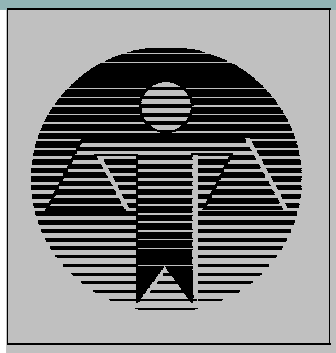
Human Rights Monitoring and Advocacy

National Workshop for NGOs

April 25 – May 1, 2002
Makassar, Indonesia



Canadian Human Rights Foundation

Canadian Human Rights Foundation
1425, René-Lévesque blvd.
Suite 407
Montréal, Québec
Canada
H3G 1T7

Tel. : (514) 954-0382
Fax. : (514) 954-0659
E-mail : chrf@chrf.ca
Web site: http://www.chrf.ca

© 2002 Canadian Human Rights Foundation.

All rights reserved.

All portions of these manuals may be reproduced by any non-governmental organization or people's organization for use in human rights education, provided acknowledgement of the sources and notification of such use to the Canadian Human Rights Foundation is given.

The opinions expressed in this publication are those of the authors and do not represent the opinions or positions of the funding agencies that contributed to the design, development and implementation of this project.

Acknowledgements

The Canadian Human Rights Foundation (CHRF) is indebted to all those who have dedicated their time and expertise to the preparation of this training manual. Our gratitude goes to our local staff, partners and allies who provided human resources, technical and other forms of assistance to help ensure the translation, printing and distribution of this training manual:

- Inggrid Silitonga
- Lelimara Katipana
- Mike Prentice
- Yudha Yunus
- Idaman Andarmosoko
- Christine Joseph
- Herizal

In addition, the workshop would not have been possible without the strong support and efforts of our local partner, friends and allies and the wonderful people of Makassar, South Sulawesi.

This project was realized thanks to the support offered by the Canadian International Development Agency (CIDA).

The following Curriculum Development Team developed this training manual:

Montreal staff:

- Vincenza Nazzari
- Ian Hamilton
- Paul McAdams
- Kevin Chin
- Sammy Gamboa

Indonesia Monitoring Team:

- Hendy Lukito
- Bambang T. Dahana
- Atikah Nur Ardani
- Sentot Setyosiswanto
- Saleh Abdullah

Table of Contents

Introduction v

Workshop Schedule vii

Opening Session: Human Rights Challenges in Indonesia 2

ACTIVITY 1 REGISTRATION 3
ACTIVITY 2 OPENING REMARKS 3
ACTIVITY 3 PRESENTATION: GLOBALIZATION AND ITS IMPACT ON HUMAN RIGHTS 4
ACTIVITY 4 PRESENTATION: ESC RIGHTS 5
ACTIVITY 5 PRESENTATION: HUMAN RIGHTS TRENDS AND PROSPECTS IN INDONESIA 6
ACTIVITY 6 PRESENTATION: HUMAN RIGHTS MOVEMENTS IN INDONESIA 7

Session 1: Getting Started 8

ACTIVITY 1 INTRODUCTIONS AND EXPECTATIONS 9
ACTIVITY 2 PROGRAM OVERVIEW 11

Session 2: Profiles from the Regions 12

ACTIVITY 1 REGIONAL REPORTS – THE HUMAN RIGHTS SITUATION IN INDONESIA 13

Session 3: A Framework for Human Rights Monitoring and Advocacy 16

ACTIVITY 1 WHAT IS MONITORING? 17
ACTIVITY 2 THE MONITORING PROCESS 18
ACTIVITY 3 PRESENTATION: BUILDING A FRAMEWORK FOR HUMAN RIGHTS MONITORING AND ADVOCACY 26
ACTIVITY 4 IDENTIFYING A FOCUS: EXAMINING INDONESIAN EXPERIENCES 29
ACTIVITY 5 A PLAN FOR HUMAN RIGHTS MONITORING – THE FOCUS 30

ACTIVITY 6 ANALYSING REGIONAL STRENGTHS AND WEAKNESSES 35
ACTIVITY 7 WHAT IS MEANT BY A RIGHTS-BASED APPROACH? 37

Session 4: Investigation of ESC Rights Violations: a Rights-Based Approach 44

ACTIVITY 1 PRESENTATION: BASIC CONCEPTS OF ESC RIGHTS 45
ACTIVITY 2 ESC RIGHTS CASE STUDY – WORKING WITH INTERNATIONAL INSTRUMENTS 46
ACTIVITY 3 PRESENTATION: FACT-FINDING BASICS 51
ACTIVITY 4 INVESTIGATION: PLANNING A FACT-FINDING MISSION AND FOLLOW-UP 55

Session 5: Documenting Human Rights Violations 60

ACTIVITY 1 BASIC PRINCIPLES OF DOCUMENTATION 61
ACTIVITY 2 PRESENTATION: DOCUMENTATION TOOLS 68
ACTIVITY 3 CREATING AND MAINTAINING A DOCUMENTATION SYSTEM FOR HR VIOLATIONS 69
ACTIVITY 4 FROM MONITORING TO REPORTING 71

Session 6: Working with the Media 73

ACTIVITY 1 BUILDING NETWORKS AND ALLIANCES FOR ADVOCACY 74
ACTIVITY 2 MEDIA RELATIONS: ASSESSING THE CURRENT SITUATION 75
ACTIVITY 3 IDENTIFYING BEST PRACTICES – THE PRESS RELEASE 77
ACTIVITY 4 THE PRESS RELEASE GALLERY 79
ACTIVITY 5 PRESS CONFERENCE SIMULATION 81

Session 7: Press Conference and Plan of Action 87

ACTIVITY 1 PRESS CONFERENCE 88
ACTIVITY 2 EVALUATION OF THE PRESS CONFERENCE 89
ACTIVITY 3 PRESENTATIONS OF REGIONAL PLANS OF ACTION 90
ACTIVITY 4 WORKSHOP EVALUATION 91

Introduction

This workshop is designed to further strengthen the capacity of participants to support the planning, implementation and evaluation of monitoring and advocacy initiatives in their respective regions in Indonesia.

Workshop objectives:

- To review the role of and connections between human rights advocacy and monitoring in Indonesia.
- To review the principles and process of human rights monitoring and advocacy.
- To deepen selected monitoring and advocacy skills: human rights analysis, fact-finding, reporting, simple documentation, lobbying, and media relations.
- To support the development of advocacy and monitoring initiatives in each of the eight regions.
- To examine the roles of CHRF, facilitators, resource people and other stakeholders (e.g. data-processing groups) in supporting regional monitoring and advocacy initiatives.

Workshop Schedule

Day / Time	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7
Morning	Opening Session: Human Rights Challenges in Indonesia	Session 1: Getting Started Session 2: Profiles from the Regions	Session 3: A Framework for Human Rights Monitoring and Advocacy	Session 4: Investigation of ESC Rights Violations: a Rights-Based Approach	Session 5: Documenting Human Rights Violations	Session 6: Working with the Media	Session 7: Press Conference and Plan of Action
Lunch							
Afternoon	Opening Session: Human Rights Challenges in Indonesia Session 1: Getting Started	Session 2: Profiles from the Regions Session 3: A Framework for Human Rights Monitoring and Advocacy	Session 3: A Framework for Human Rights Monitoring and Advocacy	Session 4: Investigation of ESC Rights Violations: a Rights-Based Approach	Session 5: Documenting Human Rights Violations	Session 6: Working with the Media	Session 7: Press Conference and Plan of Action
Dinner							
Evening	Dinner and Welcome Party	Regional meetings for the Plan of Action	Regional meetings for the Plan of Action	Regional meetings for the Plan of Action	Regional meetings for the Plan of Action	Regional meetings for the Plan of Action	Closing Session and Farewell Party

Day 1

Thursday, April 25

Opening Session: Human Rights Challenges in Indonesia

Session 1: Getting Started

Time	*Activity*
09.00 – 09.30	*Registration*
09.30 – 10.00	*Opening Remarks*
10.00 – 10.15	*Break*
10.15 – 12.00	*Presentation: Globalization and its Impact on Human Rights*
12.00 – 13.00	*Lunch*
13.00 – 14.30	*Presentation: ESC Rights*
14.30 – 14.45	*Break*
14.45 – 16.15	*Presentation: Human Rights Trends and Prospects in Indonesia*
16.15 – 17.45	*Presentation: Human Rights Movements in Indonesia*
18.00 – 21.00	*Dinner, Welcome Party, Introductions, and Expectations*

Opening Session: Human Rights Challenges in Indonesia

Objective	• To develop an appreciation for the current issues and trends of human rights in Indonesia and analyse the impact of globalization on these issues and trends.	
Time	1 day	
Activities	1. Registration	30 min
	2. Opening Remarks	30 min
	3. Presentation: Globalization and its Impact on Human Rights	1 hr 45 min
	4. Presentation: ESC Rights	1 hr 30 min
	5. Presentation: Human Rights Trends and Prospects in Indonesia	1 hr 30 min
	6. Presentation: Human Rights Movements in Indonesia	1 hr 30 min

Activities

Opening Session

Activity 1 Registration

Time	30 min
Description	All participants will register for the workshop.

