



TRAINING MANUAL

FOR EECA CIVIL SOCIETY ACTIVISTS
ON INVOLVEMENT WITH UN TREATY
BODIES ON SOGI AND HIV RELATED ISSUES

2020
ECOM

Fedorovych I., Yoursky Y. **Training Manual for EECA Civil Society Activists on Involvement with UN Treaty Bodies on SOGI and HIV Related Issues/ECOM** — Eurasian Coalition on Health, Rights, Gender and Sexual Diversity. — Tallinn, 2020. — 51 p..



Editing and translation: Marcus Oda

Design and layout: Anastasiia Danylevska

This publications is produced with UNAIDS support.

The views described herein are the views of this institution, and do not represent the views or opinions of the views or opinions of UNAIDS.

Free distribution

When using materials, a link to the ECOM — Eurasian Coalition on Health, Rights, Gender and Sexual Diversity is mandatory.

CONTENT

Introduction	4
How to work with this manual?	5
Tips for trainers	7
Thematic section 1 – Right to health	10
Thematic section 2 – UN human rights system	16
Thematic section 3 – UN treaty bodies	23
Thematic section 4 – Special procedures, other opportunities at the UN level	30
Practical section – Effective alternative reports for UN treaty bodies	38
Examples of human rights violations	46
List of video resources	50



INTRODUCTION



The advocacy response to the issue of violations of the right to health and of other related rights is still quite ineffective in the EECA region, for both the LGBT community, as well as for people living with HIV.

ECOM's educational efforts between 2017 and 2019 form part of the response to such low involvement in international advocacy at the UN level. These efforts include trainings for activists on working with UN Treaty Bodies, educational sessions on UN Special Procedures, as well as sessions aimed at increasing the organizational capacity and support for partner organizations in different countries in relation to their advocacy work. This manual was also developed for this purpose. It represents a collection of information on working with UN Treaty Bodies, and practical exercises for group trainings and/or self-trainings for activists on this topic.

Together, these efforts are all aimed at increasing the involvement of activists in international advocacy to strengthen their human rights work in countries and use the UN's potential to exert influence and pressure on national authorities.

During the past few years of active work by ECOM and its regional partners, the first results of successful international advocacy at the UN level in relation to the health issues of LGBT people and people living with HIV were observed in Armenia, Belarus, North Macedonia, Tajikistan, and Uzbekistan, as well as in a number of other countries in the EECA region. This has only served to strengthen ECOM's believe that international advocacy tools can be effective, simple, and easy to use for all activists.

WHO IS THIS MANUAL FOR?

For trainers and/or facilitators working on the topic of international advocacy as a way to prepare for working with groups and to update their knowledge about procedures and rules for working with UN structures. For the self-training of activists: trainers preparing for a group training, leaders of organizations, and/or specialists on advocacy from NGOs, who would like to increase their knowledge, review procedures and/or steps for working with certain UN bodies, or hold an introductory session for their colleagues, can also work with this manual.

HOW TO WORK WITH THIS MANUAL?



This manual was developed according to the constructor principle. Each thematic section has its own educational goals and objectives, expected results, main focuses for preparing theoretical materials, a list of materials for self-training, a description of possible practical exercises, as well as a list of additional sources of information, which the group can receive at the end of the training.









Each section of information represents a separate topic, which can be succinctly reviewed in one session (1.5-2 hours of training time) or addressed in more detail in 2-3 sessions (from 4 to 6 hours of training time), depending on the goals of the training and available resources.

In the annexes to each thematic section, there is a model presentation including the main points, cases, and links to possible video materials.





In addition, you can use this manual in order to independently familiarize yourself with key points related to preparing for international advocacy activities.

Independently studying each section, familiarizing yourself with the theoretical materials, and completing the practical exercises will help you to prepare for work with UN treaty bodies and begin successful advocacy activities at the UN level.



As a result of the training (full training session or independent self-study of the material), participants will obtain the following knowledge:

-  What the right to health is, and what it entails;
-  How to collect information about violations of the right to health;
-  What the current problems and challenges related to human rights in EECA countries are, with a focus on the right to health and HIV in the context of LGBT people;
-  What the UN human rights protection system is;
-  What the UN treaty bodies are, and which treaty bodies protect the rights of LGBT people and/or people living with HIV;
-  What other protection mechanisms are available at the UN level: UPR and Special Procedures;
-  How to prepare for international advocacy at the UN level;
-  How to prepare high-quality alternative reports for UN treaty bodies.

After completing the training, participants will obtain the following skills:

-  How to analyze specific violations of the right to health;
-  How to analyze the current situation in their country in terms of respect for the right to health of LGBT people and/or people living with HIV;
-  How to identify problems related to respect for the right to health in one's country for subsequent international advocacy;
-  How to develop alternative reports for UN treaty bodies or UPR.

The information and practical training obtained should help participants form their own positions regarding:

-  The right to health of LGBT people and people living with HIV;
-  The selection of the most effective tools for international advocacy at the UN level.

Participants will receive a list of additional materials for independent preparation, advice and recommendations on preparing alternative reports, examples of reports from their countries from previous cycles, as well as the ability to quickly find information on UN websites.



BRAINSTORMING FOLLOWED BY A DISCUSSION OF THE RESULTS AND COMPILATION OF LISTS AND/OR EXCEPTIONS

Before explaining the next «portion» of theory to participants, ask what they know about the particular issue. Collect answers using the brainstorming method. Record their answers on a flipchart. Discuss each idea, and, by using the exclusion method, retain only the important ideas and/or ones necessary for the particular session. These remaining results of the brainstorming process can be used in other sessions and/or exercises. Constantly referring back to the experience of participants and analyzing the results of their work during trainings will help them to quickly remember and correlate new knowledge with existing experience and skills.

PARKING

On the one hand, training time is not infinite, on the other hand, this training, like many similar ones on the topic of advocacy, is designed to actively involve participants. Active involvement entails questions, clarifications, the minimization of theoretical material, and the inclusion of the personal experience of participants.

Questions and personal experiences will not always correspond to a specific topic at a particular moment of the training, but leaving questions unanswered and/or losing examples that may later come in handy in other sessions is not worth it. The experience of participants is very important, trainers should learn to collect such experiences and use them.

Take a flipchart or make space on an adhesive wall. Draw a car parking sign. Explain to participants what it means and how to «park questions»/how to return to them later. Example text: «most likely during the training, you will have questions that are either not relevant to the topic at hand or that get ahead of the session. You may also have examples and stories that you would like to share. Your questions and examples are very valuable for our joint work. We, as a team of trainers and organizers, will certainly try to answer all questions and discuss/consider all examples of human rights violations from your country; however, we cannot always do this within a specific session. We will allocate special time for this, either at the end of each day of work or at the end of the training, if any questions and examples are not addressed in a timely manner during a given session. We ask that you record these questions and examples and «park» them so that they are not forgotten».

WORK IN MINI-GROUPS BY COUNTRY

For practical work, we recommend grouping participants by country so that it is easy for them to work on developing an alternative report and so that they can concentrate more deeply on analysis and the search for solutions. If this is not possible, try creating groups based on thematic issues. For example, a group of participants can work on issues related to the provision of medical services to trans* people; another group can develop an alternative report on the issue of denial of medical services to people living with HIV in closed institutions; etc.

INCENTIVES AND RATINGS

A good and simple way to focus the attention of participants on the issues and tasks that they did well in, and/or to give recognition to participants that worked actively during the training is to give rewards. These could be little tokens (for example, stars) or stickers (that can easily be stuck on the notebooks or folders of participants). Stickers can be thematic, for example, with the slogan of a human rights campaign, or conversely, they may have nothing to do with the work. On the one hand, this way of «recognizing success» encourages active participation and creates a little competition (who will have the most stars or stickers); on the other hand, it allows trainers to note correct answers, successful wordings, and interesting questions. This way, participants can note their success and progress.

If you have the opportunity to arrange for prizes, at the end of the training, you can count the stars/stickers and give prizes to the most active participants.

This method of encouraging and creating competition should be used carefully when it comes to working with a team of activists already working together on an ongoing basis (for example, a team from one organization or coalition).

In this case, instead of creating unnecessary competition, consider encouraging the strengths of each and every one on the team and emphasizing the importance and strength of teamwork.

