

Lesson 2.3



Human Rights

Lesson at a Glance

Aim

To explain the duties of UN peacekeeping personnel in promoting and protecting human rights.

Relevance

As peacekeeping personnel, you have the responsibility to protect and promote human rights through your work.

Human rights are a core pillar of the UN. Promotion and protection of human rights are part of UN peacekeeping mission mandates and structures.

This lesson explains the human rights responsibilities expected of you in the host country. You must be able to recognize human rights violations or abuses and respond appropriately.

Learning Outcomes

Learners will:

- Identify human rights violations/abuses
- Explain UN policies on human rights relevant to peacekeeping
- Identify human rights-related roles in a mission
- List actions to take when human rights abuses and violations are observed

Lesson Map

Recommended Lesson Duration: 45 minutes total

1-2 minutes per slide

Use short option learning activity

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The Lesson



Starting the Lesson

Introduce the following (using the Introductory Slides):

- Lesson Topic
- Relevance
- Learning Outcomes
- Lesson Overview

This lesson on Human Rights is the first on **cross-cutting thematic tasks**. Other lessons on cross-cutting thematic tasks follow:

- Women, Peace and Security (WPS)
- Protection of civilians
- Conflict-related sexual violence
- Child protection

Under “themes”, these tasks respond to all acts of violence or abuses committed against civilians in situations of armed conflict. The tasks are “cross-cutting” because they are everyone’s work and everyone’s responsibility. Cross-cutting thematic tasks are assigned to UN peacekeeping missions on the basis of landmark Security Council resolutions. These resolutions are based on international law.

During each lesson be sure to highlight connections between each cross-cutting thematic tasks. This includes similarities in: international law, resolutions, activities, and roles of mission personnel and other partners. Human Rights is an over-arching theme.

At the end of Module 2 there is an integrated learning activity to review the connections between cross-cutting thematic tasks.

Learning Activity

2.3.1

Trauma of War

METHOD

Testimonies, brainstorm, group discussion

PURPOSE

To identify human rights frequently at risk in conflict, ones that require urgent attention by peacekeeping personnel

TIME

10-15 minutes

- Group work: 5-7 minutes
- Discussion: 5-7 minutes

INSTRUCTIONS

- Consider the testimonies of civilians
- Which human rights are at risk?
- What is your responsibility as the UN?
- Discuss “vulnerability”, “duty to protect” and “trust”

RESOURCES

- Learning Activity instructions
- Testimonies
- Responses to discussion questions

The thumbnail shows a page titled 'Learning Activity' with the sub-title 'Trauma of War' and the identifier '2.3.1'. It contains the following text:

Instructions:

- Consider the testimonies of civilians
- Which human rights are at risk?
- What is your responsibility as the UN?
- Discuss “vulnerability”, “duty to protect” and “trust”

Time: 10-15 minutes

- Group work: 5-7 minutes
- Discussion: 5-7 minutes

Learning Activity**2.3.2****Human Rights – Violations and Abuse****METHOD**

Brainstorm, group discussion

PURPOSE

To explore the difference between human rights violations and human rights abuses, with examples

TIME

Short option: 10 minutes

- Brainstorming: 5-7 minutes
- Discussion: 3 minutes

Longer option: 15-20 minutes

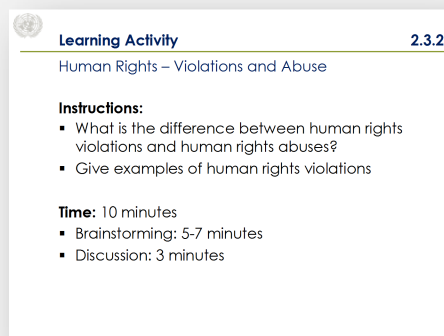
- Introduce activity: 2 minutes
- Table groups: 8 minutes
- Reports: 4-6 minutes
- Close: 2 minutes

INSTRUCTIONS

- What is the difference between human rights violations and human rights abuses?
- Give examples of human rights violations

RESOURCES

- Learning Activity instructions
- Responses to discussion question
- Activity material



The thumbnail shows a page titled "Learning Activity" with the sub-header "Human Rights – Violations and Abuse" and the identifier "2.3.2". It contains the following text:

Instructions:

- What is the difference between human rights violations and human rights abuses?
- Give examples of human rights violations

Time: 10 minutes

- Brainstorming: 5-7 minutes
- Discussion: 3 minutes

Definitions



Recap human rights, which were already defined and covered in Module 1, Lesson 1.4. A repetition of the key messages on human rights from that lesson would be one option to bridge into this lesson. Brainstorm with participants the differences between human rights violation and abuse. Note key points to bridge into the lesson.

Slide 1

1. Definitions

Violations & Abuses

- **Human rights violation:** action/inaction of state official or agent – police, soldier, judge, local administrator, parliamentarian
- **Human rights abuse:** committed by non-state actors – rebel groups, corporations, individuals

Key Message: Abuses and violations of human rights are different.

Violations

Human rights apply to every person. Human rights protection results when people are able to fully exercise them. Who protects those rights? States are supposed to.

International human rights laws define the state's responsibilities to its citizens. States have a duty to uphold people's human rights. Anyone in an official state capacity is a "duty-bearer" – police officers, soldiers, judges, local officials, government representatives.