End of Activity ●

Opening Session

Activity 2 Opening Remarks

Time	30 min
Description	There will be welcome remarks from the workshop organizers and sponsors.

End of Activity ●

Opening Session

Activity 3 Presentation: Globalization and its Impact on Human Rights

Time

1 hr 45 min

Description

Part A Presentation (30 min)
The aim of this presentation is to provide participants with an overview of the impact of globalization on the human rights situation in Indonesia.

Part B Open Forum (1 hr)
There will be an Open Forum to address how the issues raised will affect the work of the human rights movement.

Notes

End of Activity ●

Opening Session

Activity 4 Presentation: ESC Rights

Time

1 hr 30 min

Description

Part A Presentation (30 min)
The resource person will give a presentation on economic, social, and cultural rights.

Part B Open Forum (1 hr 15 min)
There will be an Open Forum to address how the issues raised will affect the work of the human rights movement.

Notes

End of Activity ●

Opening Session

Activity 5 Presentation: Human Rights Trends and Prospects in Indonesia

Time

1 hr 30 min

Description

Part A Presentation (30 min)
The aim of this presentation is to strengthen the participants' knowledge of the economic, social, cultural, and political factors contributing to the human rights situation in Indonesia.

The presenter will provide participants with an overview of the current trends and prospects of human rights in Indonesia. The presenter will also examine the causes of human rights violations and some of the current initiatives to promote and protect human rights.

Part B Open Forum (1 hr 15 min)
There will be an Open Forum to address how the issues raised will affect the work of the human rights movement.

Notes

End of Activity ●

Opening Session

Activity 6 Presentation: Human Rights Movements in Indonesia

Time

1 hr 30 min

Description

Part A Presentation (30 min)
The aim of this presentation is to provide participants with an overview of the human rights movements present in Indonesia and the impact of these movements on the reduction of human rights violations.

Part B Open Forum (1 hr)
There will be an Open Forum to address how the issues raised will affect the work of the human rights movement.

Notes

End of Activity ●

Session 1:
Getting Started

Objectives	• To get to know the workshop participants • To lay the groundwork for developing a productive group dynamic based on mutual respect • To examine individual expectations and review the program objectives	
Time	2 hr	
Activities	1. Introductions and Expectations	1 hr 30 min
	2. Program Overview	30 min

Session 1

Activity 1 Introductions and Expectations

Time

1 hr 30 min (in the evening)

Description

The aim of this activity is to have participants and facilitators introduce themselves.

This is a three-part activity.

Part A Introductions (30 min)
Participants will work in regional groups (8 groups) to prepare a group introduction. Facilitators should join a regional group or gather as a separate group.

Participants can choose to present their group in anyway they like, the more creative the better!

Information that should be included is:

- Region
- Names of participants
- Names of organizations and their area of work
- The expectations of group members for the workshop

Each group will write this information on flipcharts.

Part B Presentations of Regional Groups (1 hr)
Each group will in turn present the members of their regional group and present their expectations.

End of Activity ●

Day 2

Friday, April 26

Session 1: Getting Started (continued)

Session 2: Regional Reports – Profiles from the Regions

Session 3: Building a Framework for Human Rights Advocacy

Time	*Activity*
09.00 – 09.15	*Recap of Day 1*
09.15 – 09.45	*Program Overview*
09.45 – 11.30	*Regional Reports – The Human Rights Situation in Indonesia*
11.30 – 13.30	*Lunch and Friday Prayer*
13.30 – 15.00	*Regional Reports (continued)*
15.00 – 15.15	*Break*
15.15 – 15.45	*What is Monitoring?*
15.45 – 16.30	*The Monitoring Process*
16.30 – 18.00	*Presentation: Building a Framework for Human Rights Advocacy*

Recap of Day 1

Time	15 min

Session 1

Activity 2 Program Overview

Time	30 min
Description	The facilitator will provide an overview of the workshop while referring to the participants' expectations from the previous day. The facilitator will discuss the following: • Expectations of the workshop • Involvement of participants, resource persons, and facilitators • Workshop "ground rules"
Notes	

End of Activity ●

Session 2:
Profiles from the Regions

Objectives	• To identify the main human rights issues and trends in Indonesia • To identify the economic, social, cultural, and political factors preventing the full enjoyment of human rights in the country
Time	3 hr 15 min
Activity	1. Regional Reports – The Human Rights Situation in Indonesia — 3 hr 15 min

Activity

Session 2

Activity 1 Regional Reports – The Human Rights Situation in Indonesia

Time

3 hr 15 min

Description

The aim of this activity is to have participants present the current human rights situation in their respective regions of the country.

This is a three-part activity.

Part A (1 hr)
You will be divided into regional groups. Using the information from your pre-training assignment, prepare an update on recent developments affecting the human rights situation in your region. Include the following:

- Principal human rights issues
- Causes
- Actors
- Major challenges for NGOs looking forward

Part B (1 hr 30 min)
Each group has 10 minutes to present their update on the current human rights situation in their respective region of Indonesia.

Part C (45 min)
Resource persons will synthesize the presentations and lead a discussion on the main themes.

Continued ▶▶▶

Session 2

Activity 1 Regional Reports – The Human Rights Situation in Indonesia (continued)

Notes

End of Activity ●

Session 2

Activity 1 Regional Reports – The Human Rights Situation in Indonesia (continued)

Notes

End of Activity ●

Session 3:
A Framework for Human Rights Monitoring and Advocacy

Objectives	• To review and clarify the principles and processes of human rights monitoring and advocacy • To analyze the current capacity in each region to undertake effective human rights monitoring work • To explore the implementation of a rights-based approach in human rights monitoring
Time	1 ½ day
Activities	1. What is Monitoring? — 30 min 2. The Monitoring Process — 45 min 3. Presentation: Building a Framework for Human Rights Monitoring and Advocacy — 1 hr 30 min 4. Identifying a Focus: Examining Indonesian Experiences — 1 hr 30 min 5. A Plan for Human Rights Monitoring – The Focus — 1 hr 30 min 6. Analysing Regional Strengths and Weaknesses — 1 hr 30 min 7. What is Meant by a Rights-Based Approach? — 1 hr 30 min

Session 3

Activity 1 What is Monitoring?

Time

30 min

Description

The aim of this activity is to review our common understanding of the term “monitoring”.

1. Work individually to reflect on your understanding of “monitoring”. What is it? What is involved? What is the purpose? Write your ideas below.

_____

_____

_____

_____

_____

2. Together with the facilitators and the other participants develop a common definition of “monitoring”.

_____

_____

_____

_____

_____

End of Activity ●

Session 3

Activity 2 The Monitoring Process

Time

45 min

Description

The aim of this activity is to present a process for human rights monitoring and then have participants examine the monitoring work of their organizations in relation to this process.

This is a two-part activity.

Part A Presentation of the Process (10 min)
A resource person will explain the monitoring process outlined on ***Reference sheets 1 to 3.***

Part B (35 min)
You will be divided into regional groups.

You will begin by individually examining the monitoring work of your own organization by completing ***Worksheet 1.***

Then, together with the members of your group, you will assess your joint capacity for monitoring by completing ***Worksheet 2.***

End of Activity ●

Reference Sheet 1: Monitoring

Source : Guzman, M., & Verstappen, B. (2001). What is Monitoring: Human Rights Monitoring and Documentation. Versoix, Switzerland: Human Rights Information and Documentation Systems, International (HURIDOCS).

What is monitoring?

Monitoring means the close observation of a certain situation or individual case to find out what is going on or what is going wrong.

What is human rights monitoring?

Human rights monitoring is carried out to:

- See whether international human rights standards or norms are met in domestic (national) settings.
- Determine if and how domestic human rights standards are applied or met in reality.

What is the purpose of monitoring?