In this manual, we do not provide a description of icebreakers, warm-up exercises, and other technical exercises that trainers use to get to know the group, gather expectations, shift attention, and to increase the energy level of the group.

You can choose such exercises yourself or find ideas in other guides, including:



Training Module on work with Public Officials on Human Rights and Combating Stigma and Discrimination against gay men, other MSM and trans* people: <https://ecom.ngo/library/training-module-on-work-with-public-officials/>



Training Manual: Curriculum and Facilitators' Guide World Health Organization 2014: https://apps.who.int/iris/bitstream/handle/10665/128648/9789241507097_eng.pdf;jsessionid=97096843DFE485D-EE6D4423C47BC091F?sequence=1



HealthWISE. Work Improvement in Health Services. ILO. Trainers' Guide: https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/publication/wcms_235805.pdf



Guidebook for Trainers. ENGINEERING and Industry Innovative Training for Engineers (ENGINEITE): <https://www.engineite.eu/wp-content/uploads/2018/02/Enginite-IO3-Guidebook-for-trainers-final.pdf>

NOTE

ECOM reserves the right to disagree with the position of the authors on certain issues regarding human rights, the right to health and/or HIV services expressed in these guides. They are only cited here as guides for future trainers to help in the selection of methods and exercises for the development of future training sessions.







THEMATIC SECTION 1¹






RIGHT TO HEALTH

¹ We remind you that the thematic section can be developed with the expectation of one session of training work (1.5-2 hours maximum), or for a whole day of training work (maximum 6 hours). Completing the content of the thematic section depends on your goals and available resources.








SUB-TOPICS THAT MAY BE CONSIDERED IN THIS THEMATIC SECTION²

-  What is included and what not is included in the right to health;
-  Right to health for LGBT people — is it the same for «every letter» or are their differences? How will the focus change when working on the problems of people with multiple identities?;
-  How to document violations of the right to health;
-  What is right to health advocacy.

EDUCATIONAL GOALS OF THEMATIC SECTION 1

-  Analyze in detail with the participants the essence and content of the right to health, what it includes and what it does not;
-  Discuss what attributes make a person vulnerable when exercising their right to health (HIV status, being LGBT, disability, addiction, sex work, etc.);
-  Show the intersection between violations of the right to health and other human rights violations (for example, torture, violations of privacy and one's private life, or discrimination);
-  Analyze with participants the basics of documenting violations of the right to health (with an eye to future advocacy at the UN level and the development of alternative reports);
-  Explain the essence of the term «advocacy», and discuss how to set advocacy goals and how to achieve them.

NECESSARY HANDOUTS AND EQUIPMENT

-  Computer
-  Speakers
-  Projector and screen
-  Flipchart
-  Paper and markers
-  Sticky notes or note cards and tape
-  Presentation 1 (or a similar self-prepared visualization)

² Depends on the focus of the training and the time and training resources, the list of sub-topics is designed for 1 day of work; decreasing the number of sub-topics will reduce the working time needed.

INSTRUCTIONS FOR TRAINERS

Depending on time and the focus of your training, develop the program in such a way that participants will be maximally prepared to deal with violations of the right to health for further advocacy work. The right to health acts as the thematic focus so that the group does not discuss all possible human rights violations at once. If, during the discussion, the group has stories or examples of violations of the right to health, ask participants to «park» these stories in the parking lot. You can then consider them during the thematic section «UN Treaty Bodies» and, together with the group, determine, which right the story deals with and to which UN treaty body advocacy should be directed to resolve the issue.

The objective of the group is not only to understand the essence and content of the right to health, but also to learn to analyze various human rights violations, and then use these cases for illustration in their advocacy reports. The majority of the theoretical material can be provided to the group in the form of self-study guides. During the training, the focus should be on important points, working through examples, and providing the opportunity to exchange stories and experiences. Be sure to record these stories, they will become the basis for work in the practical section.

MAIN THEORETICAL FOCUS FOR THE SELF-PREPARATION OF TRAINERS

The objective of the first session is to examine in detail the scope of the right to health, show its relationship to other human rights, as well as to remind the group of the basics of advocacy.

Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) is used as a basis for the right to health. We also provide the group with the definition from the Constitution of the World Health Organization (WHO):





«The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being»

«The right to the highest attainable standard of health imposes a clear legal obligation on States to ensure the necessary conditions to promote the health of all people without discrimination³».





³ Citation, WHO website: <https://www.who.int/news-room/fact-sheets/detail/human-rights-and-health>

The right to health is one of the internationally agreed upon human rights standards and is indivisible from other rights. This means that the realization of the right to health plays a decisive role in the realization of other human rights (to food, housing, work, education, information, and participation), and also depends on the realization of these rights.







The right to health, along with other rights, implies both freedoms and rights:

-  Freedoms include the right to control one's health and body (for example, sexual and reproductive rights) and the right to not be subjected to interventions (for example, torture, medical treatment, or experimental research without consent);
-  Rights include the right to use a healthcare system that provides everyone with equal opportunities to maintain the highest attainable standard of health.

Main components of the right to health:

-  availability of medical facilities, sufficient number of such facilities in a country, the presence of qualified personnel, and the availability of medical programs for all (different population groups);
-  accessibility — everyone can use medical services. Accessibility is measured by 4 indicators: architectural (physical accessibility), non-discrimination, economic accessibility (affordable cost of services), and accessibility of information;
-  acceptability — compliance with medical ethics and standards of work with different population groups; timeliness; fairness; integration and efficiency);
-  quality of medical services (elements of quality medical services include: safety, effectiveness, focus on individuals, timeliness, fairness, integration, and efficiency).

If time allows, discuss with participants the relationship between the right to health and other human rights⁴:

-  right to privacy (respect for one's private life);
-  right to access information;
-  right to be free from torture, and cruel or degrading treatment or punishment;
-  right to liberty and security of person;
-  right to be free from discrimination;
-  right to life.









⁴ Examples can be found in the information digest of the European Court of Human Rights: https://www.echr.coe.int/Documents/Research_report_health.pdf or in the reports of human rights organizations, or in the «Cases» annex to this manual.

PRACTICAL EXERCISES⁵




- ① Collect information about what participants know about the right to health through brainstorming. Write down all answers on the flipchart and discuss all answers using the exclusion method. Highlight answers that relate to the right to health with a different color; cross off answers that do not relate to the right to health. As a result of this exercise, you and the group should have a list of the elements of the right to health. You can then show them the definition of the right to health on the screen (Presentation 1).
- ② Place participants into 4 groups. Explain that one of the criteria for observing the right to health is its accessibility. List the 4 indicators of availability: architectural, non-discrimination, economic, and informational. Write these words on pieces of paper. Each group goes over its indicator and, within 5 minutes, prepares an explanation of «How they understand this indicator/what it entails» and an example of a violation of this indicator (story). Each group presents the results of its work, and trainers discuss the results with everyone. Examples should be sorted according to whether or not they relate to violations of the right to health. Stories should be «parked».
- ③ A similar exercise can be done by providing the group with the elements of quality medical services written down on cards. Mini-groups are then asked to prepare an explanation of what a certain element entails in 3-5 minutes. Elements of the quality of services: safety, effectiveness, focus on individuals, timeliness, fairness, integration, and efficiency.
- ④ Place participants into mini-groups of 3-5 people. Distribute flipchart sheets to them and give them 10-15 minutes to prepare 3 examples of violations of the right to health (or related rights) in relation to LGBT and/or people living with HIV in their countries/cities. Examples should relate to different elements of the right to health (display these elements on the screen). Each group presents the results. Trainers collect examples in clusters, and compile a list of the elements of the right to health being violated in different countries. A model example is written under each cluster. Trainers complete the exercise by reminding the group that these clusters and examples will become the basis for practical group work in the 4th practical section of the training, which relates to the development of alternative reports for treaty bodies. Save the sheets with the results of the group work for the end of the training.

⁵ You can complete all of the exercises from this list or just one of them. You can replace these exercises with others depending on the goals and objectives of your training and the time that you have available.