When duty bearers ignore or act in ways that undermine people's human rights, they fail as duty-bearers. They violate human rights, or commit human rights violations.

So, the term "human rights violation" is a failure by the state – through action or no action – to perform its legally binding obligations to respect, protect and fulfil human rights.

Deliberate actions that result in human rights violations:

- Arrest or detention by a police officer without a warrant or reasonable cause
- Torture of a detainee in police or military custody
- Rape of women and girls by soldiers
- Opening fire on peaceful demonstrators without cause, by police or military

Lack of action that results in human rights violations:

- A government not providing basic services to a group of Internally Displaced Persons (IDPs), for example food, water, adequate shelter
- A local Ministry of Education representative not taking measures so that girls can attend school
- The state fails to ensure that in cases of rape by government agents:
 - Cases are effectively investigated
 - Where there is sufficient evidence for prosecution, perpetrators are prosecuted and punished in accordance with the gravity of the offence

Abuses

The term “human rights abuse” is broader than “human rights violation”. Human rights abuses are acts by non-state actors which prevent the enjoyment of human rights. Non-state actors include: rebel groups, militias, corporations or individuals.

Importance of Human Rights Protection

Slide 2



2. Importance of Human Rights Protection

- Human rights – a core pillar of the UN
- “We will not enjoy development without security, we will not enjoy security without development and we will not enjoy either without respect for human rights”



Key Message: Human rights are at the core of the UN's work.

The UN has a collective responsibility to promote, protect and encourage respect for human rights. The UN Charter commits the UN to promoting universal respect for human rights.

Human rights cut across all areas of UN work. They apply to peace and security, economic and social affairs, development cooperation and humanitarian assistance work. They are also a part of the Security Council's five peace and security activities: conflict prevention, peacemaking, peacekeeping, peace enforcement and peacebuilding.

Abuse and violation of human rights link to conflict, as both a cause and a result. Respect for human rights is a foundation for lasting peace and security.

The UN protects and promotes human rights to:

- Prevent conflicts
- Achieve and keep peace
- Help a country and people recover after conflict with peacebuilding

Development, security and human rights depend on each other.

Human rights are a key part of promoting justice and reconciliation. The UN will not approve, support or recognize amnesties for war crimes, crimes against humanity or

grave violations of international human rights or humanitarian law. Such amnesties may be in a peace agreement negotiated between a government and rebel groups.

The success of UN peacekeeping depends on attention to human rights. The performance of UN peace operations is largely and ultimately measured by how they contribute to protect human rights, including in situations of imminent threat of physical violence, and prevent the occurrence of further violations.

The Security Council mandates most multidimensional UN peacekeeping operations (UNPKOs) to promote and protect human rights. Tasks help ensure respect for human rights, and accountability for violations and abuses. Tasks include:

- Monitoring, investigating and reporting on human rights violations and abuses
- Empowering the population to assert and claim their human rights
- Developing the capacity of the state and national actors and institutions to:
 - Implement their human rights obligations
 - Uphold rule of law

The Security Council includes “cross-cutting thematic tasks” in most mandates for UN peacekeeping operations on:

- Protection of civilians (POC)
- Addressing conflict-related sexual violence (CRSV)
- Protection of children
- Protection of women’s rights through the Women, Peace and Security (WPS) agenda

All link to human rights.

All peacekeeping personnel share responsibility to protect and promote human rights through their work.

Legal Framework



Module 1 introduced international legal frameworks for human rights and humanitarian law. Recap with participants the main parts of the legal framework that obligate UN peacekeeping to promote and protect human rights. Brainstorm specifics.

Slide 3

3. Legal Framework

- UN Charter
- International Human Rights Law
- Security Council resolutions

Key Message: The legal framework for promotion and protection of human rights in UNPKOs includes:

- UN Charter
- International Human Rights Law (IHRL)
- International Humanitarian Law (IHL)
- Security Council resolutions

The Security Council has increasingly mandated peace operations and special political missions (SPMs) **to protect and promote human rights (before, during and after conflict), and to protect civilians in armed conflict under imminent threat of physical violence.**

For example, Security Council resolution 1894 (2009) on protection of civilians in armed conflict stresses that “the deliberate targeting of civilians and the commission of systematic, flagrant and widespread violations of applicable international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security”.

Security Council resolution 1894 (2009) on protection of civilians (POC) in armed conflict:

- Affirms the priority of mandated protection activities
- Emphasizes the importance of comprehensive protection strategies which include accountability for human rights violations and abuses

Effective implementation of a POC mandate requires timely and well-resourced human rights monitoring, advocacy and reporting.



Recap with participants key points about IHL and IHRL from Module 1.

UN Partners Leading in Human Rights

Slide 4



Key Message: The Office of the UN High Commissioner for Human Rights (OHCHR) has lead responsibility in the UN system to promote and protect human rights. Its mandate comes from the UN General Assembly.

OHCHR leads global human rights efforts, working in close collaboration with governments, UN entities and other inter-governmental organizations as well as civil society. OHCHR has offices and centres in many countries and regions.

OHCHR conducts **human rights monitoring** — the active collection, verification and use of information to address human rights concerns. OHCHR monitoring can serve as an

early warning tool to assist national authorities and other relevant actors in taking steps to prevent or reduce human rights violations.

The head of OHCHR is the High Commissioner for Human Rights. The High Commissioner regularly comments on human rights in the world. S/he has authority to investigate cases and issue reports.

Different parts of the UN monitor how states comply with international human rights treaties. OHCHR supports that work.

OHCHR also supports Human Rights components of UN peacekeeping missions in several countries.

Another important part of the UN's human rights mechanism is the **Human Rights Council**. The Council periodically reviews the human rights record of all countries through the Universal Periodic Review. It also discusses and takes action on human rights concerns in any part of the world. The Council is an inter-governmental body, with 47 UN Member States elected by the UN General Assembly. It meets at UN offices in Geneva.

UN Policies on Human Rights

Slide 5



5. UN Policies on Human Rights

- “Human Rights up Front” (HRuF) Initiative (2013)
- UN Policy on Human Rights in UN Peace Operations and Political Missions (2011)
- UN Policy on Human Rights Screening of UN Personnel (2012)
- Human Rights Due Diligence Policy on UN Support to Non-UN Security Forces (2013)

Key Message: UN policies guide work on human rights.

Human Rights Up Front (HRuF)

The UN Secretary-General introduced the “Human Rights Up Front” (HRuF) initiative in 2012. Its goal is for the UN to prevent and respond to large-scale violations of IHRL and IHL with early and effective action. HRuF builds on the UN Charter and UN resolutions. HRuF directs the UN system to work together to better address complex risks to people and Member States.

UN Policy on Human Rights in United Nations Peace Operations and Political Missions

The 2011 policy also applies to UN peacekeeping. It was jointly signed by DPKO, DPA, DFS and OHCHR. The policy guides integration of human rights in UN peacekeeping and SPMs. The goal is to maximize UN actions to:

- Address the human rights dimensions of conflicts
- Build a foundation for lasting peace

The policy states:

- The responsibility to ensure human rights are promoted, protected and respected starts with the SRSG/HOM and senior mission leadership
- Mission Human Rights components or OHCHR help and advise SRSG/HOM
- OHCHR provides expert guidance and support to Human Rights components

- All peacekeeping personnel need to understand and follow IHRL and IHL
- All peacekeeping tasks must respect, promote and protect human rights
- There are specific roles for the various mission components on human rights

UN Policy on Human Rights Screening of UN Personnel

The 2012 policy ensures only individuals with the highest integrity serve with the UN.

- Members States nominating or sending personnel to the UN are to screen them and certify that none have committed crimes or violated IHRL and IHL
- Individuals who seek to serve with the UN are asked to confirm they have not committed crimes or violated international law
- The UN Secretariat manages an information exchange to screen candidates and nominees on human rights conduct

The Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces

“Due diligence” means acting with a certain standard of care. The 2013 policy states that all UN entities must ensure any support they provide to non-UN forces:

- Follows the UN Charter
- Meets UN responsibilities to respect, promote and encourage respect for IHRL, IHL and International Refugee Law

The Due Diligence Policy requires the UN to take these steps before supporting a non-UN entity:


- Assess the risks of the non-UN entity committing grave violations of IHL, IHRL or International Refugee Law
- Be transparent about the UN's legal obligations and principles
- Put in place a framework with procedures to monitor compliance
- Take action on grave violations

The policy states that UN support cannot be provided where:

- There are substantial grounds for believing there is a real risk of the non-UN entity committing grave violations of IHL, IHRL or International Refugee Law
- The relevant authorities fail to take the necessary corrective or mitigating measures


Human Rights in UN Peacekeeping

Slide 6



6. Human Rights in UN Peacekeeping

- Integrate into every day work
- Support national capacity



Key Message: The UN's work supports the promotion, protection and respect of human rights in a country. This applies to the UNPKO as a whole and to individual peacekeeping personnel.

Protecting and promoting human rights is everyone's responsibility. This requires:

- Integrating human rights into everyday work
- Supporting lasting human rights capacity

Leaders, managers and commanders are responsible for knowing UN policies on human rights in UN peacekeeping. It is their job to make sure all peacekeeping personnel:

- Recognize human rights violations and abuses
- Respond correctly – at a minimum, report

The conduct of peacekeeping personnel must follow human rights standards.

Roles and Responsibilities

Slide 7



Key Message: The Human Rights component of a mission advises and coordinates on human rights. The Human Rights component is part of the mission's civilian component.

OHCHR has integrated human rights components in UN peace operations and political missions. This is instead of establishing separate OHCHR field offices in countries where the Security Council deploys such operations.

The Head of the Human Rights component represents the High Commissioner for Human Rights (the Head of OHCHR) in the mission area. S/he advises the SRSG/HOM. S/he has a dual reporting line to the SRSG/HOM and the High Commissioner. S/he receives support, technical advice and guidance from OHCHR.

Core tasks of the Human Rights component are to:

- Monitor and investigate human rights violations and abuses
- Produce internal and public reports on human rights issues and activities
 - Internal reports: for distribution and use only by the Human Rights component, the peacekeeping operation or OHCHR
 - Public reports: shared with the public – host society, international partners and the media
- Advocate and intervene on human rights issues – from quiet diplomacy to public condemnation
- Strengthen the capacity of the host government, civil society and national human rights institutions to protect human rights

- Coordinate human rights work and help integrate it into the core identity of the UN peacekeeping operation, UN Country Team (UNCT) and Humanitarian Country Team (HCT)

Human Rights officers carry out the mission's human rights mandate. They work with others to mainstream human rights.

Human rights teams on the ground work closely with other civilian and uniformed components. Priority partnerships are on:

- Protection of civilians (POC)
- Conflict-related sexual violence (CRSV)
- Violations against children, or child protection
- Legal and judicial reform
- Security sector reform (SSR)
- Prison system reform

Slide 8

Key Message: All parts of a mission contribute to human rights protection through daily tasks.

Some units work closely with the Human Rights component and integrate human rights in specifics of their work.

Rule of Law (ROL)/Justice:

- ROL makes enjoyment of human rights possible. It prevents violations and discrimination in the justice system and combats impunity.
- ROL/Justice units help develop ROL strategies and reform the justice system. They ensure that international human rights standards are the fundamental reference for legal analysis, assessment, programming, and monitoring and evaluation.
- Judicial Affairs officers advise and train people in the national justice system and monitor justice developments.
- Human rights and ROL/Justice components often engage with the same institutions in the justice system. They have a strong partnership. Human Rights components often monitor trials jointly with Judicial Affairs officers, or share information on the handling of cases or judicial decisions.

Corrections:

- Corrections officers deal with the prison system. They advise on policy and procedures to make things work better. These must be in line with international human rights standards on detention.
- Tasks include:

- Rehabilitation of cells and prisons
- Supporting national authorities with the recruitment of prison personnel
- Coaching and mentoring national corrections officers, including on proper treatment for detainees
- Coordination with Human Rights components to monitor places of detention
- The independent monitoring of detention facilities, prison conditions and management practices to make sure they are in line with international human rights standards is the responsibility of the Human Rights component.

Gender Adviser:

- The Gender unit supports laws, policies, institutions and practices that safeguard equal rights of women and girls with men and boys.
- They work with national partners to implement human rights treaties, fight discrimination and strengthen women's participation in society.

Women Protection Adviser (WPA):

- The WPA is the dedicated capacity in missions to address conflict related sexual violence (CRSV). In doing so, WPAs are guided by international human rights standards.

Child Protection Adviser (CPA):

- The CPA identifies protection needs of children. It focuses on human rights violations and abuses of children affected by armed conflict, including sexual abuse, abduction, trafficking and child labour.
- The CPA monitors and reports on the Convention on the Rights of the Child, an international human rights instrument.
- There is partnership, coordination and regular exchange of information with the Human Rights component on human rights violations against children.

Protection of Civilians (POC) Adviser:

- The POC office supports efforts to integrate POC across the work of the mission and national counterparts.
- The Human Rights component contributes to POC through:
 - Monitoring and reporting on human rights violations and abuses
 - Analysis and sharing of relevant information with other componentsThis leads to interventions which prevent and respond to such violations and abuses.

Other units that contribute to human rights protection in peacekeeping:

Security Sector Reform (SSR):

- Mission components which support SSR ensure that reforms reflect human rights standards.
- Human rights are to be part of core training for new military forces and police services.
- Human rights are also part of SSR strategies that vet new forces and make security institutions accountable.
- SSR must be conducted in line with the Human Rights Due Diligence Policy on UN Support to non-UN Security Forces (2013).

Civil Affairs:

- Civil Affairs officers work with civilian officials and public administrators of the host state.
- All advising and training of civilian officials must cover human rights principles and how these apply to running a state.
- Civil Affairs officers play a useful role in:
 - Gathering human rights-related information
 - Informing civil society actors and the population at large of their rights
 - Referring to the Human Rights component: victims of human rights violations/abuses, and situations requiring intervention

Electoral Assistance:

- “The right to vote and to be elected” is one of the basic political rights.
- Electoral Assistance units ensure that electoral legislation and processes are fair and participatory. They ensure that people understand the electoral process and can register and vote without interference or discrimination. Special measures may help illiterate people claim electoral rights.
- During an electoral period, the Human Rights component intensifies its monitoring, advocacy and reporting work.

Disarmament, Demobilization and Reintegration (DDR):

- The DDR unit is required to provide advice and support to national authorities to ensure that the design and implementation of DDR programmes are based on international human rights law.
- The DDR unit ensures that children and women get special protection during demobilization of military forces and armed groups.

- Children and women associated with armed forces and groups, and female ex-combatants, get specific support in DDR programmes.

Political Affairs:

- Political Affairs officers watch political developments in a country and advise mission leadership.
- Political Affairs officers work with human rights partners to prevent violations, using the information they gather on potential disputes and conflicts.
- Political Affairs officers negotiate peace agreements between parties in conflict. In that critical role, they support inclusion of human rights.
- International human rights standards are applied in all interactions with the host government and parties to a conflict. This includes:
 - Representation and participation of minority groups in legislative and executive bodies
 - Non-acceptance of blanket amnesties for human rights violators in peace agreements

The SRSG/HOM:

- The SRSG's/HOM's responsibilities include:
 - Upholding human rights in mandate implementation
 - Giving prominence to human rights in discussions and policy
 - Being a role model on human rights
 - Consistently showing the UN's and the mission's commitment to human rights
 - Promoting human rights, protecting people from violations/abuses, and ensuring a timely mission response when they occur

The DSRSG/RC/HC:

- A DSRSG may be "triple-hatted". This means that the UN Resident Coordinator (RC) and Humanitarian Coordinator (HC) roles are added to the DSRSG role (DSRSG/RC/HC).
- The HC is responsible for managing UN humanitarian operations in a country.
- Humanitarian work is carried out in coordination with the Human Rights component. Human rights must be integrated into humanitarian activities and programmes. This includes:
 - The development of humanitarian needs assessments
 - Information-gathering processes
 - Existing protection and early recovery strategies

Slide 9



Key Message: Ensuring respect for human rights is central to UN Police work in peacekeeping.

The mandate of UN Police (UNPOL) is different for each mission.

- In some missions, UNPOL mentors the host country police services
- In more complex missions, mandates for UN Police cover training, advising and helping to establish and enhance national police services
- Rarely, UN Police are responsible for law enforcement and policing

Across all areas of work, in all aspects of their work, the police must ensure compliance with international human rights standards:

- **Mentoring:** The Security Council often mandates UNPOL to mentor national police. In their daily contact, UNPOL strengthens capacity to:
 - Arrest and detain: make sure arrests are legal, rights of arrested people are respected and detainees are registered and treated humanely
 - Ensure conditions of detention in police holding cells comply with UN minimum standards
 - Investigate and interrogate following legitimate purposes and respecting standard procedures
- **Vetting, training and advising:** This important role is part of SSR. UNPOL may help with vetting, training and advising a new or restructured local police service. These are perfect opportunities to make sure core training covers human rights, and all members of a new police force understand and can apply human rights principles. Human Rights officers often work with UNPOL to train local police services on human rights and advise on vetting procedures.

- **Investigating:** The Human Rights component may call on UNPOL expertise when investigating serious human rights violations. In some missions, UNPOL officers have been seconded to staff investigative teams in the Human Rights component. UNPOL officers with specific skills, such as forensic expertise, have been seconded to support human rights investigations.
- **Reporting:** UNPOL usually works beside national police throughout the host country. The UN expects them and military peacekeeping personnel to be the mission's “eyes and ears” on human rights. Peacekeeping personnel need to document all suspected human rights violations. Then they need to report to the Human Rights component and other relevant units (such as Child Protection and Gender units) for analysis and follow-up.
- **Intervention:** When confronted with a violation, UN Police must also be prepared to intervene.

Slide 10



Key Message: Military peacekeeping personnel contribute in key ways to a mission's human rights mandate.


- **Safe environment:** Military peacekeeping personnel provide a safe and secure environment, which is important to deter human rights violations and/or abuses. They patrol, control borders, set up checkpoints and cordons close to refugee and/or IDP (Internal Displaced Persons) camps. They do this in alongside UNPOL.
- **Physical protection:** In most peacekeeping missions military personnel are mandated to provide physical protection to civilians under threat of physical violence by using armed force. Military personnel must be **prepared to intervene when confronted with human rights violations and abuses** – in line with the

mandate and the Rules of Engagement (ROE). The Force Commander, the Head of the Human Rights component and other heads of components are expected to closely cooperate **to plan for possible crises, escalation of violence and upsurges in violations.**

- **Human rights monitoring and reporting:** Often larger than other components, with a wide operational presence, military peacekeeping personnel can observe and monitor armed groups and civilians. They can gather important information about human rights, and note activity that can lead to violations. Human Rights components analyse and respond to reports they receive from the military.
- **Supporting the Human Rights component and partners:** Military peacekeeping personnel provide escorts to human rights mobile teams and humanitarian convoys. They also share information with the Human Rights component and partners. Support to the work of the Human Rights component includes:
 - Discussing challenges specific to an area
 - Joint patrolling or field visits
 - Exchanging relevant information on the conduct of activities and movements of armed forces and armed groups
 - Providing advice on technical military issues
 - Arranging meetings between Human Rights officers and armed forces/groups
- **Reach and influence:** Military peacekeeping personnel are in contact with different regular and irregular armed groups. They can take up human rights issues with their counterparts, including local senior military personnel and leaders of armed groups. In some cases, they may have a direct role in training and reforming local armed forces. They can be role models for local armed forces, showing how law-abiding military personnel respect the human rights of people they protect.
- **Reinforcement of mission credibility:** Military peacekeeping personnel help maintain credibility of a peacekeeping operation with local people and the international community. This contribution is enhanced when they protect human rights, prevent violations and set a standard for military conduct.

What Individual Peacekeeping Personnel Can Do

Slide 11



8. What Individual Peacekeeping Personnel Can Do

- Take note of facts
- Immediately report
- Protect sensitive information
- Consult Human Rights component
- Promote understanding – translators
- Avoid false expectations – victims, witnesses
- Appropriate intervention
- Follow the situation

Key Message: If peacekeeping personnel see a human rights violation or abuse, they are to take action within their capabilities and limitations

Individual peacekeeping personnel can:

- **At a minimum, take note of the facts.** If appropriate, take a picture, being sensitive to risks this may cause to civilians. Take note of:
 - The date, time and place of the incident
 - Who is involved – those committing the act, those affected, and those witnessing it
 - What happened – state how, when and where it happened in the order you observed them
 - Name and position of the perpetrator
 - Names and addresses of the victims and any witnesses
 - Other important details

List the specific articles of the Universal Declaration of Human Rights that have been violated/abused. Prepare a report following mission procedures.

- **Immediately report through the chain of command or management structure and to the Human Rights component.** Always keep the Human Rights component and other relevant components informed about human rights issues.

- **Make an appropriate intervention to stop violations or abuses, where the situation and mission mandate allow.** The type of intervention depends on your role and mission mandate. Military personnel may take direct military action to protect lives of civilians. UNPOL may intervene through police authorities.
- **Consult with the Human Rights component on human rights issues.** Always report, share information and coordinate with the Human Rights component. Seek advice and consult on what actions to take. Always coordinate action with the Human Rights component because human rights work is complex and sensitive. Maximum care is essential so that peacekeeping personnel help instead of harm the victims of human rights violations/abuses.
- **Protect sensitive information.** Make sure that sensitive information on the identity of victims, witnesses or sources is not unduly disclosed. This applies to gathering information and reporting. Revealing sensitive information can endanger safety and compromise confidentiality. Be careful when speaking to individuals in a group or in front of others.
- **Refrain from conducting a detailed interview.** If you do not have the specialised training and if it is not part of your role, you must not prompt or ask questions and conduct detailed interviews – particularly with children and victims of sexual violence. Make sure that you only note basic information. When approached by someone who wants to give information on an incident, you should simply listen and record what people were told or saw.
- **If working with local translators, ensure their integrity and understanding about human rights.** Also make sure they have basic skills in interviewing on difficult topics.
- **Avoid raising false expectations with victims and witnesses.** Be frank and consistent when explaining the mandate and limits.
- **Continue to follow the situation.** Examples include:
 - Repeat patrolling and observation
 - Visits to police stations
 - Engagement with local counterparts

Learning Activity**2.3.3****Essential Information to Record****METHOD**

Testimonies, brainstorm

PURPOSE

To engage learners in capturing basic information when following a situation or observing human rights violations/abuses

TIME

5 minutes

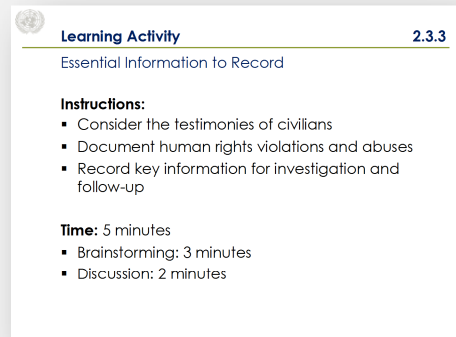
- Brainstorming: 3 minutes
- Discussion: 2 minutes

INSTRUCTIONS

- Consider the testimonies of civilians
- Document human rights violations and abuses
- Record key information for investigation and follow-up

RESOURCES

- Learning Activity instructions
- Testimonies (same as Learning Activity 2.3.1)
- Responses to discussion questions



Learning Activity 2.3.3

Essential Information to Record

Instructions:

- Consider the testimonies of civilians
- Document human rights violations and abuses
- Record key information for investigation and follow-up

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

Human rights violations are committed by state actors; human rights abuses are committed by non-state actors

- When duty bearers ignore or act in ways that undermine people's human rights, they fail as duty-bearers. They violate human rights, or commit human rights violations. Anyone in an official state capacity is a "duty-bearer" – police officers, soldiers, judges, local officials, government representatives.
- The term "human rights abuse" is broader than "human rights violation". Human rights abuses are infringements of rights by non-state actors: rebel groups, militias, corporations or individuals against each other.

There are UN policies on human rights to integrate into activities, screen UN personnel and ensure compliance of non-UN security forces

- UN Policy on Human Rights in United Nations Peace Operations and Political Missions (2011) provides guidance on how human rights shall be integrated into the activities of UN peace operations.
- UN Policy on Human Rights Screening of UN Personnel (2012) ensures that only individuals with the highest integrity serve with the UN, including respect for and commitment to human rights.
- The Due Diligence policy on United Nations support to non-United Nations security forces (2013) sets out measures that all UN entities must take in order to ensure that any support that they may provide to non-UN forces is consistent with the purposes and principles set out in the Charter of the UN.

All UN peacekeeping personnel play a role; the human rights component has a coordination role

- Some units that work most closely with the human rights component in a mission are: rule of law or judicial affairs, corrections, gender, child protection, protection of civilians and women protection advisers.
- The Human Rights component of the mission leads and coordinates the human rights work of the mission. Some of the core functions of the human rights component are:
 - Active monitoring and investigating of human rights violations and abuses
 - Producing internal and public reports on human rights issues and activities
 - Advocacy and intervention on human rights issues, which can range from quiet diplomacy to public condemnation
 - Strengthening the capacity of local actors (government, civil society, national human rights institutions, etc.) to protect human rights

(Cont.)

(Summary cont.)

You must take action: report, coordinate, intervene

- At a minimum, take note of the facts
- Immediately report through the chain of command or management structure and to the Human Rights component
- If the situation and mandate allow, decide on and make an appropriate intervention to stop violations or abuses
- Consult with the Human Rights component
- Continue to follow the situation

Evaluation

Notes on Use: An example of learning evaluation questions for this lesson may be found below.

There are different types of learning evaluation questions for the instructor to choose from (See Options). Types of learning evaluation questions are:

- 1) Narrative
- 2) Fill in the blank/sentence completion
- 3) True-False
- 4) Multiple-choice

Combine in different ways for pre-assessment and post-assessment. Each evaluation type covers different content. No sub-set covers all learning outcomes. Make sure you include learning evaluation questions for each learning outcome when you combine them.

Three main uses of evaluation questions are: a) informally ask the whole group, b) semi-formally assign to small groups or c) formally give to individuals for written responses.

Other suggestions for evaluating learning follow the table.

Evaluation Questions for Lesson 2.3	
Questions	Answers
Narrative <i>Note: Frame narrative evaluations as questions, requests or directions</i>	
1. Duty-bearers can fail to uphold people’s rights in two ways. Explain and give examples of each.	Duty-bearers can <i>act</i> in ways that violate rights, or they can <i>neglect or ignore</i> rights. Deliberate actions that result in violations <ul style="list-style-type: none"> ▪ Arrest or detention by a police officer without a warrant or reasonable cause ▪ Torture of a detainee in police or military custody ▪ Rape of women and girls by soldiers ▪ Bribe-taking by judges, jailing villagers until they pay debts ▪ Opening fire on peaceful demonstrators without cause, by police or military

	<p>Lack of action that results in violations</p> <ul style="list-style-type: none"> ▪ A Government failing to provide basic services to Internally Displaced Persons (IDPs): food, water, adequate shelter ▪ A local Ministry of Education representative not taking measures so girls attend school
<p>2. Name UN policies which guide human rights work in peacekeeping.</p>	<ul style="list-style-type: none"> ▪ <i>UN Policy on Human Rights in United Nations Peace Operations and Political Missions 2011</i> ▪ <i>UN Policy on Human Rights Screening of UN Personnel 2012</i> ▪ <i>Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces 2013</i> <p>Policy names do not have to be fully accurate, but they should capture key words.</p>
<p>3. What are the guidelines to peacekeepers on actions if they see a human rights violation?</p>	<ol style="list-style-type: none"> 1. Note the facts. Take a picture in urgent situations, being sensitive to risks. Prepare a report. 2. Report immediately, up the chain of command. Always keep Human Rights officers and other relevant components informed. 3. Protect sensitive information on identity of victims, sources, witnesses. Maintain confidentiality. 4. Consult with human rights unit, always. 5. Ensure that local translators understand human rights and act professionally. 6. Avoid raising false expectations with victims and witnesses. Be frank, explain mandate and limits. 7. Intervene appropriately to stop abuse, where situation and mission mandate allow. <ul style="list-style-type: none"> ▪ Military personnel may take direct military action to protect lives of civilians. ▪ UNPOL may intervene through

	<p>police authorities.</p> <p>8. Follow the situation. For military, repeat patrols and observation.</p>
Fill in the Blanks	
<p>4. _____ has lead responsibility in the UN System for promoting and protecting human rights.</p>	<p>Office of the High Commissioner for Human Rights (OHCHR) People may say the Secretary-General – only in the sense that he has over-all responsibility: on human rights, the General Assembly has assigned lead responsibility to OHCHR.</p>
True False	
<p>5. Human rights violations are the same as abuses.</p>	<p>False Those who have an official duty to protect people's human rights commit human rights <u>violations</u> – duty-bearers: police officers, soldiers, judges, local officials, government representatives.</p> <p>Human rights <u>abuses</u> are broader than violations. They are infringements of rights by non-state actors: rebel groups, militias, corporations, or individuals against each other.</p>
<p>6. Member States who nominate or send personnel to the UN are to screen them, and certify that none have committed crimes or violated international law.</p>	<p>True <i>UN Policy on Human Rights Screening of UN Personnel, 2012</i></p>
<p>7. The head of a mission's human rights unit represents the High Commissioner for Human Rights in the mission area.</p>	<p>True The person in that post reports to both: a) the HOM b) the High Commissioner. Main role is to advise the HOM.</p>
<p>8. Human rights unit in missions work mainly with other civilian components.</p>	<p>False The Human Rights unit works with all civilian and uniformed components. Missions are to mainstream human rights, integrate it into everyone's work.</p>

Commonly Asked Questions and Key Words

Key Words or phrases for this lesson:

Key Word or Phrase	Definition
Human rights violation	International human rights law and UN policies define state responsibilities to citizens. States have a duty to uphold people's human rights. Anyone in an official state capacity is a "duty-bearer" – police officers, soldiers, judges, local officials, government representatives. When duty bearers ignore or act in ways that undermine people's human rights, they fail as duty-bearers. They violate human rights, or commit human rights violations.
Human rights abuse	The term "human rights abuse" is broader than "human rights violation". Human rights abuses are infringements of rights by non-state actors: rebel groups, militias, corporations, or individuals against each other.
Human rights	"Human rights" are rights inherent to all human beings, whatever our nationality, residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination.

Commonly asked questions from participants:

Possible Questions	Possible Responses
What is the difference between a human rights officer and a humanitarian affairs officer?	A UN human rights officer works to promote and protect human rights in accordance with international human rights law outlined in Module 1. She or he will therefore deal with the human rights of all persons. A humanitarian affairs officer, when part of a UN peacekeeping operation, generally works to support the Humanitarian Coordinator and acts as a liaison between the humanitarian community and the peacekeeping operation to ensure that humanitarian assistance is provided in accordance with international humanitarian law and humanitarian principles. Humanitarian affairs officers work to ensure the rights of civilians, non-combatants, prisoners of war and all categories of persons protected by international humanitarian law.

Reference Materials

Below are materials which are a) referenced in this lesson, and b) required reading for instructor preparations:

- [Charter of the United Nations, 1945](#)
- [United Nations Peacekeeping Operations Principles and Guidelines, also known as the Capstone Doctrine, 2008](#)
- Review peacekeeping mission mandates (See 'Additional Resources')
- [The Geneva Conventions and their Additional Protocols, 1949](#)
- [International Bill of Human Rights](#)
- [Universal Declaration of Human Rights, 1948](#)
- [International Covenant for Civil and Political Rights \(ICCPR\), 1966](#)
- [International Covenant on Economic, Social and Cultural Rights \(ICESCR\), 1966](#)
- [Secretary General's Bulletin Observance by United Nations forces of international humanitarian law \(ST/SGB/1999/13\)](#)
- [Security Council Resolution 2150 \(2014\) on prevention and fight against genocide and other serious crimes under international law\(S/RES/2150\)](#)
- [Security Council Resolution 2086 \(2013\) on the importance of a 'multidimensional' approach to peacekeeping aimed at facilitating peacebuilding, preventing relapse into conflict \(S/RES/2086\)](#)
- [Security Council Resolution 1894 \(2009\) on the protection of civilians in armed conflict \(S/RES/1894\)](#)
- [UN Policy on Human Rights in United Nations Peace Operations and Political Missions, 2011](#)
- [UN Policy on Human Rights Screening of UN Personnel, 2012](#)
- [UN Human Rights Due Diligence Policy \(HRDDP\) on UN Support to non-UN Security Forces, 2013 \(S/2013/110\)](#)
- [DPKO-DFS HRDDP Guidance Note on UN Support to non-UN Security Forces, 2015](#)
- [DPKO-DFS Policy on Training for all United Nations Peacekeeping Personnel, 2010](#)
- [DPKO-DFS Policy on Operational Readiness Assurance and Performance Improvement, 2016](#)
- [DPKO-DFS Guidelines on Operational Readiness Preparation for Troop Contributing Countries in Peacekeeping Missions, 2017](#)
- [DPKO-DFS Standard Operating Procedure for the Assessment of Operational Capability of Formed Police Units for Service in UN Peacekeeping Operations and Special Political Missions, 2017](#)

Additional Resources

UN Information

The website for UN peacekeeping: <http://www.un.org/en/peacekeeping/>

Original Security Council Resolutions on peacekeeping mission mandates:

<http://www.un.org/en/sc/documents/resolutions/>

(You must know the start year, country and resolution reference details for the mission you wish to search for. For this information, identify the name of the mission using the following links: <http://www.un.org/en/peacekeeping/operations/current.shtml>; <http://www.un.org/en/peacekeeping/operations/past.shtml>)

The website for United Nations Commission on Human Rights:

<http://www.ohchr.org/EN/HRBodies/CHR/Pages/CommissionOnHumanRights.aspx=4>

The DPKO website for Human Rights:

<http://www.un.org/en/peacekeeping/issues/humanrights.shtml>

Human Rights Up Front (HRuF) Initiative: <https://www.un.org/sg/en/content/ban-ki-moon/human-rights-front-initiative>

UN Documents

UN documents can be found on: <http://www.un.org/en/documents/index.html> (Search by document symbol, e.g. A/63/100)

DPKO and DFS Guidance

The repository for all official DPKO and DFS guidance is the Policy and Practice Database: <http://ppdb.un.org> (only accessible from the UN network). Official peacekeeping guidance documents are also accessible through the Peacekeeping Resource Hub: <http://research.un.org/en/peacekeeping-community>
Instructors are encouraged to check for the latest guidance.

UN Films

UN films can be found on YouTube: <https://www.youtube.com/user/unitednations>

[2011: An extraordinary year for human rights \(4:00 minutes\)](#)

[Syria: Torture and Punishment \(4:54 minutes\)](#)

Additional Information

Human rights information on the situation in a country from the website of the Office of the High Commissioner for Human Rights (OHCHR):

<http://www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx>

Latest human rights reports issued by the UN Secretary-General, the UN High Commissioner for Human Rights and to identify key human rights violations:

<http://www.ohchr.org/EN/Countries/Pages/PeaceMissionsIndex.aspx>

(Click on the appropriate link for countries with peace operations).

Country-specific information on the international humanitarian response:

<http://www.reliefweb.int>

OHCHR, The Core International Human Rights Treaties:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>

OHCHR, New Core International Human Rights Treaties:

<http://www.ohchr.org/Documents/Publications/newCoreTreatiesen.pdf>

Trainers should let participants know that in addition to the Mission-specific information received during this training, participants should also familiarize themselves with the Pre-deployment Information Package (PIP). The PIP provides information on the mission and the local context.

Additional Training Resources

UN mandatory training 'United Nations Human Rights Responsibilities' can be accessed on Inspira:

<http://inspira.un.org>

Resources can be found on the OHCHR website:

<http://www.ohchr.org/EN/Issues/Education/Training/Pages/HREducationTrainingIndex.aspx>

For additional information or support on human rights aspects of this lesson, instructors can contact the Methodology, Education and Training Unit of the Office of the High Commissioner of Human Rights (OHCHR) in Geneva at Metu@ohchr.org