The main purpose of monitoring is to provide a basis for action in a certain situation or case. Guzman and Verstappen identify two types of monitoring: **situation monitoring** and **case monitoring**. Under each kind, there can be various forms, as summarised below:

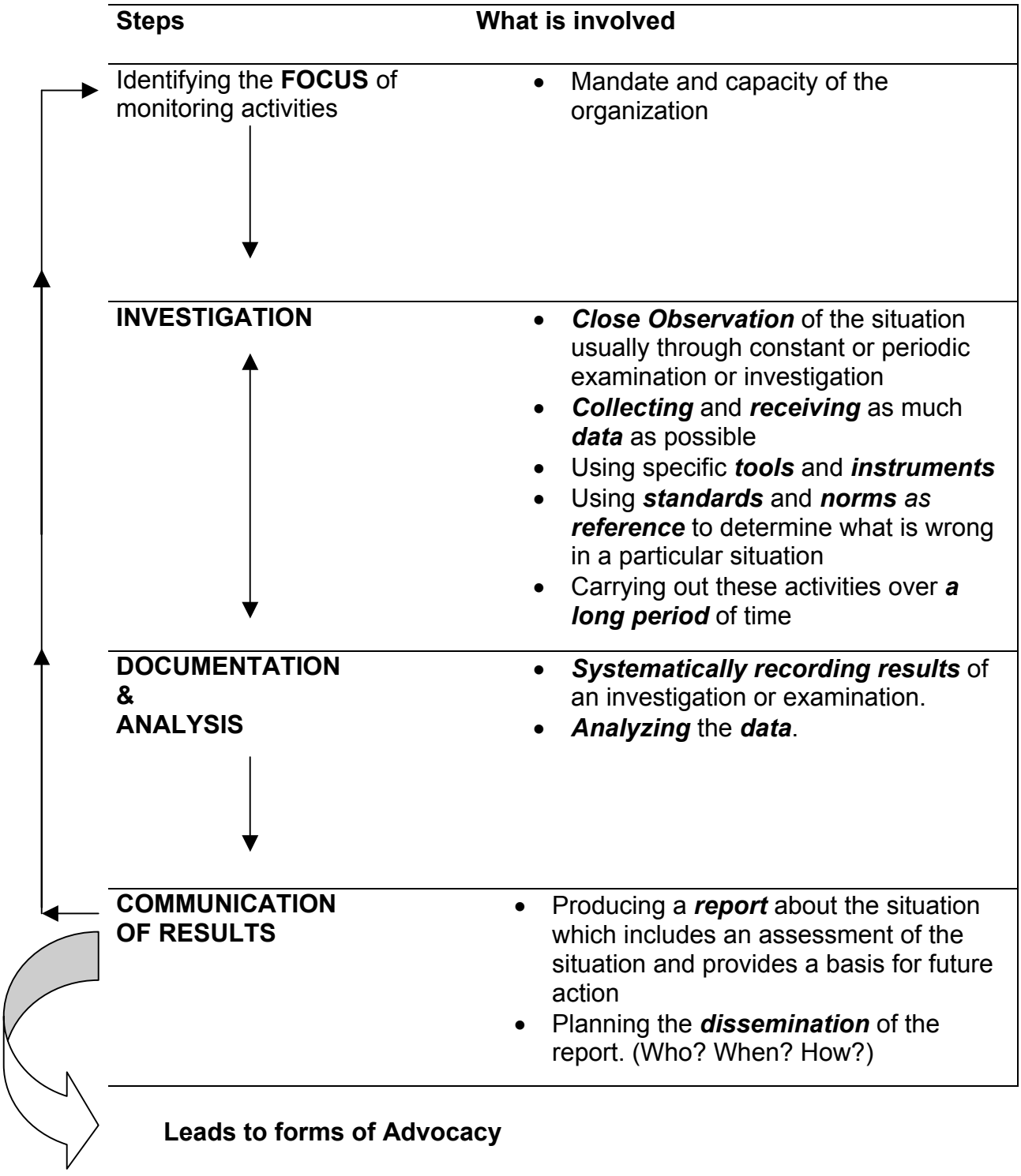
Situation monitoring	Case monitoring
• Human rights violations • Drafting and passing of legislation • Implementation of laws and policies • Establishment and progress of human rights institutions	• Legal process undergone by a case • Relief and rehabilitation services provided to a client • Other forms of intervention in a case

Situation monitoring focuses on a situation in general. Many human rights groups produce reports that describe and analyse the occurrence of violations in a country. Aside from documentation of events, a situation report may also include an assessment of the progress of a country in terms of relevant human rights legislation and the performance of human rights institutions.

Case monitoring is victim-focused and victim-oriented. Consistent work for or on behalf of a client, whether an individual victim or a group of victims, such as in pursuing justice or in providing medical attention, is called case monitoring. Following and documenting the developments in the case of a client is an essential and integral part of casework.

Reference Sheet 2: Monitoring Process

Reference: Guzman, M., & Verstappen, B. (2001). What is Monitoring: Human Rights Monitoring and Documentation. Versoix, Switzerland: Human Rights Information and Documentation Systems, International (HURIDOCS).



Reference Sheet 3: Advocacy

The monitoring of a certain situation or a case can eventually lead to **a process of organized efforts and actions** that help create a just and equitable society. Monitoring can be a tool to assist in an advocacy campaign.

Cohen et al (2001) define **Social Justice Advocacy** as follows:

"The pursuit of influencing outcomes – including public-policy and resource-allocation decisions within political, economic, and social systems and institutions – that directly affect people's lives".

Advocacy consists of organized efforts and actions based on the reality of ***"what is."***

Aims
Advocacy efforts & actions seek to:

- Highlight critical issues that have been ignored and submerged
- Influence public attitudes
- Enact and implement laws and public policies

Results
Advocacy efforts & actions are undertaken so that visions of ***"what should be"*** in a just, decent society become reality.

Some purposeful results of advocacy include to:

- Enable social justice to gain access and voice in the decision making of relevant institutions
- Change the power relationships between these institutions and the people affected by their decisions, thereby changing the institutions themselves
- Make a clear improvement in people's lives

Human rights – political, economic, and social – are an overarching framework for these visions of "what should be". Advocacy organizations draw their strength from and are accountable to people – their members, constituents, and/or members of affected groups.

Source : Cohen, D., de la Vega, R., & Watson, G. (2001). Advocacy for Social Justice: A Global Action and Reflection Guide. Bloomfield, CT: Kumarian Press.

Worksheet 1: Your Organization's Monitoring Capacity

1. Is your organization conducting any type of monitoring activities? What is the FOCUS?

   _____
   _____
   _____
   _____
   _____

2. Rate your organization's capacity to carry out the monitoring-related activities below.

STEP		Weak	Could be Improved	Strong	Improvements/ comments
Investigation	• Observation				
	• Collecting and receiving data				
	• Using human rights standards and norms				
Documentation/ Analysis	• Systematic recording of results				
	• Data analysis and reporting				
Communicating Results	• Producing reports (assessment and further action)				
	• Targeted dissemination of the report				

Worksheet 1 cont'd

3. List advocacy efforts or actions that your organization has undertaken which are linked to your monitoring activities.

_____
_____
_____
_____
_____
_____

Worksheet 2: Your Regional Group's Monitoring Capacity

1. Have you, as a group, identified a clear and common FOCUS for joint monitoring activities? Please explain.

   _____
   _____
   _____
   _____
   _____
   _____

2. Rate your overall capacity as a group to carry out monitoring-related activities.

STEP		Weak	Could be Improved	Strong	Improvements/ comments
Investigation	• Observation				
	• Collecting and receiving data				
	• Using human rights standards and norms				
Documentation/ Analysis	• Systematic recording of results				
	• Data analysis and reporting				
Communicating Results	• Producing reports (assessment and further action)				
	• Targeted dissemination of the report				

Worksheet 2 cont'd

3. List advocacy efforts or actions that you have undertaken as a regional group which are linked to your monitoring activities.

_____
_____
_____
_____
_____
_____

Session 3

Activity 3 Presentation: Building a Framework for Human Rights Monitoring and Advocacy

Time

1 hr 30 min

Description

The aim of this activity is to present participants with an overview of the key elements of human rights advocacy.

This is a two-part activity.

Part A Presentation (40 min)
A resource person will discuss the following:

- Types and aims of human rights monitoring and advocacy
- Human rights monitoring bodies (IGOs, government bodies, NGOs)
- Guidelines for planning monitoring activities based on international and regional experiences
- Key elements of human rights monitoring and advocacy

Part B Open Forum (50 min)
An Open Forum for questions and comments will follow.

End of Activity ●

Session 3

Activity 3 Presentation: Building a Framework for Human Rights Monitoring and Advocacy (continued)

Notes

End of Activity ●

Day 3

Saturday, April 27

Session 3: Building a Framework for Human Rights Advocacy (continued)

Time	*Activity*
09.00 – 09.15	*Recap of Day 2*
09.15 – 10.45	*Identifying a Monitoring Focus: Examining Indonesian Experiences*
10.45 – 11.00	*Break*
11.00 – 12.30	*A Plan for Human Rights Monitoring – The Focus*
12.30 – 13.30	*Lunch*
13.30 – 15.00	*Analysing Regional Strengths and Weaknesses*
15.00 – 15.15	*Break*
15.15 – 16.45	*What is Meant by a Rights-Based Approach?*

Recap of Day 2

Time

15 min

Session 3

Activity 4 Identifying a Focus: Examining Indonesian Experiences

Time

1 hr 30 min

Description

The aim of this activity is to examine the experiences of participants from two regions. We will examine the process they used to identify the focus of their joint monitoring and advocacy activities.

Participants from other regions will share their experiences and lessons learned.

Notes

End of Activity ●

Session 3

Activity *5* A Plan for Human Rights Monitoring – The Focus

Time

1 hr 30 min

Description

The aim of this activity is to have participants analyze the process involved in determining the FOCUS of their human rights monitoring work.

This is a two-part activity.

Part A (1 hr)
Participants will work individually to complete Section 1 of ***Worksheet 3***. Then will work in regional groups to complete Section 2.

Part B (30 min)
The resource person will have the participants address the questions below.

- Who are the stakeholders involved?
- How will you consult with or involve other stakeholders?
- What kind of resources will you need?
- What challenges exist when you plan activities as a network?

End of Activity ●

Worksheet 3: Determining the Focus

SECTION 1 – The Focus of My Organization's Monitoring

1. The FOCUS of your organization's monitoring work is:
   _____
   _____
   _____
   _____

2. How did your organization determine this focus?
   _____
   _____
   _____
   _____

3. The MANDATE of your organization is:
   _____
   _____
   _____
   _____

4. Is the focus of your organization's monitoring activities within the mandate of your organization? Please explain.
   _____
   _____
   _____
   _____

5. The RESOURCES (people, expertise, money, tools…) required to successfully carry out this work are:
   _____
   _____
   _____
   _____

Worksheet 3 cont'd

6. Does your organization have all the necessary resources? Please explain.
   _____
   _____
   _____
   _____

7. The kinds of monitoring my organization does includes:

   Check off all the relevant ones.

Situation monitoring	Case monitoring
__ Human rights violations __ Drafting & passing of legislation __ Implementation of laws & policies	__ Legal process undergone by a case __ Relief & rehabilitation services provided to a client __ Other forms of intervention in a case Please specify. _____

8. The aims of your organization's human rights monitoring work includes:

   Check off all the relevant ones:

   ___ Pressure government into adopting and implementing international standards.
   ___ Undertake domestic legal actions like taking cases to court.
   ___ Undertake other actions like denunciations and public campaigns to pressure government and/or enhance public awareness.
   ___ Help particular victims.
   ___ Provide early warning in potential conflict areas.

9. Who uses the results of your organization's monitoring activities? Please explain.
   _____
   _____
   _____
   _____

Worksheet 3 cont'd

SECTION 2 – The FOCUS of Our Regional Group's Monitoring and Advocacy

Discuss your individual answers to Section 1. Based on these discuss the possible Focus of a joint regional monitoring and advocacy initiative.

Reminder: Refer to the major human rights trends and issues you have identified in your region and list them below:

_____
_____
_____
_____

1. FOCUS
   Given the combined expertise and capacity of the organizations in your regional group, what should be the "group or network Focus" of your monitoring and advocacy activities?

2. RESOURCES
   a) What resources does your group currently have to carry out this work?

   b) What additional resources will your group need?

Worksheet 3 cont'd

3. KINDS and AIMS
   What kinds of monitoring activities does your group have the capacity to carry out and what are the aims of these activities?

4. USE OF RESULTS
   For who will the results of your monitoring work be useful? Please explain.

Session 3

Activity 6 Analysing Regional Strengths and Weaknesses

Time

1 hr 30 min

Description

The aim of this activity is to have participants analyse the strengths and weaknesses of their regional groups with respect to monitoring.

You will be divided into regional groups. You will discuss your plans and identify strengths and weaknesses in the areas of your FOCUS outlined in ***Worksheet 3*** of Activity 5.

Use a **SWOT** Analysis (**S**trengths, **W**eaknesses, **O**pportunities, **T**hreats) to determine your regional group's current capacity to carry out monitoring activities. Answer the questions in the appropriate quadrant of the chart on the next page.

Question 1: What are the internal **Strengths** of your regional group in monitoring? (e.g., staff members with training experience and/or content knowledge.)

Question 2: What are the internal **Weaknesses** of your regional group in monitoring? (e.g., no experience in designing training, lack of knowledge of participatory methodology, lack of understanding of ESC rights or gender issues.)

Question 3: What are the external **Opportunities** for your regional group in monitoring? (e.g., UN Decade on HRE.)

Question 4: What are the external **Threats** for your regional group in monitoring? (e.g., government feels threatened by HRE.)

End of Activity ●

Worksheet 4: SWOT Analysis

Internal STRENGTHS	**Internal** WEAKNESSES
External Opportunities	**External** THREATS

Adapted from S. Williams, The Oxfam Gender Training Manual, Oxfam, 1994.

Session 3

Activity 7 What is Meant by a Rights-Based Approach?

Time

1 hr 30 min

Description

The aim of this activity is to have participants reflect on their understanding of a rights-based approach and the implications for their work. This is a two-part activity.

Part A (30 min)
You will work in small groups (5 to 7 participants) to determine what is involved when discussing a particular case from a rights-based perspective.

Read the situation on ***Worksheet 5***. Together with the members of your group, analyze the issues in the case by addressing the questions provided. Prepare to present your ideas to the other groups in Part B.

Refer to ***Reference Sheet 4*** for differences between a development (or needs-based) approach and a rights-based approach.

Part B (60 min)
Each group will in turn present the results of their discussion to the other groups. The resource person will synthesize and comment on the ideas presented by the small groups.

End of Activity ●

Worksheet 5: A Rights-Based Approach

The Case of *Becak* Drivers in Jakarta

Source: IHRIP Forum-Asia. (2000). Circle of Rights – Economic, Social & Cultural Activism: A Training Resource.

In February 2000 the Indonesian government imposed a ban on the use of *becak* in the capital, Jakarta. *Becak* are tricycles that are used for transporting goods and people; they provide a livelihood for the many people who pedal them. In imposing the ban, the government argued that *becak* cause traffic jams; they are a slow moving oddity in a city full of cars and other motor vehicles.

This is not the first time that the use of *becak* has been declared illegal. The previous ban was lifted in 1997 due to acute economic crisis in the country. *Becak* driving provided much-needed employment. Many poor people sold their meagre possessions to buy a *becak* in order to earn their livelihood. Now, with the new ban, they are back to square one.

Questions to address about the situation:

- What are the main issues in this case?
- Who are the stakeholders?
- Which rights are violated?
- What are the consequences of the ban?

Questions about the approach:

- How can a rights-based approach help NGOs to develop a more effective response?
- How would you address each of the 5 elements in ***Reference Sheet 4*** (direct links to rights, accountability, empowerment, participation, and non-discrimination and attention to vulnerable groups) in the case of the *becak* drivers?

Worksheet 5 cont'd

Arguments from a development perspective	Arguments from a rights perspective

Reference Sheet 4: Rights-Based Approach to Development

Source: UNHCR website, http://www.unhchr.ch/development/approaches-04.html.

Essentially, a rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development.

The norms and standards are those contained in the wealth of international treaties and declarations. The principles include equality and equity, accountability, empowerment and participation. A rights-based approach to development includes the following elements:

- Direct links to rights
- Accountability
- Empowerment
- Participation
- Non-discrimination and attention to vulnerable groups

Direct links to rights

Defining the objectives of development in terms of particular rights is an essential ingredient of human rights approaches, as well as creating direct links to international, regional and national human rights instruments.

Rights-based approaches are comprehensive in their consideration of the full range of indivisible, interdependent and interrelated rights: civil, cultural, economic, political and social. This calls for a development framework with sectors that mirror internationally guaranteed rights, thus covering, for example, health, education, housing, justice administration, personal security and political participation.

By definition, these approaches are incompatible with development policies, projects or activities that have the effect of violating rights, and they permit no "trade-offs" between development and rights.

Accountability

Rights-based approaches focus on raising levels of accountability in the development process by identifying claim-holders (and their entitlements) and corresponding duty-holders (and their obligations). In this regard, they look both at the positive obligations of duty-holders (to protect, promote and provide) and at their negative obligations (to abstain from violations).

Reference Sheet 4 cont'd

Under the International Covenant on Economic, Social and Cultural Rights, States are required to take immediate steps for the progressive realization of the rights concerned, so that a failure to take the necessary steps, or any retrogression, will flag a breach of the State's duties.

Empowerment

Rights-based approaches also give preference to strategies for empowerment over charitable responses. They focus on beneficiaries as the owners of rights and the directors of development, and emphasize the human person as the centre of the development process (directly, through their advocates and through organizations of civil society).

The goal is to give people the power, capacities, capabilities and access needed to change their own lives, improve their own communities and influence their own destinies.

Participation

Rights-based approaches require a high degree of participation, including from communities, civil society, minorities, indigenous peoples, women and others. According to the UN Declaration on the Right to Development, such participation must be "active, free and meaningful" so that mere formal or "ceremonial" contacts with beneficiaries are not sufficient.

Rights-based approaches give due attention to issues of accessibility, including access to development processes, institutions, information and redress or complaints mechanisms. This also means situating development project mechanisms in proximity to partners and beneficiaries. Such approaches necessarily opt for process-based development methodologies and techniques, rather than externally conceived "quick fixes" and imported technical models.

Non-discrimination and attention to vulnerable groups

The human rights imperative of such approaches means that particular attention is given to discrimination, equality, equity and vulnerable groups. These groups include women, minorities, indigenous peoples and prisoners, but there is no universal checklist of who is most vulnerable in every given context. Rather, rights-based approaches require that such questions be answered locally: who is vulnerable here and now?

Development data need to be disaggregated, as far as possible, by race, religion, ethnicity, language, sex and other categories of human rights concern.

Reference Sheet 4 cont'd

Differences between needs-based and rights-based approaches to development:

Development (needs-based) approach	Rights-based approach
• Outcome goals	• Outcome and process goals
• Needs can be recognized as valid claims	• Rights always imply obligations of the state
• Needs can be met without empowerment	• Rights can only be realized with empowerment
• Focus on manifestations of problems and immediate causes	• Focus on basic structural causes as well as manifestations of problems
• Sectoral projects	• Intersectoral projects
• Social context with little emphasis on policy	• Social, cultural, economic, civil, and political context and policy-oriented
• Vertical	• Holistic
•	•
•	•

Source: UNICEF Canada. (2001). Children's Rights Workshop for CIDA Staff.

Sunday, April 28

Day 4

Session 4: Investigation: Monitoring of ESC Rights

Time	Activity
09.00 – 09.15	Recap of Day 3
09.15 – 10.45	Presentation: Basic Concepts of ESC Rights
10.45 – 11.00	Break
11.00 – 12.30	ESC Rights Case Study – Working with International Instruments
12.30 – 13.30	Lunch
13.00 – 14.30	Presentation: Fact-Finding Basics
14.30 – 14.45	Break
14.45 – 16.15	Investigation – Planning a Fact-Finding Mission and Follow-up

Session 4: Investigation of ESC Rights Violations: a Rights-Based Approach

Objectives	• To examine the international framework for the protection and promotion of ESC rights • To develop practical strategies for implementing a rights-based approach to monitoring ESC rights in Indonesia	
Time	1 day	
Activities	1. Presentation: Basic Concepts of ESC rights	1 hr 30 min
	2. ESC Rights Case Study - Working with International Instruments	1 hr 30 min
	3. Presentation: Fact-Finding Basics	1 hr 30 min
	4. Investigation – Planning a Fact-Finding Mission and Follow-up	1 hr 30 min

Recap of Day 3

Time

15 min

Session 4

Activity 1 Presentation: Basic Concepts of ESC Rights

Time

1 hr 30 min

Description

Part A Presentation (30 min)
The resource person will present some basic concepts of ESC rights. This will include:

- A historical overview of ESC rights
- Common misperceptions
- International legal sources of ESC rights (UDHR, ICESCR, General comments of the Committee on Economic, Social and Cultural Rights)
- Obligations imposed on states
- Obligations and responsibilities of other actors
- Strategies for enforcement, benchmarks and indicators
- Challenges to full realization of ESC rights

Part B Open Forum (1 hr)
An Open Forum will follow the presentation that will focus on the participants' experiences and the challenges they face.

Notes

End of Activity ●

Session 4

Activity 2 ESC Rights Case Study – Working with International Instruments

Time

1 hr 30 min

Description

The aim of this activity is to have participants use international instruments to address ESC rights violations in a particular case study. The instruments used will be the following:

- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention of the Rights of the Child (CRC)

This is a two-part activity.

Part A (1 hr)
Participants will be divided into four groups: Groups 1, 2, 3, and 4, to work on the case study. Refer to ***Worksheet 6*** for further instructions.

Part B
Each group will present the results of its discussion to the larger group. A resource person will comment the small group presentations.

End of Activity ●

Worksheet 6: Analysing a Case Study

Activity 4 Part A
Instructions

Groups 1 and 2 will discuss the rights issues in the case study using mainly the provisions under CEDAW.

Groups 3 and 4 will discuss the rights issues in the case study using mainly the provisions under CRC.

1. Spend about 20 minutes reading the **case study "Communities Reject the International Mining Corporation"** and reviewing the important details. Make sure everyone in the groups has a common understanding of what is happening, i.e., who was involved, violations that took place.

2. Depending on your assigned group, review either the analysis of CEDAW or of CRC.

3. Address the questions below. Prepare a presentation of your ideas to the larger group by recording the results of your discussion on flip chart.

4. Decide on how your group will proceed in responding to the case tasks. Budget your time accordingly in order to maximize your efficiency. You may want to divide into sub-groups and work on different aspects of the presentation or you may choose to work as a whole group.

General questions:

- What are the ESC rights issues in this case?
- Who are the victims and the possible violators?
- In what ways might women and men experience the incident described in the case differently?

Questions relating to CEDAW or CRC:

- What are the specific women's rights or children's rights that are being violated?
- What are the State's responsibilities vis-à-vis the violations? Why do the standards point to the responsibility of the State?
- What are potential solutions?

Refer to the table on the following page for a suggested format for analysis.

Worksheet 6 cont'd

ESC rights issues	State obligations under ICESCR	Relevant obligations of Indonesian government under CEDAW or CRC	Relevant domestic legislation	Proposed advocacy strategies

Worksheet 6 cont'd

What is a case study?

A case study is a technique designed to give a group some training in solving problems and making decisions. A case study is a written description of a hypothetical situation that is used for analysis and discussion. Case studies should be based on credible and realistic scenarios which are not too complex and which focus on two or three main issues. Case studies are useful when discussing common problems in a typical situation. They also provide a safe opportunity to develop problem-solving skills, and to promote group discussion and group problem-solving skills.

The scenario for a case study can be presented to participants for consideration, in its entirety, or "fed" to them sequentially as a developing situation to which they have to respond.

ACTION ALERT

Communities Reject the International Mining Corporation (IMC), Call for Renegotiation of the IMC's Contract of Work

Background

There is a population that is indigenous to a region in Indonesia that has lived on its indigenous lands for hundreds of years. The International Mining Corporation (IMC) has been exploring their lands with test pits while practising land compensation.

IMC signed a contract of work with the Indonesian government for 30 years. IMC made agreements with the Suharto regime for its mine, mill, infrastructure, dams, and army support. IMC's current contract or work area is over 200 000 hectares, covering the three provinces in Indonesia.

Land alienation and environmental degradation

IMC has evicted indigenous communities with little land compensation. Also, IMC's existence brought an influx of people from outside the area. Many of these immigrants (with more economic purchasing power than the local indigenous people) purchased large tracts of land from local people, furthering land alienation of locals.

Air pollution from IMC operations includes smoke, soot, particulate and gaseous sulphur and ore dust. Air quality has been deteriorating over the past few years. The immigrant residents, particularly children, suffer continual bouts of flu, colds and asthma.

Worksheet 6 cont'd

The lakes and forests in the area have all suffered environmental destruction as a result of IMC mining.

IMC has left boreholes where cashew plantations once thrived while other agricultural crops have been destroyed. IMC has also depleted forest resources and lucrative local trade items like damar (a tree resin) and rattan.

Denial of promises and basic human rights
IMC has promised but not delivered free health care, education, electricity, clean water services, and priority in employment to the affected community.

The community's health has deteriorated as a result of dust and smoke from the IMC plant. The residents, particularly the children suffer bouts of flu, colds and asthma. The company-run health center has dismissed their health problems. Independent health studies including blood and other tests are urgently needed to determine the cause of the sicknesses.

Academic studies have shown that the workload of women in villages has become heavier with the existence of IMC. IMC has taken over lands and local natural resources once used to sustain the community's livelihood.

The role of women has also changed to company wives or mining-town prostitutes. These practices are encouraged and promoted by mining companies like IMC. Another role for local women in Indonesian mining towns is the 'contract wife'. The contract wife's marriage normally lasts for as long as the worker is contracted to work in the area. More incidents of rape and other forms of violence against women and an increasing incidence of teenage pregnancy have been reported.

The company has covered up the community's protests against the removal of ancestral graves in the area.

The Indonesian government has gained little in the way of royalties from the mining of nickel by IMC on its lands. IMC has not fulfilled its obligations in its work contract and memorandum of understanding. Currently, members of the local Assembly in the region are demanding that the Governor of the region take firm action against IMC and demand payment of taxes or else stop the operations of the company. The Governor of the region has sent letters of invitation to IMC to meet with provincial representatives but thus far IMC has not responded. At this time, the local Assembly has asked IMC to attend a hearing before them.

Session 4

Activity 3 Presentation: Fact-Finding Basics

Time

30 min

Description

Fact-Finding (30 min)
The resource person will give a presentation of the basic principles of fact-finding and the different tools available for fact-finding. Refer to ***Reference Sheet 5*** for some basic principles of fact-finding.

Optional activity: Interviews (1 hr)
One of the fact-finding tools used in investigating human rights violations is the interview. Resource persons will present an example of a "bad" interview, and will then invite participants to discuss it. An improved "good" interview will follow and key skills will be discussed. Refer to ***Reference Sheet 6*** for sample interview questions.

Notes

End of Activity ●

Reference Sheet 5: Fact-Finding Basics

Source: Ravindran, D. J., Guzman, M., & Ignacio, B. (Eds.). (1994). Handbook on Fact-Finding and Documentation of Human Rights Violations. Bangkok, Thailand: Asian Forum for Human Rights Development.

1. Some guiding principles for human rights fact-finders:

- Examine both the victim's and the violator's versions of the events.
- Collect and evaluate ALL available evidence.
- Assess the veracity and reliability of the evidence gathered.
- Safeguard your credibility by seeking direct evidence and higher-level evidence.

2. Suggested Steps in a Fact-Finding Process:

a) Identify the **Sources of Information**.

- Who is/are the victim(s)?
- Who is the alleged violator?
- Who are the witnesses?
  - Those who saw the event
  - Those who would know the background
- Who can help identify additional sources?

b) Identify **Written and Documentary Evidence**.

- What documentary evidence is available that can help your Investigation?
- Is the information reliable?

c) Conduct **On-site Inspection**.

- What should be done ***before*** visiting the site?
- What should be done ***during*** the on-site visit?
- What should be done ***after*** the visit?
- Who can assist with the investigation?

d) Determine the **Level of Proof Required.**

- What level of proof is sufficient to arrive at reasonably founded conclusions?
- What factors impact on the establishment of the level of proof?

e) **Corroboration.**

- How will you crosscheck the information you have gathered?

Reference Sheet 6: Interview Questions

Source: Burma Issues. Human Rights information Manual: Tools for Grassroots Action. (1996). Bangkok, Thailand.

Preparing for the interview:

- Defining an objective for the interview
- Types of questions:
  - Background questions (about the general situation)
  - Open-ended questions
  - Specific questions
- Selecting people to interview
- Interview materials:
  - Notebooks
  - Tape recorders (ask permission first)
  - Cameras (ask permission first)
- Interview site

Types of questions to ask depending on the topic:

a) Arrest

- What was the arrest procedure?
- Did the police arrest you because you were suspected of committing a crime?
- Did the police tell you what rights you had as a person under arrest?
- Did the police tell you why you were being arrested?

b) Freedom of Thought and Association

- Have individuals, groups, the government or military tried to keep you from expressing your ideas and sharing them with other people?
- Have you been arrested, tortured or harassed because of your beliefs, statements, or because you talk to other people?
- Have books, pamphlets, magazines, newspapers, or radios been taken away?
- Have you been kept from meeting in groups and discussing topics that the government does not like?
- Have you been kept from teaching about your ideas?

c) Freedom of Movement

- Have you been kept from going places or returning home freely?
- Have you been arrested or detained by the police or military without being charged with a crime?
- Have you been kept from travelling because the government does not want you to leave your home?

Reference Sheet 6 cont'd

d) Assembly

- Has your rights to meet with other people in public places been violated?
- What happens if a group of people meet together in a public place?
- Are people ever hurt or arrested for meeting peacefully in public?

e) Economic Rights

- Are people being forced to work without pay?
- Are people being kept from working and earning a living?
- Are the jobs people ordinarily do, such as farming or raising animals, being taken away?
- Are the people prevented from supporting themselves and their families?

f) Social Rights

- Is the basic right of families, communities and individuals to live under self-determination being violated?
- Are people kept from marrying who and when they want?
- Are families being broken apart against people's will?
- Are children being forced to work in harmful ways?
- Are children being kept from having an education?
- Is the basic right to a secure lifestyle being violated?
- Are people's homes being moved or destroyed against their will?
- Is people's food being taken away or destroyed?

g) Cultural Rights

- Are people allowed to create things, such as art or new tools, which help them to live better?

h) Children's Rights

- Has the child been taken away from his or her family?
- Has the child been kept from having an education?
- Has the child been made to work in a way that is dangerous or harmful to him or her?
- Has the child been bought, sold, or traded by anyone?
- Has the child been involved in armed conflict?

Session 4

Activity 4 Investigation: Planning a Fact-Finding Mission and Follow-up

Time

1 hr 30 min

Description

The aim of this activity is to have participants develop a plan for monitoring in connection with the International Mining Corporation Case Study (refer to **Worksheet 6: Analysing a Case Study** on page 47.)

This is a two-part activity.

Part A (1 hr)
Participants will work in the same four groups as in Activity 4 to develop a plan for monitoring. Refer to ***Worksheet 7*** for further instructions on how to proceed.

Part B (30 min)
You will present the results of your discussion to the larger group. A resource person will comment on the small group presentations.

End of Activity ●

Worksheet 7: Planning for a Fact-Finding Mission

Activity 5 Part A Instructions

Groups 1 and 2 will plan a fact-finding mission focusing on violations of women's rights. **Groups 3 and 4** will plan a fact-finding mission focusing on violations of children's rights.

1. Spend about 10 minutes reviewing the information you developed in Activity 4.

2. Depending on your assigned group, review either the analysis of CEDAW or of CRC provided in the Praxis book.

3. Then address the questions in the table on the following page. Prepare to present your ideas to the larger group by recording the results of your discussion on flip chart.

4. Decide on how your group will proceed in responding to the case tasks. Budget your time accordingly in order to maximize your efficiency. You may want to divide into sub-groups and work on different aspects of the presentation or you may choose to work as a whole group.

Worksheet 7 cont'd

Purpose *What is the purpose of the fact-finding mission?*	
Forms *What are the forms of fact-finding that will be undertaken? What is the most appropriate form of fact-finding given the case?*	
Mandate/Scope *What is the mandate and scope of the fact-finding mission? (What is the focus? What is the mission tasked to do i.e., what are the terms of reference?)*	
Sources *What are the possible sources of evidence/information?*	

Worksheet 7 cont'd

Benchmarks and indicators *What benchmarks and indicators that will be used to monitor changes in the situation?*	
Problems *What problems can be expected in conducting the fact-finding mission and what are the possible ways of addressing these problems?*	
Ethical Considerations *What ethical considerations should be noted in conducting the mission?*	

Monday, April 29

Day 5

Session 5: Documenting Human Rights Violations

Time	*Activity*
09.00 – 09.15	*Recap of Day 4*
09.15 – 10.45	*Basic Principles of Documentation*
10.45 – 11.00	*Break*
11.00 – 12.00	*Presentation: Documentation Tools*
12.00 – 13.00	*Lunch*
13.00 – 14.45	*Creating and Maintaining a Documentation System for Human Rights Violations*
14.45 – 15.00	*Break*
15.00 – 17.30	*From Monitoring to Reporting*

Session 5: Documenting Human Rights Violations

Objectives	• To review principles, tools and guidelines for effective documentation of human rights violations • To explore the role and the capacity of the participating organizations in documenting human rights violations in Indonesia	
Time	1 day	
Activities	1. Basic Principles of Documentation	1 hr 30 min
	2. Presentation: Documentation Tools	1 hr 30 min
	3. Creating and Maintaining a Documentation System for Human Rights Violations	1 hr 30 min
	4. From Monitoring to Reporting	1 hr 30 min

Recap of Day 4

Time	15 min

Session 5

Activity 1 Basic Principles of Documentation

Time	1 hr 30 min
Description	The aim of this activity is to have participants identify the basic principles of fact-finding and documentation and the purpose of documentation of human rights violations. This is a three-part activity. **Part A Fact-finding game** (40 min) This exercise is to develop fact-finding skills (adapted from Ravindran, 1996). The facilitator will explain the exercise as follows: 1. Two volunteers from the participants are selected and asked to step outside the meeting room. They should not be able to see the proceedings in the room. 2. The facilitator asks the remaining participants to place as many small articles as possible in the center of the room such as pens, books, and notebooks. At least 30 articles should be spread out in the center of the room. (5 min) **Continued ▶▶▶**

Session 5

Activity 2 Basic Principles of Documentation (continued)

Description

3. The facilitator calls one of the two volunteers standing outside back into the room. Before he or she enters, the facilitator tells him or her that they have three minutes to observe the articles and they will not be allowed to take notes. After the three minutes, the volunteer is asked to leave the room again. The facilitator enforces the time limit strictly and also makes sure that nothing is noted down during and after the observation. (5 min)
4. The second volunteer is then called in and asked to observe the articles placed in the center of the room. This volunteer can take notes but the time limit remains the same. (5 min)
5. The articles placed in the center of the room are then covered and both volunteers are asked to name the articles: the first volunteer from memory, the second from his or her notes. (5 min)
6. The participants are asked to compare their two interpretations of the items and on that basis identify the importance of documentation. (5 min)
7. At this stage the facilitator asks all participants to categorize the articles and note them down on paper. When the participants finish this exercise, they discuss the difference between recording by relying on memory, recording by taking notes, and finally recording by categorizing. (15 min)

Part B Discussion (20 min)
Questions for discussion:

- What were the differences between information collected from memory, with a notepad, and with a categorization scheme?
- When documenting information, what kind of information is necessary? Do you have to collect all the data?

End of Activity ●

Session 5

Activity 2 Basic Principles of Documentation (continued)

Description

Part C Participants' experiences (30 min)
The facilitator will lead a discussion with the participants relating to their experiences with documentation along with the experiences of other NGOs.

Refer to ***Reference Sheet 7*** for principles of documentation.

Notes

End of Activity ●

Reference Sheet 7: Principles of Documentation

1 Documentation

Documentation is a process that involves systematically:

- **Recording** information that has been discovered (through an investigation or fact finding activities) or collected (through research)
- **Analysing** the information and **organizing** it in an accessible form
- **Storing** it and making it accessible to potential users

Source: What is Documentation, Manuel Guzman and Bert Verstappen, HURIDOCS, 2001.

2 Goal of documenting

The primary goal of documenting allegations of human rights violations is to create an accurate, reliable and precise record of events and preserve this record for future use. (e.g., to prepare a publication; to provide material assistance to victims; for litigation purposes).

Source: Giffard, C. The Torture Reporting Handbook: How to document and respond to allegations of torture within the international system for the protection of human rights. Web site: http://www.essex.ac.uk/torturehandbook/index.htm.

3 Where to get information

Sources of information can be **people or documents**. In the case of people, the information may be held in their minds and not yet written down, which is why information-gathering activities such as surveys and interviews are conducted.

In cases involving human rights violations, it is necessary to discover if the source has direct knowledge of the event being investigated. Sources with direct knowledge, also referred to as sources of first-hand information, are the victims, perpetrators and witnesses. The information they hold is very important in the prosecution of cases, as it is given paramount evidentiary weight compared to so-called hearsay evidence, or information relayed to somebody who was not present in the event.

The documents that contain the information as given in the language of the original source are called **primary documents**. Many of these documents are produced during or right after an information-gathering activity. Some may be artefacts that are discovered during research or investigation. They could be affidavits, transcripts of actual conversations, letters, hand-drawn maps, manuscripts or other actual original documents.

Reference Sheet 7 cont'd

Primary documents are often found in legal organisations, highly specialized research centres, archives, museums or investigative human rights organisations. Primary documents serve as the foundation of information. These documents are often very valuable and care must be taken with their preservation. Some primary documents may be entered as evidence, so they are held in courts and not by the monitoring organisations, in which case copies or descriptions of such must be obtained.

Secondary documents refer to those produced based on primary documents. The account of a journalist published in a newspaper, or the resulting work of a researcher, is a secondary document. Books and articles are the most common example of secondary documents. They generally translate the primary documents into a form that readers can understand, present an argument or describe something from a particular viewpoint. Most library collections are composed largely of secondary documents.

Tertiary documents are those that contain information derived from primary and secondary documents and which serve to help locate them. Examples of tertiary documents are bibliographies, guides, indices, abstracts, directories, lists and catalogue records.

Source: What is Documentation, Manuel Guzman and Bert Verstappen, HURIDOCS, 2001.

4 The documentation process

Guzman identifies two main kinds of documentation:

- Library-**type documentation**: involves the collection of documents.
- **Investigation-related documentation:** involves recording information about on-going or recent events.

The whole process of documentation consists of several phases, from determining what to collect to how to provide user services. The phases are similar for both library-type of documentation and investigation-related documentation, except for some additional activities in the case of the latter.

Reference Sheet 7 cont'd

The ***library-type*** of documentation has the following phases:

Determining what to collect and how	Acquiring materials	Organising materials	Providing user services

In ***investigation-related*** documentation, there is the additional element of acquiring information on the events being investigated, such as through fact-finding missions, and organising the gathered information. Below are the phases of investigation-related documentation.

Determining what to collect and how	Acquiring event information and materials	Organising event information and materials	Providing user services

Source: What is Documentation, Manuel Guzman and Bert Verstappen, HURIDOCS, 2001.

5 What does good quality information consist of?

The quality of information necessary in relation to a particular allegation depends on the purpose for which it is to be used. For example, judicial procedures, whether domestic or international, usually require a high standard of proof. By contrast, reporting procedures may be able to act with little or no supporting documentation or fewer details. You should aim to obtain the best information possible under the circumstances - this does not mean that you must always reach the highest standard before submitting information, but it does mean that you should do your best to put together a strong allegation using all the information available to you.

Factors that contribute to the quality of your information are:

- The **source** of the information: Where was the information obtained? Directly from the victim, from the victim's family or friends, from a witness present at the scene of the incident, from someone who heard it from someone else, from a media report? The further away from the victim or incident you get, the less dependable the information is likely to be.

- The **level of detail**: Is the allegation very detailed? Are there unexplained gaps in the account? Do you only know the very bare facts? The more detail you can obtain, the better, because it helps others to understand what happened.

Reference Sheet 7 cont'd

- The absence or presence of **contradictions**: Is the account consistent throughout? Are there contradictions in the account or elements that do not make sense? Good information should be consistent, or at least try to provide a reason for any inconsistencies - for example, if a victim or witness has made two statements that contradict each other, it may be that this is a result of intimidation. Minor inconsistencies are common and may not affect the overall quality of the information, but major inconsistencies should prompt you to seek further verification of the information.
- The absence or presence of elements that support (**corroborate**) or disprove the allegation: Are there witness statements that confirm the victim's account? Is there a medical certificate or autopsy report that confirms the victim's injuries? The more supporting documentation you can provide, the more likely it is that the allegation will be found credible.

- The extent to which the information demonstrates a **pattern**: Is the allegation one of many alleging similar facts? Is it the only one of its kind that has ever been received in a particular area? Where there is evidence of a commonplace practice, there may be a higher presumption that the information is true.

- The **age** of the information: Is the information very recent? Does it relate to facts that occurred several years previously? The fresher your information, the easier it is to investigate or verify the facts alleged.

Source: Giffard, C. The Torture Reporting Handbook: How to document and respond to allegations of torture within the international system for the protection of human rights. Web site: http://www.essex.ac.uk/torturehandbook/index.htm.

Session 5

Activity 2 Presentation: Documentation Tools

Time

1 hr

Description

The Monitoring Team will present tools and techniques drawn from information technology that are used in documentation of human rights abuses. These include:

- Data and information
- The information system (paper-based or electronic)
- Document-types
- Basics of a database (creating a database, standardized data entry, controlled vocabularies)
- Information retrieval tools and techniques

An Open Forum will follow the presentation.

Notes

End of Activity ●

Session 5

Activity 3 Creating and Maintaining a Documentation System for HR Violations

Time

1 hr 30 min

Description

A resource person will outline the steps for the creation and maintenance of a simple documentation system to participants.

This is a two-part activity.

Part A (20 min)
The resource person will discuss documentation systems.

Part B (70 min)
Regional groups will discuss their own system for creating and maintaining a simple documentation system, as well as establishing and reviewing their need for and capacity to maintain such a system.

Notes

Continued ▶▶▶

Activity 3 Creating and Maintaining a Documentation System for HR Violations (continued)

Notes

End of Activity ●

Session 5

Activity 4 From Monitoring to Reporting

Time

2 hr 30 min

Description

A resource person will outline the steps for monitoring and reporting human rights violations. The following topics will be discussed:

- Collecting data
- Organizing data
- Documenting data
- Reporting
- Presenting information

Notes

End of Activity ●

Tuesday, April 30

Day 6

Session 6: Communication of Results – Moving Towards Advocacy

Time	*Activity*
09.00 – 09.15	*Recap of Day 5*
09.15 – 10.15	*Building Networks and Alliances for Advocacy*
10.15 – 10.30	*Break*
10.30 – 11.30	*Media relations: Assessing the Current Situation*
11.30 – 12.30	*Identifying Best Practices – The Press Release*
12.30 – 13.30	*Lunch*
13.30 – 14.30	*The Press Release Gallery*
14.30 – 14.45	*Break*
14.45 – 17.15	*Press Conference Simulation*

Session 6:
Working with the Media

Objectives	• To examine the role of the media in Indonesia • To identify best practices in working with the media to advocate for human rights issues • To practice skills for media work
Time	1 day
Activities	1. Building Networks and Alliances for Advocacy — 1 hr 2. Media Relations: Assessing the Current Situation — 1 hr 3. Identifying Best Practices – The Press Release — 1 hr 4. The Press Release Gallery — 1 hr 5. Press Conference Simulation — 2 hr 30 min

Recap of Day 5

Time	15 min

Session 6

Activity 1 Building Networks and Alliances for Advocacy

Time	1 hr
Description	**Part A** (30 min) The resource person will lead a simulation activity with the participants.
Notes	

End of Activity ●

Session 6

Activity 2 Media Relations: Assessing the Current Situation

Time

1 hr

Description

The current relationship between mass media (national newspapers, magazines, radio and television) and NGOs will be assessed. Participants will identify various factors that contribute to the success and failure of advocacy campaigns carried out using mass media.

Instructions

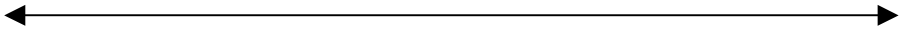
This activity is divided into two parts.

In **Part A** participants will identify the accessibility of mass media in their regions.

In **Part B** participants will reflect on the mutual benefits of working with mass media.

Part A **Work in a group** (15 min)

1. Identify the mass media (newspapers, magazines, television stations, radio stations…) accessible to you in your region.
2. Focusing on the use of mass media in your work, reflect on the opportunities in accessing them.
3. Using the diagram below, identify the most likely channels of communication for your human rights work. Categorize national newspapers, magazines, radio and television stations along the continuum.



Conservative **(pro-establishment)** — **Progressive** **(alternative)**

4. Which of these media are most likely to be receptive to your organization's work?

Continued ▶▶▶

Session 6

Activity 2 Assessing the Current Situation (continued)

Instructions

Part B (45 min)

Reflect on the mutual benefits of working with mass media, where NGOs and media serve watchdog roles in protecting the interests of society.

Complete the following sentence:

> "Human rights groups rely on the media to _____, while journalists count on human rights groups for _____."

What factors contribute to or impede the success of your human rights work with the media (no media contacts, biased media, newsworthy stories, etc.)?

_____

_____

_____

_____

_____

_____

End of Activity ●

Session 6

Activity 3 Identifying Best Practices – The Press Release

Time

1 hr

Description

Participants will discuss the importance of the press release in advocacy activities. Following suggested guidelines, participants will write a press release based on their organization's work.

Instructions

This activity is divided into three parts.

Part A (10 min)
In this part, participants will discuss the uses of a press release. The facilitator will lead a brainstorming session on the uses of a press release.

Part B (20 min)
The facilitator will go over "Generating a News Story" (***Reference Sheet 8***) with participants to examine the suggested guidelines for writing an effective press release

Part C (30 min)
Following the suggested guidelines, write your own press release based on your organization's work in preparation for Activity 4.

End of Activity ●

Reference Sheet 8: Generating a News Story

A press release should do two things:

- Provide information that generates a news story and that can educate the public
- Publicize your media message

Put Forward Your Media Message

Goals

- Present new information
- Convey your organizational message
- Offer your agenda
- Share important background facts

Actions

- Explain the problem
- Offer new or relevant information

Demand action or offer solutions

Important Elements in Making News

- Include the 5 Ws: Who is doing it? What is happening? Where is it happening? When is it happening? Why is it happening? These answers are the foundation of any story. The offer the basic outline of an event.
- Hooks, pegs, and angles: Link your press release to a forthcoming or recent event, an anniversary or a hot news topic to stimulate media interest.
- Shape the information for your target audience. This may mean writing different releases for different news organizations or different non-media audiences.

Outline of a Press Release

A press release should be written to answer the question who, what, when, where, why, and how. The most effective releases are one page long, easy to read and include:

- The date
- A headline the reflects the main message
- A subheadline that adds a second, forward-looking theme
- Contacts for further information for the organization and those quotes
- A lead paragraph that explains the problem and gives the most important information
- A background paragraph that gives context to the problem
- At least two quotes, one from a well-known person, if possible
- A suggested solution and a call for action
- A brief organizational description (a mini-mission statement) of no more than about 30 words

Source: Jacques, W.M. (Ed.). (2001). Making the most of the media: Tools for human rights groups worldwide. New York: Center for Sustainable Human Rights Action (CeSHRA).

Session 6

Activity 4 The Press Release Gallery

Time

1 hr

Description

The aim of this activity is to present press releases for feedback from other group members.

Instructions

This is a two-part activity.

Part A (20 min)

1. Attach your press release in the designated space on the wall.
2. Walk around the room and read other press releases.

Part B Work in a small group. (40 min)

1. Using ***Reference Sheet 9***: Press Release Checklist, assess two press releases prepared by other groups.
2. Try to provide some concrete ideas for improving the press release if you can.
3. Write these in the space provided on the checklist sheet.
4. When you have finished, post your assessment beside the press release on the wall.
5. Read through the comments others have provided about your press release. Think about how this feedback might improve your future work.

End of Activity ●

Reference Sheet 9: Press Release Checklist

Body of Press Release

- ☐ Date, headline that summarizes the main message, a sub-headline that adds a second, forward-looking theme, contacts for further information for the organization and those quoted.
- ☐ Lead paragraph: explains the problem and gives the most crucial information. Include the 5 Ws: Who is doing it? What is happening? Where is it happening? When is it happening? Why is it happening?
- ☐ Background paragraph: provides relevant information for understanding the context of the problem. If more background information is needed, use a second page clearly labelled “background information”.

General

- ☐ Direct quotations to give an authoritative and/or human face to your information, at least one from a well-known person.
- ☐ A call for action or a suggestion for solution.
- ☐ Organization’s name, address, and telephone number and the name of a contact person.
- ☐ A brief organizational description that summarizes the group’s mission statement in about 30 words.
- ☐ Carefully edited with no grammatical or spelling mistakes.
- ☐ Free of jargon.
- ☐ Simple, clear, accurate and honest.
- ☐ Well laid out and easy to read.

Comments:

Session 6

Activity 5 Press Conference Simulation

Time

2 hr 30 min

Description

Participants will engage in a simulated press conference as a way to practice advocacy skills.

Instructions

Simulation Exercise

This adult education technique gives you the opportunity to use imagination and experience in your learning. Simulations are useful for many reasons, such as:

- Participants are involved in a real-life rather than a theoretical situation.
- Learning is active rather than passive; everyone participates.
- Mistakes can be made in a risk-free atmosphere without cost – not always the case in real-life decisions.
- Participants can function in a low-stress environment while dealing with a high-stress situation.
- The learning situation provides the opportunity for immediate feedback concerning proper and improper actions or decisions.

Source: Eitington, J.E. (1996) The winning trainer, 3rd ed. Houston: Gulf Publishing Company.

Continued ▶▶▶

Session 6

Activity 5 Press Conference Simulation (continued)

Instructions

This is a three-part activity.

Part A (30 min)
With your group members, prepare to hold a press conference based on a press release from the previous activity. Make sure that everyone understands the details of the case as well as their roles, i.e., witness, NGO monitor, victim, etc.

Designate one person as the chairperson who will introduce presenters, explain proceedings, manage the flow of questions, and bring the conference to a close. Refer to ***Reference Sheet 10***: "Holding a Press Conference" for more information on holding a press conference.

Part B (1 hr)

1. Each group will have 30 minutes to hold their press conference: 10 minutes for the presentation and 20 minutes for questions from journalists.
2. While one group is presenting, the other group will play the role of journalists who ask questions to clarify, challenge or raise new issues.

Continued ▶▶▶

Session 6

Activity 5 Press Conference Simulation (continued)

Instructions

Part C (1 hr)
Based on the discussion questions below, the facilitator will lead a debriefing of the activity.

Discussion questions:

- What was most useful about holding a simulated press conference?
- What are some of the challenges in holding a press conference?
- Was playing the role of the media helpful? In what ways?
- How will this simulation contribute to your human rights work?

Notes

End of Activity ●

Reference Sheet 10: Holding a Press Conference

A press conference should be called for:
- Major announcements
- Fast-breaking news
- To brief the press at a special location to heighten media interest

Press conferences are special tools that human rights groups can use to talk to the media, but they must be used selectively. **Do not** call a press conference if you think it would waste a reporter's time. **Do not** call a press conference if a press release can accomplish the same goals.

As you plan a press conference remember to:
- Simplify the message and information
- Use articulate, engaging speakers
- Use strong visual images
- Give information about the press conference and its content beforehand
- Be prepared for tough questions

One week before
- Reserve a venue.
- Schedule time: this should be based on deadlines of media outlets that will cover the event. (Generally between 10 am and 2 pm in the middle of the week is best. Is there a particularly slow news day you can take advantage of?)
- Send out announcements by fax, mail, or hand delivery to media, supporters.
- Prepare written material for the conference including press kits that include contact information, press release, statements by speakers, history and description of the questions being addresses and selected press clippings.

One day before
- Plan the order of speakers and who will say what. Remember to use a few different speakers.
- Contact members of the media and encourage them to attend.
- Prepare a list of speakers to give to the media.

The day of the conference
- Issue a press release that contains the main message of the press conference.
- Make sure the venue for the press conference is easy to find.

Reference Sheet 10 cont'd

During the press conference

- Have a sign-up sheet to get the names and addresses of reporters.
- Distribute press kits.
- Give reporters a written list of participants.
- Take pictures for in-house use.

Following up

- Monitor media coverage to see how the press conference was reported.
- Clip newspaper and news magazine coverage of the event.
- Conduct staff evaluation of the press conference.

Source: Jacques, W.M. (Ed.). (2001). Making the most of the media: Tools for human rights groups worldwide. New York: Center for Sustainable Human Rights Action (CeSHRA).

Day 7

Wednesday, May 1

Session 7: Plan of Action

Time	*Activity*
09.00 – 12.00	*Press Conference*
12.00 – 13.00	*Lunch*
13.00 – 14.00	*Evaluation of Press Conference*
14.00 – 14.15	*Break*
14.15 – 16.15	*Presentations Regional Plans of Action*
16.15 – 17.00	*Workshop Evaluation*
18.00 – 20.00	*Dinner*
20.00 – Open	*Closing Session and Farewell Party*

Session 7:
Press Conference and Plan of Action

Objectives	• To carry out a press conference • To present regional plans of action • To evaluate the content of the workshop
Time	1 day
Activities	1. Press Conference — 3 hr 2. Evaluation of Press Conference — 1 hr 3. Presentations of Regional Plans of Action — 2 hr 4. Workshop Evaluation — 45 min

Session 7

Activity 1 Press Conference

Time

3 hr

Description

The South Sulawesi and South-East Sulawesi regional groups will hold their press conference.

Notes

End of Activity ●

Session 7

Activity 2 Evaluation of the Press Conference

Time

1 hr

Description

The facilitator will lead the discussion on the evaluation of the press conference.

Notes

End of Activity ●

Session 7

Activity 3 Presentations of Regional Plans of Action

Time

2 hr

Description

Each region will present their plan of Action to all participants.

Notes

End of Activity ●

Session 7

Activity 4 Workshop Evaluation

Time

45 min

Description

All participants will provide feedback on the content of the workshop.

Notes

End of Activity ●