LIST OF LITERATURE FOR THE SELF-PREPARATION OF TRAINERS

-  International standards and principles on SOGI and HIV, ECOM 2018, Electronic version available at: https://ecom.ngo/en/library/sogi_and_hiv/
-  Yogyakarta Principles, Russian language version: <https://yogyakartaprinciples.org/principles-en/>
-  Updated Yogyakarta Principles +10 <https://yogyakartaprinciples.org>
-  Advocacy Toolkit. What is Advocacy? Graham Gordon, Tearfund 2007& Electronic version: <https://jliflc.com/wp-content/uploads/2019/07/TearfundAdvocacytoolkit.pdf>
-  AdvocacyToolkitforKeyPopulations <https://frontlineaids.org/resources/advocacy-toolkit-for-key-populations/>
-  SALSA Advocacy <https://www.salsalabs.com/amazing-advocacy-guide>
-  WHO ADVOCACY GUIDE: HIV/AIDS PREVENTION AMONG INJECTING DRUG USERS <https://www.who.int/hiv/pub/advocacy/en/advocacyguideen.pdf?ua=1>
-  UNICEF. Youth Advocacy Guide <https://www.voicesofyouth.org/tools-resources/youth-advocacy-guide>

LIST OF ADDITIONAL LITERATURE FOR PARTICIPANTS





-  BORN FREE AND EQUAL. Sexual orientation and gender identity in international human rights law. Office of the UN High Commissioner for Human Rights. Electronic version available at: <https://www.ohchr.org/Documents/Publications/BornFreeAndEqualLowRes.pdf>
-  Universal manual on monitoring and documenting of violations of the rights of LGBTQ people, ECOM 2019. Electronic version available at: <https://ecom.ngo/en/library/manual-on-monitoring-and-documentation-of-lgbtq-human-rights-violations/>
-  «Make It Work: Six steps to effective LGBT human rights advocacy» ILGA-Europe 2010 Author: Aengus Carroll, Edited by Beth Fernandez. Electronic version available at: https://www.ilga-europe.org/sites/default/files/Attachments/makeitwork_manual_2010.pdf






THEMATIC SECTION 2

UN SYSTEM FOR THE PROTECTION OF HUMAN RIGHTS









SUB-TOPICS THAT MAY BE CONSIDERED IN THIS THEMATIC SECTION

-  What is the UN — a brief history;
-  System of UN bodies and structures — how many are there, why are they needed;
-  Strengths and weaknesses of the UN — what can it do, what can't it do;
-  How UN structures can be useful for activists.

EDUCATIONAL GOALS AND OBJECTIVES

-  Explain the structure and objectives of the UN to participants;
-  Discuss the strengths and weaknesses of the UN, and expectations of civil society about the UN;
-  Emphasize that «international bodies help civil society communicate with governments».

NECESSARY HANDOUTS AND EQUIPMENT

-  Computer
-  Speakers
-  Projector and screen
-  Flipchart
-  Paper and markers
-  Sticky notes or note cards and tape
-  Handouts if necessary (if you are using cases studies and examples of UN practices)
-  Presentation 2 (or a similar self-prepared visualization)

INSTRUCTIONS FOR TRAINERS

Depending on the time that you have available for this section, you can focus on discussing the history of the UN and the structure of the UN, and explaining the difference between charter and treaty bodies, and their competencies and powers. In this session, you can also briefly discuss additional mechanisms, which will be addressed in a different section (if you have the time). In this section, it is also important to talk about what knowledge and expectations participants have in relation to working with UN bodies and structures. It is important that they understand their actual capabilities and correlate their expectations to this. This is the basis for successful advocacy.

MAIN THEORETICAL FOCUS FOR THE SELF-PREPARATION OF TRAINERS

Conditional dual division of UN organs into charter and treaty bodies.

CHARTER BODIES	TREATY BODIES
UN General Assembly	Human Rights Committee (CCPR) <i>monitoring the implementation of the International Covenant on Civil and Political Rights</i>
UN Security Council	Committee on Economic, Social and Cultural Rights (CESCR) <i>monitoring the implementation of the International Covenant on Economic, Social and Cultural Rights</i>
UN Economic and Social Council	Committee on the Rights of the Child (CRC) <i>monitoring the implementation of the Convention on the Rights of the Child and Optional Protocols</i>
UN Trusteeship Council	Committee on the Elimination of Racial Discrimination (CERD) <i>monitoring the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination</i>
UN Secretariat	Committee on the Elimination of Discrimination against Women (CEDAW) <i>monitoring the implementation of the Convention on the Elimination of All Forms of Discrimination against Women</i>
International Court of Justice	Committee Against Torture (CAT) <i>monitoring the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol on Detained People</i>
International Criminal Court (Rome Statute)	Committee on Migrant Workers (CMW) <i>monitoring the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</i>

UN High Commissioner for Refugees

Special tribunals for individual countries

Committee on the Rights of Persons with Disabilities (CRPD)
monitoring the implementation of the Convention on the Rights of Persons with Disabilities

Committee on Enforced Disappearances (CED)

Monitoring the implementation of the International Convention for the Protection of All Persons from Enforced Disappearances

The UN system consists of the United Nations itself and more than 30 related organizations, known as programs, funds, and specialized agencies. They have their own membership, leadership, and budgets. UN programs and funds are funded through voluntary rather than assessed contributions. Specialized agencies are independent international organizations funded by both voluntary and assessed contributions. See the list of these organizations in Appendices «UN Programs and Funds» and «UN Specialized Agencies».

Speak about what the UN charter bodies are: which ones exist now, and how new charter bodies are created. Here you can give examples of the creation of special tribunals and list the permanent charter bodies whose activities may be important for human rights activists, such as the work of the UN General Assembly. The UN Charter can be displayed on the screen to illustrate key points.

Bodies that monitor the observance of human rights (two main ones):



The Office of the United Nations High Commissioner for Human Rights (OHCHR) oversees all UN human rights work. In particular, this office coordinates the work and promotes the activities of other UN bodies that ensure the implementation of human rights (for example, the Human Rights Council or the Committee on the Rights of the Child), works with governments to increase the effectiveness the implementation of human rights, and seeks to prevent human rights violations⁶.



UN Human Rights Council (often referred to as the HRC or Council) — is an intergovernmental body based in Geneva whose function is to monitor states' compliance with human rights law and to protect fundamental rights and freedoms around the world. The Council holds public meetings (three regular sessions per year, and may also hold special sessions to resolve emergency situations in the field of human rights) to review the results of the work of states in relation to human rights, adopt new standards, and to promote respect for human rights. The Council also appoints independent experts, who report on individual human rights violations and examine the human rights situations in individual countries⁷.

⁶ Source: <https://archive.crin.org/en/guides/un-international-system/what-un.html>

⁷ Source: <https://archive.crin.org/en/guides/un-international-system/what-un.html>

The Human Rights Council works with tools such as:



Universal Periodic Review, UPR (we will talk about this in the following sections);



Regular sessions with a total duration of 10 weeks are held three times a year: in March (four weeks), June (three weeks), and September (three weeks);



Special procedures for monitoring, drafting recommendations, and developing official reports on the human rights situations in individual countries and regions or on individual issues (respectively, these are special country or thematic mandates).

UN treaty bodies are bodies created on the basis of individual treaties. There are currently nine human rights treaties (see the list in the table above).

However, there are currently 10 treaty bodies, which are committees of independent experts. Nine of them monitor the implementation by States-parties of UN human rights treaties. The tenth, the Subcommittee on Prevention of Torture, established under the Optional Protocol to the Convention against Torture, monitors places of detention in States-parties to the Optional Protocol.

Treaty bodies are established in accordance with the provisions of the treaty whose implementation they monitor. The OHCHR⁸ assists treaty bodies to harmonize their working methods with established requirements.

Human rights treaties are documents drafted by the UN about certain human rights standards, which are put forth for signing and ratification by UN member states. Simply put, UN experts propose, discuss, and decide what the set of minimum standards for human rights should look like (or what new standards should be added and/or updated). They then put these standards into a document called a covenant or convention, and begin persuading (advocating) UN member states to sign and ratify the document. When UN member states sign and ratify a document, this means that the minimum human rights standards enshrined in the document become a part of this country's national law and cannot be violated.

For example, a country accepts (signs and ratifies) the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which means that police officers can no longer torture (or threaten to torture) a person who was detained after being accused of committing a crime. If a member state ratifies the Optional Protocol to this Convention, it means that it must create a system allowing civil society to monitor conditions in prisons. Here, LGBT activists can become a part of this system and begin to monitor the conditions of detention of prisoners belonging to the community, including the state of their health.

⁸ Office of the UN High Commissioner for Human Rights

Important: remind participants that all UN bodies (treaty bodies, committee members, special rapporteurs, and even technical staff) are people. They do not always have perfect knowledge of human rights. They do not always consciously and completely share the values and principles of the UN, and are not always prepared to use these values and principles in their everyday work. And they do not always guess what civil society activists want to say or receive. Working with the UN requires time, knowledge, and patience, as well as careful planning and explanation. Work with UN bodies as if you were trying to explain human rights to your parents or your aunt — do so in a simple manner, clearly, and without unnecessary abbreviations or professional slang. This way you will have a better chance of being heard and understood.


PRACTICAL EXERCISES

- 1 Work with UN programs and funds. Divide participants into two mini-groups. Distribute a list of UN programs and funds to one group. Give the other group a list of specialized UN agencies. Ask each group «to flesh out» several human rights (print the names of different human rights and freedoms from the Covenants and cut them into separate strips of paper). Ask each group to make a list of «which UN specialized agencies or programs and funds it is appropriate to cooperate with for each specific right». Discuss the results of the mini-group work all together. Focus on the fact that UN specialized agencies can also be partners in international advocacy. For example, if there is active work with LGBT teenagers in a country, then UNICEF may be a partner.
- 2 Familiarize participants with the content of core human rights treaties. This can be done in the form of a game. Choose several treaties (for example, the Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment). Print out the articles of each convention on separate pieces of paper (just the main ones, not the whole list of articles, for example, articles 1-7 of the Covenant, articles 4-9 of the Convention against Torture and articles 3-10 of the Convention on the Elimination of All Forms of Discrimination against Women). Make sure that only the text of the articles and not the article number is written on the pieces of paper. Place participants into mini-groups. Each group receives a «package» of articles from one of the conventions. The names of all three documents (conventions) are read out to the groups (and are preferably visible on the screen). The task for the groups is to «collect their convention»⁹ on a flipchart, and determine what convention's articles they received, which article numbers they have, and which articles (which rights) are missing in the printouts.

⁹ Participants should use the Internet to find the full text of these treaties (by name) and compile the articles in chronological order.

- 3 Additional round — after compiling a catalogue of its given Convention, each group has a discussion around the topic of «what violations of what rights from this Convention have you encountered in relation to LGBT people?» and then presents the results of the discussion to the whole group. After discussion, each group should tell one story about one specific right. If necessary, trainers give feedback and help participants to correctly determine the nature of violations related to their story, which right was violated, and which Convention the violations relate to. Be sure to «park» the most detailed stories about violations of the rights of LGBT people (indicating which right was violated, and which Convention this relates to). This can be useful in future work.

LIST OF LITERATURE FOR THE SELF-PREPARATION OF TRAINERS

-  UN history web pages, special section on the UN website: <https://www.un.org/en/sections/history/history-united-nations/>
-  UN programs and funds: <https://www.un.org/en/sections/about-un/funds-programmes-specialized-agencies-and-others/>
-  UN specialized agencies: <https://www.un.org/en/sections/about-un/funds-programmes-specialized-agencies-and-others/>
-  What are UN treaty bodies? <https://archive.crin.org/en/guides/un-international-system/other-treaty-bodies.html>
-  Methodological materials for reporting to UN treaty bodies: <https://www.ohchr.org/EN/Publications-Resources/Pages/TrainingPackage.aspx>

LIST OF ADDITIONAL LITERATURE AND RESOURCES FOR PARTICIPANTS

-  Key international human rights treaties and monitoring bodies for their implementation: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>
-  Monitoring the implementation of key human rights treaties: <https://www.ohchr.org/EN/HRBodies/Pages/Overview.aspx>
-  UN system chart: <https://www.un.org/ruleoflaw/wp-content/uploads/2018/06/147dbb0b03b-5884782b86899cb18d15f.png>







THEMATIC SECTION 3



UN TREATY BODIES











SUB-TOPICS THAT MAY BE CONSIDERED IN THIS THEMATIC SECTION

-  What are UN treaty bodies;
-  What does each treaty body do/what issues do they deal with — connection with violations of the rights of LGBT;
-  How can local problems related to violations of the rights of LGBT be turned into material for international advocacy;
-  What do states «bring» to treaty bodies, and what do human rights organizations and activists «need to bring».

EDUCATIONAL GOALS AND OBJECTIVES

-  Familiarize participants with the nine UN treaty bodies — discuss their work, cycle, the focus of each treaty body;
-  Use «problem — treaty body» pairs to teach participants how to navigate issues related to human rights violations and which treaty body is the appropriate addressee of an alternative report.

NECESSARY HANDOUTS AND EQUIPMENT

-  Computer
-  Speakers
-  Projector and screen
-  Flipchart
-  Paper and markers
-  Sticky notes or note cards and tape
-  Handouts if necessary (if you are using cases studies and examples of UN practices)
-  Presentation 3 (or a similar self-prepared visualization)

INSTRUCTIONS FOR TRAINERS

In this section, it is important to find a balance between the theoretical and practical components. If you had enough time in the last section to name all nine treaty bodies, give participants the task of «collecting the Convention», and to work with the catalogues of rights from different documents, then begin this section with the practical task of discussing the story and compiling a list of «problem — committee» pairs. If there was not enough time in the last section, then first devote time in this section to theoretical material: discuss the treaties and committees, then proceed to the practical task.

MAIN THEORETICAL FOCUS FOR SELF-PREPARATION OF TRAINERS

9 treaties = 10 committees, explain why it is like this, remind participants about the Subcommittee on Prevention of Torture.

Discuss the primary documents for working on violations of the rights of LGBT people. What are the obvious Conventions (and respective Committees) that everyone works with? Which Conventions/Committees may not be so obvious? What opportunities are there for working with less obvious Committees (see examples in the table below).

OBVIOUS	NOT OBVIOUS
<p>Human Rights Committee</p>	<p>Committee on Migrant Workers</p> <p><i>For countries with developed migration, it may be interesting to observe what problems LGBT migrants or migrants living with HIV have</i></p>
<p>Committee on Economic, Social and Cultural Rights</p> <p><i>Right to Health</i></p>	<p>Committee on the Rights of the Child</p> <p><i>The advocacy focus can be, for example, on issues related to sexual education for children and adolescents, which would include sufficient information on sexual orientation, issues of gender identity and freedom, as well as HIV prevention</i></p>
<p>Committee on the Elimination of Discrimination against Women</p>	<p>Committee on the Rights of Persons with Disabilities</p> <p><i>If you have cases of intersectional human rights violations based on disability and SOGI, you can work with this committee, both in relation to the right to health, as well as across the wider spectrum of human rights</i></p>
<p>Committee Against Torture</p>	<p>Committee on Enforced Disappearances</p> <p><i>If, in your country, there are cases where people are disappeared after coming out, repression and/or criminal punishment for same-sex relationships, it is worthwhile to familiarize yourself in detail with the provisions of this convention and to pay attention to the work of this committee</i></p>

Committee on the Elimination of Racial Discrimination

Pay attention to shadow reports submitted to this committee by human rights organizations working in the field of monitoring hate crimes and combating racism and xenophobia; you can submit information to this committee on progress in the investigation of hate crimes, and in the monitoring of Nazi and other far right groups

Essence of working with UN treaty bodies (UN Committees):



Monitoring the implementation of the minimal human rights standards established by the relevant convention in each member state (signatory to the convention);



Preparing general comments and a list of specific issues for the country being reviewed;



Country visits;



Working in response to individual complaints to develop concrete recommendations, which the country must implement in response to individual complaints.

Who does a committee consist of, what are the strengths and weaknesses of such an approach:



A committee consists of 11 members who are internationally recognized experts in their field, often with an academic background and/or extensive practical experience;



Committee members are selected by member states for a term of 4 years, with the right to re-appointment;



Every two years, elections are held for half of the committee members, thereby ensuring rotation and new knowledge/experience among committee members;








Committee meetings and sessions take place in Geneva; there are two exceptions: the Committee on the Elimination of All Forms of Discrimination against Women and the Human Rights Committee each hold one visiting session a year in New York;











Committee members have different experiences in different fields; they are not always experts who know everything about human rights and who can navigate all possible violations; remember this when writing your reports.







Why should states submit reports to committees:

-  A review of the implementation of minimal human rights standards (legislative assessment);
-  Assessment of the compliance of legislation and its practical implementation;
-  Monitoring and recognizing progress in the development of the implementation of its human rights obligations;
-  Search for problems and shortcomings to eliminate them in the future;
-  Planning for future strategies and work.

Why should NGOs follow state reports and submit alternative reports:

-  Provide an alternative point of view about what is written in legislation and how it works in practice;
-  Discuss areas where the lack of legislative regulation leads to violations of human rights in practice;
-  Illustrate problems using the stories of real people;
-  Show the extent of human rights violations;
-  Discuss marginalized groups about whom states rarely speak, including LGBT, people living with HIV, sex workers, and many others, whom states do not consider as vulnerable and do not discuss in their reports;
-  Offer opinions on what systematic changes can help improve the country situation by formulating recommendations;
-  Help committees to form clear, understandable recommendations that are necessary in relation to specific areas, in order to improve respect for particular human rights;
-  Avoid receiving general and vague recommendations from committees, the implementation of which is extremely difficult to monitor in practice.

What does a committee's cycle of work with NGO and country reports look like:




-  Preparation and submission of the state report (state);
-  Submission of alternative reports (NGO);
-  Preparation for review (Committee) + if necessary, a list of preliminary questions (prepared by the Committee, State responds in writing);
-  Review of the report (Committee session where State representatives, Committee members, and NGO representatives may be present);
-  Preparation of final recommendations (Committee);
-  Implementation of recommendations (state) and monitoring (NGOs and Committee).




Important: The official languages of the UN are English, French, Spanish, Arabic, Chinese, and Russian. However, in practice, committee members most often use English and French. They much less often know other languages. Although there are no restrictions on submitting information to committees in any official UN language, in practice, this means that an alternative report submitted in Russian must be translated to English and/or French, by the committee secretariat. Committee resources are limited, and the quality of work of translators in the UN system sometimes leaves much to be desired. If you want your information to get to the desks of committee members as soon as possible, without errors or inaccuracies in translation, make it a rule to submit your alternative reports in English.

PRACTICAL EXERCISES

- 1 Display a list of treaty bodies on the screen. Put cards with a brief description of each treaty body on the tables of all participants (See the page «UN Treaty Bodies»). Divide participants into mini-groups (randomly, by counting or using the names of fruits). Give each group descriptions of 2-3 stories, (see Annex «Cases»). Participants should familiarize themselves with the stories, identify which rights (rights and freedoms) were violated, who is the victim (to which group do they belong), and under the mandate of which committee do these rights fall.
- 2 Each group makes a presentation and briefly retells the story in its own words, conducts an analysis, and listens to clarifying questions from other groups and/or trainers. Together with the trainers, participants discuss «problem — committee» pairs. Write these «pairs» out on the flipchart and save the sheet for later use during the next practical section. As a result of this exercise, participants should learn how to identify treaty bodies based on the goals of their advocacy campaigns.

LIST OF LITERATURE FOR THE SELF-PREPARATION OF TRAINERS

-  Methodological materials for reporting to UN treaty bodies. Office of the UN High Commissioner for Human Rights. Electronic version available at: <https://www.ohchr.org/EN/PublicationsResources/Pages/TrainingPackage.aspx>
-  The United Nations human rights treaty body system. Fact Sheet No. 30. Office of the UN High Commissioner for Human Rights. New York and Geneva 2012. Electronic version available at: <https://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf>
-  APT Recommendations for national NGOs on alternative reporting to UN treaty bodies, including the Committee against Torture. Association for the Prevention of Torture, Geneva. Electronic version available at: https://www.apt.ch/content/files_res/CAT%20English.pdf

-  National reporting and follow-up mechanisms. Practical guide to effective state engagement with OHCHR international human rights mechanisms, New York and Geneva 2016: https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf
-  Tools for states-parties and permanent missions to prepare documentation for treaty bodies: <https://www.ohchr.org/EN/HRBodies/Pages/tb-documentation-tools.aspx>
-  Visualization — map of reporting compliance by State parties to the human rights treaty bodies: https://www.ohchr.org/Documents/Issues/HRIndicators/Reporting_Compliance.pdf

LIST OF ADDITIONAL LITERATURE AND RESOURCES FOR PARTICIPANTS




-  Calendar of dates for submission of documents to UN treaty bodies (search by country and treaty body): https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/MasterCalendar.aspx?Type=Session&Lang=en
-  Calendar of dates for submitting documents in 2019-2020, developed by the advocacy department of ILGA World: https://ilga.org/downloads/Treaty_Bodies_calendar_alert_July2019.pdf?fbclid=IwAR101sgsgxASbSEC9TMEitwumz3RtOXwRmbaEE9qPtNv_W_rfzwSdhULTCE
-  Online training on working with UN treaty bodies from the Office of the UN High Commissioner for Human Rights: <https://ecampus.itcilo.org/enrol/index.php?id=529>
-  Factsheet: UN human rights treaty bodies — and their relevance for SDC: https://www.shareweb.ch/site/Conflict-and-Human-Rights/tools/Dokumente%20Shareweb%20von%20Excelliste/Factsheet_HR_treaty_monitoring_160407.pdf






THEMATIC SECTION 4

SPECIAL PROCEDURES AND OTHER OPPORTUNITIES AT THE UN LEVEL









SUB-TOPICS THAT MAY BE CONSIDERED IN THIS THEMATIC SECTION

-  UN special procedures and special rapporteurs;
-  Independent Expert on SOGI - role, objectives, how he can be useful for human rights organizations and activists;
-  What is UPR and how to use it.

EDUCATIONAL GOALS AND OBJECTIVES

-  Familiarize participants with UN special country and thematic mandates;
-  Familiarize participants with the work of the Independent Expert on SOGI;
-  Familiarize participants with Universal Periodic Review — explain the benefits of participating in UPR.

NECESSARY HANDOUTS AND EQUIPMENT

-  Computer
-  Speakers
-  Projector and screen
-  Flipchart
-  Paper and markers
-  Sticky notes or note cards and tape
-  Handouts if necessary (if you are using cases studies and examples of UN practices)
-  Presentation 4 (or a similar self-prepared visualization)

INSTRUCTIONS FOR TRAINERS

This is an alternative bloc of information. It should be included if you have enough time and a request for a detailed study of all the opportunities for international advocacy at the UN level. Remember that the procedures for working with treaty bodies and UPR vary considerably and the group may have misunderstandings/confusion about this. It is important to show the main differences between working with committees and with UPR. You should also emphasize that working with UPR and/or special rapporteurs does not replace or exclude working with treaty bodies. The knowledge and ability to systematically and regularly use various international advocacy tools at the UN level will only increase the chances of NGOs to receive desired recommendations and strengthen their advocacy position at the national level.

MAIN THEORETICAL FOCUS FOR SELF-PREPARATION OF TRAINERS

UN Special Procedures are a number of independent experts with knowledge in various areas of human rights, who are authorized to advise the UN on various specific narrow issues. Special procedures are divided into thematic and country mandates. This means that experts consult and analyze information on human rights situations in specific countries, or in relation to specific thematic areas of human rights. There are 44 thematic and 12 country mandates¹⁰, including the following.

THEMATIC

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Working Group on Enforced or Involuntary Disappearances

Special Rapporteur on the right to privacy

Special Rapporteur on the situation of human rights defenders

Independent Expert on sexual orientation and gender identity

BY INDIVIDUAL COUNTRY

Special Rapporteur on the situation of human rights in Belarus

Special procedures make country visits, prepare thematic reports, analyze information, and send messages and appeals to governments and individuals.




They also develop human rights standards and guidelines, participate in expert consultations, seminars, and conferences, organize discussions during Human Rights Council sessions, carry out working visits (i.e. country visits aimed not at establishing facts, but rather combining technical assistance, mediation, and developing best practices), and also increase awareness about specific human rights situations, incidents that threaten human rights, or violations of human rights through public statements and engagement with a wide range of partners¹¹.

¹⁰ As of 1 August, 2017, source: <https://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>




¹¹ Source and more information for self-preparation of trainers: <https://www.ohchr.org/EN/HRBodies/SP/Pages/Introduction.aspx>

Aside from limited resources, special procedures have another significant drawback: they cannot visit a country without official permission from the government. Therefore, in some countries, activists should conduct national advocacy activities aimed at obtaining invitations (permission) for special procedures to visit the country.

Independent Expert on SOGI — Viktor Madrigal-Borloz¹² received a mandate pursuant to Human Rights Council Resolution 32/2¹³. **The expert's objectives of work include:**

-  assess the implementation of existing international human rights treaties in relation to overcoming violence and discrimination against people based on their sexual orientation or gender identity, while identifying best practices as well as gaps;
-  increase awareness about violence and discrimination against people based on their sexual orientation or gender identity, and address root causes of violence and discrimination;
-  engage in dialogue and consult with states and other relevant stakeholders, including United Nations agencies, programs and funds, regional human rights mechanisms, national human rights institutions, civil society organizations, and academic institutions (not an exhaustive list, more on the web page of the expert and in the resolution mentioned above).

Methods of work (during implementation of the mandate of the Independent Expert):

-  sending urgent appeals and letters to states regarding violence and discrimination against individuals based on their sexual orientation or gender identity.
-  carrying out country visits.
-  submitting annual reports to the Human Rights Council and the General Assembly on activities, trends, and working methods.

Under these two (b and c) methods of work, there are opportunities for civil society activists to collaborate with this Independent Expert on issues of SOGI. During the two years of his mandate, he has already visited several EECA countries, and also actively uses information received from various NGOs and coalitions in the development of his analytical materials..

UPR (Universal Periodic Review) — is a separate mechanism for reviewing obligations related to the observance and promotion of human rights in UN member states.

¹² At the time this manual was written. Appointed 1 January, 2018, at the end of 2019 his mandate was extended for another term.

¹³ Resolution 32/2, adopted by the Human Rights Council on 30 June, 2016. Protection against violence and discrimination based on sexual orientation and gender identity: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/154/17/PDF/G1615417.pdf?OpenElement>

UPR is considered the first of its kind as a global mechanism for monitoring compliance with human rights. As part of UPR, each UN member state reports on the observance of rights and freedoms within its territory and receives critical assessments and recommendations from other states. Distinctive features of the review include equality of approaches to different states (both small and large states), and the lack of selectivity (every state reports according to generally accepted rules). UPR is based on a holistic understanding of human rights and the involvement of non-state stakeholders in various stages of review.

UPR is based on a «peer review» principle: states receive recommendations on improving human rights situations only from other UN member states. Intergovernmental dialogue attaches weight to formulated recommendations and emphasizes the importance of human rights as a value that knows no borders. UPR is a constant reminder for states to fulfill their obligations to protect human rights and fundamental freedoms¹⁴.

STRENGTHS OF UPR

You can focus on any human right, there is no reference to any specific document (Convention or Covenant)

Includes all groups of people with various characteristics, it is possible to focus on intersectional human rights issues (for example, the situation of LGBT people living with HIV in prisons), as well as on very narrow thematic issues (for example, violence against trans* teenagers in families)

States are encouraged to prepare for UPR in the form of broad consultations with NGOs

NGOs themselves develop recommendations and promote them among diplomats, the final result is very dependent on the level of training of NGOs

States are encouraged to engage NGOs in the phases of selecting and implementing recommendations

WEAKNESSES OF UPR

Diplomats representing UN member states, rather than human rights experts, are the ones reviewing reports and recommendations

There is competition between countries and a desire for «revenge» (countries often give other countries recommendations that about problems at home)

There is a tendency to make general recommendations, there is no mechanism to «punish a country for not following recommendations» aside from shaming it in the next cycle

A country receiving recommendations may refuse to implement some of them

¹⁴ Citation, for more details, see the publication "30 steps towards effectiveness. Using the UPR mechanism to protect and promote human rights" in the list of literature for independent work. UNDP Ukraine, Kiev 2013.

PRACTICAL TASKS

In this section, you should work on the wording of the desired recommendations. Use the work plan of the UPR cycle as a basis for the exercise, when there is a state report, an alternative NGO report, which lists problem areas (specific human rights violations) and the desired recommendations that NGOs want to receive.

The starting point for the work of participants will be an alternative NGO report, which they will receive in an already prepared format. The task is to write desired recommendations based on the information in the report.






Divide participants into mini-groups. Distribute «alternative reports» to each mini-group (see Appendix «Alternative Reports») and ask them, in 10 or 15 minutes, to develop and fill in a table like the following example.

HR PROBLEMS MENTIONED IN REPORT <i>(each right is a separate line)</i>	DESIRED RECOMMENDATIONS <i>(each recommendation is a separate line)</i>
Hate crimes are not investigated	Make a separate hate crimes investigation bureau (department)
Patients living with HIV are denied medical care in private clinics	Review the regulation of private medical centers/introduce administrative liability for the denial of medical care due to HIV status

After presenting the group results, collectively discuss how easy it was to identify rights violations, what helped, and what made it difficult, as well as how easy it was to formulate lists of desired recommendations. In addition, emphasize the content and form of recommendations: to what extent are they understandable, accurate, simple, and clear.

Important: remind the group that, when NGOs formulate recommendations, they should avoid trying to «save the whole world» in one proposed recommendation in order to avoid formulations that are too broad; it is worth thinking about who will implement the recommendation and how they will do it. For example, we are addressing a recommendation to the Ministry of Internal Affairs (Police) and want them to create a separate department for investigating hate crimes. Doesn't this sound much more specific than «the police must respect human rights»?

Write out all recommendations on one flipchart, and try to create clusters of recommendations together with the group, for example:

-  Recommendations related to legislation (enact new law or change/repeal existing law);
-  Recommendations related to the development of educational programs and trainings for officials;
-  Recommendations related to activities aimed at changing public opinion;
-  Recommendations related to other topics/issues;
-  Recommendations that are too broad (about everything at once).

As a result of this task, you and the group will get a list of concentrated and clear recommendations, and you will discuss how a recommendation about «everything at once» can be turned into one or several clear and specific recommendations.

Similarly, you can prepare a list of desired recommendations for inclusion in an alternative report for treaty bodies or for contacting special rapporteurs. All of these documents should follow one approach: a structured and clear presentation of concise information, accompanied by short and specific recommendations.

LIST OF LITERATURE FOR THE SELF-PREPARATION OF TRAINERS

-  Universal Periodic Review. Handbook for civil society. UN treaty bodies. Office of the UN High Commissioner for Human Rights. Electronic version available at: https://www.ohchr.org/Documents/Publications/ngohandbook7_ru.pdf
-  Special mandates by country: <https://spinternet.ohchr.org/ViewAllCountryMandates.aspx?lang=en>
-  Additionally <https://ijrcenter.org/un-special-procedures/list-of-country-specific-special-procedures/>
-  Special procedures (thematic mandates): <https://spinternet.ohchr.org/ViewAllCountryMandates.aspx?Type=TM&lang=en>
-  Publications by special procedures: <https://www.ohchr.org/EN/HRBodies/SP/Pages/Publications.aspx>
-  Independent expert on sexual orientation and gender identity: <https://www.ohchr.org/EN/Issues/SexualOrientationGender/Pages/Index.aspx>
-  Other UN bodies, list. English-language web page: <https://www.ohchr.org/EN/HRBodies/Pages/OtherUnitedNationsBodies.aspx>

LIST OF ADDITIONAL LITERATURE AND RESOURCES FOR PARTICIPANTS



30 steps towards effectiveness. Using the UPR mechanism to protect and promote human rights. UNDP Ukraine, Kiev 2013. Electronic version available at: https://www.ua.undp.org/content/ukraine/uk/home/library/democratic_governance/30-steps-on-the-way-to-effectiveness.html



Human Rights Bodies — Complaints Procedures: <https://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx>



Free and Equal UN — resource page of the campaign »Stand up for equal rights & fair treatment for lesbian, gay, bi, trans & intersex people everywhere»: <https://www.unfe.org/en/>



Informational educational videos on UPR in English: <https://www.upr-info.org/en/tutorials>



Thematic reports of Victor Madrigal-Borloz for 2018-2019: <https://www.ohchr.org/EN/Issues/Sexual-OrientationGender/Pages/AnnualReports.aspx>



PRACTICAL SECTION

PREPARING EFFECTIVE ALTERNATIVE REPORTS FOR UN TREATY BODIES



SKILLS TO BE DEVELOPED IN THIS PRACTICAL SECTION

- ★ How to collect information and why we should read previous reports;
- ★ What is an alternative report and what is its aim;
- ★ Where to look for information: rules, deadlines, calendars;
- ★ Alternative reports by coalitions – pluses and minuses;
- ★ Desired recommendations: we are preparing a complete package for effective international advocacy.

EDUCATIONAL OBJECTIVES (*skills training*)

- 🎯 Stages of developing an alternative report;
- 🎯 Collection and analysis of information about previous cycles for the effective preparation of alternative reports;
- 🎯 Analysis of problems in the country and the choice of focus for an alternative report;
- 🎯 Tips on how to write a quality alternative report;
- 🎯 Finding allies and partners;
- 🎯 Promoting an alternative report and advocacy for desired recommendations.

NECESSARY HANDOUTS AND EQUIPMENT

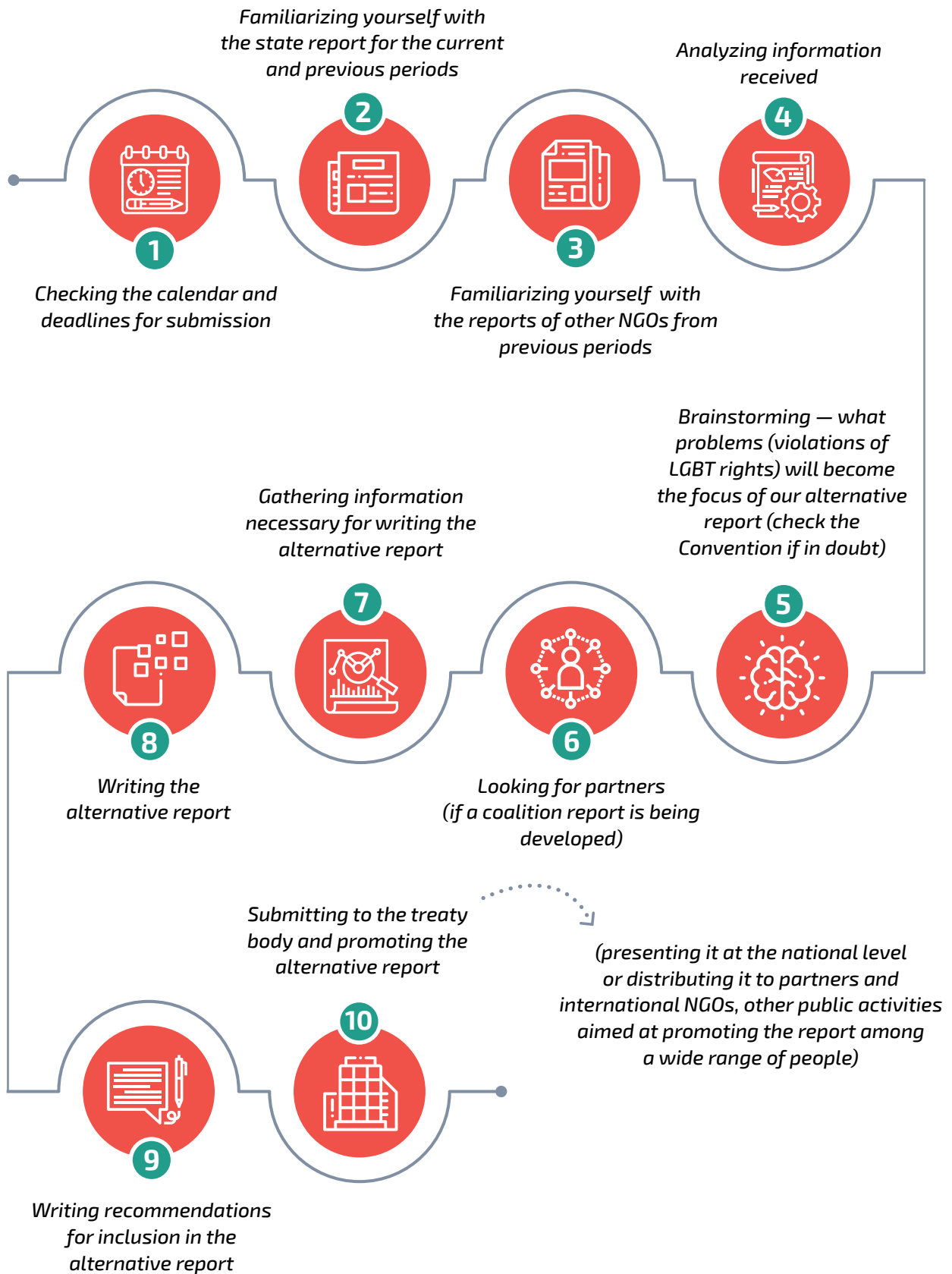
For this section of work, it is preferable for participants to have their own tablets or computers with them (this will make it easier for them to search for information and work on the group tasks). It is advisable to make a folder for participants in advance on Google Drive (or any other convenient and safe file-sharing system) with the materials (group by country) that will be needed to complete the tasks. OR to make printouts (if it is not possible to work with materials online). Internet, computer for trainer, projector, and screen.

Flipchart with paper, markers (optional). If it is easier for trainers to work with presentations, you can put all of the information into a presentation. The same applies to tasks completed by participants: depending on the group, participants can perform tasks on the computer and present their work on the screen, or prepare the task on flipchart sheets.

INSTRUCTIONS FOR TRAINERS

There is no theoretical material in this practical section; there is a set of practical tips that need to be emphasized to participants. Most time should be allocated to the development of each skill (the stage of developing an alternative report).

STAGES OF DEVELOPING AN ALTERNATIVE REPORT



PRACTICAL TIPS FOR DEVELOPING ALTERNATIVE REPORTS

- i** **Tip 1:** Read what the state is saying. Here, we should focus the group's attention on thorough preparation for work on developing an alternative report, which should begin not only by reading the previous state report (for the previous reporting period), but also by reading all state reports to this treaty body. It is necessary to read state reports in order to assess the dynamics of changes that the state can speak about, understand the language and terminology used by the state, and to find weaknesses and inconsistencies (the state may lie or provide incorrect information, it is the job of NGOs to point this out). Look for other public statements by the state on the same topic or for reports submitted to related committees.
- i** **Tip 2:** Read the reports of other NGOs in your country: you will know who your potential allies are and who they are not. It is important to know whether other NGOs share your point of view on the problem, or, on the contrary, whether they may be inclined to cover up or downplay the problem.
- i** **Tip 3:** Look for examples of «what not to do» and examples that may inspire you. Read reports of leading human rights organizations in your region or from across the world on your topic or related topics, not only to find allies, but also to see how they write, how they structure and present information, how clear their language is, and what recommendations they give. Highlight reports that you do not like (not understandable, difficult to read, or too verbose), analyze what exactly you do not like. Do the same for reports that you like: highlight successful elements and analyze to what extent they can be adapted to your potential alternative report.
- i** **Tip 4:** Work with the database of UPR recommendations to learn how to formulate clear and understandable recommendations in different areas, as well as which five recommendations countries “like” to give and support. This will help you, not only to develop professional and concise recommendations, but also to find potential allies to help promote them.
- i** **Tip 5:** Don't forget about UN calendars. Make it a rule to refer to calendars on UN webpages at the beginning of the year or your internal planning cycle, and check which deadlines are approaching for the current and subsequent years. This will help you plan your international advocacy in a timely manner, find resources, and to involve partner NGOs.
- i** **Tip 6:** Look for partners, do not try to do everything yourself, delegate, involve others, use existing resources and solidarity. For example, it is not necessary to obtain ECOSOC status for each national NGO; you can ask for help from partners who have this status. In addition, if you do not have the resources to attend the session in Geneva, you can cooperate with international organizations that have permanent representatives in Geneva and ask them to voice your primary comments. Sometimes you do not have to write alternative reports to every treaty body. You can find specialized NGOs in your country who work with a specific topic and ask them to include a paragraph or two about LGBT people in their report.

i **Tip 7:** Do not skimp on translating the report into English. Despite that fact that Russian is one of the official languages of the UN, in reality, many members of committees and special rapporteurs do not know Russian, and, at best, only have a good command of English. The internal capacity of the UN Secretariat to translate documents is quite limited. If you want your reports, analyses, and speeches in session rooms to be received and heard on time without any inaccuracies, train yourself to work in English. This will also provide you the advantage of having your materials used and cited by international organizations such as Amnesty International, ILGA World, etc.

i **Tip 8:** If you have the resources, have your report formatted and include graphics. If possible, make a short version of the report (summary), draw up the desired recommendations separately, and use graphs, charts, and other ways to visualize and emphasize important information. Remember that members of committees and the staff of various UN secretariats do not always have the necessary time to read reports in full. The most important information should therefore be emphasized and placed in the foreground of your report.

There are no ready-made cases for this practical section. Cases and/or questions that groups can optionally use to illustrate their alternative reports should be taken from those raised by participants in the first thematic section, when they spoke about aspects of violations of the right to health in their countries. Cases can also be taken from the «parking lot».

PRACTICAL EXERCISES IN CHRONOLOGICAL ORDER

1 If there is time, you can do the preparatory exercise in mini-groups to collect thematic focuses for the development of alternative reports. To do this, participants should be placed in mini-groups according to country (or 2-4 by language/region) and given the task of writing down 5 problems related to the right to health of LGBT people and/or people living with HIV in their countries (maximum 5 minutes).

Each group presents their results and explains all 5 problems. If necessary, the trainers ask clarifying questions. All problems are written out on a flipchart. Trainers make sure to cluster the problems, grouping similar ones together. If necessary, trainers and/or participants from other groups can clarify and amend the wording of the problems.

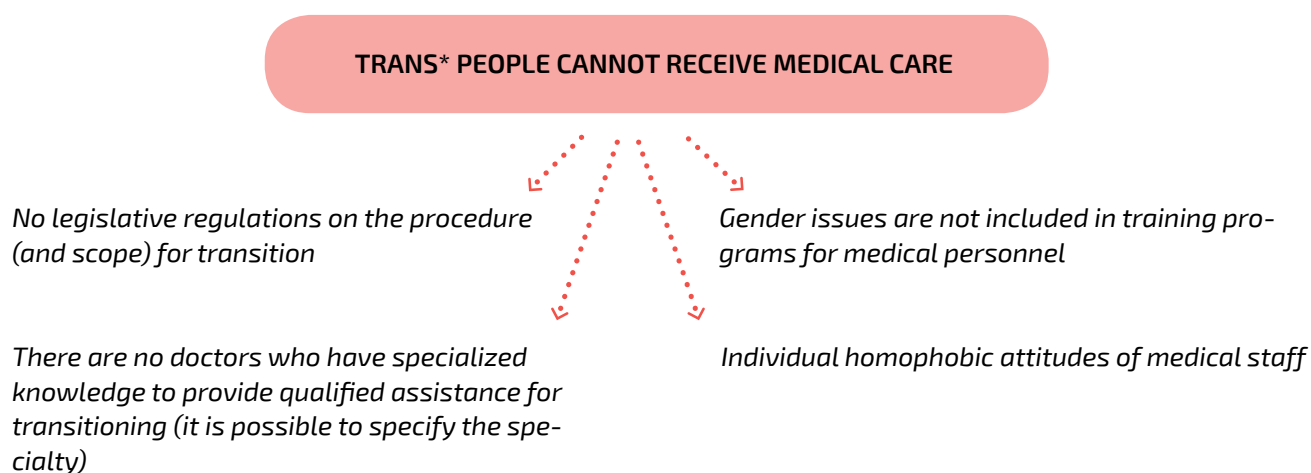
The result of this task is a list of problems related to various aspects of the right to health, written in understandable and clear language. All formulations are not only simple and concise, but also understandable to participants.

Ideally, instead of the usual formulations that you get at the beginning of trainings, like «everyone violates LGBT rights» and/or «there is a big problem related to health», you should have a list of concise and simple (understandable) problems (example):

- Cases of refusal to prescribe ART in prisons
- Cases of denial of emergency medical assistance to sex workers
- Negative attitude of doctors in the event of disclosure of one's HIV status (including a refusal to provide medical services)
- No procedures for transition/gender reassignment
- Blood donation ban for LGBT people
- HIV+ status – barrier to receiving dental care
- Other.

This is not an exhaustive list, but only an example of how to focus the wordings of problems. After completing this exercise, trainers can give each group one problem (taking into account the knowledge of the group, the experience of group members, and their knowledge about countries and problems in these countries) in order to continue working on developing the individual elements of an alternative report.

- 2 From the list of five violations of the human rights of LGBT people voiced by the participants, the groups together with the trainers leave 2 (maximum 3) related problems and agree on the most clear and accurate wordings.
- 3 Using the developed wordings of the problem and keeping in mind the task from the third thematic section («problem – committee» pairs), the participants in mini-groups select (identify) the optimal Committee for their future alternative report. The result is that each group identifies for which committee they should develop their report, explains why this committee is the best choice, and on what violated right they will focus their work.
- 4 Each group prepares 2-3 reasons for each of the 2-3 problems selected as the focus for their alternative report. This will become the backbone of their argument and analysis in their future report. The result should look something like this:



5 Using the entire array of cases discussed during the training (individual human rights violations), each group is asked to select 2-3 cases to illustrate their alternative report. The task is to describe the cases according to the following format (the format can be shown on the screen or on the flipchart):

- When the events occurred;
- In what place (country, city, exact location. For example, Hospital No. 5 or the police station of the Lenin district in Almaty);
- Who are the victims;
- What happened (in chronological order);
- Were the authorities contacted;
- What was the reaction/what stage is the case at now (if relevant).

The case description should look something like this (any correspondence to real events is accidental, the case is fictional):

On March 1, 2018, a Ukrainian citizen, Andrey K. was attacked while exiting an electronics store with his partner Vlad M. on a central street in Kiev. Three unidentified men stabbed Andrey, shouted homophobic slurs, and encouraged others to kill him. Random passers-by and store employees intervened in the attack, and the attackers fled. Andrey and Vlad called the police, who did not arrive at the crime scene, as well as an ambulance. Andrey was taken away and provided primary medical care. His wounds were treated and healed. The emergency doctor conducted an examination and applied bandages, while expressing some homophobic comments. The doctor providing care in the hospital was interested in why the attack took place, and when transferring the patient to a nurse, said to write down information about the patient's sexual orientation and HIV status in the log. The next day, Andrey filed a police report. The statement was filed as an appeal from a citizen. Despite assurances from the police officer that he would «be contacted as soon as possible», Andrey did not receive any answer. A month later, he found out that no criminal case had been opened.

6 Formulate 1-2-3 recommendations for each problem discussed in the alternative report. Remind participants of the need for clearly and concisely worded recommendations. If everything you want to include does not "fit" into one simple sentence, you should break this down into two separate recommendations. When working on recommendations, it helps to immediately think about to whom they are addressed, and who would be the person responsible for implementing them. It also helps to provide a clear path to enacting the desired change.

For example, a recommendation to Parliament to enact a law. Then, we will address a recommendation to develop an examination procedure to the relevant ministry or Cabinet of Ministers for this particular issue.

Congratulations, your mini-groups now have full-fledged models for writing a good alternative report:

- Analysis of violations of specific human rights is carried out;
- Reasons for the occurrence of these specific violations are identified;
- Advocacy plan is established (which committee will receive this information);
- Solutions to the problem are identified – recommendations that need to be received from the UN;
- If you have time, talk more about possible allies who can help in this round of advocacy.

LIST OF LITERATURE FOR THE SELF-PREPARATION OF TRAINERS



Practical guide for civil society. United Nations Human Rights Council. Office of the UN High Commissioner for Human Rights. