am a sophomore in college and I had a mental health crisis that landed me in the emergency room. Even after I stabilized, there was nowhere for me to go. I spent weeks in the emergency room before a space opened up in a residential treatment program. 1 in 5 patients stay in hospitals even when they could be treated elsewhere because my state has so few resources for the mentally ill.

Some say health care in the U.S. is the best in the world, but certainly not for all. As a racial minority in the U.S., I receive a lower quality of care than do my white counterparts, especially for more complicated procedures. This is true even when minorities have health insurance and are of the same social class as whites.

Right to Food

My family qualifies for food stamps but only for the minimum benefit. That means we receive \$16 worth of food stamps each month. I hate to complain but \$16 doesn't last very long, even for just two people.

I work in your school's cafeteria. Just because we serve it, does not mean it is healthy. Though federal school lunch standards are based on the most recent Dietary Guidelines, only one third of schools stay below the maximum allowed levels of fat. I am not surprised that 1 out of 3 kids are overweight or obese in this country.

I got severely sick from an E. coli outbreak that affected spinach. I question whether our food production protects the health of animals, workers and consumers. The Centers for Disease Control and Prevention estimates that 48 million Americans are sickened; 128,000 are hospitalized; and 3,000 die each year from food borne illnesses.

I am a senior citizen who relies on the food shelf, but I still have to choose between paying for food or medical care. 34% of food shelf users have had to make that difficult choice, and even more of us have to choose between buying food and paying utility bills.

I am a 3rd grader and I have been struggling in school. I feel hungry often and sometimes school is the only place where I get fed. I heard another adult tell my mom that children who experience severe hunger like me have higher levels of chronic illness, anxiety, depression, and behavior problems than children who do not experience hunger.



Right to Equal Protection & Due Process

My wife and I were driving home when we were pulled over by the police. The police said they had to search the vehicle. By the end of the search, our belongings were scattered all over the ground. When no drugs were found, the police left us there on the side of the road with no explanation. I believe we were treated this way due to our race.

I am a public defender. In the past three years, my case load has doubled, while our state's budget for criminal defense has declined drastically. With so little money and so many clients, I cannot provide a thorough defense. For instance, I am forced to accept police reports without an independent investigation. This lack of adequate representation adds to the disproportionate numbers of poor individuals and minorities in prison.

I am a female inmate at a state prison. Like many other women convicted of drug trafficking, my partner kept and sold drugs in our home. I was too afraid to report him because he abused me. Although the judge sympathized with me, the law did not allow him to consider domestic violence as a defense in my case.

I was born in Thailand and have been an American citizen for ten years. Eleven months ago, immigration officials put me in jail because I didn't have my citizenship papers with me when I was pulled over for a minor traffic violation. It took 10 months and a skilled lawyer to get me out of jail. I was lucky because I was able to afford a lawyer. Over half of all detained immigrants have no legal representation.

I have been in a Maryland prison for 13 years for a crime I did not commit. I agreed to a plea bargain under pressure from the prosecutor. New DNA testing could prove my innocence, but Maryland law does not allow people who entered guilty pleas any access to DNA testing post-conviction. How is this justice?

Right to Just & Favorable Working Conditions

I work at a nursing home in Arizona. Even though I have a full-time job and often work overtime, I still cannot seem to make ends meet for me and my family. I thought that if I worked hard, my family would never live in poverty. Apparently, I was wrong. Almost 3 million full-time, year-round workers live in poverty due to the low wages of their jobs.

I really enjoy my job, but as a deaf individual I have difficulty communicating with my coworkers. I am afraid that my resulting isolation will limit my advancement in the company and increase my chances of being laid off. Many workplaces still lack basic adaptations necessary for my career success such as interpreters, text phones, and pagers. I am not surprised that almost half of the deaf community in the U.S. is not in the labor force.

I recently migrated to the U.S. to do agricultural work. I pick tomatoes for twelve hours a day with almost no breaks for rest, food, or going to the bathroom. Just last week, a young man fell ill from heat exhaustion while picking. This culture of exploitation must be one reason why farm workers are 3 times more likely than the general public to be injured while working.

Recently, I started hearing anti-gay comments at work, some made by my boss. I am not "out" at work and worry that someone will learn of my sexual orientation and I will lose my job. Did you know that under the laws of 26 states, it is legal for an employer to fire someone because they are lesbian or gay?

I work on an assembly line at a locomotive plant. I want to join the local union, but fear that doing so will cost me my job. I have heard that while firing employees because of unionizing is against U.S. labor law, our company views the small fines as routine costs that are nothing compared to the trouble they think is caused by union members.



Right to Safety & Security

I am a 16-year-old resident of a primarily black neighborhood in Cincinnati, Ohio. Last week, a young girl in my community was shot and killed in the crossfire of a dispute. I am scared for the safety of my family. Urban violence in the U.S. disproportionately affects people under the age of 35 and youth of color.

My child committed suicide while in a youth prison. He is not alone. Due to inhumane practices such as weeks-long isolation and verbal and physical abuse, numerous children have responded to juvenile prison by hurting themselves.

Six months ago, my husband and I emigrated from Mexico. Since then, my husband has hit and sexually assaulted me. Last week, I went to a local domestic abuse shelter for help, but they told me they could not help me because their Spanish-speaking advocate's case load was full. I don't know where to go for help and I feel completely alone.

I am the father of a gay teenager. I recently read in an FBI report that approximately 19.4% of hate crimes in the U.S. are aimed at LGBT individuals. I support the sexual identity of my son, but I also worry about his safety now and in the future.

Last week, I gave birth to my first child while in a state prison. It was a very scary and painful experience. During labor, my feet were shackled to the bed, limiting my ability to move and achieve a comfortable birthing position. No woman should have to give birth the way I did, regardless of her criminal record.

Right to Political Participation

I have been out of jail for 8 years, yet my state will not allow me to vote in any elections. Some states, including my own, bar certain convicted felons from voting for life. I have served my time and work hard to be a productive member of society. I am tired of feeling like an outcast because of a mistake I made years ago.

I am a government official in Des Moines, Iowa. I am concerned that foreign-born citizens in our state are struggling to participate in the election process. Because of a 2002 state law that requires all official governmental communication to be made in English, my department cannot provide registration forms or any other basic information about the election process in the first languages of our immigrant communities.

Yesterday, I went to my local polling station to vote and I could not get into the building because it didn't have wheelchair accessible entrances. This is not unusual. Only 1 in 4 U.S. polling stations are completely accessible to persons with disabilities. I feel discriminated against. All Americans, regardless of ability, should be able to vote at a polling station if they want!

As a resident of the District of Columbia, I am not allowed to vote in Congressional elections. This is particularly upsetting because D.C., and thus its 650,000 residents, is under the direct authority of Congress.

I recently went to a polling station and was told I did not fulfill the residency requirement for voting in my state. As a person experiencing homelessness, I often have to move among city districts for food, shelter, and employment. This should not prevent me from being a part of the election process.



Right to Education

I am the parent of a four year old who qualifies for Head Start, but there are no spaces available. They say there is only enough funding to serve half of all eligible children. No wonder only half of the kindergartners in my state are ready to start school. It's not fair that my child should be left behind.

I am a 17-year-old Latino student. My test scores are at approximately the same level as the average white eighth grader. I assure you it has little to do with my IQ. I question these tests and our methods of teaching Latinos and African-Americans if the average achievement gap is that large.

I am a high school guidance counselor. I have heard my state has one of the worst counselor-to-student ratio in the country. My school is a typical example. My case load includes nearly 800 students. It is impossible for me to meet the needs of all of my students.

I came to this country from Mexico when I was four. I am an A student in high school right now and dream of going to college, so I applied for DACA, the program designed to help children like me stay in the United States. The program was created by a presidential order and now is being ended. I am afraid that immigration now knows I am undocumented and has all of my contact information.

I am a student with a learning disability. Although statistics show a rise in graduation rates overall for students like me, 22% of Americans with disabilities fail to complete high school, compared to 9% of those without disabilities. The federal government promised more funding to students with disabilities but they have only delivered half of it.

Right to Housing

I should have known it was too good to be true, but the mortgage company assured me that I could afford to own my own home. After sixteen months, however, the payments more than doubled and I had to foreclose. African Americans like myself are 105% more likely to be given risky, high cost loans than similar white borrowers.

It seems like forever that I have been on a waiting list for public housing. My family has to share an apartment with my sister, and a one-bedroom is not enough room for the five of us. The landlord is threatening to kick us out, but we have nowhere to go. Considering that only 1 in 3 eligible applicants actually receive assistance, we may never find a place of our own to live.

I want to leave my abusive boyfriend, but I do not have anywhere else to go. I wish that I could save money for my own place, but he controls the finances. I am worried that my children are suffering, but if I leave him, then we will not have a roof over our heads. 1/3 of women in homeless shelters in my state left their last home due to abuse and I do not want to suffer a similar fate.

There was not room at the homeless shelter and I had to spend a night on the street. I was picked up and given a misdemeanor for loitering. Now I am employed and looking for an apartment, but my applications have been denied based on my misdemeanor. This is the effect of criminalizing people experiencing homelessness.

I'm in 7th grade and failing. I have been at six different schools this year alone. Between shelters, staying with friends, and scraping by until my family gets evicted, I have had a hard time keeping up. At least I still go to school. In my state, 13% of youth experiencing homelessness are not even attending school.

Thinking the “Rights” Way

Objective: To gain a deeper understanding of the interconnectedness of human rights violations

Time: 20 Minutes

Materials: Handout: *Thinking the Rights Way Case Study* (choose one)
Universal Declaration of Human Rights

Procedure:

- 1. Read.** Give each participant a copy of Handout: *Thinking the “Rights” Way* and one of the case studies and ask them to read it to themselves. Choose whichever one of the case studies best fits the interests of your participants. “Anna” examines domestic violence, “Alejandro” looks at immigration, and “Dobado” involves international war crimes.
- 2. Find the Rights.** Give each participant Handout: *Thinking the Rights Way Case Study Analysis*, a copy of the UDHR, and any other human rights documents that are relevant to the case study. In small groups of 2-3, ask participants to write down any human rights violations they identify in the case study and where those violations can be found in the UDHR.
- 3. Small Group Questions.** Once everyone is finished, have each small group answer the following questions on their handouts:
 - What human rights are violated in this case study?
 - Does anything make the victims particularly at risk of these human rights violations?
 - How does the violation of one right affect the enjoyment of other rights?
 - What societal changes need to happen to end the human rights violations?
 - What are some of the obstacles to social change?
- 4. Large Group Report Back.** Ask the small groups to share the human rights violations they found in the case study and write these on a flip chart. Answers could include:

Anna Case Study

- Right to liberty and security of person
- Right to life
- Right to equal protection of the law
- Right to be free from discrimination
- Right to be free from torture
- Right to family
- Right to health
- Right to housing
- Right to privacy and freedom from interference with the home
- Right to work

Alejandro Case Study

- Right to education
- Right to desirable work
- Right to health
- Right to rest and leisure
- Right to be free from discrimination
- Right to a fair hearing
- Right to be free from degrading treatment
- Right to be free from arbitrary exile
- Right to family

Dobado Case Study

- Right to life, liberty and security of person
- Right to vote
- Right to work
- Right to political participation
- Right to freedom of expression
- Right to peaceful assembly
- Right to food, water, and housing
- Right to be free from arbitrary arrest
- Right to be free from discrimination
- Right to education
- Right to be free from child labor

- 5. Large Group Discussion.** As large group, discuss the following:

- What did you learn from this activity that can inform your own work?
- Was it helpful to think about these issues from a human rights perspective?
- How can we use international human rights standards in our work?



Anna

Anna is a single mother with full custody of her young child. She works full-time to pay for her and her child’s needs and to pay the rent each month. Two years ago, she started dating Derek. In the beginning, he treated her very well, and eventually, they moved in together into a larger apartment.

Last Thanksgiving, Derek got drunk, and Anna and Derek began arguing. What started as a verbal argument ended with Derek throwing things, shoving Anna, and pulling her hair. Anna was scared, but didn’t call the police, and eventually Derek passed out. The next morning, Derek apologized to Anna and said it was the alcohol and he wouldn’t do it again. But he did do it again, even sober. The next time, he punched her in the eye and threatened her with a knife. Another time, he tried to strangle her. Each time, Anna made sure her child was safely in her bedroom as she tried to protect herself. She never called the police.

Finally, one night when Anna was boiling water to make dinner. Derek began beating her again, and her screams brought her child running. During the abuse, Derek shoved Anna against the stove, which spilled the hot water onto the child’s arm. Anna called 911. She told the operator what had happened and asked for an ambulance. The operator also sent two police officers to the scene. When two male police officers arrived, Anna had had enough. She told them she wanted to get some protection against Derek for her and her child.

When Anna told them about the history of violence, the police officers asked her why she had never called for the police for help before. They asked her why she never went to the doctor or had any medical documentation. When she tried to tell them what Derek had done that night, the police officers said they couldn’t see any signs of injuries on her and that she would need to go to the doctor to get some kind of documentation. Anna said she wanted to stay with her child in the hospital. Derek stood there facing her the entire time, staring at her as she talked to the police.

Derek moved out, but has been harassing her with text messages and calls. He threatens to “do her in” and “get her.” Anna never calls the police, because she figures if they couldn’t do anything about the physical violence, they won’t do anything about text messages and calls. Her eye injury is giving her problems, causing her to miss work. She is struggling with the rent now and is afraid she’ll lose her apartment. Worse, Child Protection Services has taken away Anna’s child and has started proceedings to permanently remove Anna’s child because “Anna failed to protect the child from the violence.”



Alejandro

When Alejandro was just eight months old, his parents brought him from Mexico to the United States. They were undocumented immigrants, and they never filed immigration papers because there was no visa category through which they were eligible for permanent residency.

As he grew up, Alejandro’s life was similar in many ways to that of many boys his age. He loved to play basketball and baseball, and he was good at math. Alejandro worked hard in high school, graduating near the top of his class. He dreamed of graduating from college and becoming a doctor. However, because he was an undocumented immigrant, Alejandro was not eligible for in-state tuition or any scholarships or financial aid for college. Unable to afford the education he dreamed of, Alejandro got a job working part-time cleaning a local restaurant after closing.

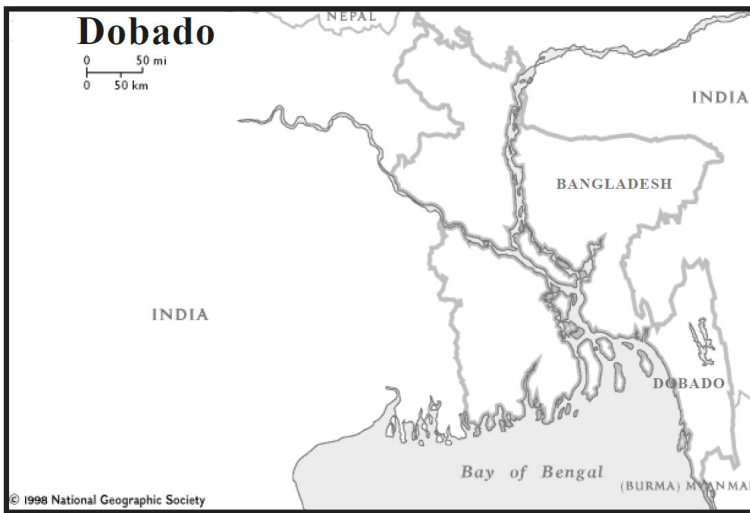
The owner of the restaurant knows that Alejandro is undocumented. He withholds money from Alejandro’s paycheck if he thinks Alejandro didn’t clean the restaurant fast enough. The owner also makes Alejandro buy all his own cleaning supplies. Once, Alejandro burned himself on a stove that had been left on accidentally, but the owner said that if Alejandro told anyone he was injured at work, he would be fired and reported to immigration. Alejandro has to work seven days a week and hasn’t had a vacation in three years.

One day, Alejandro went to a large party to celebrate the Fourth of July. The neighbors called the police about the noise. When the police came to break up the party, they noticed Alejandro and one of his Latino friends and questioned both of them about their immigration status. Two days later, immigration authorities came to Alejandro’s house at 5:00 am and arrested him. They handcuffed him and took him to an immigration detention center. Alejandro was given an orange jumpsuit and shackles to wear, and was not allowed to go outdoors. He had no contact with his parents, who were too afraid to visit him.

After more than three months, Alejandro was taken to court, where he faced an immigration judge. He had no lawyer and had never been given legal advice on his case. The judge decided to deport him. Alejandro had lived in the United States since he was a baby. In spite of this, he was deported back to Mexico, the country where he was born. Alejandro’s parents remained behind with his younger siblings, who are all U.S. citizens. Deportation cases are very difficult to reverse, so it is unclear when or if Alejandro’s family will be reunited.



Dobado



Dobado is a small country located in South Asia. It has a population of approximately 3.2 million. It has two main ethnic groups: the Altoy, who make up 25% of the population, and the Maheni, who make up 70% of the population. The remaining 5% of the population is composed of a number of small ethnic groups. Dobado has five provinces: South, Southwest, Central, North, and Northwest. The Altoy live mainly in the Northwest province, and the Maheni and other ethnic groups live in the other provinces.

In 1823, the British conquered Dobado and established a capital in the Altoy-dominated Northwest province. The British favored the Altoy and placed them in the most important government positions. The Maheni resisted British rule and fought against colonization. Dobado gained independence in 1973.

After independence, an Altoy named Hanji was named interim President. The Altoy maintained control of the government, industry, and the education system, which was based on the British model. President Hanji feared that the Altoy would lose their positions of power to the Maheni, so he did not hold free and fair elections. The Altoy also restricted access to the country’s high quality schools and universities, making it very difficult for non-Altoy people in Dobado to gain entrance.

Maheni around the country staged peaceful protests over the course of several years. Over time, demonstrations by groups of Maheni in the Southwest province became increasingly violent, and President Hanji sent in the military to quell the violence. The Southwest province operated under harsh military rule. On President Hanji’s orders, the military responded with violence to any public dissent or protest. Maheni who were suspected of not supporting the ruling party were jailed without trial. As a result of major flooding, the central government had difficulty transporting food to the military in the Southwest province, so for several months soldiers confiscated crops from local farmers to feed themselves. The residents of the Southwest province faced malnutrition.

During that time, armed Maheni rebel groups—calling themselves the Maheni Independence League (MIL)—sprang up in the South and Central provinces. The MIL launched attacks on the military in control of the Southwest province, and the country soon plunged into civil war. Civilians from all ethnic groups were the victims of many human rights abuses as the armed factions fought for control of the land. Many people fled their homes to escape the fighting.

The government’s banking and finance system soon fell into chaos. In areas with heavy fighting, the schools shut down. In other areas, teachers worked for several months without pay, but eventually they abandoned their posts to find other means to support themselves and their families. Schools ceased to function.



Dobado

The MIL recruited and sometimes kidnapped young boys and girls to support their forces. The children did not fight, but helped carry provisions and gather and prepare food for the fighters. MIL fighters threatened and beat children who complained or attempted to escape.

President Hanji went into hiding. During the third year of fighting, a MIL group led by General Akah stormed an Alto village called Kumusa in the Northwest province, believing that the village was harboring President Hanji. Upset at not finding him there, and believing the villagers were hiding President Hanji, General Akah ordered his fighters to burn down the village and the crops in the field. Hundreds of villagers in Kumusa died, but dozens managed to escape into the bush. A lieutenant put poison in the village well.

Finally, in 2010, a United Nations peacekeeping force intervened in the conflict and established peace. Ten years of internal armed conflict had devastated many parts of the country and left over 800,000 Dobado citizens without homes, living in refugee camps in neighboring countries.



Rights violated in the case study

Related human rights articles

Discussion Questions:

- What human rights are violated in this case study?
- Does anything make the victims particularly at risk of these human rights violations?
- How does the violation of one right affect the enjoyment of other rights?
- What societal changes need to happen to end the human rights violations?
- What are some of the obstacles to social change?

Where are the Rights?

- Objective:** To link social justice issues with important human rights standards
- Time:** 20 Minutes
- Materials:** Flip chart paper, markers
Abbreviated versions of the following Human Rights Documents:
- Universal Declaration of Human Rights
 - International Covenant on Civil and Political Rights
 - International Covenant on Economic, Social and Cultural Rights
 - Convention on the Rights of the Child
 - Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
 - Convention on the Rights of Persons with Disabilities
 - Convention on the Elimination of All Forms of Racial Discrimination
 - Convention Relating to the Status of Refugees
 - Convention on the Elimination of All Forms of Discrimination against Women

Note: This activity can easily be added as part of the small group work in the Module 1 Activities: *The People Behind the Statistics* and *Thinking the “Rights” Way*.

Procedure:

- 1. Group Up.** Break the participants up into separate interest groups based on shared human rights concerns (e.g. housing, food, health). This can be done based on participants’ own interests or it can be arbitrary. If you are doing this activity in conjunction with *The People Behind the Statistics* or *Thinking the “Rights” Way*, the participants will already be broken up into small groups. Give each group one large piece of flip chart paper and ask them to write their issue on it.
- 2. Distribute.** Distribute copies of the abbreviated versions of the international human rights documents to group members.
- 3. Find the Rights.** Give each group about 10 minutes to read through and find the articles related to their right. On their piece of flip chart paper, have them jot down the name of the document and the specific articles related to their issue. They should highlight any specific language that helps define the right.
- 4. Share.** Once each group has finished, have them hang up their completed piece of flip chart paper for all to see and share their thoughts with the larger group regarding the following questions:
 - Did you find this helpful in understanding the particular right you are working on?
 - How might you use international human rights documents in your work?
- 5. Conclude.** Let participants know that human rights documents can support our work by providing clear definitions or standards against which to measure policies and practices. Being able to link social justice issues to specific human rights texts is an important first step of a human rights approach. Another useful resource in addition to the treaties themselves are the comments and recommendations that treaty bodies write to clarify the meaning of a treaty. For example, the General Comments on the Convention on Economic, Social and Cultural Rights go into great detail regarding how governments should fulfill rights such as health, food, education, and housing. These can be very useful standards against which to measure how the United States is doing in fulfilling these rights.

Adapted from Ann Blyberg, “Human Rights Lane” in *From Poverty to Dignity: A Learning Manual on Human Rights Based Development*, by Dignity International (Netherlands: Dignity International, 2007), 76, <http://www.dignityinternational.org/resources/hr-training-manual.html>.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR) (Abbreviated)

Article 1

Right to Equality

Article 2

Freedom from Discrimination

Article 3

Right to Life, Liberty and Personal Security

Article 4

Freedom from Slavery

Article 5

Freedom from Torture and Degrading Treatment

Article 6

Right to Recognition as a Person before the Law

Article 7

Right to Equality before the Law

Article 8

Right to Remedy for Violations of Rights

Article 9

Freedom from Arbitrary Arrest and Exile

Article 10

Right to Fair Public Hearing

Article 11

Right to be Considered Innocent until Proven Guilty

Article 12

Freedom from Interference with Privacy, Family, Home and Correspondence

Article 13

Right to Free Movement in and out of Own Country

Article 14

Right to Asylum in other Countries from Persecution

Article 15

Right to a Nationality and the Freedom to Change Nationality

Article 16

Right to Marriage and Family

Article 17

Right to Own Property

Article 18

Freedom of Belief and Religion

Article 19

Freedom of Opinion and Information

Article 20

Right of Peaceful Assembly and Association

Article 21

Right to Participate in Government and in Free Elections

Article 22

Right to Social Security or a Social Safety Net

Article 23

Right to Desirable Work and to Join Trade Unions

Article 24

Right to Rest and Leisure

Article 25

Right to Adequate Living Standard, Including Food, Housing, and Medical Care

Article 26

Right to Education

Article 27

Right to Participate in the Cultural Life of Community

Article 28

Right to a Society that Upholds this Document

Article 29

Rights Limited by Need to Respect Rights of Other Persons

Article 30

Freedom from State or Personal Interference in the Above Rights

THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR) (Abbreviated)

Article 1

All peoples have the right of self-determination, including the right to determine their political status and freely pursue their economic, social and cultural development.

Article 2

Each State must respect and ensure to all people within its territory and jurisdiction all rights in this treaty without discrimination of any kind.

Article 3

The States undertake to ensure the equal right of men and women to the enjoyment of all rights in this treaty.

Article 4

Derogation from State obligations is to be strictly limited.

Article 5

No person, group, or government has the right to destroy any of these rights.

Article 6

Everyone has the right to life.

Article 7

No one shall be subjected to torture or cruel or degrading treatment or punishment.

Article 8

No one shall be held in slavery or servitude.

Article 9

Everyone has the right to liberty and security of person. No one shall be arrested or detained arbitrarily.

Article 10

Everyone deprived of liberty shall be treated with humanity and respect.

Article 11

No one shall be imprisoned merely for failing to pay a debt.

Article 12

Everyone has the right to freedom of movement and to leave and enter his own country.

Article 13

An alien lawfully in the territory of a State Party may be expelled only in accordance with law.

Article 14

Everyone is equal before the law. Everyone has the right to a fair trial. Everyone has the right to be presumed innocent until proven guilty. No one may be compelled to testify against himself.

Article 15

No one shall be held guilty of a criminal offense when the act did not constitute a criminal offense at the time it was committed.

Article 16

Everyone has the right to be recognized everywhere as a person before the law.

Article 17

Everyone has the right to privacy.

Article 18

Everyone has the right to freedom of thought, conscience and religion.

Article 19

Everyone has the right to freedom of opinion and expression.

Article 20

Propaganda for war shall be prohibited. Hate speech that constitutes incitement to discrimination, hostility or violence shall be prohibited.

Article 21

Everyone has the right to peaceful assembly.

Article 22

Everyone has the right to freedom of association, including the right to form and join a trade union.

Article 23

All adults have the right to marry and found a family. Women and men have equal rights to marry, within marriage, and at its dissolution.

Article 24

Every child shall have the right to protection as required by his status as a minor, without discrimination of any kind. Every child has the right to a nationality.

Article 25

Every citizen has the right to take part in public affairs, to vote and to have access to public service.

Article 26

Everyone is equal before the law and has the right to equal protection of the law, without discrimination of any kind.

Article 27

Ethnic, religious, or linguistic minorities shall not be denied the right to enjoy their own culture.

Articles 28-53

Administration of the Convention.

THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR) (Abbreviated)

Article 1

All peoples have the right of self-determination, including the right to determine their political status and freely pursue their economic, social and cultural development.

Article 2

Each State Party undertakes to take steps to the maximum of its available resources to achieve progressively the full realization of the rights in this treaty. Everyone is entitled to the same rights without discrimination of any kind.

Article 3

The States undertake to ensure the equal right of men and women to the enjoyment of all rights in this treaty.

Article 4

Limitations may be placed on these rights only if compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.

Article 5

No person, group or government has the right to destroy any of these rights.

Article 6

Everyone has the right to gain their living through freely chosen work.

Article 7

Everyone has the right to just conditions of work; fair wages ensuring a decent living for himself and his family; equal pay for equal work; safe and healthy working conditions; equal opportunity for everyone to be promoted; rest and leisure.

Article 8

Everyone has the right to form and join trade unions, the right to strike.

Article 9

Everyone has the right to social security, including social insurance.

Article 10

Protection and assistance should be accorded to the family. Marriage must be entered into with the free consent of both spouses. Special protection should be provided to mothers. Special measures should be taken on behalf of children, without discrimination. Children and youth should be protected from economic exploitation. Their employment in dangerous or harmful work should be prohibited. There should be age limits below which child labor should be prohibited.

Article 11

Everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Everyone has the right to be free from hunger.

Article 12

Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health.

Article 13

Everyone has the right to education. Primary education should be compulsory and free to all.

Article 14

Those States where compulsory, free primary education is not available to all should work out a plan to provide such education.

Article 15

Everyone has the right to take part in cultural life; enjoy the benefits of scientific progress.

Articles 16-31

Administration of the Convention.

CONVENTION ON THE RIGHTS OF THE CHILD (CRC) (Abbreviated)

Article 1, 2: Definition of a child and Non-Discrimination

A child is recognized as a person under 18, unless national laws recognize the age of majority earlier. All rights apply to all children without exception. State's must protect children from any form of discrimination and take positive action to promote their rights.

Article 3, 4: Best interests of the child and Implementation

The State shall provide the child with adequate care when parents, or others charged with that responsibility, fail to do so. The State must do all it can to implement the rights contained in the Convention.

Article 5: Parental guidance and the child's evolving capacities

The State must respect the rights and responsibilities of parents and the extended family to provide guidance for the child which is appropriate to her or his evolving capacities.

Article 6: Survival and development

Every child has the inherent right to life, and the State has an obligation to ensure the child's survival and development.

Article 7, 8: Name and nationality, and Preservation Identity

Every child has the right to preservation of his or her identity. The State must protect, and if necessary, reestablish basic aspects of the child's identity. This includes name, nationality and family ties.

Article 9, 10: Separation from parents and family reunification.

The child has a right to live with his or her parents unless this is deemed to be incompatible with the child's best interests. The child also has the right to maintain contact with both parents if separated from one or both. Children and their parents have the right to leave any country and to enter their own for purposes of reunion or the maintenance of the child-parent relationship.

Article 11: Illicit transfer and non-return

The State has an obligation to prevent and remedy the kidnapping or retention of children abroad by a parent or third party.

Article 12, 13 and 14: Freedom of opinion, thought, and religion

The child has the right to express his or her views, obtain information, make ideas or information known, regardless of frontiers. The State shall respect the child's right to freedom of thought, conscience and religion, subject to appropriate parental guidance.

Article 15, 16: Freedom of association and protection of privacy

Children have a right to meet with others and form associations. Children have the right to protection from interference with privacy, family, home and correspondence, and from libel or slander.

Article 17: Access to information

The State shall ensure the accessibility to children of information from a diversity of sources, and it shall encourage the mass media to disseminate information which is of social and cultural benefit to the child, and take steps to protect him or her from harmful materials.

Article 18: Parental responsibilities

Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising and child-care services.

Article 19: Protection from abuse and neglect

Every child has the right to protection from all forms of abuse, physically or mentally, as well as against neglect and negligent treatment.

Article 20, 21: Protection of a child without family and Adoption

Every child temporarily or permanently deprived of his/her own family has the right to special protection and assistance provided by the state. In countries where adoption is recognized and/or allowed, it shall only be carried out in the best interests of the child, and then only with the authorization of competent authorities, and safeguards for the child.

Article 22: Refugee children

Special protection shall be granted to a refugee child or to a child seeking refugee status. States must cooperate with competent organizations which provide such protection and assistance.

Article 23: Disabled children

Every disabled child has the right to enjoy a full and decent life, in conditions which ensure dignity and promote self-reliance.

Article 24, 25: Health and Periodic Review of Placement

Every child has the right to the highest attainable standard of health and to facilities for the treatment of illness and the rehabilitation of health. A child who is placed by the State for reasons of care, protection or treatment is entitled to have that placement evaluated regularly.

Article 26, 27: Social security and Standard of Living

The child has the right to benefit from social security including social insurance. Every child has the right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Article 28, 29: Education

Every child has the right to education on the basis of equal opportunity. Education shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent.

Article 30: Children of minorities or indigenous populations

Children of minority communities and indigenous populations have the right to enjoy their own culture and to practice their own religion and language.

Article 31: Leisure, recreation and cultural activities

The child has the right to leisure, play and participation in cultural and artistic activities.

Article 32: Child labor

The child has the right to be protected from work that threatens his or her health, education or development. The State shall set minimum ages for employment and regulate working conditions.

Article 33: Drug abuse

Children have the right to protection from the use of narcotic and psychotropic drugs, and from being involved in their production or distribution.

Article 34, 35, 36: Exploitation and Trafficking

The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography. It is the State's obligation to make every effort to prevent the sale, trafficking and abduction of children.

Article 37: Torture and deprivation of liberty

No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Neither capital punishment nor life imprisonment will be imposed for offenses committed by persons below 18 years of age.

Article 38, 39: Armed conflicts and Rehabilitative Care

Every child has the right to protection during times of war, that children under the age of fifteen are not recruited into armies and do not take direct part in the hostilities. The State must ensure that child victims of conflicts, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration.

Article 40: Administration of juvenile justice

The child is entitled to basic guarantees as well as legal or other assistance for his or her defence. Judicial proceedings and institutional placements shall be avoided wherever possible.

Articles 41-54: Administration of the Convention

CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES, Part 1: Scope and Definitions (Abbreviated)

Article 1: All migrant workers and members of their families without distinction of any kind are protected by this Convention during the entire migration process.

Article 2: For the Convention several different categories of persons are included, such as migrant worker, frontier worker, seasonal worker, itinerant worker and others.

Article 4: For the Convention the term "members of the family" refers to persons married to migrant workers or having with them a relationship that, according to applicable law, produces effects equivalent to marriage, as well as their dependent children and other dependent persons who are recognized as members of the family.

Article 7: States Parties undertake, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any such kind.

Article 8: Migrant workers and members of their families shall be free to leave any State, including their State of origin. Migrant workers and members of their families shall have the right at any time to enter and remain in their State of origin.

Article 9: The right to life of migrant workers and members of their families shall be protected by law.

Article 10: No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 11: No migrant worker or member of his or her family shall be held in slavery or servitude, or be required to perform forced or compulsory labour.

Article 12: Migrant workers and members of their families shall have the right to freedom of thought, conscience and religion.

Article 13: Migrant workers and members of their families shall have the right to hold opinions without interference, the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds.

Article 14: No migrant worker or member of his or her family shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home, correspondence or other communications, or to unlawful attacks on his or her honour and reputation.

Article 15: No migrant worker or member of his or her family shall be arbitrarily deprived of property, whether owned individually or in association with others.

Article 16: Migrant workers and members of their families have the right to liberty and security of person, and to effective protection by the State against violence. Any verification of the identity of migrant workers or members of their families shall be done by law. They shall not be subjected individually or collectively to arbitrary arrest or detention.

Article 18: Migrant workers and members of their families shall have the right to equality with nationals of the State concerned before the courts and tribunals. In the determination of any criminal charge against them or of their rights and obligations in a suit of law, they shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

Article 23: Migrant workers and members of their families shall have the right to the protection and assistance of the consular or diplomatic authorities of their State of origin whenever the rights recognized in the present Convention are impaired. In particular, in case of expulsion, the person concerned shall be informed of this right without delay and the authorities of the expelling State shall facilitate the exercise of such right.

Article 24: Every migrant worker and every member of his or her family shall have the right to recognition everywhere as a person before the law.

Article 25: Migrant workers shall enjoy treatment not less favorable than that which applies to nationals of the State of employment in respect of remuneration and other conditions and terms of employment, including minimum wage, holidays, health, weekly rest according to national law and practice.

Article 26: States Parties recognize the right of migrant workers and members of their families to take part in meetings and activities of trade unions and of any other associations established in accordance with law.

Article 27: With respect to social security, migrant workers and members of their families shall enjoy in the State of employment the same treatment granted to nationals in so far as they fulfil the requirements provided for by the applicable legislation of that State.

Article 28: Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned.

Article 29: Each child of a migrant worker shall have the right to a name, to registration of birth and to a nationality.

Article 30: Each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned.

Article 31: State Parties shall ensure respect for the cultural identity of migrant workers and members of their families and shall not prevent them from maintaining their cultural links with their State of origin.

Article 32: Upon the termination of their stay in the State of employment, migrant workers and members of their families shall have the right to transfer their earnings and savings and, in accordance with the applicable legislation of the States concerned, their personal effects and belongings.

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (Abbreviated)

Article 1-3: Purpose and Principles. The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights by people with disabilities including: (a) Respect for everyone's dignity, freedom of choice, and independence. (b) Non-discrimination (c) Full participation and inclusion in society (d) Respect for differences (e) Equal opportunity. (f) Accessibility (g) Equality between men and women (h) Respect for the evolving capacity of children with disabilities and their right to preserve their identity.

Article 4-5: General obligations and Non-Discrimination. No laws should discriminate against people with disabilities. If they do, they should be changed or new laws should be created and enforced. All people have the right to be protected by the law, and that the laws of a country apply to everyone who lives there.

Article 6: Women with disabilities. Governments know that women and girls with disabilities face many different types of discrimination. They agree to protect their human rights and freedoms.

Article 7: Children with disabilities. Governments agree to take every possible action so that children with disabilities can enjoy all human rights and freedoms equally with other children and can express their views freely on all things that affect them.

Article 8: Awareness raising. Governments should educate everyone about the rights and dignity of persons with disabilities and their achievements and skills. They agree to combat stereotypes, prejudice and activities that might harm people with disabilities.

Article 9: Accessibility. Governments agree to make it possible for people with disabilities to live independently and participate in their communities. Public spaces, including buildings, roads, schools and hospitals, must be accessible by persons with disabilities. If necessary, a guide, reader or professional interpreter should be there for assistance.

Article 10: Right to life Governments must ensure that every human being is guaranteed the right to life, including people with disabilities.

Article 11: Situations of risk and emergency. People with disabilities have the same right as everyone else to be protected and safe during a war, an emergency or a natural disaster, such as a storm. Persons with disabilities cannot legally be excluded from a shelter or left alone while others are rescued because of a disability.

Article 12: Equal recognition before the law. People with disabilities have the right to 'legal capacity' in the same way as other people.

Article 13: Access to justice. Persons with disabilities have the right to be treated fairly in cases that involve them. They must be given help to express themselves in all legal processes.

Article 14: Liberty and security of person. Governments should ensure that everyone, especially people with disabilities, have their freedom protected by law.

Article 15: Freedom from torture or cruel, inhuman or degrading treatment. No one should be tortured or humiliated or treated cruelly. And everyone has the right to refuse medical or scientific experiments.

Article 16: Freedom from violence. Children with disabilities should be protected from violence and abuse in their home or outside. Those abused have the right to get help to stop the abuse and recover.

Article 17: Protecting the person. Persons with disabilities have the right to be respected by others. No one can treat persons with disabilities as less because of their physical and mental abilities.

Article 18: Freedom of movement and nationality. Every child has the right to a name, a nationality and, as far as possible, the right to know and be cared for by his or her parents. And people cannot be stopped from entering or leaving a country because they have disabilities.

Article 19: Living independently and being included in the community. Persons with disabilities have the right to choose where they live, to live independently and be included in the community, with access to support services such as care in the home and personal assistance.

Article 20: Personal mobility. Children with disabilities have the right to be mobile and independent. Governments must help them do so.

Article 21: Freedom of expression and opinion, and access to information. People have the right to express their opinions, to seek, receive and share information and get information in forms that they can understand and use.

Article 22: Respect for privacy Nobody can interfere in people's private affairs, including people with disabilities. People with information about others, such as their health status, should keep this information private.

Article 23: Respect for home and the family. People with disabilities have the right to live with their families. Governments should support families with disability-related expenses, information and services. No one should be separated from their parents because of a disability. If living with family is not possible, the government should help provide care within the wider family or community. Young people with disabilities have the right to reproductive health information and to marry and start a family.

Article 24: Education. People have the right to go to school. People with disabilities cannot be excluded from education. People with disabilities should not be educated in segregated schools. People with disabilities have the right to the same education and curriculum as other children.

Articles 25-26: Health and rehabilitation. People with disabilities have the right to the same range and quality of free or affordable health care as provided to other people. If you have a disability, you also have the right to health and rehabilitation services.

Article 27: Work and employment. People with disabilities have an equal right to work at a freely chosen job without discrimination.

Article 28: Adequate standard of living and social protection. People with disabilities have a right to food, clean water, clothing and access to housing, without discrimination. The government should help children with disabilities who live in poverty.

Article 29: Participation in political and public life. People with disabilities have the right to take part in politics and public life. Once you reach the age set by the laws of your country, you have the right to form a group, serve the public, access voting booths, vote and be elected to a government position, whether you have a disability or not.

Article 30: Participation in cultural life, recreation, leisure and sport. People with disabilities have the right to participate in and enjoy the arts, sports, games, films and other fun activities. Theatres, museums, playgrounds and libraries should be accessible by everyone.

Articles 31-50: Rules on cooperation, monitoring and implementation of the Convention.

Article 1

Definition of racial discrimination: any distinction, exclusion, restriction, or preference based on race, color, descent or national or ethnic origin with the purpose or effect of impairing the enjoyment on an equal footing of human rights. Affirmative action policies or measures are not to be deemed racial discrimination.

Article 2

States condemn racial discrimination and undertake to pursue a policy of eliminating it in all its forms. States shall engage in no act of racial discrimination and shall act to ensure that no public authorities and institutions engage in discrimination. States pledge not to sponsor, defend or support racial discrimination by any persons or organizations. States shall review government, national and local policies and amend or repeal laws and regulations which create or perpetuate racial discrimination. States shall prohibit and bring to an end racial discrimination by any persons, group or organization. States shall take affirmative action measures as needed to ensure the development and protection of individuals belonging to certain racial groups for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms.

Article 3

States condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all such practices in their territories.

Article 4

States condemn all propaganda and all organizations based on ideas of racial superiority. States undertake to act to eradicate all incitement to discrimination and shall prohibit dissemination of ideas based on racial superiority and acts of violence or incitement to violence against any race.

Article 5

States undertake to prohibit and to eliminate racial discrimination and to guarantee to everyone without distinction equality before the law, especially in the enjoyment of the rights to justice; security of person; political rights, including the right to vote and to stand for election, to take part in government and public affairs, and to have equal access to public service; the right to freedom of movement and residence; the right to leave any country, including one's own, and to return to one's country; the right to nationality; the right to marriage and choice of spouse; the right to own property; the right to inherit; the right to freedom of thought, conscience and religion; the right to freedom of opinion and expression; the right to peaceful assembly and association; economic, social and cultural rights, in particular: the rights to work, to free choice of employment, to equal pay for equal work, to just and favorable remuneration; to protection against unemployment; the right to form and join trade unions; the right to housing; the right to public health, medical care, social security and social services; the right to education and training; the right to equal participation in cultural activities; the right of access to any place or service intended for use by the general public.

Article 6

States shall assure everyone within their jurisdiction effective protection and remedies against acts of racial discrimination.

Article 7

States undertake to adopt measures in education, teaching, culture, and information to combat prejudices which lead to racial discrimination and to promote understanding and tolerance among racial groups.

Articles 8-25

Administration of the Convention.

CONVENTION RELATING TO THE STATUS OF REFUGEES (Abridged)

Article 1

The term “refugee” applies to any person who has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside of the country of his former residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Article 2

Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations.

Article 3

States may not discriminate against refugees based on their race, religion, or country of origin.

Article 4

States accepting refugees must give the same freedom of religion and religious education as it would for its own citizens.

Article 9

Nothing in this Convention shall prevent a State, in time of war or other grave and exceptional circumstances, from taking measures which it considers to be essential to national security.

Article 12

The personal status of a refugee (more particularly rights attached to marriage) shall be governed by the law of the country of his origin or, if he has no homeland, by the law of the country where he lives.

Article 13

States should treat refugees as they would immigrants to their country with regards to movable property.

Article 14

States taking in refugees should afford the same protection of industrial property as the country of origin. This may include inventions, designs or models, trade marks, trade names, and rights of literary, artistic and scientific works.

Article 15

States should allow refugees to form and/or belong to trade unions and other associations as if they were immigrants to that State.

Article 16

A refugee will have free access to the courts of law within their new State.

Article 17

Every refugee has the right to engage in wage-earning employment and is exempt from the restrictive measures that deny aliens the right to work in the labor market.

Article 18

Every refugee has the right to self-employment by engaging on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies.

Article 20

A refugee has the right to the same treatment with regards to a rationing system when there is a general distribution of products in short supply.

Article 21

States should provide favorable treatment, not less favorable than to aliens in the same circumstances, with respect to housing and lawfully staying in their territory.

Articles 22

Refugees shall receive equal treatment as is accorded to nationals with respect to elementary education. They shall receive equal treatment as aliens with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

Article 1: Definition of Discrimination.

Defines discrimination against women to cover all facets of human rights and fundamental freedoms.

Article 2: Country duties.

Countries must eliminate discriminatory laws, policies, and practices in the national legal framework.

Article 3: Equality.

Women are fundamentally equal with men in all spheres of life. Countries must take measures to uphold women's equality in the political, social, economic, and cultural fields.

Article 4: Temporary special measures.

Countries may implement temporary special measures to accelerate women's equality.

Article 5: Prejudice.

Countries agree to modify or eliminate practices based on assumptions about the inferiority or superiority of either sex.

Article 6: Trafficking.

Countries agree to take steps to suppress the exploitation of prostitution and trafficking in women.

Article 7: Political and public life.

Women have an equal right to vote, hold public office, and participate in civil society.

Article 8: International work.

Women have the right to work at the international level without discrimination.

Article 9: Nationality.

Women have equal rights with men to acquire, change, or retain their nationality and that of their children.

Article 10: Education.

Women have equal rights with men in education, including equal access to schools, vocational training, and scholarship opportunities.

Article 11: Employment.

Women have equal rights in employment, including without discrimination on the basis of marital status or maternity.

Article 12: Health.

Women have equal rights to affordable health care services.

Article 13: Economic and social life.

Women have equal rights to family benefits, financial credit, and participation in recreational activities.

Article 14: Rural women.

Rural women have the right to adequate living conditions, participation in development planning, and access to health care and education.

Article 15: Equality before the law.

Women and men are equal before the law. Women have the legal right to enter contracts, own property, and choose their place of residence.

Article 16: Marriage and family.

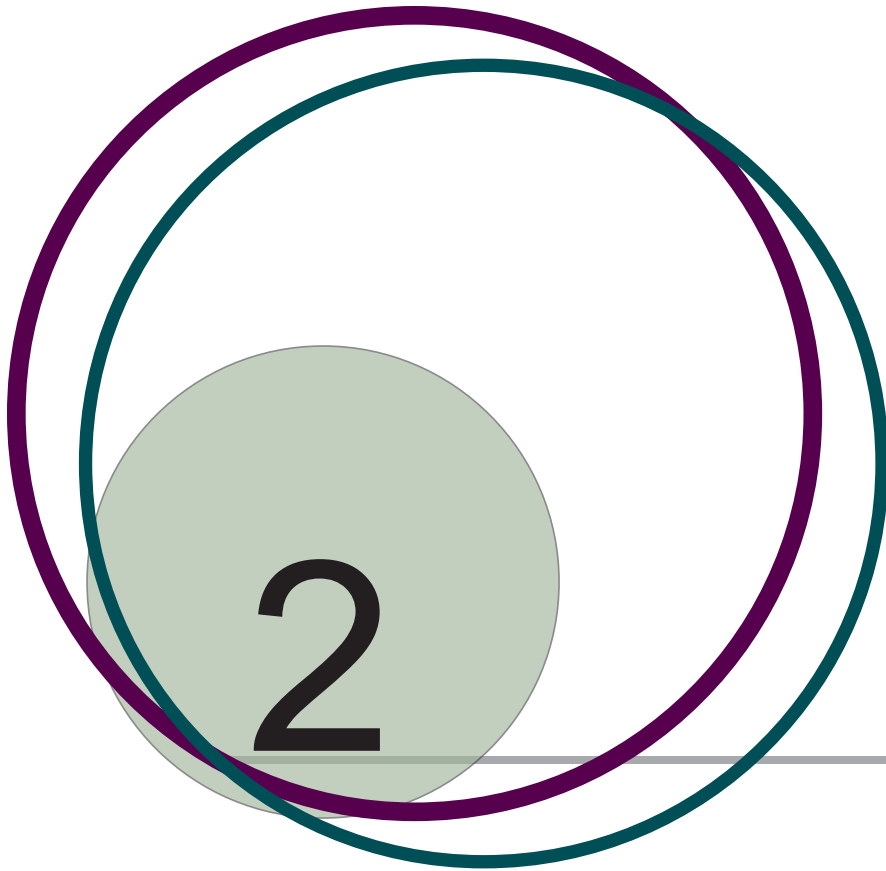
Women have equal rights with men in matters related to marriage and family relations.

Articles 17-24:

The Committee on CEDAW and reporting procedures.

Articles 25-30:

Administration of the Convention.



Strategies of a Human Rights Approach

A HUMAN RIGHTS APPROACH TO SOCIAL JUSTICE

International human rights provide a powerful legal and moral framework for social change based on universally recognized principles. International human rights standards recognize that people must have their basic needs met and their basic freedoms guaranteed in order to live in dignity and that governments are obligated to ensure these rights, not as a matter of charity but as an internationally recognized duty.

Social justice advocates are also committed to helping people live in dignity, opposing discrimination and inequality, and protecting people against harm from the government and other actors. In the United States, this work is not often phrased in human rights terms, but it is, at heart, human rights work.

Using human rights in social justice work can help overcome some of the barriers that advocates face. Government or societal indifference, clients with multiple overlapping problems, and lack of community engagement in finding a solution are some of the factors that make it difficult to create sustainable solutions to ongoing injustices.

A human rights approach can help overcome these barriers by focusing efforts on long-term systemic change and placing responsibility on the government, community, businesses, civil society, and individuals to address the problem. It helps

ensure more participatory and sustainable solutions to social justice issues, provides common standards against which to measure the shortcomings of domestic policies, and expands the circle of allies to the larger global human rights community. A key tenet of a human rights approach is that social injustices are solved not only by addressing the immediate material need or preventing the immediate harm, but by addressing the power imbalances that give rise to discrimination, exploitation, and poverty in the first place. International human rights provides an over-arching framework that applies both to securing people's immediate, short-term needs, and to improving society in the long term.

Human rights transcend demographic differences, issue-specific concerns, and even international boundaries by seeking to uphold all human rights for all people. By using human rights to guide their work, social justice advocates can unite around a common standard for ensuring **dignity, freedom, equality, justice, and peace** for everyone.

"[There are] multiple movements for resistance and social action that are fighting to establish a new, distributive and commutative justice that all people can come to recognize as intrinsically theirs, a justice that protects freedom and rights, and not any denial of them...[W]e already have a readily understandable code of practical application for this justice, a code embodied for the past fifty years in the Universal Declaration of Human Rights, thirty essential, basic rights that these days are mentioned only vaguely, if not systematically disregarded...[I]n terms of integrity of its principles and the clarity of its objectives, the Universal Declaration of Human Rights, just as it is now worded and without changing a single comma, could replace to advantage the platforms of every political party on Earth."

~ José Saramago
Winner of the Nobel Prize in Literature
Closing speech at 2002 World Social Forum

Benefits of a Human Rights Approach to Social Justice Work

- ➔ **More complete analysis.**
Policy decisions are often based on a limited set of indicators. A human rights approach takes into consideration issues of justice, fairness, and accountability, as well as economic and other traditional factors.
- ➔ **Sustainable change.**
A human rights approach creates sound and sustainable policies by considering the root causes of human rights violations, protecting those most at risk of human rights violations, and working with both those who have the power to determine the policy and those affected by it, generating broad-based support.
- ➔ **Greater legal clarity.**
The human rights framework defines our basic rights and freedoms through legally binding international law. Those legal obligations provide consistent, legitimate, non-negotiable benchmarks against which to measure public policy.
- ➔ **More authoritative basis for policy.**
Human rights are based on a universal consensus that all persons have the right to live lives filled with dignity and are backed by an international movement of activists, scholars, national leaders, and everyday people fighting for change.
- ➔ **Greater accountability.**
The human rights framework is grounded in the notion that governments bear a duty toward individuals to respect, protect, and fulfill their human rights, and that they are accountable when they fail in their obligations. Human rights are not a matter of fiat, grace, or charity subject to trade-off.
- ➔ **Creates connections.**
Human rights are inter-connected. The realization or violation of one right affects the fulfillment of other rights. Understanding the inter-connection of human rights can help build important coalitions, leading to greater social change.
- ➔ **Building a better world for all.**
The goal of the human rights approach is the realization of a world in which everyone lives with dignity, freedom, justice, equality, and peace.

Rights and Responsibilities

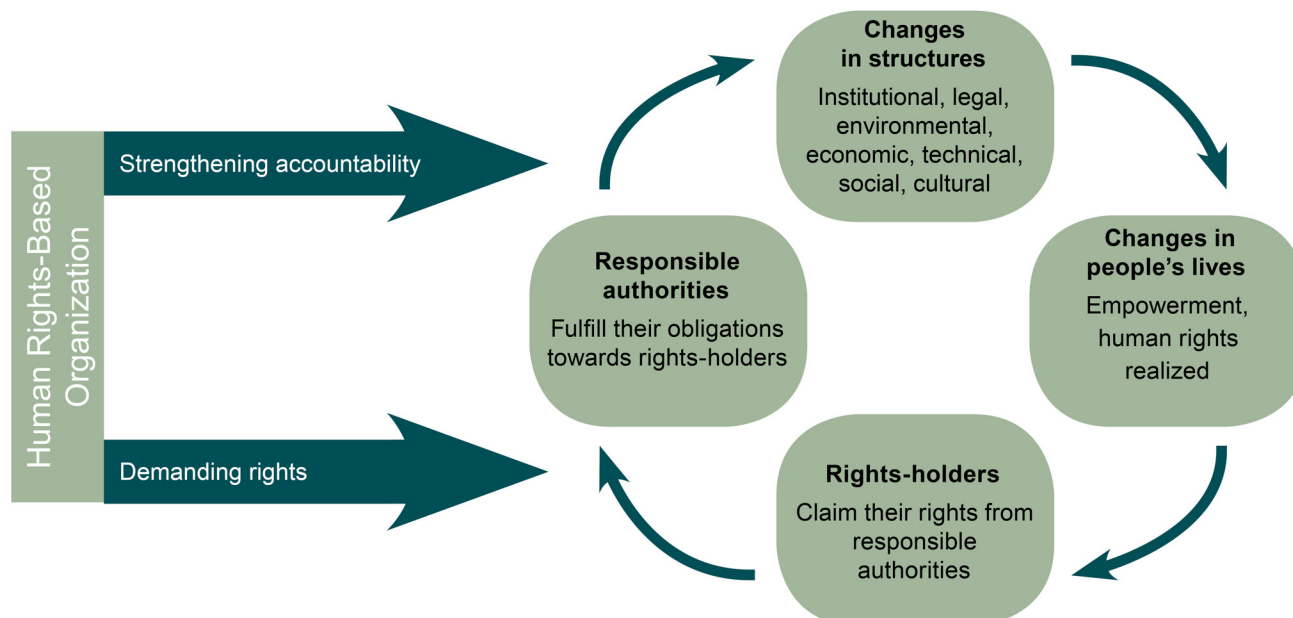
One reason the human rights framework is such a powerful mechanism for achieving social change is that every human right has a corresponding responsibility. The Universal Declaration of Human Rights not only recognizes that human beings are born free and equal in dignity and rights, but that every person has “*duties to the community in which alone the free and full development of his personality is possible.*”² The international legal framework recognizes that governments and their institutions have primary responsibility to respect, protect, and fulfill human rights. This responsibility includes developing systems to enforce human rights and hold individuals accountable when they violate the rights of others.



At the core of a human rights approach is a two-fold strategy aimed at the rights-holder on one hand and the responsible authority on the other. This strategy requires work on two levels:

- ➔ Supporting and empowering individuals to increase their capacity to claim their rights and effectively participate in the decision-making processes that affect their lives.
- ➔ Supporting and encouraging the government and other responsible authorities to fulfill their obligations.

While an exclusive focus on either the rights-holders or the responsible authorities may be necessary and useful in the short-term, it is unlikely to create sustainable change as a long-term strategy. By working with both parties, a human rights approach tries to strengthen the cycle of rights-holders demanding change and responsible authorities fulfilling their obligations as illustrated in the graphic below.



Adapted from Jacob Kirkemann Boesen and Thomas Martin, *Applying a Rights-Based Approach: An Inspirational Guide for Civil Society* (Copenhagen: The Danish Institute for Human Rights, 2007), 12, <http://www.humanrights.dk/files/pdf/Publikationer/applying%20a%20rights%20based%20approach.pdf> (accessed January 19, 2011).

WHAT IS A HUMAN RIGHTS APPROACH?

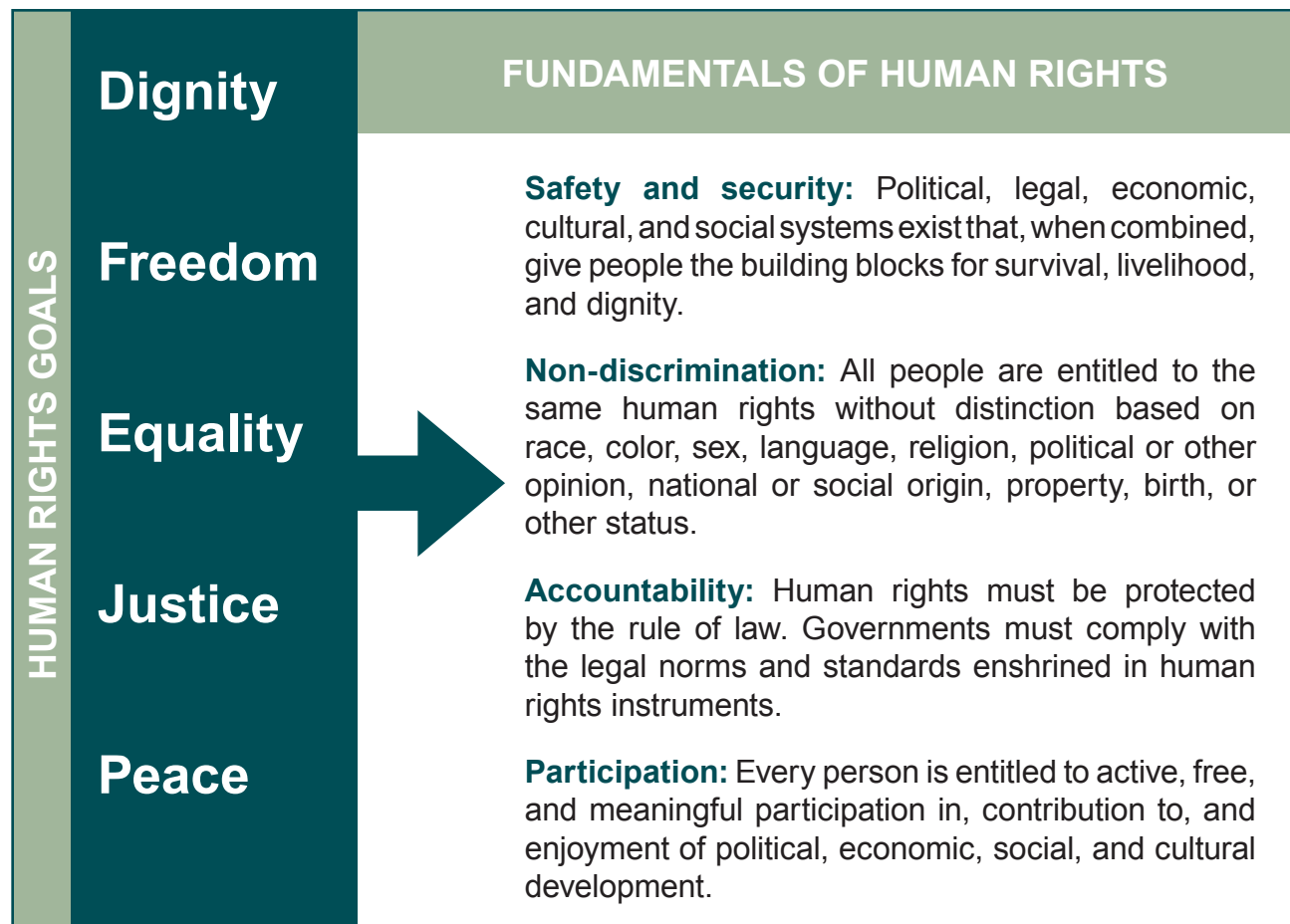
A human rights approach uses the standards, principles, and methods of human rights to combat legal, social, economic, and political injustices.

International human rights give advocates many potential tools to use in their struggles for justice. First, treaties and international bodies provide legal standards defining what it means to fulfill people's rights to have their basic needs met and their freedoms guaranteed. Second, these standards are grounded in principles such as non-discrimination and universality that can help guide social justice work. Finally, the international human rights movement uses programmatic methods that, while not unique to human rights work, are particularly well suited to strengthening the relationship between rights-holders and responsible authorities.

Transforming these standards and principles into practical operating guidelines requires starting with the overall goals of international human rights. As the Universal Declaration of Human Rights states in its preamble:

*“Recognition of the inherent **dignity** and of the **equal** and inalienable rights of all members of the human family is the foundation of **freedom, justice** and **peace** in the world.”³*

In order to achieve a world where these human rights goals of **dignity, freedom, equality, justice, and peace** are respected for all, people's basic rights to **safety and security, non-discrimination, accountability, and participation** must be met.



These four fundamental categories of **safety & security, non-discrimination, accountability,** and **participation** encompass all of the human rights in the Universal Declaration of Human Rights.

| Categories of Rights | UDHR ARTICLES |
|-----------------------------------|---|
| <p>Safety and security</p> | <p>Article 3: Right to Life, Liberty and Personal Security Article 4: Freedom from Slavery Article 5: Freedom from Torture and Degrading Treatment Article 9: Freedom from Arbitrary Arrest and Exile Article 12: Freedom from Interference with Privacy, Family, Home, and Correspondence Article 13: Right to Movement in and out of Own Country Article 14: Right to Asylum in other Countries from Persecution Article 17: Right to Own Property Article 22: Right to Social Security or a Social Safety Net Article 23: Right to Desirable Work Article 24: Right to Rest and Leisure Article 25: Right to Adequate Living Standard, Including Food, Housing, and Medical Care Article 26: Right to Education</p> |
| <p>Non-discrimination</p> | <p>Article 1: Right to Equality Article 2: Freedom from Discrimination Article 7: Right to Equality before the Law Article 15: Right to Nationality and the Freedom to Change Nationality Article 16: Right to Marriage and Family Article 18: Freedom of Belief and Religion</p> |
| <p>Accountability</p> | <p>Article 6: Right to Recognition as a Person before the Law Article 8: Right to Remedy for Violations of Rights Article 10: Right to Fair Public Hearing Article 11: Right to be Considered Innocent until Proven Guilty Article 28: Right to a Society that Upholds this Document Article 30: Freedom from State or Personal Interference in the above Rights</p> |
| <p>Participation</p> | <p>Article 19: Freedom of Opinion and Information Article 20: Right of Peaceful Assembly and Association Article 21: Right to Participate in Government and in Free Elections Article 23: Right to Join Trade Unions Article 27: Right to Participate in the Cultural Life of Community Article 29: Rights Limited by Need to Respect Rights of Other Persons</p> |

The four different categories of human rights – **safety & security**, **non-discrimination**, **accountability**, and **participation** – each correspond to a different key strategy that advocates can use to overcome entrenched poverty, discrimination, and other structural factors that lie at the heart of human rights violations. These strategies affect how an organization both plans their programs and carries them into action.



SAFETY AND SECURITY: Address the **root causes** of the problem



NON-DISCRIMINATION: Protect **marginalized** groups



ACCOUNTABILITY: Work with **responsible authorities**



PARTICIPATION: Empower **rights-holders**

While these links illustrate the relationship between particular rights and corresponding strategies, they are not meant to suggest that only one strategy applies to each category of rights. When developing a human rights approach to a particular issue, advocates should be creative and explore each of the four strategies.

Working with the different levels of human rights enforcement

Despite the interconnectedness of human rights, the United States has long prioritized “civil and political” rights and failed to recognize “economic and social” rights. As a result, advocates must differentiate between situations in which existing U.S. legal mechanisms may be used and situations in which advocacy may be needed to create recognition of rights in the first place.

While international human rights law provides an important framework for articulating the human rights of all persons in all countries, the responsibility ultimately falls on the domestic government to respect, protect, and fulfill the human rights outlined in treaties or otherwise required under international law. In the United States, this means that every level of government, from federal agencies to local city councils, must ensure that all laws and policies comply with international human rights obligations.

The U.S. Constitution and the constitutions of the fifty states each contain provisions guaranteeing individual rights and liberties, some more extensive than others. Local human rights ordinances, state anti-discrimination statutes, and federal civil rights laws also serve as enforcement mechanisms to ensure that international human rights obligations are met. In some cases, domestic legislation fully meets international obligations, such as the 1st Amendment’s protections of free speech, which match or even exceed the protections under Article 19 of the UDHR. In other cases, domestic legal interpretations fall short of international human rights law, such as the failure to recognize prolonged solitary confinement as torture. Finally, domestic legal systems may fail altogether to recognize a particular right in the United States.

Meshing these systems – the assortment of local, state, and federal laws and regulations, and the various levels of legally enforceable international human rights laws – can leave advocates and activists frustrated. At the same time, this structure provides opportunities for advocates to take advantage of the approach or venue most likely to be sympathetic to a particular issue.

U.S. law and international human rights law work in tandem to inform one another. Where U.S. law falls short or fails to recognize a basic human right, advocates can help push the development of domestic legal protections in new areas by referring to the United States’ international human rights obligations. However, where U.S. law addresses a particular international human rights obligation, victims of human rights violations and abuses must follow existing U.S. law and procedure to “exhaust their remedies” before seeking redress in the international human rights arena.

A HUMAN RIGHTS APPROACH

FUNDAMENTALS OF HUMAN RIGHTS

Dignity

Safety and security: Political, legal, economic, cultural, and social systems exist that, when combined, give people the building blocks for survival, livelihood, and dignity.

Freedom

Non-discrimination: All people are entitled to the same human rights without distinction based on race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

Accountability: Human rights must be protected by the rule of law. Governments must comply with the legal norms and standards enshrined in human rights instruments.

Participation: Every person is entitled to active, free, and meaningful participation in, contribution to, and enjoyment of political, economic, social, and cultural development.

HUMAN RIGHTS APPROACH STRATEGIES

HUMAN RIGHTS GOALS

Equality

Justice

Peace



Address the **root causes** of the problem

Uncover the political, legal, social, economic, and cultural conditions that perpetuate human rights violations and create long-term goals that work toward the realization of human rights.



Protect **marginalized groups**

Focus on those at risk of human rights violations due to discrimination, marginalization, and injustice.



Work with **responsible authorities**

Support and encourage the government and other responsible parties to fulfill their human rights obligations.



Empower **rights-holders**

Increase the capacity of individuals to demand their rights and effectively participate in society and government.

SAFETY AND SECURITY

Among the most basic human rights is the protection of people from threats to their personal safety and security, allowing them to live free from harm. Safety and security go far beyond protections from violence, bodily harm, or imprisonment and include those basic needs necessary for survival such as food, health, education, housing, and family.⁴ People's lives and livelihoods must be protected to fully enjoy all other human rights. The UN Commission on Human Security emphasizes the broad meaning of security, which “connects different types of freedoms - freedom from want, freedom from fear and freedom to take action on one's own behalf.”⁵

Ensuring safety and security can be both an immediate action and a long-term strategy. In the short-term, people threatened by violence need protection and people without food or housing need material assistance. In the long run, however, protecting human security “means creating systems that give people the building blocks of survival, dignity and livelihood.”⁶ Conversely, failure to ensure people's safety and security may be a temporary problem but is more frequently a result of systems, institutions, or norms that are not designed to uphold basic human rights.



HUMAN RIGHTS STRATEGY 1:

Address the **root causes** of the problem:

Uncover the political, legal, social, economic, and cultural conditions that perpetuate human rights violations and create long-term goals that work toward the realization of human rights.

A human rights approach recognizes that human rights such as access to food, shelter, health care, and economic justice, as well as to physical safety and freedom from violence, are essential components of human security. Violations of these rights often create urgent needs in the short term and reveal underlying structural barriers to safety and secure livelihoods for all. Advocates using a human rights approach examine the structures, systems, institutions, social norms, and traditions that perpetuate or result in human rights violations in order to effectively address such recurring long-term problems. These structures can come in many different forms:

- **Political:** poor governance, lack of institutional resources, or lack of political will to recognize or ensure the fulfillment of human rights
- **Economic:** inequitable allocation of resources and systems of production that operate without regard to the fulfillment of human rights
- **Social:** exclusionary or restrictive cultural norms and traditions that do not incorporate respect for human rights

Providing safety and security, both in terms of freedom from violence and freedom from want, requires changing the systems and structures that stand in the way of human rights fulfillment.



PLANNING STEPS

- **Identify the human rights violation.**
Frame the problem as a human rights issue by linking it to specific articles or standards in international treaties, declarations, and other documents. This is the foundation for creating long-term human rights goals and identifying the relevant obligations of government and other actors.
- **Identify structural barriers to the fulfillment of the human right.**
Examine structural causes, including laws, policies, practices, and social or cultural norms which stand in the way of the fulfillment of human rights. Legal analysis, monitoring of government implementation, and public opinion surveys can all help advocates dig into the potential causes underlying human rights violations.
- **Identify the other human rights that are affected by the root cause.**
Human rights are interconnected and interdependent. The causes of one human rights violation are probably also linked to other human rights violations. Looking at closely related human rights violations stemming from the same causes can help advocates expand their field of action to new areas or find potential allies.

ACTION STEPS

- **Establish long-term human rights goals that directly address root causes.**
Using the relevant human rights standards identified in the planning stage, design goals to address the structural barriers to achieving that human right. Structural change frequently requires many years and a multitude of tactics to achieve, which can require a shift in focus for organizations that previously concentrated on more immediate objectives. A human rights goal can also broaden the intended pool of beneficiaries, since a human right is achieved only when all people enjoy the right.
- **Address immediate needs as rights to be claimed.**
An important part of being able to address root causes of human rights abuses in the long-term is fulfilling basic needs in the short-term. It can be very difficult for people to demand unrealized rights or even to take advantage of existing opportunities for fulfilling their rights when they are in danger of physical harm or loss of livelihood. Addressing immediate needs can take the form of providing housing, food, health care, education, or emergency assistance. As a rights-based organization, the provision of short-term basic services should be seen as an entry point and an enabling strategy that frees people to secure their rights in the long-term.
- **Collaborate with organizations in other sectors to combat shared human rights problems.**
Since the same root causes frequently lead to many different human rights violations, advocates can increase their power to demand change by collaborating with organizations in other sectors who are affected by similar structural barriers. Cooperation across organizations and sectors also allows advocates to reach broader target populations, as part of a commitment to achieving human rights for all.



ADDRESSING ROOT CAUSES

CASE STUDY: COALITION OF IMMOKALEE WORKERS

Staffed, led, and organized by immigrant farm workers, the Coalition of Immokalee Workers (CIW) strives to build the leadership skills, advocacy abilities, and sense of community of its over 5,000 members. In doing so, the organization fights for fair wages; dignity and respect for farm workers; better and cheaper housing; stronger legal sanctions against violators of workers' rights; the right to organize without fear of retaliation; and an end to indentured servitude.

CIW's "Campaign for Fair Food" addresses one of the root causes of farm worker exploitation. In the late 1990s, CIW members discovered that large food corporations used their buying power to demand extremely low prices from Florida tomato growers. Consequently, growers cut costs by paying farm workers sub-poverty wages. Out of this realization emerged the Campaign's first project – a boycott of Taco Bell.

Begun in 2001 with a small press conference in Ft. Myers, Florida, the boycott quickly grew into a nationwide movement. College students, religious organizations, and others joined CIW members in demanding that Taco Bell's parent company – Yum Brands – address the working conditions on suppliers' farms. Focusing on the human rights to a livable wage and safe working conditions, students on twenty-one campuses across the country successfully removed or blocked Taco Bell restaurants from their institutions. Simultaneously, numerous religious organizations provided financial assistance and joined Immokalee workers as they protested, organized sit-ins, and did a 10-day hunger strike outside of the corporation's headquarters.



A large protest outside a Hollywood Publix, where more than 150 South Florida Fair Food activists and workers from Immokalee joined together to demand human rights for the workers who pick Publix's tomatoes.

After four years of advocacy and increased media attention, Yum Brands agreed to work with CIW to improve farm workers' wages and labor conditions. The Campaign for Fair Food has continued with other buyers and growers, and now the CIW's Fair Food principles – including a strict code of conduct, a cooperative complaint resolution system, a participatory health and safety program, and a worker-to-worker education process – apply to over 90% of Florida's tomato fields.

NON-DISCRIMINATION

All human beings are born equal and are entitled to their human rights without discrimination on account of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The principle of non-discrimination is found in all major human rights treaties and provides the central theme of many of these documents.⁷

Discrimination can be the result of disparate treatment or of disparate impact. Disparate treatment refers to discrimination that is obvious on the face of law or policy, such as denying the vote to women, segregated schools, and opposition party blacklists, among others. Disparate impact refers to discrimination that appears neutral in terms of law or policy but results in unequal treatment. One example of disparate impact is imposing strength requirements on firefighters in excess of what is needed to perform the job. Many women would be strong enough to be effective firefighters but cannot pass the high strength requirements that are not reasonably related to the needs of the job. Even if the fire department has no intention of discriminating against women, the end result of the policy is to exclude potential firefighters on the basis of their sex. Both disparate treatment and disparate impact are prohibited forms of discrimination.⁸

Full equality is often difficult to achieve for historically disadvantaged groups. International treaties recognize that, because of the entrenched nature of discrimination, special attention must often be paid to historically marginalized groups to ensure respect for the human rights of all persons. The Convention on the Elimination of Discrimination Against Women, the Convention on the Rights of the Child, the Convention on the Elimination of Racial Discrimination, and the Migrant Workers Convention are some of the treaties that try to address the needs of disadvantaged groups. A human rights approach similarly focuses on combating the effects of discrimination.



HUMAN RIGHTS STRATEGY 2:

Protect **marginalized** groups:

Focus on those at risk of human rights violations due to discrimination, marginalization, and injustice.

To foster equality, a human rights approach focuses attention on those who face discrimination in claiming their rights, especially historically disadvantaged groups. Identifying which groups are most at risk of human rights violations can serve as an important guide for organizational programming. In some cases, advocates may want to focus primarily on marginalized groups as a way of addressing the most severe human rights violations or rectifying historical patterns of exclusion. In other cases, advocates may serve a broader population that includes marginalized groups. Knowing the specific barriers that some clients may be facing can help organizations ensure their services are broadly accessible.



PLANNING STEPS

- **Gather data on the target population to identify groups that have worse outcomes than average.**
Social justice advocates need data on their community or target population that is broken down by sex, race or ethnicity, class, age, and other characteristics often associated with marginalization and discrimination, especially with regard to the particular right at issue. This data will reveal those groups that are most affected by the human rights violation and suggest potential risk factors in the community. Data can be in the form of quantitative statistical information or it can be qualitative and anecdotal.
- **Gather information on the causes of their exclusion.**
After identifying at-risk groups, organizations must understand the causes of their marginalization. Often these are systemic or structural factors like laws or cultural norms, discussed under Strategy 1. To the extent possible, consult with marginalized groups to understand their experiences of discrimination and their opinions of the causes.

ACTION STEPS

- **Choose objectives that reflect the needs of marginalized groups.**
Organizations should analyze their goals, both immediate and long-term, to ensure they are adequately addressing the causes of marginalization they have identified. Marginalized groups themselves know their needs and priorities, and consultation with them can be essential in setting realistic and meaningful goals. Because discrimination is a deep-seated phenomenon, combating it often requires both long-term legal and social changes.
- **Make sure programs do no harm and do not recreate social and cultural discrimination or stigmatization.**
Organizations prioritize the populations they serve and set programmatic goals in a wide variety of ways. Focusing exclusive attention on marginalized groups may not be desired or appropriate. However, no matter the target population, all organizations can use their awareness of disadvantaged groups to ensure that their own operations do not inadvertently recreate the marginalization these groups face in other areas of their lives. It can be easy to continue to exclude populations that have long been invisible due to discrimination or even to make their situation worse. When designing a program or campaign, anticipate unintended consequences of the intervention.



PROTECTING MARGINALIZED GROUPS

CASE STUDY: VOICES OF COMMUNITY ACTIVISTS & LEADERS (VOCAL)

Voices Of Community Activists & Leaders (VOCAL), a New York-based grassroots membership organization, builds power among low-income people who are living with and affected by HIV/AIDS, drug use, and incarceration, to create healthy and just communities. VOCAL began as an effort to counter the negative rhetoric that poor people were to blame for the problems of poverty and were not entitled to government assistance. Most members are HIV+ and active drug users, groups particularly likely to face such stigmatization and discrimination.

Medical advances have made it possible for people with HIV/AIDS to manage their infection if they have access to stable housing and other basic necessities, which New York agreed to provide. In 2001, VOCAL members received complaints that the city agency that was supposed to refer people with AIDS to same-day emergency shelter was turning people away. VOCAL organized human rights monitors to stand outside the agency and verify if people were receiving the emergency housing they were entitled to by law. After VOCAL documented the agency's failure to comply with the law, a series of court cases ordered the city to immediately provide emergency housing to homeless individuals with AIDS. The agency complied with the order and began providing emergency housing; however, it was in substandard single room occupancy hotels that put individuals with AIDS at risk of infection and disease. People waited months for access to medically appropriate non-emergency housing. VOCAL lobbied City Council for new laws that limited the amount of time the agency could take to process claims for non-emergency housing and imposed additional oversight.

VOCAL is now working to pass a rent cap for people receiving HIV/AIDS housing assistance so that their members can maintain stable, non-emergency housing and not have to choose between rent, food, and medicine. With every victory, the idea that low-income individuals of any background have a right to stable, adequate housing becomes more widely accepted, both in concept and in law.



VOCAL members demonstrating outside Governor Paterson's office in New York City protesting his veto of a measure that would cap the rents paid by thousands of clients of the city's HIV/AIDS Services Administration at 30 percent of their income.

ACCOUNTABILITY

Accountability is a cornerstone of a human rights approach to social justice. For every human right there is a corresponding responsibility to respect, protect, and fulfill that human right. These responsibilities are shared by the government and by non-governmental actors, including individuals and organizations. By linking human rights to corresponding responsibilities, **the human rights framework transforms social justice from charity to legal obligation, demanding accountability of those who have power.**

Respect - Governments must not deprive people of a right or interfere with persons exercising their rights.

Protect - Governments must prevent private actors from violating the human rights of others.

Fulfill - Governments must take positive action to facilitate the enjoyment of basic human rights.

The government bears primary responsibility for respecting, protecting and fulfilling human rights. Not only must the government refrain from committing outright violations of human rights, it also has a duty to create a clear and reliable legal framework to protect human rights from abuse by others, to enforce legal protections of human rights, and to sanction human rights abuses consistently and without discrimination.

While the government has the primary legal responsibility to uphold human rights under international law, other actors also have human rights obligations. These can be legal obligations under domestic laws protecting human rights or moral obligations such as those mentioned in the preamble to the UDHR, which proclaims that *“every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.”*⁹

The government is required to facilitate, promote, and provide for the fulfillment of human rights, but it is not required to directly meet all of people’s needs. Human rights law allows a government to meet its obligations through other mechanisms, including the market or civil society, reinforcing the idea that all parts of society are accountable for upholding human rights. Authorities responsible for respecting, protecting, and fulfilling human rights can be found at the community, state, or federal level, and in the public, private, and nonprofit sectors

Responsible Authorities at Every Level

Community Level

People closely connected to the rights-holder as well as local institutions, individuals, and government (e.g. family members, teachers, police officers, city councils, community associations, and local businesses)

National Level

Institutions, individuals, and organizations with national influence or jurisdiction (e.g. Congress, federal courts, executive agencies, national nonprofits, and prominent spokespeople)



State Level

Institutions, individuals, and organizations at the state or regional level, including those that oversee or coordinate community level groups (e.g. state governments, state professional associations and unions, and large nonprofits)

International Level

Institutions and organizations that operate internationally but have some influence over the U.S. (e.g. other countries, UN bodies, multi-national corporations, and international NGOs)

(see below).



HUMAN RIGHTS STRATEGY 3:

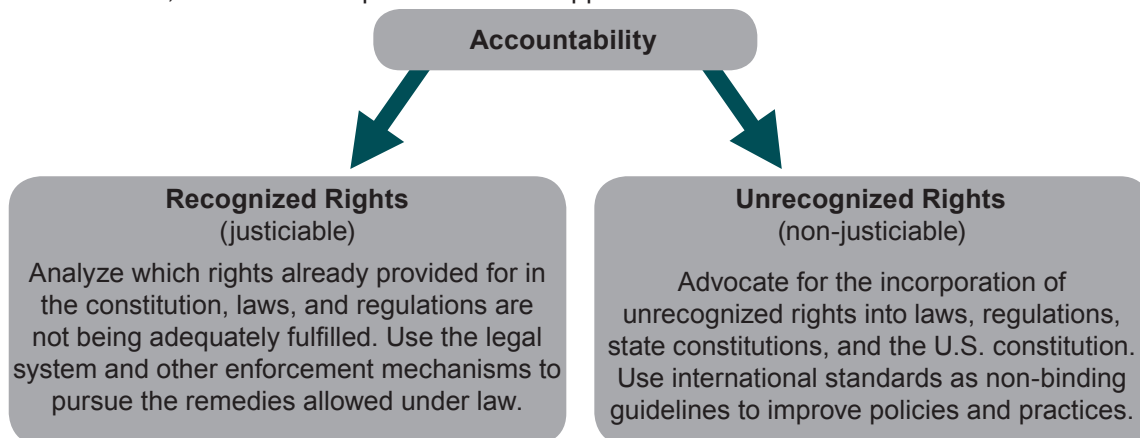
Work with **responsible authorities**:

Support and encourage the government and other responsible parties to fulfill their obligations.

A human rights approach tries to ensure accountability for human rights violations by working with the responsible authorities. Improving accountability requires both identifying the appropriate authority and understanding their legal and moral obligations.

For many issues, the government has an important role to play in upholding human rights, but it is rarely the only responsible authority. Social justice advocates should consider what role civil society, corporations, academic institutions, and others may have in fulfilling human rights. As part of the process for determining where to concentrate their efforts, advocates should ask, “Who has the power to fulfill the human rights obligations and what are their interests in the situation?”

Holding responsible authorities accountable also involves understanding the existing legal framework. Start by establishing which rights are recognized in law and which are not. Depending on whether a right has been incorporated into law, advocates can pursue different approaches:



One important mechanism for ensuring accountability is the rule of law. Legal standards and avenues for redress must be in place in order to hold those in power – from the government to private entities to individuals – accountable for their actions. Mechanisms must be accessible, transparent, and effective. Strong legislation and an independent judicial system that can apply the law fairly to all people help foster human rights accountability.



PLANNING STEPS

- **Identify who has the responsibility and the power to fulfill the human right.**
The government – including the federal, state, and local governments – often bears the responsibility for protecting human rights. Other actors may also have obligations to respect a particular human right, including corporations, educational institutions, nonprofits, financial institutions, and individuals. In a situation where many different people share a responsibility to uphold human rights, advocates can benefit by analyzing the level of power and influence each actor has over the right in question. Identifying which responsible authorities have the power to improve a human rights situation helps organizations direct their efforts to the most effective target.
- **Evaluate the capacity of responsible authorities to fulfill their human rights obligations.**
Advocates should understand why government officials, civil society members, and individuals are not fulfilling their human rights obligations in order to help them overcome any barriers they face. In some cases, governments lack the motivation or political will to act, while in others, policy makers are unaware of their human rights obligations or lack the skills to carry out their duties. Depending on the particular gap facing policy makers, advocates may turn to legislative advocacy, education, training, or other methods to increase the capacity of responsible authorities to act.
- **Analyze the existing accountability mechanisms.**
Ideally, rights-holders can hold responsible authorities accountable through a well-functioning legal and political system, but this is often not the case when it comes to ongoing human rights violations. As a first step, advocates will want to discover whether the human right(s) they are trying to address are recognized in law and policy. If the right is recognized by law, are there ways for people to seek a remedy when the right is violated? Are existing accountability mechanisms accessible, fair, and effective?

ACTION STEPS

- **Build the capacity of responsible authorities to meet their obligations.**
When responsible authorities fail to meet their human rights obligations because of a lack of knowledge, skill, or resources, advocates can help provide the necessary assistance. Educating people about their human rights responsibilities and the relevant international standards, training officials or service providers in new procedures or laws that better protect human rights, and collaborating with the government or businesses to pool resources for more effective social programming are all ways social justice organizations can help responsible authorities fulfill their obligations.
- **Use existing mechanisms to hold authorities accountable.**
In some cases, the legal or political system already provides a mechanism for advocates to hold the responsible authorities accountable for human rights violations. This might include the criminal and civil judicial systems at the state and federal level, international human rights bodies, non-judicial bodies such as human rights commissions, and elections. By exhausting existing avenues of redress, advocates can gauge whether the current system provides an effective remedy for human rights abuses.
- **Advocate for laws and policies that respect human rights.**
In cases where a right is not recognized in law or where existing laws and policies are inadequate, social justice organizations can push the government and other responsible authorities to create clear and effective protections for human rights through legislative advocacy, providing expert testimony, and helping draft legislation and policies.
- **Monitor whether existing laws and policies are effective at protecting human rights.**
As part of advocating for better laws and policies, organizations can gather data on how well human rights are being protected under the current system and report on this to the government, the affected population,



WORKING WITH RESPONSIBLE AUTHORITIES ON THE STATE LEVEL CASE STUDY: **THE ADVOCATES FOR HUMAN RIGHTS**

Founded in 1983, The Advocates for Human Rights is a non-profit organization dedicated to advancing human rights principles in the United States and around the world. The Advocates adapts traditional human rights methodologies to conduct innovative research and generate human rights reports and educational trainings designed to bring laws, policies, and practice into compliance with international human rights standards.

In 2007, The Advocates for Human Rights conducted a needs assessment for the State of Minnesota to determine the services available to victims of sex trafficking and the barriers they face when seeking protection. The assessment, requested by the state's Human Trafficking Task Force, used the same documentation and fact-finding techniques developed by The Advocates when monitoring human rights in countries around the world.

Sex Trafficking Needs Assessment for the State of Minnesota, published in September 2008, examined the government's response to victims at the local, state, federal, and tribal levels. The report identified services available to trafficking victims, assessed their effectiveness, and made recommendations for coordinating services and enhancing legal protections to better meet the needs of sex trafficking victims in the state.

Following the report, The Advocates for Human Rights worked with the state's Human Trafficking Task Force to draft legislation based on the report's recommendations that would provide stronger tools for prosecution of sex trafficking. Connecting domestic legal protection with international human rights standards, the bill strengthened Minnesota's sex trafficking law and sent a strong message that Minnesota does not tolerate sexual slavery or involuntary servitude and that perpetrators of such acts will be held accountable. The Minnesota Legislature unanimously passed the Act to Combat Trafficking in Minnesota, which the Governor signed into law on May 21, 2009. Through monitoring and legislative advocacy, The Advocates helped the state government meet its human rights obligations to protect victims of sex trafficking.



Staff Attorney Mary Ellison testifies in front of the Minnesota Legislature, advocating for stricter punishments for sex traffickers.

and the public at large.

PARTICIPATION

The Universal Declaration of Human Rights recognizes that among the most basic human rights is the right to full participation in government and civic life.¹⁰ Everyone has the right to freedom of thought, conscience, and religion. Everyone has the right to freedom of opinion, expression, peaceful assembly, and association. Everyone has the right to take part in government, either directly or through freely chosen representatives, and the right to equal access to public service. The right to participation allows people to influence decisions about their lives and can help them secure the other rights guaranteed in the UDHR. Participation is crucial to ensuring accountability, which depends upon an informed and engaged civil society.

Governments can promote participation by removing barriers to civic engagement, responding to input from rights-holders, and creating mechanisms to reach out to groups who are not yet actively participating in government. Civil society can help bridge the gap between people and the government, building the capacity of people to act while serving as a voice for the disenfranchised.

The right to participation also imposes an obligation on rights-holders. Fulfilling the right to participation requires that people participate by expressing their demands and providing input to the government and other responsible authorities. Without active engagement from individuals, the right to participation means very little. A human rights approach recognizes the importance of fostering this activism in rights-holders both as an end in itself and a way to fulfill other human rights.



HUMAN RIGHTS STRATEGY 4:

Empower **rights-holders**:

Increase the capacity of individuals to demand their rights and effectively participate in government and civic life.

A human rights approach to social justice calls upon advocates to demand and create laws, policies, and practices which are meaningfully informed by all who are affected, including those whose voices may be most difficult to hear. Advocates can foster participation by increasing the avenues through which people can engage with government and civil society, and by building the capacity and motivation of rights-holders to take action.

Empowering rights-holders means viewing people as actors with the ability to make informed decisions about their lives and to contribute meaningfully to social change. In order to share their knowledge and skills regarding issues that affect them, rights-holders must know and understand their rights, articulate these rights and demands, establish priorities, and communicate these to relevant responsible authorities. Individuals may need education, training, or resources to be able to participate effectively, which advocates can help provide. Civil society organizations, operating at the intersection between the government and the citizen, also provide a mechanism to link rights-holders and responsible authorities when current communication is ineffective or non-existent.

The concept of participation also serves as an important guiding principle for advocates using a human rights approach to social justice as they design and implement their own programs. Many social justice organizations find that their effectiveness is improved by encouraging community participation in their planning, programming, and evaluation. Such participation also provides rights-holders with a model for engaging with other responsible authorities, thereby encouraging civic engagement more broadly.



PLANNING STEPS

- **Identify the rights-holders most affected by an issue and analyze their participation.**
Using a human rights approach, advocates already have an understanding of the groups affected by a particular human rights violation, especially historically marginalized groups most likely to be excluded from decision-making processes. By examining who is participating and how effective or meaningful that participation is, advocates can decide which rights-holders to target for assistance.
- **Evaluate the existing participation mechanisms.**
When there are already mechanisms for rights-holders to participate in decision-making, advocates should analyze their effectiveness. In some cases, a lack of outreach leading to lack of awareness among rights-holders about the existence of the mechanism limits its effectiveness. In other cases, the government's failure to give real authority to rights-holders may inhibit participation in the process.
- **Recognize barriers to participation.**
Even when mechanisms exist for effective participation, rights-holders may not be able to take advantage of the opportunity. Sometimes, the problem is a lack of knowledge and skills about their rights and how to demand them. In other cases, barriers such as work schedules, child care needs, and language differences prevent people from becoming active in government and the community. Finally, rights-holders may not trust the participation process, especially communities that face discrimination or marginalization, fearing that their participation is at best a waste of time and at worst can be used against them to justify harmful policies adopted after including them in the process.

ACTION STEPS

- **Educate people about their rights and increase their capacity to demand change.**
Rights-holders may be unaware that the problems they face are human rights violations and that the government and other authorities have a responsibility to remedy the situation. Even if they are aware of their rights, people may lack the appropriate tools, resources, and skills to advocate for changes in budgets, policies, and laws. Advocates can help rights-holders by providing education and training on human rights standards and methods.
- **Eliminate barriers to participation in existing mechanisms and build new ones.**
After identifying barriers that may be preventing people from participating in current opportunities for engagement, advocates can work together with responsible authorities and rights-holders to adapt the participation mechanism or provide extra assistance to increase community involvement. When no good opportunities exist for rights-holders to participate in decision-making, advocates may also lobby for changes in decision-making processes or even organize their own mechanism to bring together rights-holders and responsible authorities.
- **Mobilize rights-holders and build coalitions to advocate for human rights.**
Social justice organizations can play an important catalyzing and coordinating role, bringing together rights-holders and advocates in coalitions to pursue common human rights goals. Such mobilizations can center around an immediate crisis or human rights violation, or can be a long-term collaboration designed to maintain interest and pressure around a particular human rights issue. Rights-holders often feel that they are not influential as individuals, but by uniting in a common cause, they increase their power to demand change.



EMPOWERING RIGHTS-HOLDERS

CASE STUDY: ST. STEPHEN'S HUMAN SERVICES

St. Stephen's Human Services is a nonprofit based in Minneapolis, Minnesota, that fights homelessness through housing opportunities, employment support, emergency services and outreach, and systems change. St. Stephen's Human Services is an example of a service provider that identified a recurring problem for people experiencing homelessness and moved beyond fulfilling their immediate needs to seeking long-term change through advocacy and education.

In 2008, members of St. Stephen's human rights program used video cameras to record the statements of 409 people experiencing homelessness discussing how a proposed 25 cent increase in bus fare would affect their lives. They all answered three questions: "What's your name? What do you use the bus for? and, How would a fare increase affect your life?"

All were against the increased bus fare. St. Stephen's compiled the interviews into a six minute YouTube video and distributed it at the state capitol. Legislators and lawmakers took notice of the complaints and passed a bill allowing homeless shelters and other service providers to distribute reduced rate bus cards to people experiencing homelessness.

Through the video testimonials, St. Stephen's gave people experiencing homelessness in Minneapolis a voice at the state legislature. The project was so successful that St. Stephen's has continued to use video testimonials in other advocacy campaigns, while expanding into other ways of bringing the voices of people experiencing homelessness to policy makers, such as community forums and demonstrations.



Video still of participant giving recorded statement on why he opposes a \$.25 bus fare increase in February 2009 by the Met Council in Minneapolis. To watch the video, visit http://www.youtube.com/watch?v=UW1Rvc1xE-Q&feature=channel_page.

Endnotes - Module 2: Strategies of a Human Rights Approach

1. José Saramago. "From Justice to Democracy by Way of the Bells," (closing speech, World Social Forum, Porte Alegre, Brazil, February 5, 2002), trans. R. Finnegan and C. Johnson, <http://www.terraincognita.50megs.com/saramago.html>, (accessed July 7, 2011).
2. UN, *The Universal Declaration of Human Rights*, Article 29, (see p. 32, n. 1).
3. UN, *The Universal Declaration of Human Rights*, Preamble.
4. Taylor Owen, "Challenges and opportunities for defining and measuring human security," *Disarmament Forum*, no. 3 (2004), 15-24, <http://www.unidir.org/pdf/articles/pdf-art2138.pdf> (accessed January 19, 2011).
5. The Commission on Human Security, "Outline of the Report of the Commission on Human Security," (May 2003), <http://www.humansecurity-chs.org/finalreport/Outlines/outline.html> (accessed March 11, 2011).
6. The Commission on Human Security, "Outline of the Report of the Commission on Human Security."
7. For one example, see UN, *The Universal Declaration of Human Rights*, Article 2.
8. The U.S. Equal Employment Opportunity Commission, "Fact Sheet on Employment Tests and Selection Procedures," http://www.eeoc.gov/policy/docs/factemployment_procedures.html, (accessed on July 7, 2011).
9. UN, *The Universal Declaration of Human Rights*, Preamble.
10. OHCHR, "Universal Declaration of Human Rights - In six cross-cutting themes," <http://www.ohchr.org/EN/UDHR/Pages/CrossCuttingThemes.aspx> (accessed January 19, 2011).

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- Page 108 - © St. Stephen's Human Services, photo by Robb Long.

Sources - Case Studies and Examples

Border Action Network

Jennifer Allen (Executive Director), interview with Jennifer Ernie-Steighner, April 2010.

Border Action Network website, <http://www.borderaction.org>.

Centre on Housing Rights and Evictions (COHRE-USA)

Bret Thiele (Coordinator of the Economic, Social, and Cultural Rights Litigation Program), interview with Jennifer Ernie-Steighner, January 2010.

COHRE-USA, "COHRE Internal Report on The Human Rights of Hurricane Survivors: Training and Advocacy Workshop," <http://www.cohre.org/store/attachments/New%20Orleans%20Workshop%20%28COHRE%20internal%20report%29.doc>, (accessed June 3, 2010; site now discontinued).

Coalition of Immokalee Workers

Lucas Benitez (CIW Member), interview with Colleen Beebe, February 2010.

Coalition of Immokalee Workers website, <http://www.ciw-online.org>.

Greg Asbed, "Coalition of Immokalee Workers: 'Golpear a Uno Es Golpear a Todos!' To Beat One of Us Is to Beat Us All!," in *Bringing Human Rights Home: Portraits of the Movement*, eds. Cynthia Soohoo, Catherine Albisa, and Martha F. Davis, (Preager Publishers: Westport, CT, 2008), 21.

Ella Baker Center for Human Rights

Jakada Imani (Executive Director), interview with Jennifer Ernie-Steighner, December 2009.

Ella Baker Center for Human Rights website, <http://www.ellabakercenter.org>.

Hawaii Disability Rights Center

Lou Erteschik (Staff Attorney), interview with Jennifer Ernie-Steighner, February 2010.

Hawaii Disability Rights Center website, <http://www.hawaiidisabilityrights.org>.

Heartland Alliance for Human Needs and Human Rights

Doug Schenkelberg (Policy and Advocacy Associate Director), interview with Jennifer Ernie-Steighner, February 2010.

Heartland Alliance for Human Needs and Human Rights website, <http://www.heartlandalliance.org>.

National Law Center on Homelessness and Poverty (NLCHP)

Eric Tars (Human Rights Program Director and Children and Youth Staff Attorney), interview with Jennifer Ernie-Steighner, February 2010.

National Law Center on Homelessness and Poverty website, <http://www.nlchp.org>.

St. Stephen's Human Services

Richard Johnson (Staff Member) and Cathy Heying (Human Rights Program Interim Director), interview with Jennifer Ernie-Steighner, February 2010.

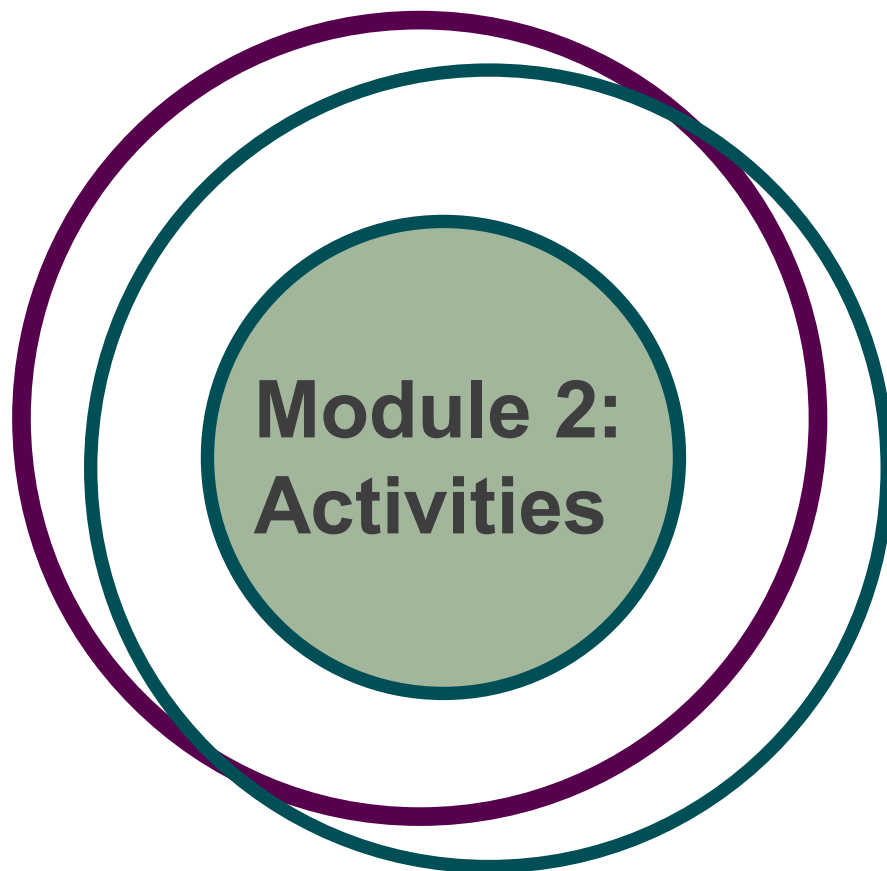
St. Stephen's Human Services website, <http://www.ststephensmpls.org>.

Briana Bierschbach, "Bill could reduce bus fares for homeless," *Minnesota Daily*, March 10, 2009, <http://www.mndaily.com/2009/03/10/bill-could-reduce-bus-fares-homeless> (accessed July 7, 2011).

Voices Of Community Activists and Leaders (VOCAL)

Sean Barry (Executive Director), interview with Madeline Lohman, March 2011.

Voices Of Community Activists and Leaders (VOCAL) website, <http://www.vocal-ny.org>.



Poverty Tree

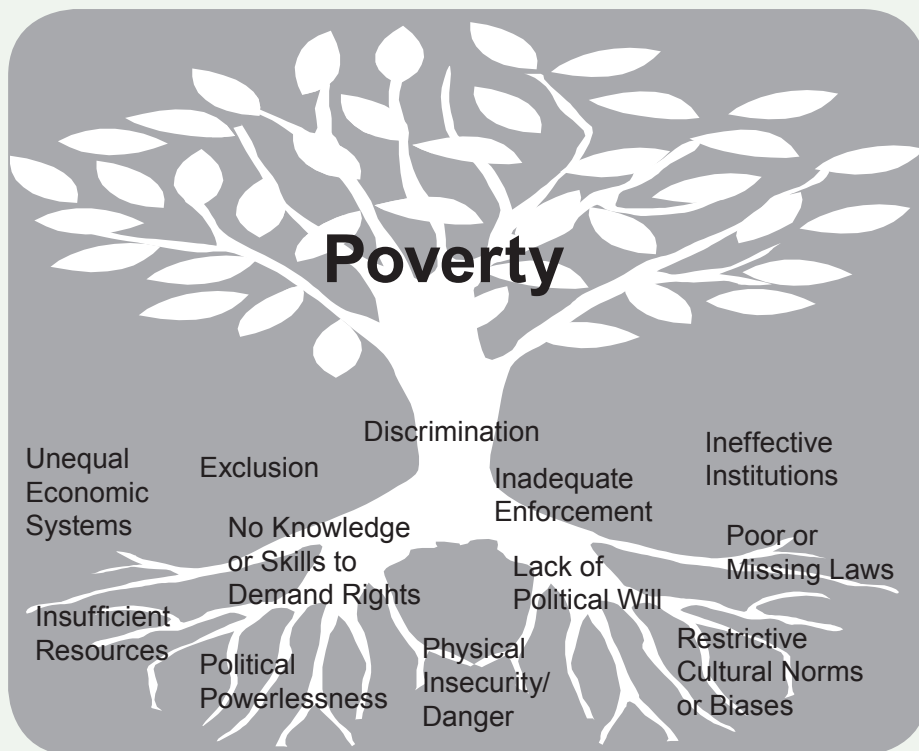
Objective: To identify the effects and underlying causes of poverty

Time: 20 minutes

Materials: Large poster of a tree, post-its, markers

Procedure:

1. **Prepare.** Put a large picture of a tree on the wall.
2. **Brainstorm the Effects of Poverty.** Give participants post-its and markers and ask them to write down the negative effects of poverty (one effect on each post-it). What do they see in the community where they work? What human rights violations do people experience as a result of poverty? Have the participants stick these negative effects of poverty on the branches and leaves of the tree. As they place them on the tree, have them say the effect out loud.
3. **Brainstorm the Causes of Poverty.** Ask participants what causes poverty in their community and in the United States. Have them stick these causes of poverty on the roots of the tree, saying each one aloud as they place it.
4. **Explain.** People often think of poverty as the primary cause of the negative effects listed by participants because it is visible, like the trunk of the tree. In fact, there are a lot of things, many of them not easily seen, that cause poverty and its ill effects, just as the roots of the tree support the trunk. Creating a healthy tree (or a healthy society) requires addressing any unhealthiness at the roots.
5. **Discuss.** How do you see these root causes manifested in your own community or your organization's work?



Adapted from Jerald Joseph, "Poverty Tree" in *From Poverty to Dignity: A Learning Manual on Human Rights Based Development*, 62 (see p. 45).

Moving Forward or Left Behind

Activity

| | |
|-------------------|---|
| Objective: | To understand how discrimination and marginalization create inequality in the United States |
| Time: | 20 minutes |
| Materials: | Handout: <i>Moving Forward or Left Behind Roles</i> Facilitator Handout: <i>Moving Forward or Left Behind Situations</i> |

Procedure:

- 1. Prepare.** Cut out the role cards and give one to each participant. Ask them to maintain their own gender identity and to fill in any other details about the role as they see fit. Ask participants to try to put themselves in the shoes of the person on their role card. They should keep their identity secret for the time being.
- 2. Explain.** Ask participants to stand in a line in the middle of the room facing the same direction. Explain to participants that the line they are standing on represents the Universal Declaration of Human Rights. Read the following quote out loud from Article 1 of the UDHR: *“All human beings are born free and equal in dignity and rights.”* Let participants know that you will be calling out different situations. If they feel they can answer affirmatively to the situation, then they should take a step forward. If they feel they cannot answer affirmatively, then they should take a step backwards. They should always take a step in one direction or another. If they are not sure of the answer, ask them to guess.
- 3. Read Situations.** Call out the situations one after the other (see Facilitator Handout: *Moving Forward or Left Behind Situations*). At the end of the activity, some people will have moved ahead of the starting line and others will be behind it.
- 4. Reveal Identities.** Ask participants to read out their identities one by one. Explain that although everyone is born free and equal in dignity and rights, because of discrimination and marginalization some people are not treated equally. Ask the group: *What can we as social justice advocates do?* Applying a human rights approach requires that we develop the capacities of all rights-holders so that no one is left behind.
- 5. Discuss.**
 - What were some of the factors that helped people get to the front and why were others left behind?
 - In your own work, what makes someone at risk of marginalization?
 - How did this exercise make you feel? Was it easy to decide how to respond to each statement?
- 6. Explain.** Sometimes people are uncomfortable because they feel they end up relying on their stereotypes of individuals to do this activity. This discomfort is a good way to remind ourselves about the importance of not relying on our own assumptions about who is at risk when designing programs.



| | |
|---|---|
| Refugee | Undocumented migrant worker |
| Sex worker | Person experiencing homelessness |
| Black lawyer | Latino GLBTQ person |
| Shareholder in a profitable company | Person in wheelchair |
| Person living with AIDS | Child born into a wealthy family |
| Blue-collar single parent | Child living in poverty |
| Senior government official | Ex-convict |
| Mentally ill veteran | Native American social worker |
| Elderly victim of a natural disaster | Rural farmer |
| Victim of domestic violence | Unemployed trade worker |



- You have a decent and safe place to live
- You can buy new clothes regularly
- You have enough food to eat
- You are paid an equal wage for equal work
- You find it easy to get to the places you need to go in your life
- You have access to good health care when you are sick
- Your children (or you if you are a child) attend school regularly and receive an excellent education
- Your livelihood is secure
- You have opportunities for advancement in your career
- You have no fear of the police.
- You can vote in national and local elections
- People respect what you say and your opinion
- You rarely feel discriminated against
- You are paid a living wage
- You see people like yourself portrayed positively in public life and the media
- You have never encountered a language barrier when seeking goods or services
- You feel welcome and included in this country

The Social Change Web

Objective: To identify the roles that rights-holders and responsible authorities play in securing human rights for all

Time: 20 minutes

Materials: Ball of string, flip chart paper

Procedure:

- 1. Explain.** Explain that the purpose of this activity is to create a web of the different relations between rights-holders and responsible authorities within an ideal democratic society.
- 2. Set-up.** Divide the participants into two equal-sized groups: rights-holders and responsible authorities. Give each group a piece of flip chart paper.
- 3. Choose Topic.** As a large group, choose a human rights issue that exists in your community to be the theme of this activity.
- 4. Brainstorm.** Give each group 10 minutes to brainstorm the role their actor plays in a democratic society as a rights-holder or a responsible authority in relation to the chosen human rights issue. Tell participants to think of the identities from the Module 2 Activity: *Moving Forward or Left Behind* – what actions can those individuals take to demand their rights? What should the government and other responsible authorities do to fulfill their rights? The groups should write down their ideas on the flip chart, making sure to have at least one idea for each member in the group.
- 5. Create Web.** Have the groups stand in two lines facing each other (make sure they leave about 3 feet of space between the two groups). Place the flip chart paper where everyone in the group can see it. Give one person the string. Have them read one of the ideas on their group's flip chart paper and toss the ball across the room to a member of the other group. Encourage rights-holders to state their action as it relates to the human rights issue they care about. Example: "I am voting for you because I trust you to build more low-income housing." Encourage responsible authorities to respond with the action they believe the government could take to address the issue being presented by the rights-holder. The next person should repeat this process until everyone is holding a piece of the web.
- 6. Feel the Tension.** Have one member of the rights-holder group pull on the web and ask the participants what that felt like. Then have all the members of the rights-holder group pull on the web and ask participants if there was a difference. A successful democracy relies on this tension between rights-holders and responsibilities authorities to ensure accountability. A human rights approach works to build these connections between rights-holders and responsible authorities so that the "pull" exerted on responsible authorities is more powerful and effective.
- 7. Discuss.** Ask participants to discuss the following questions:
 - How do you see these types of connections working or not working in your communities?
 - What could we do to strengthen these connections?

Breaking Down the Wall

Objective: To explore ways to overcome the barriers to empowerment and participation that rights-holders might encounter

Time: 30 minutes

Materials: Handout: *Wall of Barriers Bricks*

Procedure:

- 1. Prepare.** Barriers to empowerment and participation can be a result of actions and decisions by the responsible authorities or of constraints faced by the rights-holder. Look over the list of barriers in the handout, *Wall of Barrier Bricks* and choose the ones you think would be most relevant to your participants. Use the list to create “bricks” on sheets of paper that represent different barriers to participation. Write one barrier on each “brick.” Have 5-6 blank “bricks” for participants to add barriers. There should be enough bricks so that each participant has one.
- 2. Build a Wall.** Hand out the bricks so that each participant has one. Some may have a filled-in brick, some may have a blank brick. Have participants stand up and read their filled-in bricks, and then stick them on the wall of the room, building up a brick wall as they go. Once all the filled-in bricks have been placed on the wall, ask participants to brainstorm other barriers that haven’t been mentioned to fill in the blank bricks. Encourage them to think of situations they have encountered through their own experiences. As they brainstorm barriers, attach each new brick to the brick wall already created.
- 3. Tear it Down.** Once the brick wall is finished, ask for a volunteer note-taker to record participant answers on a flip chart. Have participants take turns coming to the front of the room and removing one of the barriers. As they remove the barrier, they should say what could be done to overcome that specific barrier. The volunteer note-taker should record all of the solutions on a flip chart.
- 4. Discuss.** After all the bricks have been removed, have participants discuss the following:
 - Why do you think empowerment such an important part of a human rights approach?



GOVERNMENT BARRIERS

1. Lack of qualified applicants for government leadership positions from within marginalized communities.
2. Concerns over releasing negative information prevent transparency and accountability to community.
3. Lack of flexibility within government makes it difficult to incorporate constituent demands and feedback.
4. No formal complaint mechanism limits government accountability.
5. Government actively limits or represses criticism and opposition to its policies.
6. Limited staff, time, and resources to manage community participation.
7. Persons with disabilities have difficulty accessing government offices, resources, services, and communications.
8. Government departments use overly technical language or jargon that community has difficulty understanding or relating to.
9. Governmental leadership not committed to community participation.
10. Lack of formal governmental policies and practices governing the rights of the community to participate.
11. Lack of familiarity with marginalized communities leads to ineffective and unrepresentative involvement.
12. Government places higher value on professional knowledge over community experience.
13. Ineffective outreach leads to lack of community awareness about how they can be involved in government.
14. Corrupt government officials disregard community priorities and reallocate resources based on personal connections.
15. Government officials do not believe it is their job to consult with the community as part of their decision-making processes.

RIGHTS-HOLDER BARRIERS

1. Community has distrust or fear of authority.
2. People have difficulty visiting government offices due to location, distance, and lack of transportation.
3. Competing life priorities including work, childcare, and other community involvement make it difficult for people to get involved.
4. Internal community politics prevent effective and equitable participation.
5. Marginalized groups have language and literacy barriers limiting their ability to communicate with the government.
6. People are discouraged by slow pace of reform which reduces participation rates.
7. Cultural barriers prevent people from becoming involved or from honestly expressing their views.
8. People feel that they can't contribute because they lack expertise or an influential position in the community.
9. Past experience with ineffective programming leads to lack of trust in government.
10. Transient local community makes it difficult to create sustainable participation.

Case Study Analysis

- Objective:** To give participants a chance to analyze a human rights approach through real-world examples
- Time:** 25 minutes
- Materials:** Handout: *Strategies of Human Rights Approach Summary Sheet*
Handouts: *Case Studies 1-7*
Handout: *Case Study Discussion Questions*

Procedure:

- 1. Prepare.** Choose four case studies from the seven provided that you think your participants would be most interested in. Print them out with the discussion questions on the reverse side of each case study.
- 2. Set-up.** Divide the participants into four groups and give each group one of the case studies to analyze and Handout: *Strategies of Human Rights Approach Summary Sheet*.
- 3. Read and Discuss.** Give each small group 15 minutes to read their case study and discuss the following questions:
 - What human rights violation is the organization trying to address?
 - What structural or long-term change are they hoping to achieve?
 - What human rights approach strategies appear to be effective?
 - What were the benefits of using a human rights approach?

Have someone from each small group volunteer to take notes, as they will be sharing their analysis with the large group.

- 4. Share.** Once they have had a chance to discuss, have each small group share with the large group the major points they drew from the analysis of their case study. As a large group, discuss any similarities or differences in the strategies the organizations used and the impact they had on their human rights issue.



HUMAN RIGHTS STRATEGY 1:

Address the **root causes** of the problem:

Uncover the political, legal, social, economic, and cultural conditions that perpetuate human rights violations and create long-term goals that work toward the realization of human rights.

- **Identify the human rights violation.** Frame the problem as a human rights issue by linking it to specific articles or standards in international treaties, declarations, and other documents.
- **Identify structural barriers to fulfillment of the human right.** Examine structural causes (e.g. laws, policies, practices, and social or cultural norms) that are barriers to the fulfillment of human rights. Legal analysis, monitoring of government implementation, and public opinion surveys can all help uncover these structural barriers.
- **Identify the other human rights that are affected by the root cause.** Human rights are interconnected. The causes of one human rights violation are linked to other human rights violations. Looking at closely related human rights violations stemming from the same causes can help advocates expand their field of action to new areas or find potential allies.
- **Establish long-term human rights goals that directly address root causes.** Design goals to address the structural barriers to achieving the identified human right. Structural change takes a long time to achieve, and this can require organizations to shift to more long-term goals.
- **Address immediate needs as rights to be claimed.** Meet the current, basic needs of rights-holders, like housing, food, health care, or emergency assistance. This short-term enabling strategy will free people to demand and secure their rights over the long-term. It is also an entry point to introduce rights holders to the notion that their basic needs are human rights that they can claim.
- **Collaborate with organizations in other sectors to combat shared human rights problems.** The same root causes often lead to many different violations, so increase power and reach broader target populations through collaborations.

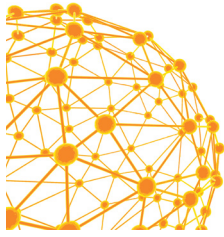


HUMAN RIGHTS STRATEGY 2:

Protect **marginalized** groups:

Focus on those at risk of human rights violations due to discrimination, marginalization, and injustice.

- **Gather data on the target population to identify groups that have worse outcomes than average.** This data will reveal those groups that are most affected by the human rights violation and suggest potential risk factors in the community.
- **Gather information on the causes of their exclusion.** Often these are systemic or structural factors like laws or cultural norms. To the extent possible, consult with marginalized groups to understand their experiences of discrimination and their opinions of the causes.
- **Choose objectives that reflect the needs of marginalized groups.** Marginalized groups themselves know their needs and priorities, and consultation with them can be essential in setting realistic and meaningful goals. Because discrimination is a deep-seated phenomenon, combating it often requires both long-term legal and social changes.
- **Make sure programs do no harm and do not recreate social and cultural discrimination or stigmatization.** Organizations should be aware of and ensure they do not inadvertently recreate marginalization for disadvantaged groups or have any other unintended negative consequences.



HUMAN RIGHTS STRATEGY 3:

Work with **responsible authorities**:

Support and encourage the government and other responsible parties to fulfill their obligations.

- **Identify who has the responsibility and the power to fulfill the human right.** The local, state and federal government often have the primary responsibility but other actors may also have certain obligations, like corporations, schools, non-profits, financial institutions and individuals.
- **Evaluate the capacity of responsible authorities to fulfill their human rights obligations.** Advocates should understand why responsible authorities are not fulfilling their human rights obligations so they can help them overcome the barriers they face. Lack of political will, lack of knowledge, or lack of resources could all contribute.
- **Analyze the existing accountability mechanisms.** Is the target human right is recognized in law and policy? If so, is there an accessible, fair, and effective way for people to seek a remedy when the right is violated?
- **Build capacity:** When responsible authorities can't meet their human rights obligations because they lack the knowledge, skill or resources, advocates can help fill that gap through education, training, and collaborations.
- **Use existing mechanisms:** There may already be an accountability mechanism to hold authorities responsible for violations. By using these mechanisms, advocates can also assess if it is an effective remedy.
- **Advocate for laws:** Where there is no law protecting that right, advocates can push for the adoption of legal protections through lobbying, testimony, and drafting laws, as well as changing public attitudes to support that right.
- **Monitor:** Advocates can monitor how well the human rights are being protected under the current system and use this info to advocate for better laws and policies.



HUMAN RIGHTS STRATEGY 4:

Empower **rights-holders**:

Increase the capacity of individuals to demand their rights and effectively participate in government and civic life.

- **Analyze the participation of marginalized groups.** By examining who is participating and how effective or meaningful that participation is, advocates can decide which rights-holders to target for assistance.
- **Evaluate the effectiveness of existing participation mechanisms.** Effectiveness could be limited by factors such as a lack of awareness among rights-holders about the existence of the mechanism or the government's failure to give real authority to rights-holders in the process.
- **Recognize barriers to participation** Even if there are mechanisms for participation, there may be barriers that hinder rights holders from using them, such as limited time, language differences, or a lack of trust in government.
- **Educate people about their rights and increase their capacity to demand change.** Rights holders may be unaware that authorities have a responsibility to remedy their human rights violations or they may lack the capacity to advocate for these changes.
- **Eliminate barriers to participation in existing mechanisms and build new ones.** Advocates can work to adapt participation mechanisms, provide help to increase the capacity of rights-holders to participate, or even create a new mechanism to bring together rights holders and responsible authorities.
- **Mobilize rights-holders and build coalitions to advocate for human rights.** Advocates can play an important role in bringing together rights holders and advocates in coalition on a common human rights goal. Rights holders may feel that they are not influential as individuals, but by uniting together on a common cause, they increase their power to demand change.



Centre on Housing Rights and Evictions - USA

The USA Division of the Centre on Housing Rights and Evictions (COHRE-USA) strives to build a grassroots movement to make housing a human right in the United States. This mission was inspired by the organization's international work. Bret Thiele, Coordinator of COHRE's Economic, Social, and Cultural Rights Litigation Program, explains: "One thing we heard again and again around the world is that the international community needs the presence of the United States when it comes to protecting and promoting human rights. Historically, however, the U.S. has not supported economic, social, and cultural rights as being human rights. So we saw a need for a bottom-up, grassroots national and global movement that demands housing rights as human rights." Through human rights education and trainings, COHRE-USA provides grassroots advocates, low income people, and individuals experiencing homelessness the knowledge and tools necessary to fight for change.

The 2006 "Human Rights of Hurricane Survivors: Training and Advocacy Workshop" is a prime example. Held in New Orleans, the workshop educated local advocates about the rights of those most affected by displacement after Hurricane Katrina—low-income communities and people of color. "As a result [of Katrina], some 400,000 persons were displaced," Thiele explains. "Since then, the storm has significantly changed the demographics of the city, and many organizations believe that the City is using the devastation caused by the Hurricane as an opportunity to rid the city of its poor." Indeed, around eighty percent of public housing in New Orleans remained closed ten months after Katrina, leaving many low-income, African American families without homes. To help advocates combat this discrimination, COHRE-USA taught participants about international human rights standards regarding displaced persons. Since this training, a number of organizations

have raised their concerns with UN bodies such as the Committee on the Elimination of Racial Discrimination. Doing so has brought an international spotlight to the violations perpetrated in the Gulf.

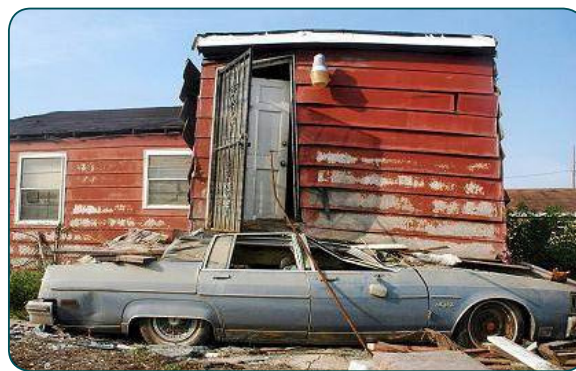
COHRE-USA has also partnered with the National Law Center on Homelessness and Poverty to conduct over 200 regional trainings and five national forums on the human rights to housing. These trainings have strengthened the advocacy skills of activists and marginalized communities. "When we educate [marginalized] groups about international human rights standards," Thiele notes, "we have seen a lot of excitement as they make connections between their personal knowledge and international human rights standards and enforcement mechanisms. Most importantly, a lot of these groups have now been doing amazing advocacy using a human rights framework." A number of grassroots organizations have taken what they have learned to create shadow reports, present issues before enforcement bodies, and

work with local policy-makers for change. For example, the Coalition to Protect Public Housing in Chicago, IL successfully worked with government officials to pass a 2004 County Resolution. This resolution recognized housing as a human right and thus promoted increased funding for homeless shelters and affordable housing projects in Chicago.

Since 2008, COHRE-USA's educational work has been put on hold due to a lack of funding. As the Coalition to Protect Public Housing demonstrates, however, COHRE's trainings continue to impact the housing rights movement. COHRE-USA hopes that it is only a matter of time until it can continue its

efforts. "This work is really near and dear to my heart," Thiele concludes. "If all human rights obligations were abided by, we wouldn't have poverty, particularly in this country."

"One thing we heard again and again around the world is that the international community needs the presence of the United States when it comes to protecting and promoting human rights. Historically, however, the U.S. has not supported economic, social, and cultural rights as being human rights. So we saw a need for a bottom-up, grassroots national and global movement that demands housing rights as human rights."



An abandoned house rests on a car in the lower 9th Ward in New Orleans.



Coalition of Immokalee Workers

The Coalition of Immokalee Workers (CIW) works in Florida to change the power imbalance between immigrant farm workers and the U.S. agricultural industry. To succeed, the organization strives to build the leadership skills, advocacy abilities, and sense of community of its approximately 5,000 members. Coming from various ethnic backgrounds, particularly Mexican, Guatemalan, and Haitian, CIW members are united by the common cause and language of human rights. As CIW member Lucas Benitez explains: “Using a rights-based approach to our work means everything to us because it unites the three primary communities that make up our coalition. Human rights is a language that we heard in our own countries and it opens up avenues to communicate with those who are newly arrived to the United States.” Maintaining a strong sense of community allows the Coalition to effectively lead campaigns focused on upholding the dignity of immigrant farm workers.

CIW’s “Campaign for Fair Food” is a prime example. The Campaign strives to hold large food corporations accountable for their role in farm workers’ exploitation. In the late 1990s, CIW members discovered that large food



March during Burger King boycott

corporations such as McDonald’s use their buying power to demand extremely low prices from Florida tomato growers. As a result, growers cut costs by paying farm workers sub-poverty wages. Out of this realization emerged the Campaign’s first project: a boycott of Taco Bell. Started in 2001 with a small press conference in Fort Meyers, Florida, the boycott quickly grew into a nationwide movement.

in order to move our struggle forward.” Focusing on the human rights to a livable wage and safe working conditions, students on twenty-one campuses across the country successfully removed or blocked Taco Bell restaurants from their institutions. Simultaneously, numerous religious organizations provided financial assistance and joined Immokalee workers as they protested, organized sit-ins, and did a 10-day hunger strike outside of the corporation’s headquarters.

“Human rights is the platform that has allowed us to reach out to other arenas in order to move our struggle forward.”

Throughout the boycott, the farm workers’ leadership gave the Campaign greater legitimacy. “Unlike many anti-sweatshop or consumer campaigns,” CIW co-founder Greg Asbed emphasizes, “the Taco Bell boycott stood out for the simple fact that the very workers whose labor conditions were the subject of the boycott were the unquestioned and ever-present leaders of the campaign.” Indeed, after four years of advocacy and increased media attention, Yum Brands agreed to work with CIW to improve farm workers’ wages and labor conditions. The corporation signed the legally binding “CIW-Yum Agreement” during a massive press conference on March 8, 2005. The Agreement

required Yum Brands to pay farm workers a penny per pound more to offset low wages, create a Code of Conduct for their suppliers to prevent slave labor, provide market incentives for suppliers who respect their workers’ human rights, and maintain 100 percent transparency for Taco Bell’s tomato purchases. The Agreement also created an investigative body for monitoring workers’ complaints. Partially composed of CIW members, this body serves as a primary mechanism for farm workers to judge Yum Brands’ compliance.



Press conference when Taco Bell agreed to CIW demands.

Overall, the Coalition of Immokalee Workers is proud of what it has accomplished. The Campaign for Fair Food has continued with other buyers and growers, and now the CIW’s Fair Food principles – including a strict code of conduct, a cooperative complaint resolution system, a participatory health and safety program, and a worker-to-worker education process – apply to over 90% of Florida’s tomato fields.



Ella Baker Center for Human Rights

The Ella Baker Center for Human Rights works in Oakland, California to end urban violence and incarceration. To do so, the organization strives to empower those most affected by violence and criminalization in California—the urban poor and communities of color. As Executive Director Jakada Imani explains: “The Ella Baker Center is often looking to increase the power and raise the profile of our impacted communities, who are commonly without avenues for political power in decision-making processes. If we raise the profile of our impacted communities, they are included at the table when decisions affecting their lives, their families’ lives, and their communities are being made.” Consequently, the organization runs a variety of

“If we raise the profile of our impacted communities, they are included at the table when decisions affecting their lives, their families’ lives, and their communities are being made.”

programs that place the voices and ideas of the local community at center stage. The organization’s “Families for Books Not Bars” Program is an excellent example. Founded jointly by Center staff and families of incarcerated Californian youth, the Program provides emotional support, trainings in grassroots organizing, and participation in public education, advocacy, and legislative outreach for family members. These opportunities enhance families’ ability to use accountability mechanisms. For instance, guardians are taught how to file legal motions to have their children transferred out of the state prison system. Simultaneously, program participants strive to educate policy-makers about solutions to abuses committed in juvenile prisons. “The government often doesn’t respond to an organization



Members rallying in support of a 2008 bill to provide juveniles the right to have contact with their families while in prison.

informing it about problems,” Imani emphasizes, “but it does respond to an organization offering it solutions to a problem that the community is aware of and advocating to be changed.” Arguing that the mistreatment of incarcerated youth is a root cause of California’s high rate of juvenile re-arrest (70%) and thus crime, the Program proposes replacing the current prison system with community-based programs and regional rehabilitation centers.

Though such change has yet to be seen, “Families for Books Not Bars” has been successful. After the 2005 suicide of 18-year-old inmate Joseph Maldonado, members successfully educated lawmakers on the significance of communication with families. Maldonado killed himself after two months of isolation, during which he was not allowed to communicate with his family. His was not the first such case. By speaking out about the isolation their incarcerated



Members of “Families for Books not Bars.”

children experience, members helped the Ella Baker Center pass a 2008 California bill that provides incarcerated youths with the right to have contact with their families. This bill is a crucial step in making California’s legal system accountable to the needs of incarcerated youth and their families.

The willingness of families to speak about their lives has also strengthened the organization overall. “Listening with families of incarcerated youths to learn about the challenges to and the opportunities for change has been absolutely vital,” Imani notes. “The insights and ideas gained from this ongoing experience of listening have been used to frame what we advocate for and whom we mobilized so that we are more effective.” Indeed, since beginning its campaign to improve juvenile incarceration, the Center has seen a drastic decline in the youth prison population—from 5,200 to 1,900 youths.

As a whole, the Ella Baker Center feels it is making a difference in the lives of California’s residents. The organization continues to lead the way in the states’ juvenile prison reform, most recently getting the Division of Juvenile Justice to close down a dysfunctional youth prison named Stark. As the Center’s Executive Director proudly notes, the organization’s focus on community involvement is reinvigorating the idea that people can and should collaborate for the social good.



Hawaii Disability Rights Center

The Hawaii Disability Rights Center (HDRC) works to protect and promote the human, civil, and legal rights of Hawaiian citizens with disabilities. To fulfill its mission, the organization engages in public education, documentation and monitoring, and individual and systemic advocacy. Underlying all of these activities is a passion for empowering people with psychological and physical disabilities. HDRC believes that individuals with disabilities have the right to self-determination. “We believe that the right to self-determination ties in with federal law and is a basic human right,” HDRC lawyer Lou Erteschik explains. “When we speak of self-determination, we are speaking of the right to choose one’s own life-course. This means respecting and protecting the rights of all people, regardless of ability, to make individual life choices—whether they be good or bad.” To promote self-determination, the organization empowers Hawaiians with disabilities through a participatory internal structure and right-based litigation.

In many ways, the Center’s internal structure relies upon the participation of people with disabilities and their families. In 1977, a federal grant established HDRC as a non-profit organization to carry out a new federal mandate to protect the rights of disabled persons. Seven years later, the federal grant also designated the Center as the Client Assistance Program (CAP) for the state of Hawaii. As such, HDRC requires that a majority of its Board of Directors are individuals with disabilities, their families, or their advocates. Similarly, at least 60% of the organization’s PAIMI Council Members (advisors to its Protection & Advocacy of Individuals with Mental Illness Program) must be consumers of mental health services, former consumers, or their families. Though these requirements are tied to federal grants, the Center takes the participation of affected communities seriously. Of its own volition, HDRC also maintains a diverse staff that includes individuals with disabilities. Many of these individuals work as Peer Advocates, doing outreach to persons with mental illness and helping write advance directives for people who would like to formalize their wishes for their mental health care. “Our former director felt it was crucial to have people with disabilities

represented in our staff and thus he got our Peer Advocacy Program off the ground,” Erteschik explains. “Lack of employment is a serious issue facing many people with disabilities. Thus, we believe it is pivotal to address this need by employing individuals with various disabilities within our own organization.” Overall, the incorporation of people with disabilities on boards, councils, and staff bolsters HDRC’s efforts to empower affected populations. It gives individuals with disabilities the opportunity to draft organizational objectives, problem analyses, and program recommendations. Simultaneously, it helps the Center maintain accountability for its actions.

“We believe that the right to self-determination ties in with federal law and is a basic human right... This means respecting and protecting the rights of all people, regardless of ability, to make individual life choices—whether they be good or bad.”

HDRC’s litigation work empowers Hawaiians with disabilities. The organization provides legal representation for a range of issues,

particularly: emancipation from guardianships, social security, and special education. Currently, the Center is helping four students with disabilities file a class action lawsuit against Hawaii’s Department of Education (DOE). The lawsuit requires that the DOE extend special education to students through 21 years of age. According to a 2010 State law, the four students involved in the case can no longer attend school because high school admission ends at age 20. Unlike non-disabled adults, however, these students and their peers have few options to further their education outside of the public school system. As a HDRC press release states: “Hawaii continues to discriminate against disabled students over 20 because it denies them a meaningful educational opportunity while allowing nondisabled students... to pursue their secondary education in the adult education program [where] [s]pecial education services are not provided.” HDRC hopes that this suit not only empowers disabled students to argue in court for their human right to an education, but also makes the DOE accountable for its discriminatory actions.



Some of HDRC’s staff (left to right): John Dellera, Michael Rabanal, Louis Erteschik, Howard Lesser, and Steve Walsh. Seated in the front is Jennifer Patricio.

As a whole, Hawaii Disability Rights Center is proud of its ongoing efforts to empower people with disabilities. “The truth is that everyday our work really does help a lot of people—some of the neediest in our society,” Erteschik concludes. “We are making improvements in people’s lives, often one person at a time.”



Heartland Alliance for Human Needs and Human Rights

Heartland Alliance is a non-profit organization based in Chicago, Illinois, that is dedicated to serving marginalized populations—those who are poor, displaced, or in danger—by providing a wide range of services including housing, health care, legal protection, job training and workforce development. Heartland Alliance operates on the principle that access to these services is a basic human right. In accordance with this philosophy, Heartland Alliance works not only to directly assist marginalized individuals with their immediate needs, but to recognize their rights, promote their self-sufficiency, and ultimately, to restore their dignity.

Heartland Alliance's From Poverty to Opportunity Campaign offers an excellent illustration, as one of its primary goals is to place poverty within a human rights framework. As Schenkelberg describes, framing poverty as a human rights issue "provides a paradigm shift that moves from the traditional U.S. narrative of poverty stricken people making bad life choices to one of social responsibility and obligations. It fosters a paradigm where poverty is a sure sign, not primarily of individual failings, but of societal responsibility not being met." In order to accomplish this goal, the campaign conducted action forums in 21 different poverty-stricken regions across Illinois, educating individuals and communities on poverty from a human rights perspective and facilitating conversations about poverty-related issues among the more than 700 individuals who participated. Although the forums brought together a wide range of participants from varying backgrounds and party loyalties, Heartland Alliance was particularly concerned with encouraging participation from the individuals most affected by poverty. "We saw this as a major part of our human rights focus. We needed [them] to speak out about their experiences and to offer suggestions and concerns so that they could become a voice in the process of ending poverty," Schenkelberg states.

With the collective knowledge gained from the voices of affected individuals and others present at the forums—including staff members of organizations addressing issues of poverty, local and state elected officials, and

concerned citizens—the forums were able to explore the root causes of and determine viable solutions to poverty in each community, with human rights principles and values as the guiding force. Since its inception on Human Rights Day, December 2006, over 1,100 individuals and 180 organizations and faith communities covering every legislative district in Illinois have endorsed the campaign and declared their belief that freedom from poverty is a human right.

"A human rights based approach can be a very empowering framework for people who are experiencing issues such as poverty." "[It] recognizes that everyone has certain rights and that [those rights] can't be justifiably denied - it's strength-based—it's about what you have, not what you don't have."

In response to statewide enthusiasm generated by the action forums, the From Poverty to Opportunity Campaign advanced legislation to establish a Commission on Poverty Eradication in Illinois. The primary function of the commission is to develop a strategic plan, crafted from regional information, affected peoples' recommendations, and international human rights standards, that will cut extreme poverty in Illinois in half by the year 2015. The Commission, like the forums, includes a broad range of representatives, including individuals experiencing poverty, elected and appointed officials, and advocates for specific issues and populations affected by poverty. By developing and implementing specific, substantive, measurable plans and policies, the commission acts as an accountability mechanism—ensuring that the state of Illinois moves progressively toward the realization of human rights and the eventual eradication of poverty.



Heartland Staff and Program Participants at rally to save social service funding

The From Poverty to Opportunity Campaign is no outlier; the human rights based approach is essential to all elements of Heartland Alliance's work. "[A human rights based approach] is an intangible element, but it has a huge impact on our work and our approach to our work," Schenkelberg stresses. "Our personal alignment with human rights structures our philosophy of care." When the organization provides legal protection for victims of domestic violence and trafficking; job skill training for immigrants, refugees and

people experiencing homelessness; financial counseling; mental and primary health care; and a host of other services, Heartland Alliance does so in a way that fosters individual empowerment and self-sufficiency—and does so in a way that truly translates human rights principles to direct services.



National Law Center on Homelessness and Poverty

The Human Rights Program at the National Law Center on Homelessness and Poverty (NLCHP) strives to prevent and end homelessness by bringing a human rights-based approach to housing issues in the United States. Integral to this work is a focus on addressing the root causes of homelessness, including: the national shortage of affordable housing, insufficient income, and inadequate social services. This focus gives the Program deeper insight into the interrelated issues surrounding homelessness. “A human rights-based approach encourages us to look outside of traditional lines,” Human Rights Program Director Eric Tars explains. “It recognizes the interrelatedness of issues, so that we are encouraged to recognize and understand the overlap of homelessness and poverty with other issues such as health care, criminal justice, [and] education.”

The Program’s efforts to introduce a Congressional resolution stating that children have a right to adequate housing serve as a case in point. Alongside its national and local partners as part of the Campaign to Restore National Housing Rights, the Program worked with Congresswoman Maxine Waters to introduce H. Res. 582. Focusing on a particularly marginalized population—children experiencing homelessness—this Resolution confirms that children have a right to adequate housing together with their families. It also calls for the “creation and development of programs at the federal, state, and local levels to address the housing needs of low-income children and youth at risk of being homeless.” Citing studies that “the lack of affordable, permanent housing is the primary cause of family homelessness,” NLCHP and its allies hope the Resolution will move policy-makers to address the realities of unaffordable housing in the United States.

Homelessness is a barrier to children’s health and well-being. Currently, more than 1.5 million children are homeless annually in the United States. Tars notes that although “[e]xtensive studies have documented irreparable psychological harm to children removed from their parents, resulting in higher rates of illness, mental illness, delinquency, and

crime,” 20% of homeless children are separated from their families by child protective services due to their families’ state of homelessness. Furthermore, homeless infants face 50% higher rates of mortality and homeless children, regardless of separation from family, show greater levels of mental and physical illness, hunger, poor nutrition, and difficulty attaining an education. While H. Res. 582 will not in itself end homelessness and its effects, the NLCHP sees it as a building block for future changes. “We see this resolution as an entry point for us to hold policy makers accountable,” Tars explains. “If we can get people to sign onto the resolution, we can point to their support of this document when substantive legislation concerning the right to housing comes along.”

To organize support for the Resolution, the Human Rights Program works with fellow coalition members and affected populations to educate the public, housing advocates, and policy-makers about domestic homelessness. Since 2008, the Program and its partners have held congressional field hearings on the human right to housing. These hearings bring together various community leaders, governmental officials, advocates, social service providers, and the public to learn from individuals experiencing homelessness about the effect failed federal housing policies have had on their lives and to discuss solutions. NLCHP believes affected populations’ participation and leadership is central to gaining support for the Resolution and securing housing rights. “The meaning of human rights, such as the human right to housing should be defined by those directly affected by human rights violations,” Tars concludes. For this reason, he emphasizes, “the impetus for this resolution came from the ideas and concerns expressed by people experiencing homelessness.”

“A human rights-based approach encourages us to look outside of traditional lines,” Human Rights Program Director Eric Tars explains, “It recognizes the interrelatedness of issues, so that we are encouraged to recognize and understand the overlap of homelessness and poverty with other issues such as health care, criminal justice, [and] education.”



NLCHP staff with Raquel Rolnik, the UN Special Rapporteur on adequate housing.

NLCHP. Tars feels such work is pivotal. “We do ourselves a disservice if we diminish the role and meanings of human rights in our work,” he states. “We need to be aware of human rights... so that we do not contradict human rights principles that help us realize our goals.”



St. Stephen's Human Services Human Rights Program

St. Stephen's Human Services works in Minneapolis, Minnesota to end homelessness. As the organization's advocacy and education arm, the Human Rights Program educates the public on homelessness and empowers those who have experienced homelessness to become community leaders. "We recognize that we are not going to end homelessness if people do not understand it," Interim Program Director Cathy Heying and Staff Member Richard Johnson explain. "[Furthermore], we really focus on empowering people... When we teach poor individuals and people experiencing homelessness about human rights, we are talking about a belief in humanity that connects us all and that they can identify with. It is about bringing human rights to people in a very real way." To create systemic change, the Program often combines its public education with community-centered advocacy.

The Program's 2008-09 campaign to prevent a citywide bus fare increase is an excellent example. In 2008, the regional transit authority, Metro Transit, raised fares by 25 cents and, six months later, announced another possible 50-cent increase. Recognizing the hikes would disproportionately harm individuals experiencing homelessness, the Human Rights Program took action.

"We began to wonder, how [we] could best show our numbers and really have an impact," Johnson remembers, "We came across a video from New Orleans where people gave short testimonials of what they were experiencing since Hurricane Katrina and we thought it was powerful. While talking about this video, Josh [the Program's previous Director] and I thought maybe we should go out and try to do video testimonials of our own." Accordingly, program

staff collected video testimonials of 409 low-income and individuals experiencing homelessness as well as service providers. Answering the question "How would a fare increase affect your life?", interviewees explained their concerns in their own words. With permission from participants, the testimonials were compiled into a 6-minute video that was posted on YouTube and shown to a

committee hearing at the State Capitol.

The video not only empowered low-income and people experiencing homelessness to speak out about their needs, but it also educated policy-makers about the significance of public transportation. Oftentimes a lack of affordable transportation perpetuates homelessness and poverty. As Minnesota Senator Scott Dibble states: "People don't commonly consider limited transportation access as something that keeps people trapped in poverty. We think about health care, housing, and education. [Yet transportation] is so fundamental for people to go to the things they need for their lives." This idea was reiterated throughout the testimonies, with one interviewee responding:

"How do you itemize a bus fare? If you have a doctor's appointment, you have to get to your doctor's appointment." Ultimately, St. Stephen's video testimonies led to legislative change. Working with four senators including Senator Dibble, the Human Rights Program proposed a new bill that allowed non-profits to buy and distribute discounted bus passes. To qualify, the bill required that non-profits provide services to people experiencing homelessness and offer a job placement program. With overwhelming bipartisan

support, the bill was signed into law by the Minnesota Legislature in late 2009.

Overall, St. Stephen's Human Rights Program believes it is positively impacting the lives of Minnesotans in poverty. The Program recently compiled over 350 new video testimonials in an effort to stop the state from ending General Assistance Medical Care, a program that provides health coverage for 80,000 low-income Minnesotans each year. Heying and Johnson also run an ongoing educational project that immerses students, educators, and professional

groups in the life of individuals experiencing homelessness. When asked about the inspiration for their work Johnson smiles. "It's amazing work that you do when you know that you can empower and be empowered at the same time," he concludes. "It is amazing to be able to foster an identity of dignity in people and have them give that same identity back to you."

"We really focus on empowering people... When we teach poor individuals and people experiencing homelessness about human rights, we are talking about a belief in humanity that connects us all and that they can identify with. It is about bringing human rights to people in a very real way."

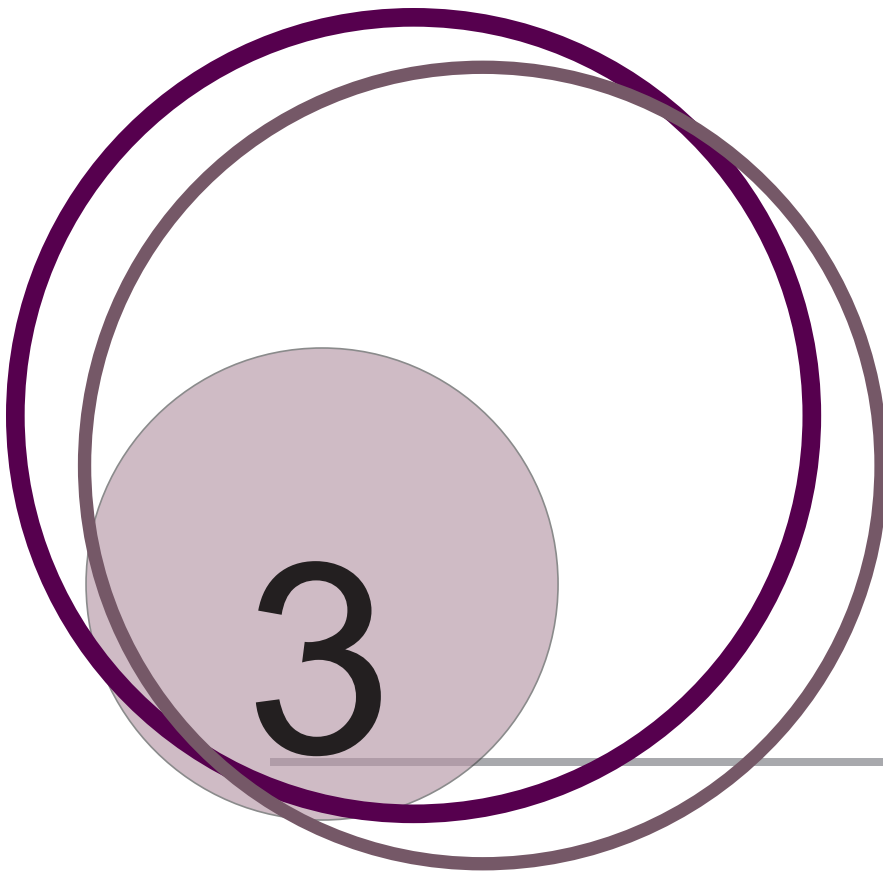


Joshua Lang, Richard Johnson, and Cathy Heying in front of a Minneapolis city bus



Case Study Discussion Questions

1. What human rights violation is the organization trying to address?
2. What structural or long-term change are they hoping to achieve?
3. What human rights approach strategies appear to be effective?
4. What were the benefits of using a human rights approach?



Applying a Human Rights Approach

Applying a Human Rights Approach

This module explores how to put human rights strategies into practice, providing tools for integrating the human rights framework into programming.

Taken together, the tools answer two key questions:

- What do we want to change in society?
- How can we bring about this change?

To effectively answer these questions using a human rights framework, this module will walk through the following steps:



The tools in each section connect back to one of the four fundamental conditions necessary for achieving human rights goals and the strategies derived from them:



SAFETY AND SECURITY: Address the **root causes** of the problem



NON-DISCRIMINATION: Protect **marginalized** groups



ACCOUNTABILITY: Work with **responsible authorities**



PARTICIPATION: Empower **rights-holders**

When done as a series, these tools generate an action plan that organizations can use to effectively incorporate human rights principles into their own work. Directions are given throughout this module to explain how to fill out an action plan worksheet as each tool is applied (for a blank worksheet, see page 149). Advocates may find that a particular recommended tool does not fit well with their priority issue and should feel free to try other methods for completing that step if necessary.

✂ Tool: Setting the Human Rights Goal

Key Questions answered in this analysis:

- What is the problem?
- What human rights are being violated?
- What is the long-term human rights goal?



SAFETY AND SECURITY:
Address the root causes
of the problem

The first step in understanding the root causes of a problem is measuring the problem against a standard that can reveal exactly where government or society is falling short. Human rights provide that standard. By framing the problem as a human rights issue and linking it to specific articles or standards in international treaties, declarations, and other documents, advocates can identify what changes need to be made and who they should target to create that change.

Identify the Problem

Depending on the situation, an organization may already have clearly defined its priority issues or may be exploring areas for new or expanding work. For those who have expertise in particular areas or who have clearly defined issues upon which they work, the challenge is to place that issue in the human rights framework. For those starting with a blank slate, the first step toward implementing a human rights approach involves conducting an assessment of the issues in their community. Organizations can identify priority issues by collecting and reviewing data and interviewing community stakeholders to determine which social justice issues are present, which are most pressing, and which the organization has the capacity to address.

Identify the Human Rights Violation

After the problem has been identified, it should be defined within the human rights framework. Organizations must clearly identify and understand which human rights are at issue and how they are being violated. The Universal Declaration of Human Rights, which contains a comprehensive list of human rights, provides the starting point (see list on page 13).

After identifying which human rights are being violated or are unfulfilled, organizations should evaluate more fully international standards surrounding those rights. The website <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx> contains a list of treaties and international bodies governing various rights. These can provide guidance on the exact meaning of a right and the role of relevant responsible authorities in seeing it fulfilled.

State the Human Rights Goal

After determining the unrealized right(s) at stake, create a human rights goal. Recast the problem in positive terms using the international human rights language found. A human rights goal is people-centered, positive, and directly linked to a particular human rights standard. Human rights goals demand a long-term vision focusing on the rights of all human beings, rather than on more short-term or limited outcomes.¹ By focusing on the fulfillment of a human right for all, a human rights goal provides a broad mandate that creates a common focus for the work of many organizations over a sustained period of time. The goal focuses on people and their rights, rather than on the actions of a single organization.

✂ Tool: Setting the Human Rights Goal²

In these examples, an original goal which described the actions of the organization was replaced by a human rights goal which describes how people will benefit, uses language derived from international treaties and monitoring bodies, and specifically identifies the goal as a right.

| Food | |
|--|---|
| Original goal: To end hunger by providing food to people in need. | Human rights goal: All people have access to sufficient nutritious and culturally appropriate food to ensure their right to be free from hunger. |
| Legal Aid | |
| Original goal: To provide quality legal services to low-income individuals to ensure justice for all. | Human rights goal: Low-income individuals are guaranteed their right to equal access to justice. |

A goal states the positive, the situation that different people and organizations are working to achieve. The negative side states the problem and the unfulfilled rights. Goal and problem/unfulfilled rights represent two sides of the same issue.

| Problems and unfulfilled rights: Negative side | Goals: Positive side |
|--|--|
| <ul style="list-style-type: none"> • People are going hungry due to a lack of affordable food. • Low-income individuals are being discriminated against. • Low-income individuals are being denied their right to a fair trial. | <ul style="list-style-type: none"> • All people have access to sufficient nutritious and culturally appropriate food to ensure their right to be free from hunger. • Low-income individuals are guaranteed their right to equal access to justice. |

For an exercise in setting a human rights goal, see Module 3 Activity: *Human Rights Goal*.

After completing **Step 1: Define Human Rights Goal**, write your goal statement on the top of the Action Plan worksheet. Also fill in the specific unfulfilled or violated human right(s) related to the problem your organization is working on in the “unrealized right” box (see below).

ACTION PLAN

GOAL STATEMENT: [Your human rights goal statement](#)

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|---|-----------------------------------|--------------------|----------------------------------|
| Unrealized Right: <u>Your human rights issue</u> | Target Rights-Holder ----- | Rights-holder Gaps | Actions Potential Allies: |

✂ Tool: Disaggregating Data

Key Questions answered in this analysis:

- Which groups of people are most affected by the human rights violation?
- Which groups of people do you want to make the focus of your work?



NON-DISCRIMINATION:
Protect marginalized groups

After naming the human rights goal, organizations should identify whose human rights are being violated. Who is hurt by the failure to respect, protect, or fulfill the particular human right? Identifying those most affected by the human rights violations can help organizations prioritize their efforts and ensure that no matter what group an organization chooses to target, they can prevent inadvertent harm to more marginalized people (see Human Rights Strategy 2: **Protect Marginalized Groups** for more about this strategy).

While a human rights approach does not require organizations to work only with those most marginalized, an analysis that considers those who are most harmed by a particular human rights violation helps organizations more fully understand an issue and ensure that they do not lose sight of the most difficult-to-reach populations or intractable issues.

One way to identify who is affected by human rights violations is to analyze demographic and other data about the human rights issue. That data may be quantitative, based on census or other publicly available information or it may be collected by the organization itself. It may also be qualitative, based on the results of dialogues, interviews, consultations, and other fact-finding methods. Much of this information may have been collected during the process of identifying the human rights goal.

While much information on the affected populations may be readily available, organizations may need to engage in data collection to answer their planning questions. *Human Rights Tools for a Changing World: A step-by-step guide to human rights fact-finding, documentation, and advocacy* provides a detailed look at how to conduct human rights fact-finding and documentation using human rights principles. To download a free copy of this publication, visit <http://www.theadvocatesforhumanrights.org/change>.

After completing **Step 2: Identify Marginalized Groups**, write the target group of rights-holders your

Case Study: Vulnerability Index

Boston's Healthcare for the Homeless created a Vulnerability Index.³ This tool helps the organization identify and prioritize housing for the street population experiencing homelessness according to the fragility of their health. The Vulnerability Index is a practical application of Dr. Jim O'Connell's research into the causes of death of homeless individuals living on the street. According to the research, 40% of those individuals who have been homeless for at least six months died prematurely if one or more of the following markers were present:

- More than three hospitalizations or emergency room visits in a year
- More than three emergency room visits in the previous three months
- Aged 60 or over
- Cirrhosis of the liver
- End-stage renal disease
- History of frostbite, immersion foot, or hypothermia
- HIV+/AIDS
- Tri-morbidity: co-occurring psychiatric, substance abuse, and chronic medical condition

The Vulnerability Index is administered in the form of a survey which captures a homeless individual's health and social status. The survey helps Healthcare for the Homeless identify those most at risk of death because of lack of housing. The ranking helps the organization prioritize those with the most severe health risks for housing and other support.

Impact of the Vulnerability Index in Communities

The Vulnerability Index process is a tool to help communities create a name and photograph registry of people experiencing homelessness, which is then rank-ordered from highest to lowest mortality risk. The most immediate impact of using the Vulnerability Index is to prioritize the efforts of outreach teams and housing resources. In some cases, the Vulnerability Index is used to successfully advocate for additional housing resources. In the first few months of 2008, over 2,000 people have been assessed and more than 100 of the most vulnerable people have been housed in several cities as a result of using the Vulnerability Index. Highlights include:

In Los Angeles County, Project 50 used the Vulnerability Index to create a registry of 350 individuals living on Skid Row and expedite housing placement for the 50 most vulnerable. Since February, 2008, 41 of the most vulnerable have been placed into housing with an average of 14 days from the first outreach contact to the day the person moves into his apartment.

In Santa Monica, the City Council pledged to prioritize housing for all 110 of the most vulnerable as a result of the City and providers using the Vulnerability Index. The City has also used the findings to successfully advocate for an additional \$1 million in funding from LA County for case management services to be matched with the City's housing vouchers for this project.

In Washington, DC, the Department of Human Services convened 125 volunteers from the service provider and faith communities to administer the Vulnerability Index to over 1,000 people in 2 weeks: 500 people who had been in their shelter system the longest and 500 individuals found sleeping on the streets. The 800 who are the most vulnerable and who have been homeless the longest will be prioritized for housing subsidies and case management slots this year.

To learn more about this index, visit: <http://www.commonground.org/wp-content/uploads/2008/04/Vulnerability%20Index%20101.pdf>.

✂ Tool: Disaggregating Data

Though disaggregating data sounds complex, at its heart it is just comparing average outcomes with the outcome of a particular group. It is a way of confirming an intuitive understanding of a human rights issue and of uncovering previously unidentified people in need. In many cases, data and analysis are already available, from governmental, academic, and non-profit resources, making this process less intimidating. The following are the basic steps to disaggregating data for any population:

1. **Research.** Find qualitative or quantitative data that show the impact of the human rights violation on individuals.
2. **Sort.** Sort data along demographic lines to see if certain groups have worse outcomes than average. The most marginalized often belong to more than one disadvantaged group. Common categories used to disaggregate data include:
 - Sex
 - Race/Ethnicity
 - Class
 - Education
 - Age
 - Disability
 - Rural vs. Urban
 - Immigration Status
 - Sexual Orientation
 - Religion
3. **Identify.** Use your knowledge of the human rights issue or conduct further research to identify potential marginalized groups unique to your issue. For instance, veterans may be a disproportionately large part of the population experiencing homelessness though they are not subject to widespread or systematic discrimination based on their status as veterans. Compare their outcomes with the general population to verify your hypothesis.

For a brief exercise on how this process of identifying marginalized groups would work, see Module 3 Activity: *Who's at Risk?*

organization would like to focus on in the “Target Rights-Holder” box in the Action Plan worksheet (see below).

ACTION PLAN

GOAL STATEMENT: [Your human rights goal statement](#)

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|--|---|--------------------|----------------------------------|
| Unrealized Right: Your human rights issue | Target Rights-Holder Your priority rights-holder group | Rights-holder Gaps | Actions Potential Allies: |

✂ Tool: Causality Analysis

Key Questions answered in this analysis:

- Why is this problem happening to a particular sector of the population?
- What are the causes, both immediate and long-term, of the rights violations?



SAFETY AND SECURITY:
Address the root causes
of the problem

After the human rights goal and the target population have been identified, the next step is to evaluate the reasons behind the violation. The human rights approach looks beyond the immediate circumstances of the violation to underlying factors such as legal, political, social, or cultural causes (see Human Rights Strategy 1: [Address the Root Causes of the Problem](#) for more about this strategy).

A causality analysis uncovers the root causes of the human rights violation by looking for the source of all the different factors that contribute to the violation.⁴

Immediate causes: the conditions or acts that are directly contributing to the human rights issue. These could be addressed through a short-term intervention but doing so would not solve the problem permanently.

Legal and economic context: the policies, laws, and resource constraints that are leading to unmet needs and rights violations. These changes often require interventions that take significant time to obtain results.

Root/structural causes: societal attitudes and behaviors, cultural forces, and political and economic systems that perpetuate unequal laws and ongoing rights violations. They require long-term interventions to change and may be widespread or deep-rooted problems.

understand the full range of issues that must be addressed to ensure that the human rights violation ends and helps identify allies who are working on different issues resulting from the same causes. Fully analyzing the underlying causes of human rights violations can require substantial research; for instance, the legal context may be understood through a review of a local government policy or it may require in-depth analysis of overlapping laws and policies at the federal, state, and local level, as well as practices at diverse government agencies.

Research into the social or cultural context is particularly important where the advocates are not part of the affected group, or the organization has not worked previously with that community. In addition to interviewing affected populations, secondary sources, such as literature, reports, scientific research, news articles, and historical documents, can help advocates understand the context in which the violations take place.

Advocates may also find that other organizations, such as academic institutions or think tanks, already have analyzed some of the underlying factors contributing to the violation. This can be especially useful when the analysis requires special expertise (such as law or economics), or when resource constraints limit a robust independent investigation.

CASE STUDY: EXAMINING THE LEGAL AND ECONOMIC CONTEXT

The Advocates for Human Rights conducted a causality analysis on sex trafficking in Minnesota using a human rights methodology. Because sex trafficking often involves violations of state, federal and international law, The Advocates first did a detailed legal analysis of the various laws as part of the project design, including the extent to which these laws contradicted or complemented each other. This analysis included a review of previous cases of sex trafficking and the strengths and weaknesses of the legal systems in addressing the problem. The background research also included review of data and statistics available about sex trafficking and existing reports on the problem in Minnesota and other states. The monitoring team also surveyed Minnesota organizations working in this field for initial information and the services available to victims of sex trafficking and their views of the gaps in services.

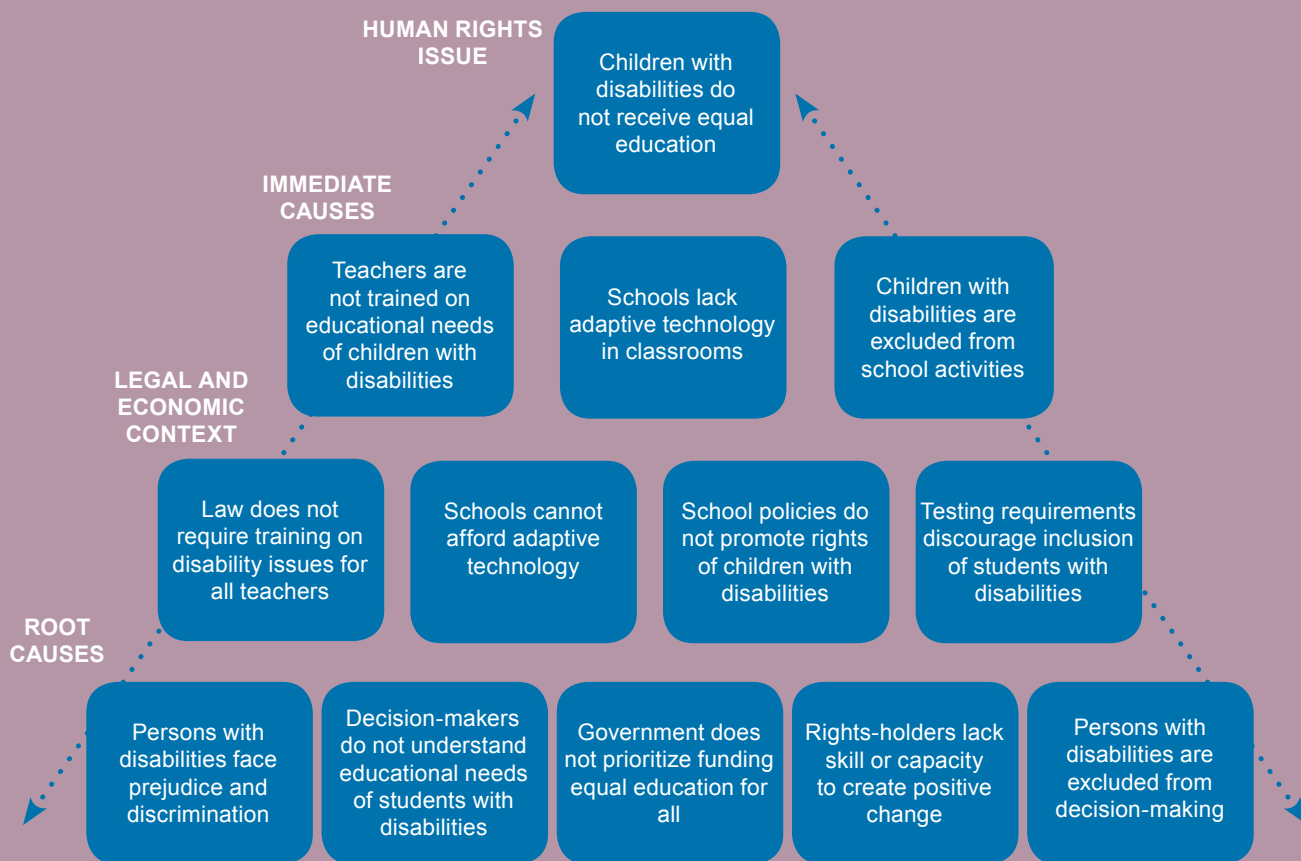
Through conducting this causality analysis, The Advocates was able to identify issues at the local, state, tribal, and federal levels; assess the effectiveness of facilities and services currently available to trafficking victims in Minnesota; and make recommendations for coordinating services to better meet the needs of sex trafficking victims and increase accountability for traffickers. The report *Sex Trafficking Needs Assessment for the State of Minnesota* is available at <http://www.theadvocatesforhumanrights.org/sextrafficking>.

✂ Tool: Causality Analysis⁵

To conduct a causality analysis, break down the issue into different levels of causation. An easy break down separates the immediate violations or unmet needs from the legal and economic context, which in turn is separate from social, cultural, and systematic factors. Begin adding causes, trying to make sure that each violation or unmet need is linked to at least one legal, economic, cultural, social, or structural cause and vice versa. This will help ensure that the analysis is as complete as possible.

Below is an example of a causality analysis on lack of equal education for children with disabilities. To learn how to conduct a causality analysis with your organization using a problem pyramid like this one, please see Module 3 Activity: *Problem Pyramid*.

Example: Causality Analysis on Equal Education for Children with Disabilities



After completing **Step 3: Analyze Root Causes of Human Rights Violation**, write the key causes determined by your causality analysis into the appropriate boxes in the Action Plan worksheet (see below).

ACTION PLAN

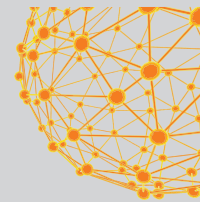
GOAL STATEMENT: *Your human rights goal statement*

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|--|---|---------------------------|--|
| <p>Unrealized Right:</p> <p><i>Your human rights issue</i></p> | <p>Target Rights-Holder</p> <p><i>Your priority rights-holder group</i></p> | <p>Rights-holder Gaps</p> | <p>Actions</p> <p>Potential Allies:</p> |
| <p><i>Acts or conditions causing human rights issue</i></p> <p>Immediate Causes</p> | <p>Target Authority 1</p> <p>-----</p> | <p>Authority Gaps</p> | <p>Short-term actions</p> <p>Potential Allies:</p> |
| <p><i>Policies, laws, or resource constraints contributing to acts or conditions</i></p> <p>Legal and Economic Context</p> | <p>Target Authority 2</p> <p>-----</p> | <p>Authority Gaps</p> | <p>Intermediate Actions</p> <p>Potential Allies:</p> |
| <p><i>Root causes or systems that perpetuate unequal laws and ongoing rights violations</i></p> <p>Root Causes</p> | <p>Target Authority 3</p> <p>-----</p> | <p>Authority Gaps</p> | <p>Long-term Actions</p> <p>Potential Allies:</p> |

✂ Tool: Stakeholder Analysis

Key Questions answered in this analysis:

- Who are the main stakeholders and how do they relate to the right(s) being violated?
- Which responsible authorities do you want to target for action?



ACCOUNTABILITY:
Work with
responsible authorities

Once the problem has been framed as a human rights violation, a corresponding obligation to end that violation emerges. For every human right, there is a responsibility to respect, protect, and fulfill that human right. This step in the human rights approach seeks to identify the person or group of persons on either side of this equation: the person or group whose human right is being violated (**the rights-holder**) and the person or institution with the power to end the human rights violation (**the responsible authority**).

Human rights create legal and moral obligations for both the government and for civil society, private institutions, and individuals. Defining the responsible authority clearly and including all individuals and institutions – governmental and private – that have an obligation to respect, protect, or fulfill the human right in question helps target efforts effectively. Some rights are recognized in domestic laws and those laws can provide guidance on who should be considered a responsible authority. For rights that are not recognized in domestic law, international standards can help identify potential responsible authorities. Advocates can also consider who would be implicated if the right was fully recognized in domestic law (see Human Rights Strategy 3: [Work with Responsible Authorities](#) for more about this strategy).

A stakeholder analysis identifies, as specifically as possible, the rights-holder and the responsible authority.⁶ It also helps identify the many stakeholders who may be implicated beyond these two main roles. Overall, the analysis will uncover answers to the following important questions:

- Who has a vested interest in the present situation and might oppose changes?
- What forces need to be strengthened to end the human rights violation?
- Who has the power to make decisions necessary for the change to occur?
- Who might be a potential ally?

Human rights violations result from and are sustained by complex social, economic, and cultural relationships that reinforce the role of the human rights violator. Some relationships are hierarchical; others more informal or tenuous. Once identified, each of these relationships is a potential point of intervention.⁷

CASE STUDY: TACTICAL MAPPING

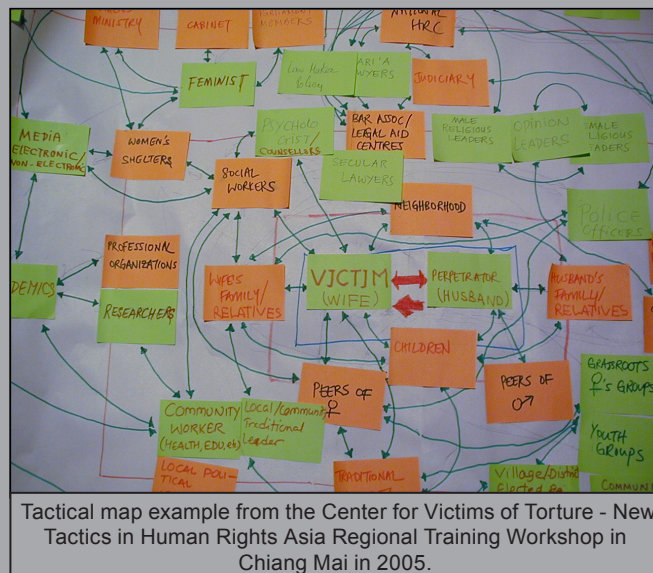
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New Tactics in Human Rights project

The Center for Victims of Torture created tactical mapping as a way to visualize the “terrain” of struggles for social change.⁸ Tactical mapping can serve both as a planning tool for building comprehensive strategies and as a road map for finding and coordinating with allies.

Tactical mapping involves visualizing the relationships and institutions that surround, benefit from, and sustain human rights violations. Tactical mapping emphasizes the relationships between people and/or institutions, rather than causes of human rights violations, because it is through these relationships that decisions are made, incentives are given or withheld, and actions are taken.

Tactical mapping carefully diagrams these relationships to create a picture that represents a social space. This diagram helps advocates select targets for intervention and identify how a tactic should alter or affect relationships in order to be effective. Maintaining the map over time allows organizations to monitor their impact on the actors and relationships sustaining human rights violations.

The United States’ use of torture and cruelty in post-9/11 counterterrorism operations spurred U.S. human rights and civil liberties organizations to form powerful coalitions that fought for a reversal of this misguided policy. These organizations used tactical mapping to guide their work.



Fourteen human rights groups attended a meeting in 2006 to examine the strategic and political landscape of the issue of torture through tactical mapping. The meeting led directly to the decision by three organizations to jointly pursue a Presidential executive order through creation of the “Campaign to Ban Torture”. The Campaign played a key role in President Obama’s decision to sign an executive order on torture and interrogation policy on January 22, 2009.

Participants from 27 human rights and civil liberties organizations then came together in 2010 to assess opportunities to improve collective accountability efforts for post-9/11 torture. Tactical mapping was again part of the discussion of what strategies to choose. At a subsequent session in the meeting, many participants coalesced around a strategy to build support among members of the Senate Select Committee on Intelligence for release of the executive summary, findings and conclusions of the CIA Torture Report. In December 2014, the Committee released the executive summary of the report.

✂ Tool: Stakeholder Analysis

The stakeholder analysis builds on the work done in Step 3: Analyze Root Causes of Human Rights Violation. Using the Problem Pyramid, follow these five steps to conduct a basic stakeholder analysis:

Step 1: Start at the top of the pyramid with the Human Rights Issue you chose. Identify who is affected by this human rights issue. The more specific you can be in naming this stakeholder, the more concrete the rest of the analysis will be. Naming an individual can help uncover personal relationships with other stakeholders that might be lost by focusing on the group or organizational level. If you have finished Step 2: Identify Marginalized Groups, the stakeholder you identify in this step should be part of or correspond to the target population you identified earlier.

Step 2: Move to the next level of the Problem Pyramid, the immediate causes. Identify who is directly responsible for or has the power to immediately change these conditions or actions. These will often be people who have direct, face-to-face contact with the target rights-holder. Keep in mind that in some cases, the stakeholder responsible for the immediate causes has violated a law, such as a man abusing his wife. In other cases, however, the person is complying with a law or policy that may be unjust but they have no choice in the matter, as when a social worker denies a public benefit for which someone does not meet the statutory requirements for eligibility.

Step 3: Move to the next level of the Problem Pyramid, the legal and economic context. Identify who is responsible for or has the power to change these laws and policies. The stakeholders at this level can be from the local, state, or national level and can be from any sector: government, business, the justice system, education, faith groups, professions, or others. Think broadly about who has responsibility and power, even if that power is indirect.

Step 4: Move to the final level of the Problem Pyramid, the root or structural causes. Identify who is responsible for or has the power to change these societal attitudes and behaviors, cultural forces, and political and economic systems. Again, the stakeholders can be from the local, state, or national level and from any sector. The causes at this level are often so broad and deep-rooted that the identified stakeholders end up also being broad, poorly defined groups such as “the general public.” To make it easier to target your actions, try to add definition to those groups by thinking of concrete examples of who you might be able to reach, such as “the general public - faith communities who are part of the interfaith coalition in my city” or the segments of that group that have the most influence over your issue, such as “the general public - business leaders who are unfamiliar with labor trafficking.”

Step 5: For the final step, go back to your previous stakeholders and identify who has influence or control over the actors you’ve already identified. The authority can be formal or informal. This step can also include international actors in addition to stakeholders on the local, state, or national level.

After completing the stakeholder analysis, you need to choose who you will target for an intervention. The following questions can help narrow in on the best targets.

- Who are the most powerful people on the chart?
- Who do you know and can influence?
- Who can change things in the short term?
- Who can change things in the long term?

Another tool in a stakeholder analysis is analyzing the level of support or opposition you can expect from the stakeholders you have identified (see Module 3 Activity: *Spectrum of Allies*). It is usually not possible in a campaign to transform committed opponents to committed supporters, so the analysis helps with envisioning exactly how far people can be moved towards support and how different actions might affect people depending on where they fall on the spectrum.

Once you have completed **Step 4: Identify Stakeholders**, choose three target responsible authorities from the stakeholder analysis that are linked to the different root causes on your worksheet. Write these chosen targets into the appropriate boxes under “Stakeholders” in your Action Plan worksheet (see below).

ACTION PLAN

GOAL STATEMENT: *Your human rights goal statement*

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|--|--|---------------------------|--|
| <p>Unrealized Right:</p> <p><i>Your human rights issue</i></p> | <p>Target Rights-Holder</p> <p><i>Your priority rights-holder group</i></p> | <p>Rights-holder Gaps</p> | <p>Actions</p> <p>Potential Allies:</p> |
| <p><i>Acts or conditions causing human rights issue</i></p> <p>Immediate Causes</p> | <p>Target Authority 1</p> <p><i>Authority closely related to the immediate causes of the problem</i></p> | <p>Authority Gaps</p> | <p>Short-term actions</p> <p>Potential Allies:</p> |
| <p><i>Policies, laws, or resource constraints contributing to acts or conditions</i></p> <p>Legal and Economic Context</p> | <p>Target Authority 2</p> <p><i>Authority closely related to the legal and economic context</i></p> | <p>Authority Gaps</p> | <p>Intermediate Actions</p> <p>Potential Allies:</p> |
| <p><i>Root causes or systems that perpetuate unequal laws and ongoing rights violations</i></p> <p>Root Causes</p> | <p>Target Authority 3</p> <p><i>Authority closely related to the root causes of the problem</i></p> | <p>Authority Gaps</p> | <p>Long-term Actions</p> <p>Potential Allies:</p> |

✂ Tool: Capacity Gap Analysis

Key Questions answered in this analysis:

- What are the obstacles that prevent the key stakeholders from meeting their obligations?
- How can these obstacles be overcome?



PARTICIPATION:
Empower rights-holders

After identifying the key relationships affecting the human rights violation, the next step is to understand why the right is not being realized. Again, both sides of the equation – the person whose rights are being violated and the responsible authority that is failing to ensure this right – must be considered. A capacity gap analysis helps identify why the right is being violated by examining the ability of both the rights-holder to claim the right and the ability of the responsible authority to fulfill it.¹²

A capacity gap analysis considers the legal and moral responsibility to uphold human rights, the authority of the stakeholders to make changes, and the resources available. It also takes into account intangible factors, such as political will, that impact responsibility, authority, and resources. Each are considered through the lens of the rights-holder and the responsible authority.

Assessing the capacity to claim the right:

A human rights approach rests on the understanding that rights-holders have responsibilities, including the obligation to claim their rights (see Human Rights Strategy 4: **Empower Rights-Holders** for more on this strategy). A capacity gap analysis considers the ability of people to do this. Is the person aware of their rights and how to claim them? Can they access mechanisms for claiming rights or seeking redress? Does the person have the necessary resources to take action?

Assessing the capacity to fulfill the right:

Understanding the capacity of responsible authorities to fulfill the human right first requires a grasp of what their specific obligations are under domestic law and international human rights law. What should we expect them to do to end the human rights violation? Are they able to act? If yes, are the relevant authorities aware of their responsibilities? If no, why not and what needs to be done?

Identifying the obligations:

Identifying exactly what needs to be done to uphold a particular human right requires analysis. What do we actually want the responsible authority to do?

What is capacity?¹¹

Capacity is the ability to effectively set and achieve objectives, and identify and solve problems.

Capacity is the sum of all factors that enable individuals, communities, institutions, organizations or governments to adequately perform their respective roles and responsibilities.

One example of this analysis is found in the Committee on Economic, Social and Cultural Rights' (CESCR) guidance concerning the right to health. CESCR analyzed the general obligation created by article 12 of the International Covenant on Economic, Social and Cultural Rights, which states that everyone has the right to the highest attainable standard of health.¹³

According to CESCR, the right to health encompasses “a wide range of socio-economic factors that promote conditions in which people can lead a healthy life, and extends to the underlying determinants of health, such as food and nutrition, housing, access to safe and potable water and adequate sanitation, safe and healthy working conditions, and a healthy environment.”¹⁴ It then breaks the right to health down into four categories: availability, accessibility, acceptability, and adequacy.

Available

with governments setting up all the necessary health facilities throughout their territory. These facilities should be provided with water, electricity, trained personnel receiving domestically competitive salaries, and all the essential drugs to serve the entire population.

Accessible

to everyone without discrimination. Health care must be economically affordable, physically accessible, and understandable in the patient's own language. Health care also should give individuals access to relevant information.

Acceptable

requiring that health services are ethically and culturally appropriate, i.e., respectful of individuals, minorities, elderly people, and communities, and sensitive to gender and life-cycle requirements.

Adequate

such that all health facilities, goods, and services are scientifically and medically appropriate and of good quality, with the necessary equipment, skilled medical personnel, potable water, adequate nutrition, and sanitation.

In addition to international standards, understand what local and national laws and policies exist in relation to the human rights violation. Assess whether the human right has been recognized and can be claimed through the courts or other processes, or whether recognition of the right is needed before any claim can be made.

Capacity Gap Analysis

Conducting a capacity gap analysis entails evaluating the obligations, authority, motivation, and resources of both those who are claiming their rights and those who have the obligation to fulfill them. Involve stakeholders in the capacity gap analysis wherever possible to gather accurate information about each group's capacity.

The following components are integral to analyzing the capacity of rights-holders and responsible authorities:¹⁵

Obligation is the legal and moral duty of a rights-holder or responsible authority to do something about the human rights violation and may be found in international law, domestic policies, or even customary practices.

Motivation refers to the will to act or whether an individual recognizes that they *should* do something. It involves acceptance of the legal and moral duty to act.

Authority refers to the legitimacy of an action or whether something *may* be done. Laws, rules, tradition, and culture all determine what is or is not permissible for individuals to do. Authority includes both the legitimacy to act, meaning that the action is legally or socially acceptable, and the power to act, meaning that there are structures in place to ensure that the desired actions or decisions will be implemented by everyone concerned.

Resources refers to the material and intangible things people need to take successful actions or whether they *can* do something. Resources can be classified into three types:

- **Human resources** include the attributes possessed by people that can increase their effectiveness in claiming their rights or meeting their obligations. Numbers of people, amount of time they have available, and their skills, knowledge, and relationships are all included in considering human resources.
- **Organizational resources** include attributes that make organizations able to achieve their goals. Resources include things necessary for a stable organization, including strong management and internal procedures. Organizational resources also include those things that make it effective in its programming, including collaborations, communication capacity, and expertise.
- **Economic resources** include the infrastructure and financial support which allow people to use human and organizational resources, such as money, technology, and physical materials.

✂ Tool: Capacity Gap Analysis

To conduct a capacity gap analysis, ask the following questions:

For the Target Rights-Holders:

- **OBLIGATION:** What could the rights-holders do to help solve the problem?
- **MOTIVATION:** Are the rights-holders aware of the responsible authorities' obligations (regarding the human rights at issue) and do they feel empowered to claim their rights?
- **AUTHORITY:** Is action by the rights-holders socially acceptable? Do the rights-holders have the influence and freedom necessary to compel responsible authorities to act?
- **RESOURCES:** Do the rights-holders have the necessary human, organizational, and financial resources to demand their rights – if not, what's missing?

For the Target Responsible Authorities:

- **OBLIGATION:** What should the responsible authorities do to help solve the problem? What legal standards (if any) define the obligation?
- **MOTIVATION:** Are the responsible authorities aware of their obligations (regarding the human rights at issue) and do they feel a responsibility to meet them?
- **AUTHORITY:** Is action by the responsible authorities socially acceptable? Do the responsible authorities have the power to ensure their decisions will be carried out?
- **RESOURCES:** Do the responsible authorities have the necessary human, organizational, and financial resources to meet their obligations – if not, what's missing?

To conduct a capacity gap analysis using a table like the example below, please see Module 3 Activity: *Capacity Gap Analysis*.

Example: Capacity Gap Analysis of a rights-holder (undocumented worker) and responsible authority (employer)

| | | “SHOULD” | “MAY” | “CAN” |
|---|--|--|--|--|
| | OBLIGATION | MOTIVATION | AUTHORITY | RESOURCES |
| TARGET RIGHTS-HOLDER Undocumented Worker | Document the violations going on at work and report them to an organization they trust. | The worker is aware that the employer is violating their rights but they do not feel they can take action to prevent it. | No - the worker does not think they can act due to fear of deportation and fear of losing their job. | The worker is already in a financially precarious situation and lacks personal connections with organizations or governmental bodies that could help them. |
| TARGET RESPONSIBLE AUTHORITY Employer | U.S. law defines the minimum standards for safe and healthy working conditions – the employer should meet these standards. | The employer prioritizes maximizing profits over complying with labor laws. | Yes – the employer has the ability to change their own policies if they desire to. | The employer feels financial constraints in implementing labor laws and lacks knowledge of the “best practices” in occupational safety. |

After completing **Step 5: Evaluate Capacity Gaps**, choose one capacity gap area to concentrate on for each rights-holder and responsible authority identified. Write these capacity gaps into the appropriate boxes under “Capacity Gaps” in the Action Plan worksheet (see below).

ACTION PLAN

GOAL STATEMENT: *Your human rights goal statement*

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|--|--|---|--|
| <p>Unrealized Right:</p> <p><i>Your human rights issue</i></p> | <p>Target Rights-Holder</p> <p><i>Your priority rights-holder group</i></p> | <p>Rights-holder Gaps</p> <p><i>Key ways your target rights-holders lack capacity to claim their right(s)</i></p> | <p>Actions</p> <p>Potential Allies:</p> |
| <p><i>Acts or conditions causing human rights issue</i></p> <p>Immediate Causes</p> | <p>Target Authority 1</p> <p><i>Authority closely related to the immediate causes of the problem</i></p> | <p>Authority Gaps</p> <p><i>Key ways Authority 1 lacks capacity to fulfill their duty</i></p> | <p>Short-term actions</p> <p>Potential Allies:</p> |
| <p><i>Policies, laws, or resource constraints contributing to acts or conditions</i></p> <p>Legal and Economic Context</p> | <p>Target Authority 2</p> <p><i>Authority closely related to the legal and economic context of the problem</i></p> | <p>Authority Gaps</p> <p><i>Key ways Authority 2 lacks capacity to fulfill their duty</i></p> | <p>Intermediate Actions</p> <p>Potential Allies:</p> |
| <p><i>Root causes or systems that perpetuate unequal laws and ongoing rights violations</i></p> <p>Root Causes</p> | <p>Target Authority 3</p> <p><i>Authority closely related to the root causes of the problem</i></p> | <p>Authority Gaps</p> <p><i>Key ways Authority 3 lacks capacity to fulfill their duty</i></p> | <p>Long-term Actions</p> <p>Potential Allies:</p> |

✂ Tool: Action Plan Worksheet

Key Questions answered in this analysis:

- What are the most effective actions for change?
- Who are potential allies?



PARTICIPATION:
Empower rights-holders

At this point, the fundamental steps necessary to applying a human rights approach to social justice work have been completed. The next step in designing a human rights program is to define and prioritize actions based on this analysis.

Identify Actions

Overall, human rights-based programming uses a wide range of methods to achieve concrete and sustainable results for people seeking their rights. The methods or actions work to get responsible authorities to fulfill their obligations, to support people in claiming their rights, and to build a culture that values human rights for all.¹⁶ The choice of appropriate action depends on the opportunities available, on the rights or issues that are being addressed, and on the organization's mandate and expertise. In many cases, multiple methods will be used in combination to achieve the desired results.

For example, to combat domestic violence against immigrant women, an organization may advocate for changes in legislation, train social workers and law enforcement personnel in protection methods, and provide assistance to battered immigrant women to help them overcome barriers to obtaining protection and services. Through these actions, this organization would be employing the **law and policy reform**, **capacity building & training**, and **direct service** methods of a human rights approach.

Choosing which actions to implement will depend greatly on what was discovered during the rights-based analysis, on the specific rights-holders and/or responsible authorities being targeted, and on the specific capacity gaps they are trying to overcome.

When choosing actions, organizations often consider some or all of the following factors:¹⁷

- Their own capacity to act (motivation, authority, and resources)
- Their organization's risk tolerance and the degree of danger associated with the action
- The potential response of the responsible authorities to the action
- The context in which the action will occur (external factors or events that will influence how stakeholders respond to certain tactics)

When selecting actions for a program, participants should keep the four key human rights strategies in mind to help ensure effective programming: a) targeting efforts toward the root causes of human rights violations leads to sustainable change; b) assisting those most at risk of human rights violations ensures that no one is excluded from social progress; c) working with those who have the responsibility to uphold human rights builds their investment in the solution and its implementation; and d) generating participation from those whose rights

are violated helps ensure that solutions are appropriate and fulfill real needs. Action and methods used in human rights based programming typically fall under the following categories:

For an exercise in choosing human rights methods to implement, see Module 3 Activity: *Choose Your Actions*.

Capacity Building & Training: Increasing the ability of rights-holders to claim their rights and responsible authorities to fulfill their obligations by providing them with appropriate tools, resources, and skills.

Examples include:

- Providing training for community members on advocacy tactics.
- Creating an easy-to-use toolkit on monitoring that community members can use to evaluate an issue and file complaints.
- Providing non-discrimination training to organizations, corporations, or schools.
- Conducting a human rights-based approach training for members of the community.

Education: Promoting, raising awareness of and fostering support for human rights standards and values through schools, the media, and public outreach.

Examples include:

- Offering civic education training that will introduce rights-holders to international human rights standards and help them understand the legal system.
- Creating a website with accurate information on a human rights issue.
- Screening an educational film and having a panel discussion about a human rights issue.
- Creating an informative newsletter that discusses the latest news on a human rights issue.
- Tabling at events to distribute educational human rights materials.

Monitoring and Documentation: Collecting, verifying, and reporting information on compliance with human rights standards.

Examples include:

- Gathering data and writing a report on an ongoing human rights violation in the community.
- Starting watch programs for various government bodies such as courts, prisons, or elections to make sure that everyone is being granted their rights.
- Writing and submitting a shadow report to a UN treaty-monitoring body.
- Collecting testimonies from people affected by a human rights violation for presentation to government officials and the public.

Law and Policy Reform: Advocating for changes in governmental budgets, policies, and laws to increase compliance with human rights standards.

Examples include:

- Questioning political candidates about human rights issues.
- Meeting with a state official to talk about current policies and changes that can be made.
- Organizing a petition drive in which constituents demand laws that better protect human rights.
- Creating a website that allows members of the community to submit concerns to government officials.
- Advocating for new laws to protect human rights.

Strengthening Governance Structures: Creating or improving mechanisms that connect community members, civil society, businesses, and government in order to improve communication and accountability.

Examples include:

- Providing training to a state human rights commission to improve state response to citizen complaints.
- Helping run a community consultation body around a particular issue where constituents can interact with government officials in addressing a specific human rights concern.
- Creating a community policing initiative that draws on neighborhood knowledge to provide support to local law enforcement.

Accountability & Enforcement: Using courts or other accountability mechanisms to claim rights and to achieve social justice and equality.

Examples include:

- Bringing court cases against businesses that break established legal standards on worker rights.
- Providing support to individuals and their representatives for bringing human rights cases to federal or state courts.
- Filing a complaint with the Equal Employment Opportunity Commission about gender pay disparities.
- Voting out of office government officials who disregard human rights obligations.

Networking & Mobilizing: Organizing people to demand changes in policies and resource allocations, and forming alliances with like-minded organizations or individuals.

Examples include:

- Creating a Facebook group to develop an online community of people who care about human rights.
- Mobilizing community members to protest a human rights issue that is prevalent in a town or city.
- Asking people to become part of a movement by sending in a short video clip of them stating their support of a cause.
- Finding other individuals and organizations that are working on the same issue to create a coalition that will offer support and can collaborate on events.

Direct Service: On the ground “face-to-face” work with clients providing services that fulfill their immediate needs.

Examples include:

- Developing an agency that provides individuals with disabilities connections to beneficial resources and organizations.
- Providing English language classes to better enable individuals to claim their rights.
- Organizing a food bank to provide food-insecure persons with healthy produce and food.
- Establishing a community health clinic with free services and sliding scale fees.

Locate potential partners and allies.

There may be actions that you think are critically important to addressing certain capacity gaps, but your organization does not have the ability to implement those actions effectively. In addition, even if an organization is capable of implementing an action independently it may be more effective if it partners with others. In both cases, it is important to identify potential partners with which to work.

CASE STUDY: WORKING WITH PARTNERS TO ACHIEVE HUMAN RIGHTS GOALS

The USA division of the Centre on Housing Rights and Evictions (COHRE-USA) works to make housing a recognized human right in the United States. One of the methods it used to achieve this goal was to build a grassroots movement by providing education and training for advocates, people experiencing homelessness, and low-income people. In order to reach those working at the grassroots level, COHRE-USA partnered with the National Law Center on Homelessness and Poverty to conduct over 200 regional trainings and five national forums on the human right to housing. These trainings strengthened the advocacy of activists and marginalized communities as well as the accountability of policy-makers. “When we educate [marginalized] groups about international human rights standards,” staff member Bret Thiele notes, “we have seen a lot of excitement as they make connections between their personal knowledge and international human rights standards and enforcement mechanisms.”

“Most importantly, many of these groups have now been doing amazing advocacy using a human rights framework,” Thiele adds. As a result of this partnership, a number of grassroots organizations have taken what they have learned to create shadow reports, present issues before enforcement bodies, and work with local policy-makers for change. For example, the Coalition to Protect Public Housing in Chicago, Illinois successfully worked with government officials to pass a 2004 County Resolution. This resolution recognized housing as a human right and thus promoted increased funding for homeless shelters and affordable housing projects in Chicago.

🔧 Tool: Action Plan Worksheet

After completing **Step 6, Create Action Plan**, choose which actions to implement in relation to the different levels on the action plan worksheet. Remember to consider the specific rights-holders and responsible authorities you are targeting, the specific capacity gaps you may be trying to overcome, and the potential partners with whom you could work. Write your chosen actions as well as the potential partners into the appropriate boxes under “Potential Actions” in your Action Plan worksheet (see below).

ACTION PLAN

GOAL STATEMENT: *Your human rights goal statement*

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|---|--|--|---|
| <p>Unrealized Right:</p> <p><i>Your human rights issue</i></p> | <p>Target Rights-Holder</p> <p><i>Your priority rights-holder group</i></p> | <p>Rights-holder Gaps</p> <p><i>Key ways your target rights-holders lack capacity to claim their right(s)</i></p> | <p>Actions</p> <p><i>Desired action related to your target rights-holder</i></p> <p>Potential Allies:</p> <p><i>Partners who can help you achieve this action and your human rights goal.</i></p> |
| <p><i>Acts or conditions causing human rights issue</i></p> <p>Immediate Causes</p> | <p>Target Authority 1</p> <p><i>Authority closely related to the immediate causes of the problem</i></p> | <p>Authority Gaps</p> <p><i>Key ways authority 1 lacks capacity to fulfill their duty</i></p> | <p>Short-term actions</p> <p><i>Desired action related to authority 1</i></p> <p>Potential Allies:</p> <p><i>Partners who can help you achieve this action and your human rights goal.</i></p> |
| <p><i>Policies, laws, or resource constraints contributing to acts or conditions</i></p> <p>Legal and Economic Context</p> | <p>Target Authority 2</p> <p><i>Authority closely related to the underlying causes of the problem</i></p> | <p>Authority Gaps</p> <p><i>Key ways authority 2 lacks capacity to fulfill their duty</i></p> | <p>Intermediate Actions</p> <p><i>Desired action related to authority 2</i></p> <p>Potential Allies:</p> <p><i>Partners who can help you achieve this action and your human rights goal.</i></p> |
| <p><i>Root causes or systems that perpetuate unequal laws and ongoing rights violations</i></p> <p>Root Causes</p> | <p>Target Authority 3</p> <p><i>Authority closely related to the root causes of the problem</i></p> | <p>Authority Gaps</p> <p><i>Key ways authority 3 lacks capacity to fulfill their duty</i></p> | <p>Long-term Actions</p> <p><i>Desired action related to authority 3</i></p> <p>Potential Allies:</p> <p><i>Partners who can help you achieve this action and your human rights goal.</i></p> |

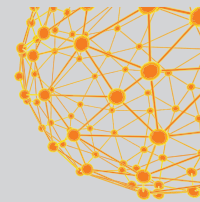
You have completed the last step in program planning and design and should now have a strategic action plan to implement that is grounded in human rights and reflects a clear priority to address root causes, protect marginalized groups, empower rights-holders, and work with responsible authorities.

STEP 7: EVALUATE PROGRAM IMPACT

✂ Tool: Dimensions of Change

Key Questions answered in this analysis:

- Does the program advance our long-term human rights goal(s)?
- Do our strategies need to be revised?



ACCOUNTABILITY:
Work with
responsible authorities

The ultimate aim of a human rights approach to social justice is to bring about improvements in people's lives so that every person can live with dignity, freedom, equality, justice, and peace. Measuring these improvements is therefore a key element of a human rights approach.

A human rights approach seeks to understand the progress toward realization of human rights standards through monitoring and evaluation. Human rights monitoring in general has long been an effective tactic for understanding a human rights problem and for exposing human rights violations. Monitoring can also serve as a tool for measuring the effectiveness of your own human rights programming.

Evaluating program outcomes against indicators that include core human rights principles helps organizations identify what is working and what is falling short in achieving progress toward a human rights goal. Monitoring and evaluation of your program are essential steps in tracking whether activities are being carried out as planned and whether they are having the desired impact.

When designing your monitoring and evaluation plan there are two key factors you must consider:

- **What to Measure?**
- **Who to Involve?**

Ideally monitoring and evaluation begins during the design and planning stage and continues throughout the entire programming cycle. In general, the findings should guide decisions regarding changes needed for current projects and ways to improve future programming. Your organization may already have established ways to monitor and evaluate its programs. Indeed, there are many useful and practical resources dedicated to helping organizations with this important tool. This module provides guidance on how to adapt any monitoring and evaluation plan to be more human rights focused.

What is Monitoring and Evaluation?

Monitoring and evaluation consists of tracking and assessing the actual results of the program as compared to the results that were planned or expected.

Monitoring is a continuous process that lasts for the duration of a program or project and may call for readjustments to improve efficiency and effectiveness.

Evaluations are in-depth assessments selectively undertaken at specific stages in the program cycle. Evaluation is an exercise that attempts to determine as systematically and objectively as possible the worth or significance of an intervention, strategy, or policy. Evaluation findings should influence decision-making by program partners by providing lessons learned.²⁰

What to Measure

Determining what to measure will depend greatly on what you want the output of your program actions to be. In general, evaluation indicators should provide data on the changes the program was expected to achieve and any unexpected changes that have occurred. Monitoring indicators are directly linked to your activities. They provide data about:

- What and how many activities were conducted
- Who participated or received the program's messages
- How well those activities were carried out
- What were the results

When developing indicators for your program, it can be easy to lose sight of the big picture. Developing useful human rights indicators means connecting your actions with the over-arching goal of achieving respect, protection, and fulfillment of human rights.²¹ Short-term actions should be consistent with this long-term human rights goal, and should work to create the social, economic, political, or cultural change needed. To evaluate the extent to which your human rights strategies achieve these goals, it is helpful to consider the following:

- Is the work addressing the root causes of the human rights violation?
- Is the work improving the lives of those whose human rights have been violated?
- Has the capacity of the responsible authority to respect, protect, and fulfill the human rights obligation increased?
- Has the capacity of the rights-holder to participate in claiming his or her human rights increased?

Developing indicators with these general questions in mind will help ensure that you are connecting your social justice work to the core human rights principles of **safety and security, non-discrimination, accountability, and participation**.

Who to Involve

Accountability and participation are two important components of a human rights approach. These core human rights principles should also guide how you implement your own monitoring and evaluation plan, by encouraging the inclusion of relevant stakeholders in the process. The stakeholders may include all relevant rights-holders and responsible authorities, partner organizations, and individuals or groups who are external to the project but who can provide an objective perspective. Stakeholders must have real opportunities to influence the judgments reached. Their priorities and experiences should play an important part in the process. There are many benefits to involving stakeholders. For example, engaging in meaningful stakeholder involvement can help:

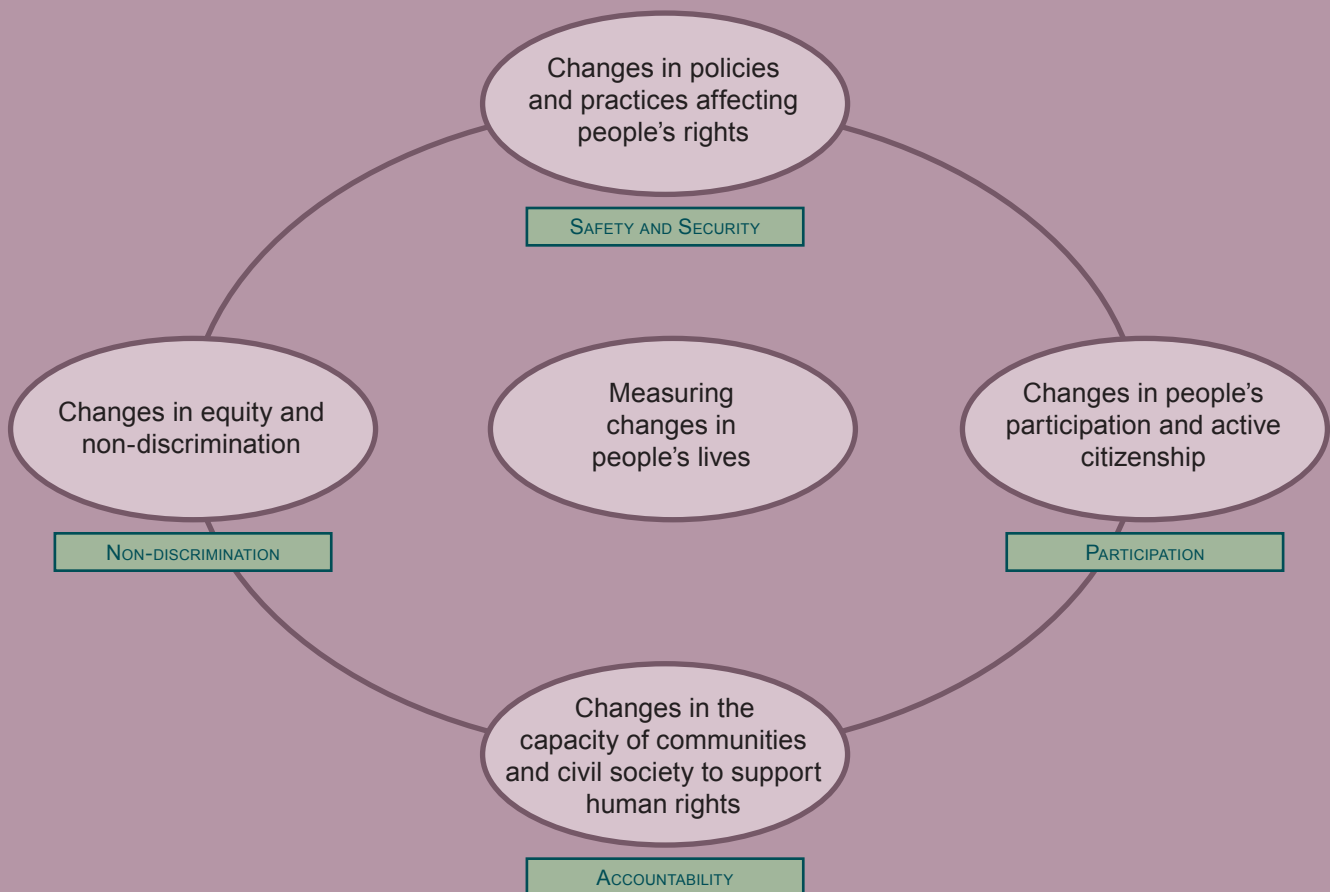
- Guarantee that definitions of success and strategies for reaching it are locally relevant
- Ensure that the program itself is supported by staff, community leaders, donors, politicians, partner organizations, and other important stakeholders
- Provide new insights from people with diverse perspectives, which enrich the projects and the monitoring and evaluation process itself.

✂ Tool: Dimensions of Change²²

The ultimate goal of a human rights approach is to bring about positive changes in people’s lives. One way to evaluate the success of programs through a human rights lens is to measure how well the programs improve the human rights situation of the rights-holders they are meant to impact.

Save the Children UK developed a Global Impact Monitoring system that uses dimensions of change against which their program work can be assessed. These dimensions of change reflect the core principles of a human rights approach: safety and security, non-discrimination, accountability, and participation (see graphic below). By using these indicators, organizations can evaluate whether their activities are making progress toward the identified human rights goal.

DIMENSIONS OF CHANGE



✂ Tool: Dimensions of Change

Adapted here, this tool can be used as a checklist to measure and evaluate your own program goals, outcomes, objectives, indicators, and activities. To evaluate your program using the dimensions of change, ask the following questions:

1. **Changes in the lives of your target population.** Are people living lives more filled with dignity, freedom, equality, justice, and peace?
2. **Changes in laws, policies, and practices affecting people's human rights.** Have laws, policies, or practices changed to allow people to live safer and more secure lives?
3. **Changes in equity and non-discrimination for target population.** Do the changes overcome historical discrimination or other systemic inequality?
4. **Changes in capacity of government and civil society to support human rights.** Do the changes promote accountability for human rights?
5. **Changes in people's participation and active citizenship.** Have barriers to people's active participation in decision-making, leadership, and other processes been removed?

The "Dimensions of Change" act as reminders to help ensure that the main aspects of a human rights approach are included throughout the analysis, design, and implementation. Use this analysis to make changes to your action plan and continue to apply this analysis throughout your program implementation.

To see how this analysis can be applied to your own action plan, see Module 3 Activity: *Dimensions of Change*.

Endnotes - Module 3: Applying a Human Rights Approach

1. Joachim Theis, *Promoting Rights-Based Approaches: Experiences and Ideas from Asia and the Pacific*, (Bangkok, Thailand: Save the Children Sweden, 2004), 84, <http://www.crin.org/docs/resources/publications/hrbap/promoting.pdf> (accessed January 20, 2011).
2. Joachim Theis, *Promoting Rights-Based Approaches: Experiences and Ideas from Asia and the Pacific*, 84-85.
3. Common Ground, "Vulnerability Index: Prioritizing the Street Homeless Population by Mortality Risk," <http://www.commonground.org/wp-content/uploads/2008/04/Vulnerability%20Index%20101.pdf> (accessed January 20, 2011). Common Ground staff can help organizations implement the Vulnerability Index. Contact Becky Kanis at bkanis@commonground.org for more information.
4. Gender, Human Rights and Culture Branch of the UNFPA Technical Division (GHRCB) and the Program on International Health and Human Rights, Harvard School of Public Health, *A Human Rights-Based Approach to Programming: Practical Implementation Manual and Training Materials*, (UNFPA, 2010), 97, <http://www.unfpa.org/public/op/preview/home/publications/pid/4919> (accessed January 20, 2011).
5. Ibid, 98-100.
6. Jacob Kirkemann Boesen and Tomas Martin, *Applying a Rights-Based Approach: An Inspirational Guide for Civil Society*, 21 (see p. 74).
7. Douglas A. Johnson. "The Need for New Tactics." *New Tactics in Human Rights: A Resource for Practitioners*. (Minneapolis, MN: Center for Victims of Torture, 2004), 13, <https://www.newtactics.org/sites/newtactics.org/files/02needfornewtactics.pdf> (accessed January 25, 2011).
8. Nancy Pearson and Douglas A. Johnson, "An Overview of Tactical Mapping," (Minneapolis, MN: Center for Victims of Torture, 2008), <https://www.newtactics.org/en/tools/overview-tactical-mapping> (accessed January 21, 2011).
9. Center for Victims of Torture – New Tactics in Human Rights Project, "Five Steps to Tactical Innovation - Facilitation Guide," (unpublished), 13.
10. This is a modified version of the tactical mapping tool. The Center for Victims of Torture – New Tactics in Human Rights Project actually includes a 4th step in the tactical mapping process that looks at the nature of the relationships on the map. To read more about this step and the tactical mapping process in general, visit: <http://www.newtactics.org/en/tactical-mapping>.
11. Capacity Development Group, United Nations Development Programme (UNDP), *Measuring Capacity*, (New York: UNDP, 2010), 2, <http://www.beta.undp.org/undp/en/home/librarypage/capacity-building/undp-paper-on-measuring-capacity.html> (accessed July 7, 2011).
12. United Nations Country Team (UNCT) Vietnam, *Toolkit: A Human Rights Based Approach. A User-friendly guide from UN Staff in Viet Nam for UN staff in Viet Nam*, (Vietnam: UNCT, 2009), 13-14, <http://hrbportal.org/?p=3645> (accessed July 7, 2011).
13. UN, *International Covenant on Economic, Social and Cultural Rights*, Article 12 (Dec. 16, 1966), <http://www2.ohchr.org/english/law/cescr.htm> (accessed July 7, 2011).
14. UN Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12 of the Covenant)*, (Aug. 11 2000), E/C.12/2000/4, <http://www.unhcr.org/refworld/docid/4538838d0.html> (accessed January 21, 2011).
15. Gender, Human Rights and Culture Branch and the Program on International Health and Human Rights, *A Human Rights-Based Approach to Programming: Practical Implementation Manual and Training Materials*, 101.
16. Joachim Theis, *Promoting Rights-Based Approaches: Experiences and Ideas from Asia and the Pacific*, 6.
17. Center for Victims of Torture – New Tactics in Human Rights Project, "Five Steps to Tactical Innovation - Facilitation Guide," 19.
18. Gender, Human Rights and Culture Branch and the Program on International Health and Human Rights, *A Human Rights-Based Approach to Programming: Practical Implementation Manual and Training Materials*, 110.
19. Joachim Theis, *Promoting Rights-Based Approaches: Experiences and Ideas from Asia and the Pacific*, 95-96.

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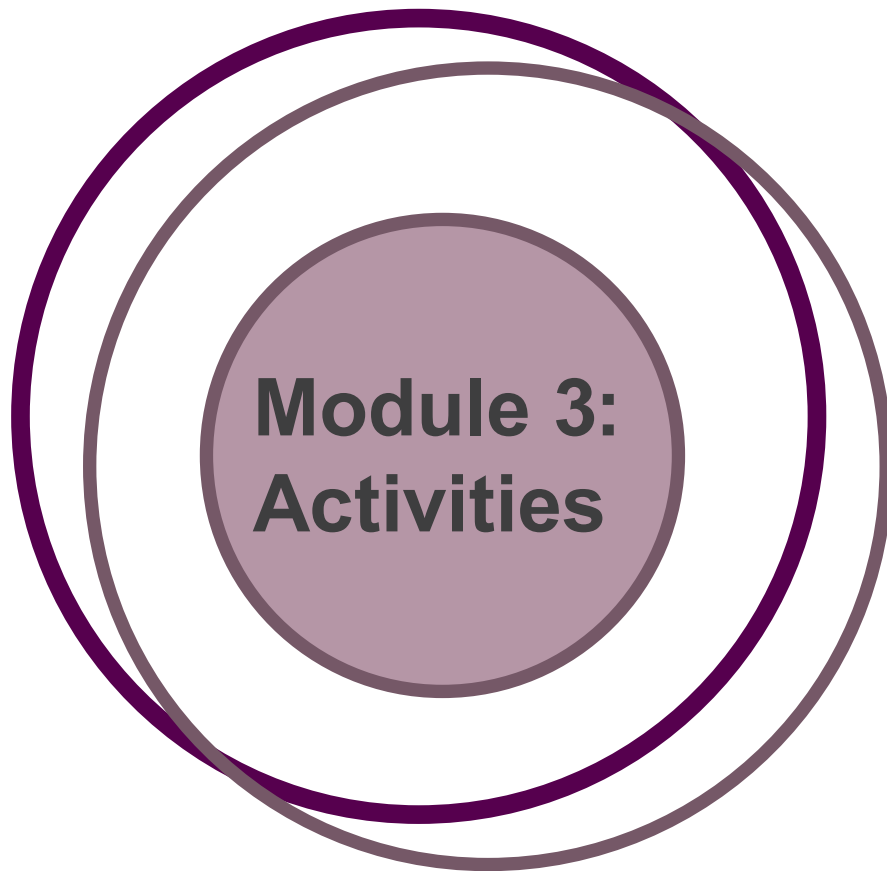
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**Module 3:
Activities**

Organizational Assessment

Objective: To assess the extent to which your organization puts into practice the strategies of a human rights approach

Time: 20 minutes

Materials: Handout: *Organizational Assessment*

Procedure:

- 1. Evaluate.** Give each participant Handout: *Organizational Assessment*. Allow participants ten minutes to fill out the questionnaire, reminding them to consider all segments of their organization.
- 2. Discuss.** Have participants get into three small groups and for ten minutes discuss the following questions:
 - In which area(s) does your organization appear to be implementing a human rights approach?
 - In which area(s) do there seem to be problems? Which of these areas are of particular concern to you? Why?
 - How do you explain the existence of these organizational challenges?
- 3. Explain.** This activity was meant to give participants a general idea of the challenges organizations might face when trying to use human rights in their work. The remainder of the training provides a series of tools and activities that address each area of the assessment. Depending on the results of the assessment, an organization may want to focus on one particular area or tool. However, the training will walk through all of them so that participants feel comfortable using any of them if necessary to address new or unexpected challenges.



Directions: Evaluate your organization's effectiveness in implementing a human rights approach. Read each statement and rate how accurately it describes your organization in the blank space next to it. Remember to keep in mind all segments of your organization. If you are not from an organization, you could choose to assess an organization you know well or if that is not possible, you can assess your local government.

Rating Scale:

- 1 – no/never
- 2 – rarely/a little
- 3 – often/considerably
- 4 – yes/always



SAFETY AND SECURITY: Address the root causes of the problem

- _____1. Our organization structures its funding and programming so it can address long-term problems and respond to feedback from clients and community members
- _____2. Our organization presents the problems that we work on as human rights issues.
- _____3. Our organizational goals are people-centered and based on international human rights standards.
- _____4. Our organization understands and works to combat the specific structural, cultural, political, or legal barriers our clients face in overcoming human rights violations.
- _____5. Our organization seeks changes to laws, policies, or practices that allow people to live safer and more secure lives.
- _____6. We collaborate with allies who have shared human rights concerns.
- _____7. One result of our programs and activities is that people are living lives more filled with dignity, freedom, equality, justice, and peace.
- _____8. Staff members understand how the human rights framework influences our organization's work and their interactions with clients.



NON-DISCRIMINATION: Protect marginalized groups

- _____9. Our services, resources, and communications are accessible to everyone regardless of language, disability, immigration status, or other barriers.
- _____10. We collect data on target populations to identify who is most at risk of poverty, discrimination, and mistreatment in our community.
- _____11. Our organization follows the "do no harm" principle and actively seeks to prevent unintended negative outcomes.
- _____12. Our program objectives reflect the needs of marginalized groups
- _____13. Our organization actively reaches out to members of our community who have the most difficulty accessing our services
- _____14. One result of our program activities is to overcome historical discrimination or other systemic inequalities.



ACCOUNTABILITY: Work with responsible authorities

- _____15. Our organization provides easily accessible information to the public regarding budget, operations, performance, and goals.
- _____16. We have identified the relevant rights-holders and responsible authorities, and analyzed their power and interests in relation to the issues we address.
- _____17. Our organization has examined whether responsible authorities know their obligations and whether they have the capacity to meet them.
- _____18. We monitor and report on how well government and other responsible authorities comply with human rights standards.
- _____19. Our organization strengthens the capacity of responsible authorities to fulfill their obligations by providing training or education.
- _____20. Our organization has a complaint mechanism that is easily accessible to community members who may have issues with our programming.
- _____21. Our organization puts pressure on responsible authorities such as local government to change laws and policies that negatively affect our constituents.
- _____22. When appropriate, our organization uses the relevant local, national, and international mechanisms that exist for redress and remedy of human rights violations.
- _____23. One result of our programs and activities is an increased capacity of the government and civil society to support human rights and greater accountability.



PARTICIPATION: Empower rights-holders

- _____24. Our organizations gives the key groups we serve a major say in decisions affecting them and the services they receive are ones they had a part in planning and organizing.
- _____25. Our organization has examined whether rights-holders know their rights and whether they have the capacity to claim them.
- _____26. Our organization works to connect rights-holders and responsible authorities so they can solve problems through collaboration and dialogue.
- _____27. Our organization works to build the knowledge, skills, and resources of community members so that they can take independent action to claim their rights.
- _____28. We encourage and offer support to other organizations and partners in the community who are trying to implement a human rights approach.
- _____29. One result of our programs is fewer barriers to people's active participation in decision-making, leadership, and other processes that affect their lives.

Human Rights Goal

Activity

Objective: To identify a key human rights issue and formulate a human rights goals statement to address during the training

Time: 15-20 minutes

Materials: Handout: *Action Plan Worksheet*
Handout: *Setting a Human Rights Goal*
Blank paper, colored markers, pens

Procedure:

- 1. Introduce Action Plan Worksheet.** Give every participant Handout: *Action Plan Worksheet*. Explain that we will now do a series of activities that will help each participant fill out the action plan worksheet. Each activity will relate to specific boxes on the action plan, so participants should wait to fill out boxes until they are the focus of an activity.
- 2. Group Participants.** Divide participants into small groups based on different human rights issue areas. There should be between 3 to 5 people in each group. These groups will be working together for the afternoon to create their action plans. Groups can be broken up in a few different ways:
 - a. Pre-Training Assessment.** The facilitator could review any information collected from participants before the training to determine what priority issue areas they identified and use these general areas to pre-define groups.
 - b. Organization Membership.** Participants could also be divided based upon the organizations with which they work, assuming there are enough people from each organization to form a group.
 - c. Human Rights Village.** For a diverse group of participants you can use the “Create a Human Rights Village” process.
 - 1. Individual Reflection.** Ask participants to write on a piece of paper ONE problem or issue that is important to them (e.g. “abuse of migrant workers,” “domestic violence” or “lack of quality health care for people experiencing homelessness”).
 - 2. “Village” Selection.** Instruct participants to hold up their issue and try to find other issues in the room that MATCH as closely as possible the issue they have written on their sheet. As soon as the group has reached the “village” number of four people, that village is closed.
- 3. Name the Human Rights Issue.** Ask each small group to decide on a social justice issue they would like to address and then use the UDHR and other treaties to define the human right(s) that are unfulfilled or violated. In the future, participants would use this as a starting point for further research on treaties and human rights standards related to their issue. Have participants write this human rights issue in the *Unrealized Right* box on the Action Plan worksheet as well as on a large piece of paper and stick in on the wall where the large group can see it.
- 4. Create Human Rights Goal Statement.** In their new small groups, ask participants to write a human rights goal related to the issue area they chose. If the group members are from a particular organization they can use their own mission or goal statement and reframe it in human rights terms. If not, the participants should create their own goal statement. To provide more guidance on writing a human rights goal, give participants Handout: *Setting a Human Rights Goal*. Have participants write their goal statement on the top of the Action Plan worksheet.

Adapted from Center for Victims of Torture – New Tactics in Human Rights Project, “Five Steps to Tactical Innovation - Facilitation Guide,” 8, and Joachim Theis, *Promoting Rights-Based Approaches: Experiences and Ideas from Asia and the Pacific*, 84-85 (see p. 152).



Setting a Human Rights Goal

A **human rights goal** differs from a typical goal statement because it is people-centered, positive, and directly linked to a human rights standard. Some elements of a human rights goal are:

- A long-term vision focusing on the rights of all human beings, rather than on short-term, incomplete, or limited targets.
- A direct link to specific human rights standards.
- A broad mandate that provides a common focus for all work that needs to be done to achieve the right. Typically, such a goal cannot be achieved in a short time or by one organization on its own. A broad mandate highlights the importance of collaboration and the interdependence of rights.
- A focus on people and their rights, rather than on the actions of organizations and service providers.

In these examples, an original goal which described the actions of the organization was replaced by a human rights goal which describes how people will benefit, uses language derived from international treaties and monitoring bodies, and specifically identifies the goal as a right.

| Food | |
|--|---|
| Original goal: To end hunger by providing food to people in need. | Human rights goal: All people have access to sufficient nutritious and culturally appropriate food to ensure their right to be free from hunger. |
| Legal Aid | |
| Original goal: To provide quality legal services to low-income individuals to ensure justice for all. | Human rights goal: Low-income individuals are guaranteed their right to equal access to justice. |

A goal states the positive, the situation that different people and organizations are working to achieve. The negative side states the problem and the unfulfilled rights. Goal and problem/unfulfilled rights represent two sides of the same issue.

| Goals: Positive side | Problems and unfulfilled rights: Negative side |
|--|--|
| <ul style="list-style-type: none"> • All people have access to sufficient nutritious and culturally appropriate food to ensure their right to be free from hunger. • Low-income individuals are guaranteed their right to equal access to justice. | <ul style="list-style-type: none"> • People are going hungry due to a lack of affordable food. • Low-income individuals are being discriminated against. • Low-income individuals are being denied their right to a fair trial. |



ACTION PLAN

GOAL STATEMENT: _____

| Causality | Stakeholders | Capacity Gaps | Potential Actions |
|----------------------------|-------------------------------|--------------------|---|
| Unrealized Right: ----- | Target Rights-Holder ----- | Rights-holder Gaps | Actions Potential Allies: |
| Immediate Causes | Target Authority 1 ----- | Authority Gaps | Short-term actions Potential Allies: |
| Legal and Economic Context | Target Authority 2 ----- | Authority Gaps | Intermediate Actions Potential Allies: |
| Root Causes | Target Authority 3 ----- | Authority Gaps | Long-term Actions Potential Allies: |

Who's At Risk?

Objective: To choose a target group of rights-holders, paying attention to those most at risk of the particular rights violation(s) identified

Time: 15-20 minutes

Materials: Flip chart paper, markers (in a different color for each group, if possible)

Procedure:

- 1. Explain.** Explain to participants that this next tool in a human rights approach helps ensure that your programs do not lose sight of the most marginalized and difficult-to-reach people. Typically this step would entail collecting and analyzing data about a specific population or human rights issue, which you would then use to determine a priority target group. Since there is not time in the training to conduct this research, we will instead do a thought exercise to help participants get an idea of how the process of identifying those most at risk would work.
- 2. Prepare.** Write (or have participants write) each “unrealized right” that the small groups selected on separate pieces of flip chart paper and hang them around the room.
- 3. Name Most At Risk.** Ask participants to look at the four “unrealized rights” hung up on the wall. Have each group stand in front of one of the rights other than their own. Each group will be given one minute to brainstorm who they believe are the most marginalized groups related to the human rights issue they are now considering. Ask participants to consider the following question:

- ***Which groups of people are most affected by this rights violation?***

They should try to identify as many ideas as possible. Let participants know they can build off of ones already listed. After one minute, rotate the groups to a new right (again not their own) and have them brainstorm a new list of those most affected by the rights violation. Continue rotating every minute until all groups have had a chance to contribute to the other lists.

- 4. Identify Target Group.** Once the brainstorm is finished, have groups return to their own list to see what the other participants have suggested. Then give participants two minutes to fill in any gaps that they notice or expand on the ideas suggested by other groups. Ask them to use this list to choose a target group of rights-holders to focus on and put that target rights-holder in the relevant space on their Action Plan. Have participants sit down after they have finished selecting their target rights-holder.

Problem Pyramid

- Objective:** To allow participants to identify and analyze the immediate causes, legal and economic context, and root or structural causes of the problem they have identified
- Time:** 20 minutes
- Materials:** Handout: *Problem Pyramid*

Procedure:

1. **Explain.** Once the human rights issue and target population are identified, the next step is to evaluate the reasons behind the violation. Why is this problem happening to a particular sector of the population? This next activity will help participants analyze the immediate causes, legal and economic context, and structural or root causes of the human rights issue they have identified.
2. **Create Problem Pyramid.** Give each participant Handout: *Problem Pyramid* and ask them to fill out the pyramid. In the “human rights issue” box write the issue and group you want to target. Explain to them that this is a causality analysis which will highlight the interrelated factors affecting the human rights issue they chose. This analysis helps to understand the levels of causality and the linkages between various causes. Let them know the following:

As a general rule:

- **Immediate causes:** the conditions or acts that are directly contributing to the human rights issue. These could be addressed through a short-term intervention but doing so would not solve the problem permanently.
- **Legal and economic context:** the policies, laws, and resource constraints that are leading to unmet needs and rights violations. They often require interventions that take significant time to obtain results.
- **Root/structural causes:** societal attitudes and behaviors, cultural forces, and political and economic systems that perpetuate unequal laws and ongoing rights violations. They require long-term interventions to change and may be widespread or deep-rooted problems.

Ask participants to make sure that their answers take into account the causes of the vulnerabilities you identified in the target group analysis. Participants may find that they have more or fewer causes on each level than there are boxes on the pyramid. Remind them that the shape of the pyramid is just a guide and they should feel free to write in answers outside the boxes as needed to match their analysis.

Once they are done with the pyramid, have participants choose three key causes (one from each level of the pyramid) to write into the appropriate boxes in the Action Plan worksheet.



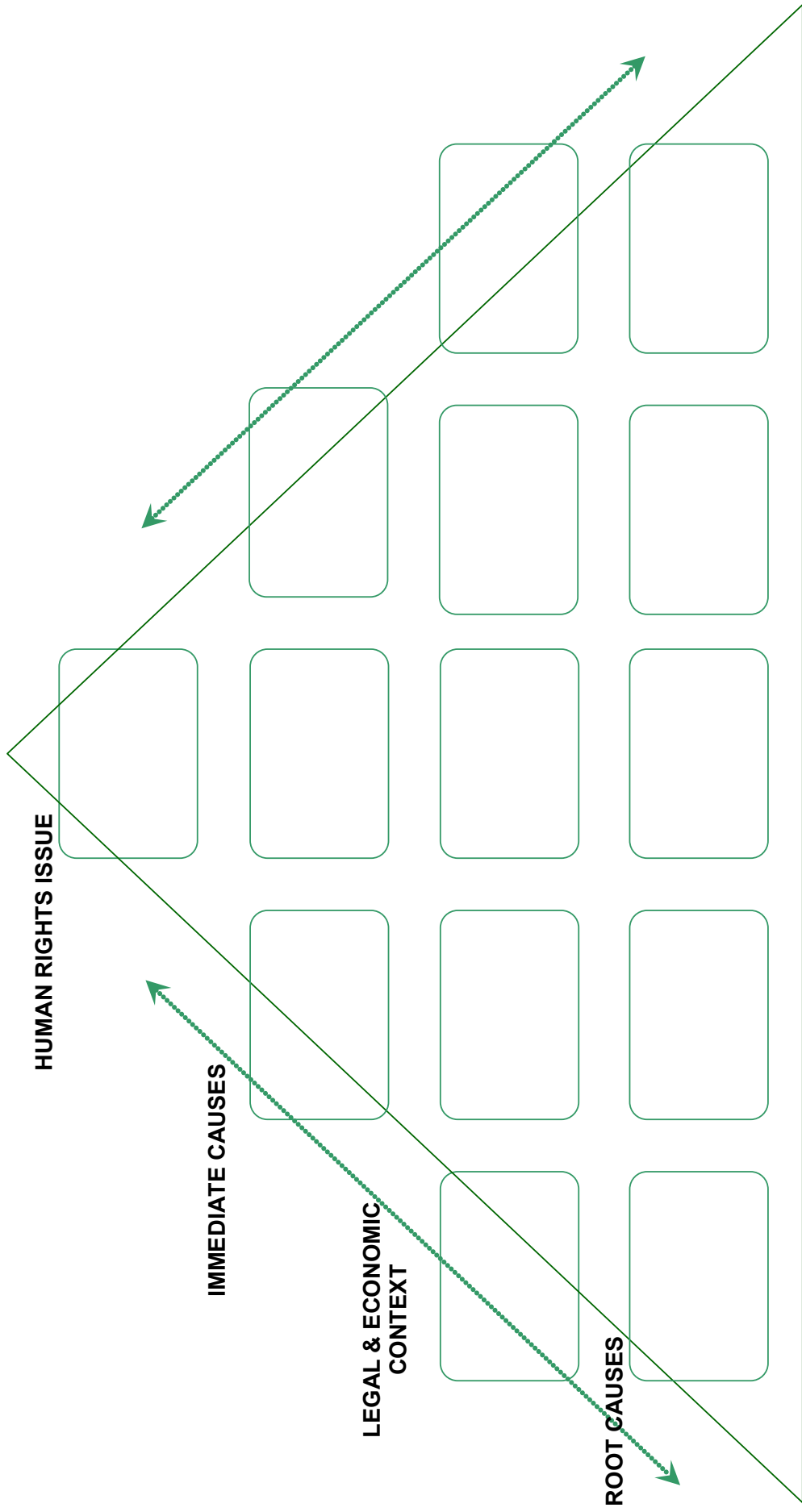
Problem Pyramid

This exercise will help you analyze the underlying causes of the human rights violation that you have identified.

Key question: **Why is this problem happening to a particular sector of the population?**

As a general rule:

- **Immediate causes:** the conditions or acts that are directly contributing to the human rights issue. These could be addressed through a short-term intervention but doing so would not solve the problem permanently.
- **Legal and economic context:** the policies, laws, and resource constraints that are leading to unmet needs and rights violations. They often require interventions that take significant time to obtain results.
- **Root/structural causes:** societal attitudes and behaviors, cultural forces, and political and economic systems that perpetuate unequal laws and ongoing rights violations. They require long-term interventions to change and may be widespread or deep-rooted problems.



Naming Stakeholders

Objective: To visualize the people, groups, institutions, and relationships involved in perpetrating abuses, to expand one's thinking about potential targets for tactical interventions, and to choose specific targets for action

Time: 50 minutes

Materials: Handout: *Naming Stakeholders*
Post-its, flip chart paper

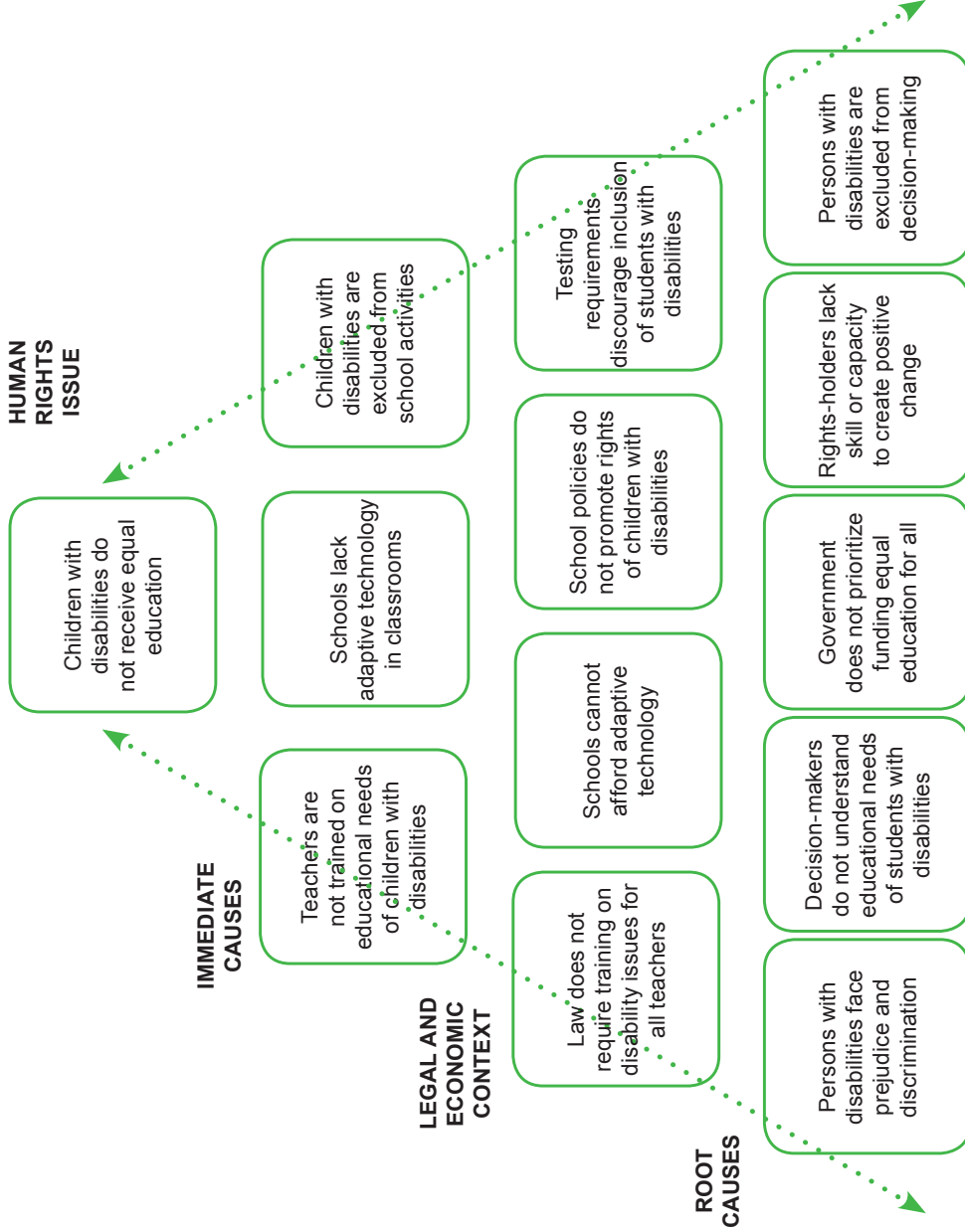
Procedure:

- 1. Model.** Using a sample problem pyramid, walk through the slides showing the steps to naming stakeholders for each level. The first step is to identify the target rights-holder (this may already have been completed in the previous activity: *Who's at Risk?*). For the next steps, walk through the three levels of causation in the problem pyramid, identifying the stakeholders that have the responsibility for or the power to change the listed causes. In the final step, identify additional stakeholders that can influence or control the people or entities already listed. It can help make the situation more concrete if the groups choose known individuals as their stakeholders.
- 2. Name Stakeholders.** Give participants Handout: *Naming Stakeholders*. Have each small group follow the directions in the handout to name the stakeholders for their own human rights issue.
- 3. Choose Target.** Once each group has finished naming their stakeholders, they should choose who they want to target for their action plan. Give them the following question to consider:
 - Who are the most powerful people on the chart?
 - Who do you know and can influence?
 - Who can change things in the short term?
 - Who can change things in the long term?

Have participants write these chosen targets into the appropriate boxes under "Target Authority" in their Action Plan worksheet.



Naming Stakeholders



1 Who is affected by this human rights issues?
The target rights-holder already chosen.

2 Who is responsible for or has the power to change these immediate causes?
They will probably have a direct connection or personal relationship with the rights-holder.

3 Who is responsible for or has the power to change these laws and policies?
They can be local, state, or national entities and can be from government, business, justice system, education, faith groups, or professions.

4 Who is responsible for or has the power to change these root causes? They can be local, state, or national entities and can be from government, business, justice system, education, faith groups, or professions.

5 Who has influence or control over these actors? It can be formal or informal authority and can include international actors.

Choose Your Targets

- Who are the most powerful people on the chart?
- Who do you know and can influence?
- Who can change things in the short term?
- Who can change things in the long term?



Naming Stakeholders

Using the Problem Pyramid, follow these five steps to conduct a basic stakeholder analysis:

1. Start at the top of the pyramid with the Human Rights Issue you chose. Identify who is affected by this human rights issue. The more specific you can be in naming this stakeholder, the more concrete the rest of the analysis will be. Naming an individual can help uncover personal relationships with other stakeholders that might be lost by focusing on the group or organizational level. If you have finished Step 2: Identify Marginalized Groups, the stakeholder you identify in this step should be part of or correspond to the target population you identified earlier.
2. Move to the next level of the Problem Pyramid, the immediate causes. Identify who is directly responsible for or has the power to immediately change these conditions or actions. These will often be people who have direct, face-to-face contact with the target rights-holder. Keep in mind that in some cases, the stakeholder responsible for the immediate causes has violated a law, such as a man abusing his wife. In other cases, however, the person is complying with a law or policy that may be unjust but they have no choice in the matter, as when a social worker denies a public benefit for which someone does not meet the statutory requirements for eligibility.
3. Move to the next level of the Problem Pyramid, the legal and economic context. Identify who is responsible for or has the power to change these laws and policies. The stakeholders at this level can be from the local, state, or national level and can be from any sector: government, business, the justice system, education, faith groups, professions, or others. Think broadly about who has responsibility and power, even if that power is indirect.
4. Move to the final level of the Problem Pyramid, the root or structural causes. Identify who is responsible for or has the power to change these societal attitudes and behaviors, cultural forces, and political and economic systems. Again, the stakeholders can be from the local, state, or national level and from any sector. The causes at this level are often so broad and deep-rooted that the identified stakeholders end up also being broad, poorly defined groups such as “the general public.” To make it easier to target your actions, try to add definition to those groups by thinking of concrete examples of who you might be able to reach, such as “the general public - faith communities who are part of the interfaith coalition in my city” or the segments of that group that have the most influence over your issue, such as “the general public - business leaders who are unfamiliar with labor trafficking.”
5. For the final step, go back to your previous stakeholders and identify who has influence or control over the actors you’ve already identified. The authority can be formal or informal. This step can also include international actors in addition to stakeholders on the local, state, or national level.

After completing the stakeholder analysis, you need to choose who you will target for an intervention. The following questions can help narrow in on the best targets.

- Who are the most powerful people on the chart?
- Who do you know and can influence?
- Who can change things in the short term?
- Who can change things in the long term?

Tactical Mapping

Objective: To visualize the people, groups, institutions, and relationships involved in perpetrating abuses, to expand one's thinking about potential targets for tactical interventions, and to choose specific targets for action

Time: 50 minutes

Materials: Handout: *Create Your Tactical Map*
Post-its, flip chart paper

Procedure:

1. **Demonstrate.** As you walk through the slides showing the steps to tactical mapping, try to demonstrate a tactical map with the entire group. Use an example with an easily identifiable center relationship.
2. **Create Tactical Map.** Give participants Handout: *Create Your Tactical Map*. Have each small group follow the directions in the handout to create a tactical map for their own human rights issue.
3. **Choose Target.** Once each group has finished their tactical map ask them to choose 3 target responsible authorities from the tactical map that represent the different levels of causation on their worksheet. Have participants write these chosen targets into the appropriate boxes under "Target Authority" in their Action Plan worksheet.

Adapted from Center for Victims of Torture – New Tactics in Human Rights Project, "Five Steps to Tactical Innovation - Facilitation Guide," 13 (see p. 152).



Create Your Tactical Map

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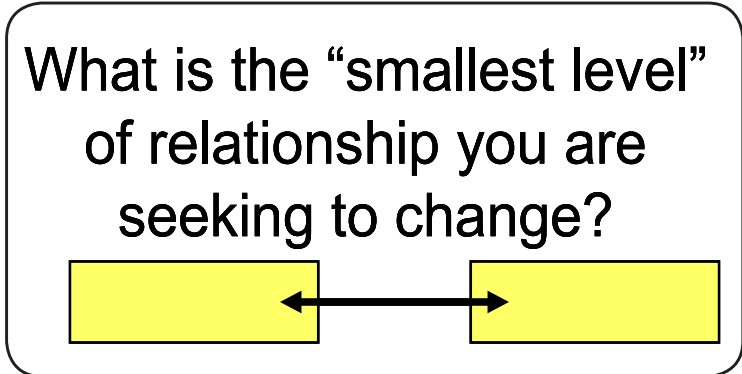
This exercise will help you visualize the people, groups, institutions, and relationships involved in sustaining human rights violations and abuses. Who are the potential targets for tactical intervention?

Follow these three steps to create a basic tactical map:

STEP 1: CENTER RELATIONSHIP.

Find the center relationship for your human rights issue. This is the center point of the map – the “face to face” relationship that best represents the identified issue. The center should NOT be an organization or institution. Ask yourself:

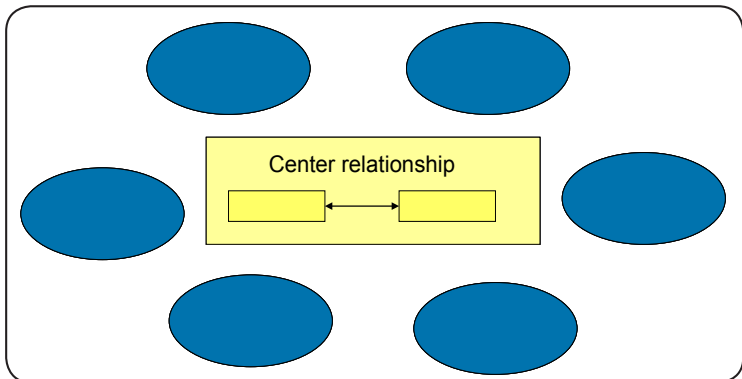
- What two people most closely represent the problem?
- Who is preventing a solution or the possibility of the change you are seeking?



STEP 2: DIRECT CONTACT.

Add all the people who have direct contact with each of the people at the center. Direct contact relationships could include people, groups, organizations, or institutions (local, national, or international). Ask yourself:

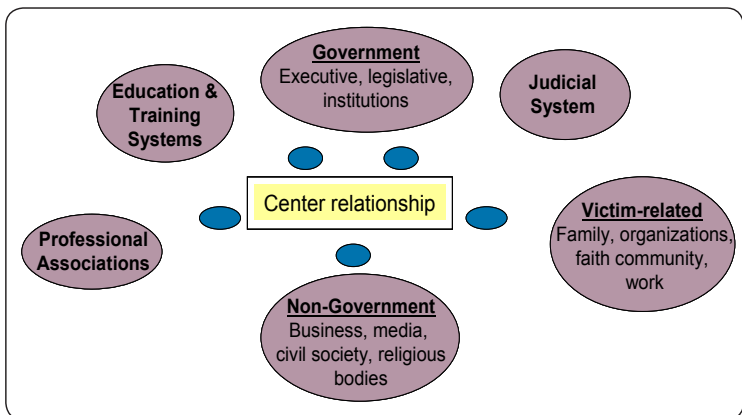
- Who has DIRECT CONTACT with each of the people at the center?



STEP 3: INDIRECT CONTACT.

Add all the people you can think of who have indirect contact with the people you have identified at the center or to others on the map. These may be people from state, regional, or national government institutions; international NGOs; funding organizations, etc. You will most likely not know the names of the people at this level in your map. If you do, put their names. Ask yourself:

- Who has INDIRECT CONTACT with each of the people at the center?



These are only the basic steps to creating a tactical map. For more information and to learn more about the full Tactical Mapping process and other tactical resources, visit the Center for Victims of Torture - New Tactics in Human Rights project website: www.newtactics.org/en/tactical-mapping.

Adapted from Center for Victims of Torture – New Tactics in Human Rights Project, “Five Steps to Tactical Innovation - Facilitation Guide,” 13 (see p. 152).

Spectrum of Allies

| | |
|-------------------|--|
| Objective: | To identify and arrange stakeholders involved in an issue along a continuum from active opponents to active allies |
| Time: | 20-25 minutes |
| Materials: | Completed Stakeholder Analysis Handout: <i>Spectrum of Allies</i> |

Procedure:

- 1. Introduce.** Give each participant the Handout: *Spectrum of Allies*. Explain to the participants that in any social change situation there is a diversity of people who are involved in the struggle for one outcome or another. This exercise will help you determine where the individuals and groups that you identified in the stakeholder analysis stand in relation to your human rights issue.
- 2. Demonstrate.** Demonstrate the use of the tool by drawing a half circle and dividing it into five wedges, representing the spectrum of allies. Explain each of the five categories, from active allies to active opponents. Using the stakeholders from your demonstration of a stakeholder analysis, ask participants to help you place them on the spectrum based on who they believe would be the most supportive, the least supportive, and in the middle.
- 3. Explain.** Explain to participants that in most social change campaigns it is not necessary and often not possible to win over those strongly opposed to your point of view. Instead, the goal should be to move each group one step towards greater support for your issue. Even this small amount of change is often enough to prevail. By focusing on potential actors throughout the spectrum, advocates can also open up new potential targets and check that their tactics directed towards one group do not negatively impact their standing with another group.
- 4. Create Spectrum.** Ask participants to use the key stakeholders that they identified from the stakeholder analysis and place them where they believe they fit on their own spectrum of allies. Participants can write the names of these stakeholders onto their *Spectrum of Allies* handout or they may choose to create a large spectrum on flip chart paper and use the post-its from their stakeholder analysis to populate the spectrum. Participants may also find that this exercise helps them brainstorm new allies or stakeholders that were not previously included.

Source: Martin Oppenheimer and George Lakey, *A Manual for Direct Action*, Quadrangle Books, 1965

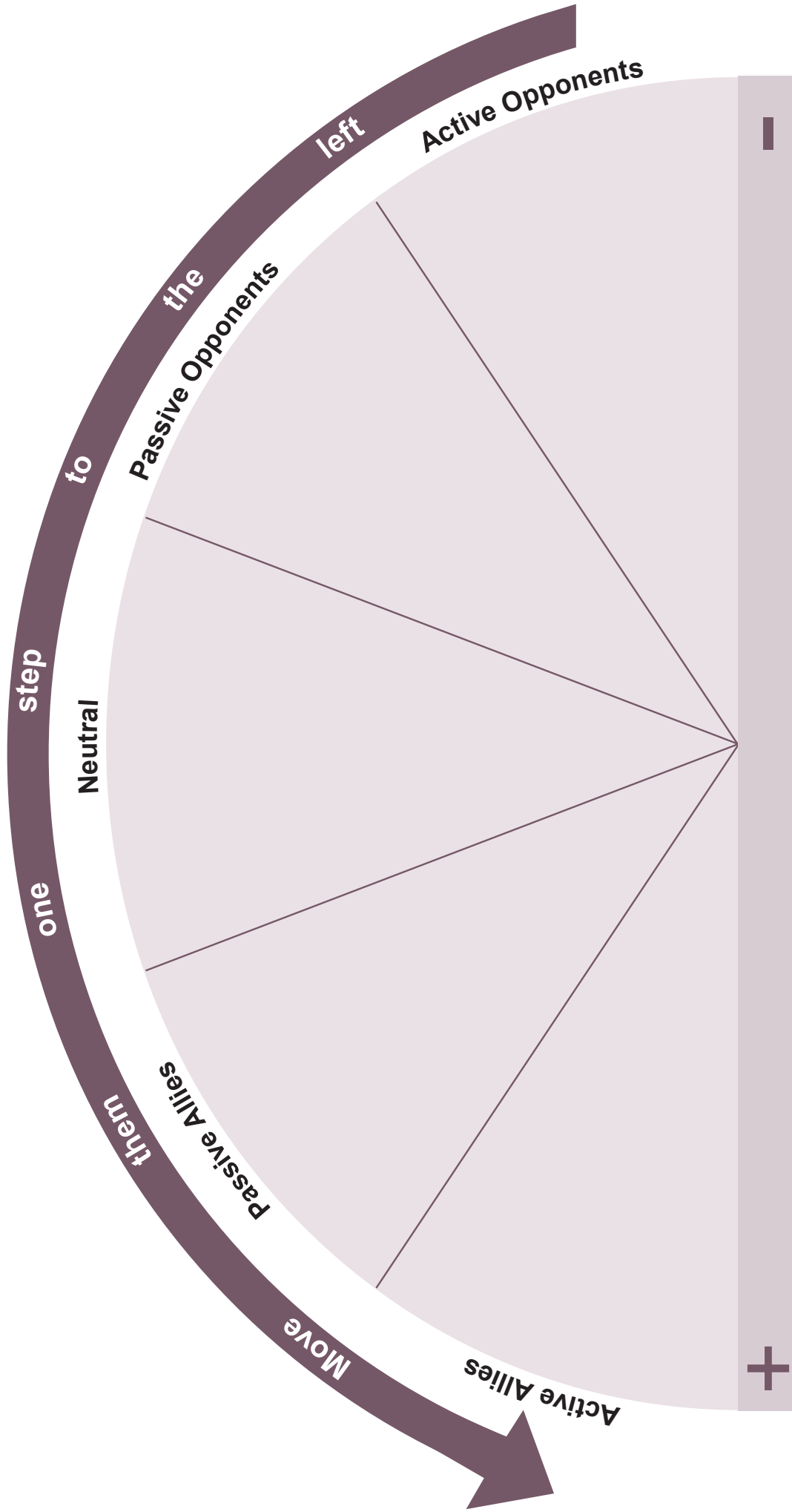


Spectrum of Allies

| | |
|---------------------------------|---|
| <p>ACTIVE ALLIES</p> | <p>Active allies already strongly support you through participation in activities, monetary support, and advocacy on your cause.</p> <p>If your target is an active ally, your goal is to increase their participation and enthusiasm for the cause.</p> |
| <p>PASSIVE ALLIES</p> | <p>Passive allies support your issue but may not prioritize it or may not see a role for them in the movement.</p> <p>If your target is a passive ally, your goal is to encourage them to actively participate and offer them opportunities to do so.</p> |
| <p>NEUTRAL</p> | <p>Neutral individuals do not have a position on your issue, either because they are uninformed of the problem, they do not think it is important, or they are torn between the two sides.</p> <p>If your target is neutral, your goal is to inform them of the issue and its importance, and to reinforce why your cause is justified.</p> |
| <p>PASSIVE OPPONENTS</p> | <p>Passive opponents oppose your issue but either do not prioritize that opposition in their work or see costs to actively opposing you.</p> <p>If your target is a passive opponent, your goal is to provide them with a competing viewpoint that creates doubt about their position and makes your cause less objectionable or to increase the costs of their opposition.</p> |
| <p>ACTIVE OPPONENTS</p> | <p>Active opponents strongly and openly oppose your issue through their own activities and advocacy.</p> <p>If your target is an active opponent, your goal is to make their active opposition more costly, so that withdrawing their open opposition serves their interests better than preventing you from succeeding.</p> |



Spectrum of Allies



Capacity Gap Analysis

Activity

Objective: To uncover the obstacles that prevent stakeholders from fulfilling their own rights or the rights of others and determine how to overcome them

Time: 20-25 minutes

Materials: Handout: *Capacity Gap Analysis Table*

Procedure:

1. **Introduce.** Explain to participants that rights are not realized because rights-holders lack the capacity to claim the right and/or responsible authorities lack the capacity to meet their obligations. A capacity gap analysis can help us uncover those obstacles and come up with ways to overcome them.
2. **Explain Capacity Gap Analysis.** Give each participant Handout: *Capacity Gap Analysis Table*. Go over the example table in the slides or on page 129 of the manual. Use the table to explain the different components of capacity.

Obligation is the legal and moral duty of a rights-holder or responsible authority to do something about the human rights violation and may be found in international law, domestic policies, or even customary practices.

Motivation refers to the will to act or whether an individual recognizes that they *should* do something. It involves acceptance of the legal and moral duty to act.

Authority refers to the legitimacy of an action or whether something *may* be done. Laws, rules, tradition, and culture all determine what is or is not permissible for individuals to do. Authority includes both the legitimacy to act, meaning that the action is legally or socially acceptable, and the power to act, meaning that there are structures in place to ensure that the desired actions or decisions will be implemented by everyone concerned.

Resources refers to the material and intangible things people need to take successful actions or whether they *can* do something. Resources can be classified into three types:

- **Human resources** include the attributes possessed by people that can increase their effectiveness in claiming their rights or meeting their obligations. Numbers of people, amount of time they have available, and their skills, knowledge, and relationships are all included in considering human resources.
- **Organizational resources** include attributes that make organizations able to achieve their goals. Resources include things necessary for a stable organization, including strong management and internal procedures. Organizational resources also include those things that make it effective in its programming, including collaborations, communication capacity, and expertise.
- **Economic resources** include the infrastructure and financial support which allow people to use human and organizational resources, such as money, technology, and physical materials.

(continued on next page)

MODULE 3

Capacity Gap Analysis

(continued from previous page)

3. Capacity Gap Analysis. Ask participants to use the table in Handout: *Capacity Gap Analysis Table* to brainstorm the different capacity gaps for each of the rights-holders and responsible authorities laid out in their Action Plan worksheet. Have each member of the small group choose a different stakeholder to analyze on the worksheet. Have participants ask the following questions:

For the Target Rights-Holder:

- **OBLIGATION:** What could the rights-holders do to help solve the problem?
- **MOTIVATION:** Are the rights-holders aware of the responsible authorities' obligations (regarding the human rights at issue) and do they feel empowered to claim their rights?
- **AUTHORITY:** Is action by the rights-holders socially acceptable? Do the rights-holders have the influence and freedom necessary to compel responsible authorities to act?
- **RESOURCES:** Do the rights-holders have the necessary human, organizational, and financial resources to demand their rights – if not, what's missing?

For the Target Responsible Authorities:

- **OBLIGATION:** What should the responsible authorities do to help solve the problem? What legal standards (if any) define the obligation?
- **MOTIVATION:** Are the responsible authorities aware of their obligations (regarding the human rights at issue) and do they feel a responsibility to meet them?
- **AUTHORITY:** Is action by the responsible authorities socially acceptable? Do the responsible authorities have the power to ensure their decisions will be carried out?
- **RESOURCES:** Do the responsible authorities have the necessary human, organizational, and financial resources to meet their obligations – if not, what's missing?

Give participants 10-15 minutes to fill out their row on the capacity gap analysis. Once they are finished, ask them to share their answers with the other members of the small group. As a group, have them choose one capacity gap area to concentrate on for each rights-holder and responsible authority and transfer those capacity gaps to the appropriate boxes under "Capacity Gaps" on their Action Plan worksheet.



Capacity Gap Analysis Table

| | OBLIGATION | MOTIVATION | AUTHORITY | RESOURCES |
|---------------------------------------|--|--|---|---|
| TARGET RIGHTS-HOLDER | What could the rights-holders do to help solve the problem? | Are the rights-holders aware of the responsible authorities' obligations and do they feel empowered to claim their rights? | Is action by the rights-holders socially acceptable? Do the rights-holders have the influence and freedom necessary to compel responsible authorities to act? | Do the rights-holders have the necessary human, organizational, and financial resources to demand their rights? |
| TARGET RESPONSIBLE AUTHORITY 1 | What should the responsible authorities do to help solve the problem? What legal standards (if any) define the obligation? | Are the responsible authorities aware of their obligations and do they feel a responsibility to meet them? | Is action by the responsible authorities socially acceptable? Do the responsible authorities have the power to ensure their decisions will be carried out? | Do the responsible authorities have the necessary human, organizational, and financial resources to meet their obligations? |
| TARGET RESPONSIBLE AUTHORITY 2 | What should the responsible authorities do to help solve the problem? What legal standards (if any) define the obligation? | Are the responsible authorities aware of their obligations and do they feel a responsibility to meet them? | Is action by the responsible authorities socially acceptable? Do the responsible authorities have the power to ensure their decisions will be carried out? | Do the responsible authorities have the necessary human, organizational, and financial resources to meet their obligations? |
| TARGET RESPONSIBLE AUTHORITY 3 | What should the responsible authorities do to help solve the problem? What legal standards (if any) define the obligation? | Are the responsible authorities aware of their obligations and do they feel a responsibility to meet them? | Is action by the responsible authorities socially acceptable? Do the responsible authorities have the power to ensure their decisions will be carried out? | Do the responsible authorities have the necessary human, organizational, and financial resources to meet their obligations? |

Choose Your Action

Objective: To identify the most effective actions for change and potential allies for each action

Time: 20 minutes

Materials: Handout: *Human Rights Methods*
Flip chart paper, markers

Procedure:

1. **Small Group Work.** During the presentation on human rights methods, have participants brainstorm examples of what those methods might look like in practice, either drawing on real life examples or hypothetical ideas. After the brainstorm, ask participants to return to their small groups. Give each participant Handout: *Human Rights Methods* and have them generate potential actions they could implement to meet their human rights goal. They should choose actions that address their chosen rights-holders and responsible authorities and the specific capacity gaps they may be trying to overcome. Encourage creativity! They should consider the following aspects when choosing actions:

- Their own capacity to act (motivation, authority, and resources)
- Their organization's risk tolerance and the degree of danger associated with the action
- The potential response of the responsible authorities to the action (which may vary depending on where they fall in support for your issue)
- The context in which the action will occur (external factors or events that will influence how stakeholders respond to certain tactics)

When selecting actions for a program, participants should keep the four key human rights strategies in mind to help ensure effective programming: a) targeting efforts toward the root causes of human rights violations leads to sustainable change; b) assisting those most at risk of human rights violations ensures that no one is excluded from social progress; c) working with those who have the responsibility to uphold human rights builds their investment in the solution and its implementation; and d) generating participation from those whose rights are violated helps ensure that solutions are appropriate and fulfill real needs.

2. **Choose Potential Partners.** Let participants know that there may be actions they think are critically important to addressing certain capacity gaps, but that their organization does not have the ability to effectively or fully implement. Even if an organization is capable of implementing an action, they may be more effective if they partner with others. In both cases, they will need to identify potential partners with whom to work. Have participants enter these potential partners in the relevant box on their Action Plan worksheet.

Bullet points above adapted from Center for Victims of Torture – New Tactics in Human Rights Project, “Five Steps to Tactical Innovation - Facilitation Guide,” 19 (see p. 152).



Human Rights Methods

Human rights-based programming uses a wide range of methods to achieve concrete and sustainable results for people seeking their rights. The methods work to get responsible authorities to fulfill their obligations, to support people in claiming their rights, and to build a culture that values human rights for all. The choice of appropriate action depends on the opportunities available, on the rights or issues that are being addressed, and on the organization's mandate and expertise. In many cases, multiple methods will be used in combination to achieve the desired results.

For example, to combat domestic violence against immigrant women, an organization may advocate for changes in legislation, train social workers and law enforcement personnel in protection methods, and provide assistance to battered immigrant women to help them overcome barriers to obtaining protection and services. Through these actions, this organization would be employing the **law and policy reform**, **capacity building & training**, and **direct service** methods of a human rights approach.

Actions used in human rights-based programming typically fall into the following categories:

Capacity Building & Training: Increasing the ability of rights-holders to claim their rights and responsible authorities to fulfill their obligations by providing them with appropriate tools, resources, and skills.

Examples include:

- Providing training for community members on advocacy tactics.
- Creating an easy-to-use toolkit on monitoring that community members can use to evaluate an issue and file complaints.
- Providing non-discrimination training to organizations, corporations, or schools.
- Conducting a human rights-based approach training for members of the community.



Border Action Network realized that many national advocacy campaigns assume people have access to technology, so they developed a three-part curriculum on using various forms of technology for advocacy and provided community trainers with computers so they could demonstrate how to use them.

Education: Promoting, raising awareness of and fostering support for human rights standards and values through schools, the media, and public outreach.

Examples include:

- Offering civic education training that will introduce rights-holders to international human rights standards and help them understand the legal system.
- Creating a website with accurate information on a human rights issue.
- Tabling at events to distribute educational human rights materials.
- Screening an educational film and having a panel discussion about a human rights issue.
- Creating an informative newsletter that discusses the latest news on a human rights issue.



St. Stephen's Human Services developed an educational workshop called "A Day in the Life" led by trained educators who have experienced homelessness. Participants learn about the human rights issues affecting people living without permanent shelter.



Monitoring and Documentation: Collecting, verifying, and reporting information on compliance with human rights standards.

Examples include:

- Gathering data and writing a report on an ongoing human rights violation in the community.
- Starting watch programs for various government bodies such as courts, prisons, or elections to make sure that everyone is being granted their rights.
- Writing and submitting a shadow report to a UN treaty-monitoring body.
- Collecting testimonies from people affected by a human rights violation for presentation to government officials and the public.



The Centre on Housing Rights and Evictions - USA co-led a fact-finding mission to New Orleans for UN-HABITAT. COHRE documented the impact of the rebuilding process following Hurricane Katrina on low-income individuals and communities of color. The report revealed that the process favored private sector interests over the needs of local residents.

Law and Policy Reform: Advocating for changes in governmental budgets, policies, and laws to increase compliance with human rights standards.

Examples include:

- Questioning political candidates about human rights issues.
- Meeting with a state official to talk about current policies and changes that can be made.
- Organizing a petition drive in which constituents demand laws that better protect human rights.
- Creating a website that allows members of the community to submit concerns to government officials.
- Advocating for new laws to protect human rights.



The Advocates for Human Rights worked with the Minnesota Trafficking Task Force to draft a bill to prosecute those who sell human beings for sex and provide a stronger tool for those enforcing the law, connecting domestic legal protection with international human rights standards. The bill became law on May 21, 2009.

Strengthening Governance Structures: Creating or improving mechanisms that connect community members, civil society, businesses, and government in order to improve communication and accountability.

Examples include:

- Providing training to a state human rights commission to improve state response to citizen complaints.
- Helping run a community consultation body around a particular issue where constituents can interact with government officials in addressing a specific human rights concern.
- Creating a community policing initiative that draws on neighborhood knowledge to provide support to local law enforcement.



To fight the below-poverty wages of Florida's farm workers, the Coalition for Immokalee Workers began the Campaign for Fair Food. After years of protests, Taco Bell agreed to CIW's demands and created an investigative body that includes CIW members, which monitors worker complaints to ensure fair wages and safe working conditions.

Dimensions of Change

Objectives: To evaluate how well the chosen actions advance long-term human rights goals and to give participants a chance to share their action plans with the large group

Time: 25 minutes

Materials: Handout: *Dimensions of Change*

Procedure:

- 1. Evaluate.** Have each small group take about 7 minutes to look over the “potential actions” on their *Action Plan Worksheet*. Ask them to go through each action and evaluate how well their plan measures up to the “Dimensions of Change.” Give each participant Handout: *Dimensions of Change* and have them answer the following questions:
 - Will the activities help people to live lives more filled with dignity, freedom, equality, justice, and peace?
 - Will the activities help change laws, policies, or practices to allow people to live safer and more secure lives?
 - Will the activities overcome historical discrimination or other systemic inequality?
 - Will the activities promote accountability for human rights?
 - Will the activities eliminate barriers to people’s active participation in decision-making, leadership, and other processes?
- 2. Choose Action to Present.** Next, have each small group choose one of their potential actions to share with the group. Ask them to choose one they are particularly excited about or one that did particularly well at fulfilling the “Dimensions of Change.” Ask participants to answer the following questions in their presentations:
 - What is the ultimate human rights goal your group came up with?
 - What action did you choose?
 - Who does your chosen action target?
 - How does this action work towards your human rights goal?
 - Who are your potential allies?
 - Why do you believe your action plan will be effective?
- 2. Share.** Give each group 3 minutes to share their action plan idea with the group.

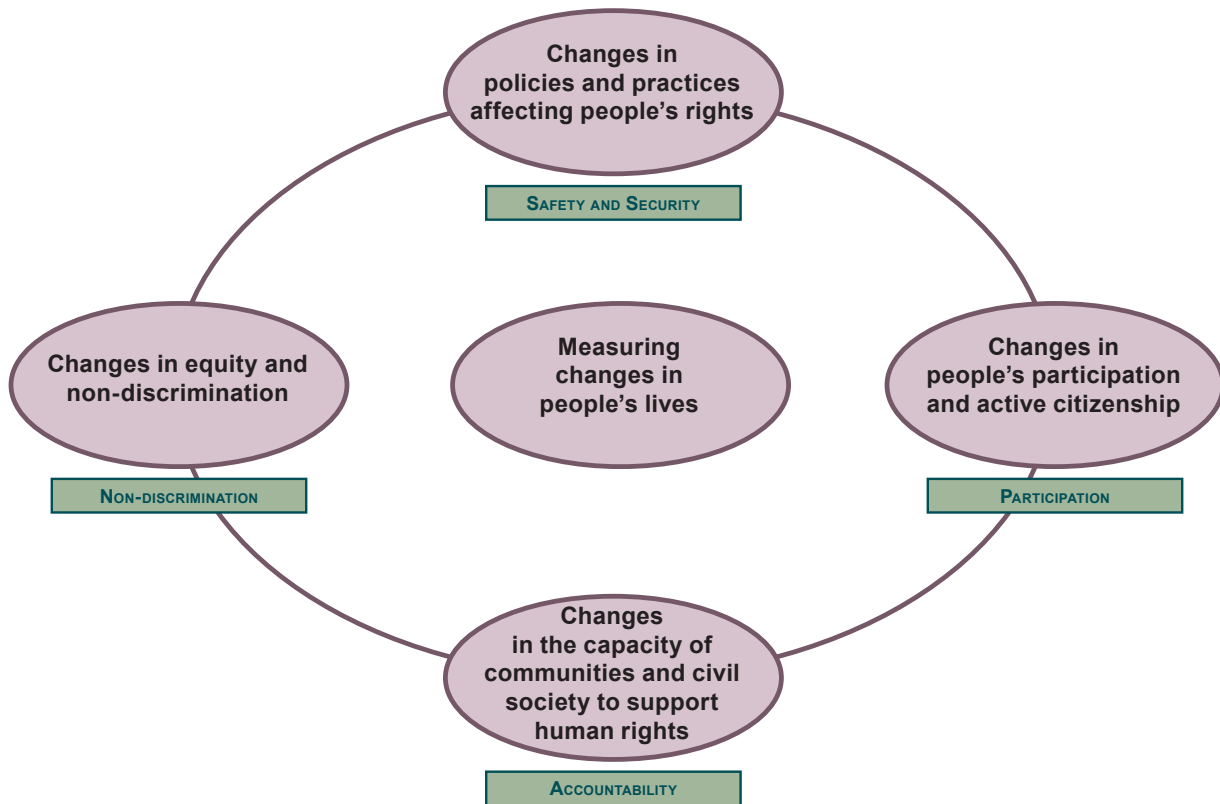
Questions adapted from Joachim Theis, *Promoting Rights-Based Approaches: Experiences and Ideas from Asia and the Pacific*, 95-96 (see p. 152).



Dimensions of Change

When developing action plans, it can be easy to lose sight of the big picture. Ultimately your actions, although they may themselves be specific, measurable, and time-bound, should focus on achieving the overall long-term human rights goal of bringing about positive changes in peoples lives. Short-term actions should be consistent with this long-term human rights goal, and should work to create the social, economic, political, or cultural change needed.

To help you ensure your actions are embedded in a human rights approach, evaluate your action plan based on the “Dimensions of Change” illustrated in the graphic below. These dimensions of change reflect the core principles of a human rights approach: safety and security, non-discrimination, accountability, and participation. By using these indicators, organizations can evaluate whether their activities are making progress towards their identified human rights goal.



Go through each of the “potential actions” in your Action Plan Worksheet and ask yourself the following questions based on the “Dimensions of Change”:

1. **Changes in the lives of your target population.** Will the activities help people to live lives more filled with dignity, freedom, equality, justice, and peace?
2. **Changes in laws, policies, and practices affecting people's human rights.** Will the activities help change laws, policies, or practices to allow people to live safer and more secure lives?
3. **Changes in equity and non-discrimination for target population.** Will the activities overcome historical discrimination or other systemic inequality?
4. **Changes in capacity of government and civil society to support human rights.** Will the activities promote accountability for human rights?
5. **Changes in people's participation and active citizenship.** Will the activities eliminate barriers to people's active participation in decision-making, leadership, and other processes?

Facing the Critics

| | |
|-------------------|--|
| Objective: | To learn to answer questions about the benefits of implementing a human rights approach |
| Time: | 20 minutes |
| Materials: | Handout: <i>Facing the Critics - Frequently Asked Questions</i> Flip-chart paper, markers |

Procedure:

- 1. Brainstorm.** As a large group, have participants brainstorm some of the questions that people might have within their organizations about implementing a human rights approach. These can be things that everyone might confront, or something specific to their work. Write their ideas up on the board or flip chart so they are easy to read. If you don't have a lot of time, you can use the prepared examples already written (see Handout: *Facing the Critics - Frequently Asked Questions*).
- 2. Role Play.** Explain the following roles and directions to everyone.
 - **Facilitator.** As the facilitator, take on the role of a hesitant member of an organization being asked to start implementing this new approach. Use the examples given by the participants in the brainstorm or use the prepared examples given in the Handout: *Facing the Critics - Frequently Asked Questions* to ask general questions about implementing a human rights approach.
 - **Participants.** The participant's role is to be someone who has just attended this training, and is full of great ideas and information. Each participant will take a turn responding to one of the questions the facilitator asks with explanations and examples from the training. This will be an interactive tag-team effort, so if a participant is having a hard time with a particular question and another participant can help them, they should switch places.

Set up two chairs, one facing the other. As the facilitator, sit in one of the chairs and ask for a volunteer to sit opposite you to get the game started. Try to go through enough examples so that everyone is able to tag in at least one.

- 3. Explain.** Participants have now gotten a sense of the common questions they might face in trying to promote this new approach and the ways they can answer them with solid arguments and examples. Participants also should recognize that everyone in this training is a resource to help them in the future. If they are stuck or have a challenge they are finding it difficult to overcome, they can turn to the trainers and other participants for ideas.



Facing the Critics

Frequently Asked Questions

Can human rights produce real change?

- ✓ A human rights approach has resulted in real change. The U.S. civil rights movement in the 1960s was founded on right-based claims and resulted in major advancements for racial equality; rights-based claims to due process, equal protection, and the rule of law provided avenues for the women's suffrage movement to successfully gain the right to vote.
- ✓ International human rights law has provided a high-profile way to put pressure on countries to obey treaty obligations and respect human rights. Because even chronic human rights violators refuse to do away with human rights completely and attempt to defend their human rights records, it signifies human rights records are indicators of international credibility and can be used to pressure governments.
- ✓ While the world is still rife with human rights violations, much has changed since the creation of the modern human rights framework. Throughout the 20th century, the world community stood by while national leaders committed genocide. Today, leaders who commit gross human rights violations face travel sanctions, frozen assets, and international criminal indictment. While impunity for human rights violations remains a problem, this represents a monumental step toward protection of human rights.

Why do we need human rights when we have the Constitution and Bill of Rights?

- ✓ Although our Constitution and the Bill of Rights establish and protect national civil and political rights, the Constitution and the Bill of Rights do not go far enough to ensure all people live with dignity and can access the full range of human rights.
- ✓ International human rights establish norms that transcend borders through the legal consent of governments.
- ✓ International human rights documents detail rights the United States has not yet recognized.
- ✓ The United States tends to emphasize civil and political freedoms more than economic social and cultural rights (ESCR). Statutes provide some remedies for economic, social, and cultural problems, but without recognizing them as rights. This allows people to be excluded from eligibility and denied their right to live with dignity.

What is the value added of using the concept of human rights when we are already familiar with frames like racial justice, civil rights, and equal rights?

- ✓ **Global View:** Human rights is the universal framework under which all of these concepts operate. Human rights transcends racial and ethnic boundaries, ensuring that no one group is treated as being more deserving and all people have access to the same rights. For example, the National Economic and Social Rights Initiative (NESRI) used a human rights approach to address discrimination within the California public school system and unite impacted families across racial and economic lines.
- ✓ **Participation and Accountability:** A human rights approach requires participation of the relevant stakeholders and accountability for how services are carried out and how they can be improved.
- ✓ **Sustainability:** A human rights approach builds the capacity of the relevant stakeholders to not only advocate for their own needs and carry out their own duties, but to cooperate and negotiate with others to achieve social cohesion.



Are international human rights standards enforceable?

- ✓ Many international standards are enforceable in the United States. When the U.S. Congress implements them into domestic law, victims can claim their rights through legal enforcement mechanisms, such as the courts. For example, the current U.S. asylum system reflects the ratification of the 1951 Convention/1967 Protocol relating to the Status of Refugees as implemented by the 1980 Refugee Act. Some international human rights standards, however, are not reflected in U.S. domestic law such as the right to an adequate standard of living, which includes a right to housing and health care.
- ✓ Several UN bodies enforce international human rights standards. The UN Security Council can impose sanctions or even authorize humanitarian intervention to stop human rights violations. The International Court of Justice provides governments with an impartial body for settling legal disputes while international criminal courts and tribunals try individuals who have committed serious war crimes, bringing justice, promoting peace, and deterring future human rights violations.

How do we encourage government officials and policy makers to be receptive to human rights?

- ✓ The core principles of human rights - justice, equality, fair treatment, non-discrimination - often resonate well with policy makers.
- ✓ The human rights framework can provide policy makers with the “why” to support or oppose a policy. For example, citing the state’s obligation to ensure that everyone lives with safety and security can be effective when arguing in support of government funding for domestic violence shelters.

What are ways to measure outcomes under a human rights approach?

- ✓ Some outcomes are very easy to measure, such as adoption of a new law or modification of a policy to meet a human rights obligation.
- ✓ Though it is often difficult to design metrics that can gauge human rights advancement, a number of evaluative tools, including surveys and statistical studies, have been developed to measure the effectiveness of human rights work.
- ✓ Through human rights monitoring reports submitted to the UN by individual countries and NGOs, efforts are made each year to measure how well human rights obligations are being upheld using criteria established by international human rights law.
- ✓ Not all outcomes are measurable immediately because the human rights approach focuses on long-term systems change.

What is the best way to relate human rights to people’s real lives?

- ✓ Human rights concepts can be very basic; for example, the claim that everyone has the right to the minimum necessities for survival, like food, water, and shelter, is easy to understand. Other basic claims include equality of treatment, such as racial equality and freedom from religious discrimination, that are easily linked to people’s lived experiences.
- ✓ In order to help your community understand human rights concepts, show them how their daily lives are affected by providing them with everyday examples, such as local news stories.
- ✓ When building coalitions within the wider community, articulate goals that are achievable and understandable to the constituency you are trying to recruit.



Does a human rights approach promote dependency?

- ✓ The human rights approach is not about giving. It focuses on eliminating barriers to people claiming rights for themselves and achieving self-sufficiency.
- ✓ Human rights establishes a system of both rights and responsibilities. All individuals, civil society, businesses, and other institutions have the responsibility to respect the human rights of other people and work to secure their fulfillment.
- ✓ Under a rights-based paradigm, people are entitled to the basic things that they need to survive: food, water, shelter. But human rights are not to be confused with charity or dependence; human rights are about creating the conditions under which people have a minimum standard of living and the freedom to improve on it. It involves empowering people to help themselves.

If we follow human rights standards that are determined internationally, can we still be responsive to local needs?

- ✓ Human rights standards reflect universal human needs, but these needs are often met on a local level in a way that responds to local realities.
- ✓ Human rights standards can be adapted to local contexts; they are meant to provide goals and broad guidelines for achieving those goals.

Aren't human rights violations only serious things like genocide or war crimes and not foreclosures or lack of health insurance?

- ✓ Human rights violations interfere with fundamental freedoms and basic human dignity. Human rights address crimes against humanity, but also other violations that also lead to oppression, physical and mental harm, and even death, such as denying the right to housing or the right to the highest attainable standard of health.
- ✓ There is no hierarchy among human rights. All human rights are interdependent and interconnected. The violation of one right that perhaps seems less important can prevent the enjoyment of other rights.

Isn't the human rights framework a western construct?

- ✓ All 193 member-States of the United Nations have agreed to the UN Charter and Universal Declaration of Human Rights. Additionally, passing human rights treaties is a consensual process between member countries around the world. Thus, human rights are representative of the greater international community, not just Western countries.
- ✓ Often the people making this argument are in a position of privilege in their society and do not represent the views of those whose rights are being violated. Human rights are neither representative of, nor oriented towards, one culture to the exclusion of others.
- ✓ Numerous diverse cultures and traditions across the globe, such as certain strains of Buddhism, Hinduism, and Islam, subscribe to ideas about freedom and tolerance that are part of modern human rights. Many great human rights leaders, such as Mohandas Gandhi, Nelson Mandela, and Liu Xiaobo, have emerged from non-western cultures.

**Aren't human rights too political to be effective?**

- ✓ Human rights in the United States has inevitably involved politics, but it is not the exclusive purview of any political party or ideology; it is about creating the conditions under which human society can thrive harmoniously, free from fear or want.
- ✓ Human rights does not require that governments use a particular mechanism to secure people's basic rights. Instead, it is concerned with the outcome - can all people enjoy the full spectrum of human rights?

Aren't human rights primarily intended for other countries?

- ✓ Human rights are for all countries, including the United States. The United States has ratified several human rights treaties and implemented them into law, like the International Covenant on Civil and Political Rights, and the Convention against Torture. Successful legal arguments using international treaties have been made in U.S. courts.
- ✓ The United States still faces numerous human rights issues, such as the rights of non-citizens (e.g., the immigration issue), the right to adequate health (e.g., the enormous costs of health care), and racial discrimination (e.g., racial profiling in law enforcement). Human rights standards can guide our work on these issues.

Will adopting a human rights approach cost us too much money?

- ✓ You are probably already doing human rights-focused work. Adopting a human rights approach is often more a matter of reframing your thinking and refocusing your strategies.
- ✓ It is possible to realize human rights when resources are limited, by setting clear, targeted priorities that focus on positive, long-term change in people's lives.
- ✓ Human rights are multifaceted and dynamic which can help you to identify allies and combine resources and skills.
- ✓ Implementing a human rights approach can open up new funding streams, which can solve budget concerns and alleviate ongoing staff and resource limitations.

Closing Activity

Objective: To give participants a chance to reflect on what they have learned and accomplished during the training

Time: 15 minutes

Materials: Handout: *Head, Heart, Feet*
Handout: *Evaluation*
Stones (enough for each participant)

Procedure:

1. **Personal Reflection.** Give each participant Handout: *Head, Heart, Feet*. Ask them to reflect upon what they have learned and accomplished in the workshop. Explain each of the different areas you are asking the participants to reflect upon:

- **Head:** New ideas, concepts, facts, information, analysis. How do you think differently?
- **Heart:** Feelings, discoveries about self, changes in values or beliefs. How do you feel differently?
- **Feet:** New skills, things you will do differently, ways in which what you learned will change how you act in the future. What action steps will you take?

Allow participants 5-10 minutes to quietly reflect on the training.

2. **Share.** Ask participants to form a circle. Pass a bowl of stones around the room and ask each participant to pick one stone out of the bowl. Read participants the following quote:

“The person who moves a mountain begins by carrying away small stones.”

Ask participants to think about what their “social justice” or “human rights” mountain is. Ask them to share with the group one “pebble” of information they are going to take away from this training that is going to help them to start moving that mountain.

Let each participant know they can keep their stone as a reminder of the new connections they have made and the ideas they will take away from the training.

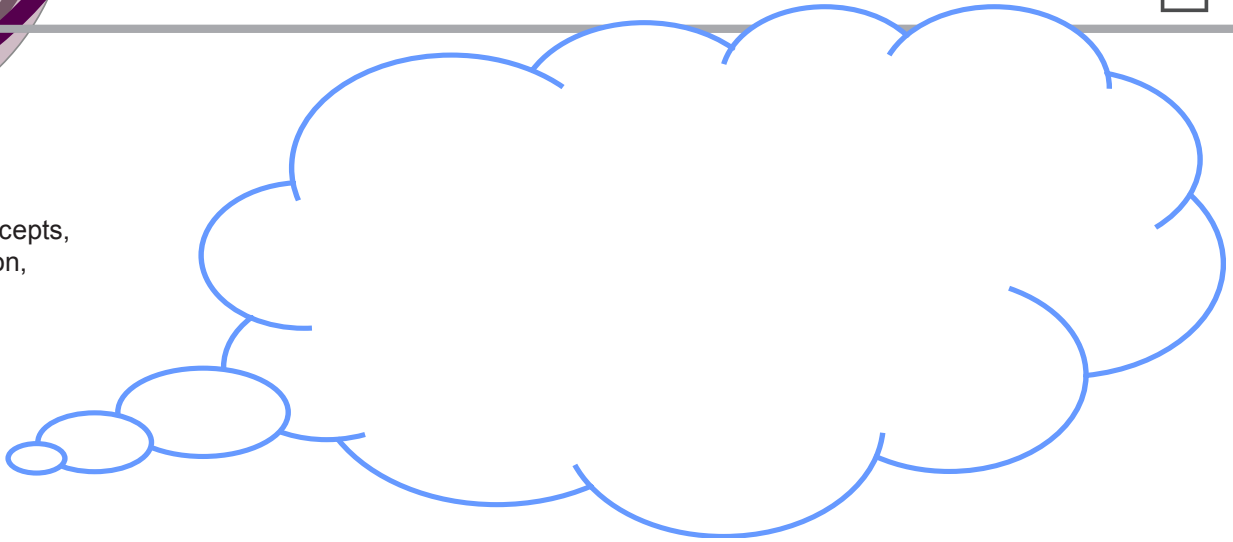
3. **Evaluate.** Use the last 5-10 minutes to get feedback from the participants on what went well and what could be improved in the training. There are numerous ways to conduct an evaluation. One option is to use the evaluation handout in this activity.

Adapted from Rick Arnold, Bev Burke, Carl James, D’Arcy Martin, and Barb Thomas, “Head, heart, feet” in *Educating for a change* (Toronto: Doris Marshall Institute for Education and Action and Between the Lines, 1991), <http://www.eric.ed.gov/PDFS/ED336628.pdf> (accessed July 7, 2011).



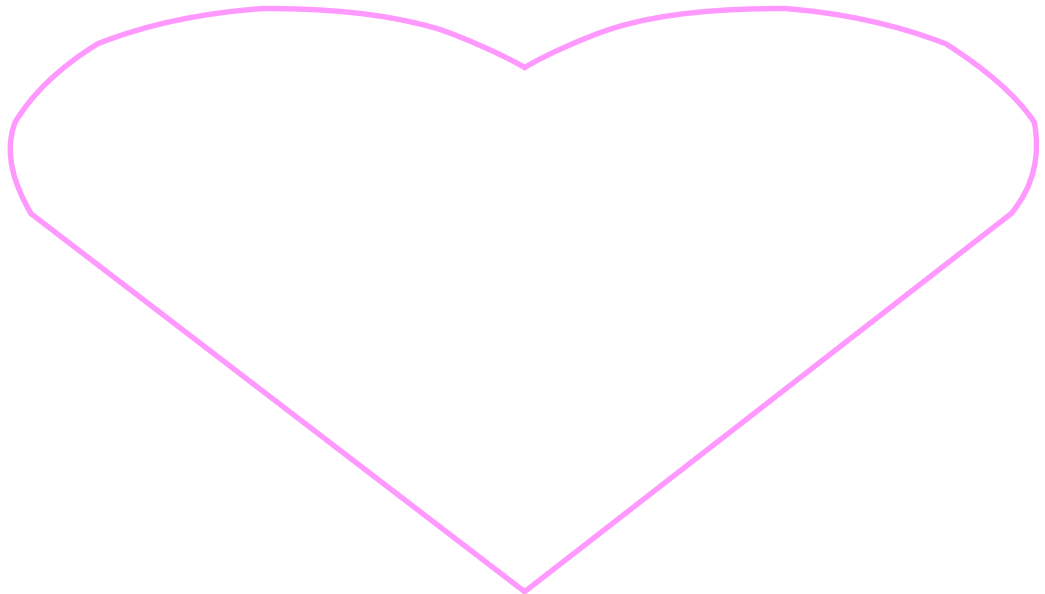
Head:

New ideas, concepts, facts, information, analysis.
How do I think differently?



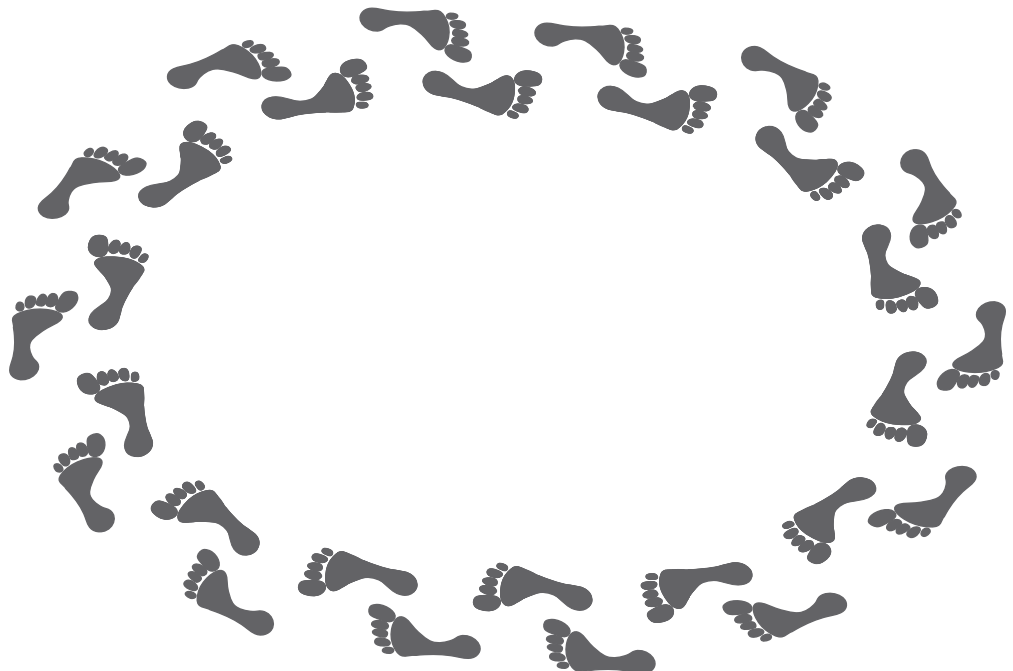
Heart:

Feelings, discoveries about self, changes in values or beliefs.
How do I feel differently?



Feet:

New skills, things I will do differently, ways in which what I learned will change how I act in the future.
What action steps will I take?



DATE:
LOCATION:
FACILITATOR(S):

1. Please rate the quality of the event:

| | Excellent | Good | Fair | Poor | N/A |
|--------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Length | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Content | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Delivery | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Audio/Visual | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Handouts | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. If you rated anything POOR or FAIR, please explain your rating:

3. Please rate your facilitators:

| | Excellent | Good | Fair | Poor |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| Ability to explain clearly and summarize discussions | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ability to encourage participation of group members during activities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ability to show connections among different concepts. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

4. If you rated anything POOR or FAIR, please explain your rating:

5. Please rate the training activities:

| | Strongly Agree | Agree | Disagree | Strongly Disagree |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| The activities were effective in developing an understanding of a human rights approach | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| The combination of lecture, small/large group activities, and individual reflection was appropriate. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

PLEASE CONTINUE ON BACK...



6. The best thing about the training was:

7. If I could change something about the training, it would be:

8. What part of the training was most useful for your work or community?

9. What will you do as a result of the training?

- Nothing
- Talk to others about a human rights approach
- Seek out more information on a human rights approach
- Apply a human rights approach in my work and/or community
- Find ways to take action, such as _____
- Other (please describe) _____

10. Additional comments:

11. Gender: M F Transgender

12. Age: _____

13. Were you born in the U.S.?
 Yes No

14. Occupation: _____

15. Ethnic/Racial background
 (please check all that apply):

- ____ African
- ____ African American/Black
- ____ American Indian/Alaska Native
- ____ Arab/Middle Eastern
- ____ Asian/Pacific Islander
- ____ Latino/Hispanic
- ____ White
- ____ Other (please specify): _____

We collect demographic information as part of an effort to ensure that we are reaching the widest possible audience for our work.

Thank you for completing the evaluation!
 Please return this survey to one of the facilitators.

inalienable COMMITMENT social **EVERYONE**
 BELIEF *fundamental* discrimination BELONG
 REMEDY P *property* **SPEECH** EDUCATION *asylum* **GUARANTEED**
 e *economic* **REMEDY** *SLAVERY* **INDIVISIBLE** respect **LAW** TORTURE
 c *PRIVACY* **HUMAN** CIVIL **ADVOCATE** W *fulfill* **state** **environment** **FAIR**
 e *economic* **development** **TRUTH** REFUGEE **DECLARATION** **international**
protection **participation** HOUSING **WORK** **environment**
GLOBAL **QUALITY** NATIONALITY **freedom** **international**
COMMUNITY SECURITY marriage LIBERTY
 MOVEMENT **RIGHTS** **responsibilities** **HEALTH** **ACCESSIBLE** **JUSTICE**
 SOCIETY **RELIGION** **government**
OPPRESSION **FOOD** **UNIVERSAL** **Y** **INDIGENOUS**
 LIFE political **opportunity** **HEALTH** **ACCESSIBLE**
cultural **FOOD** **UNIVERSAL** **Y** **INDIGENOUS**



For more information, please visit

www.TheAdvocatesforHumanRights.org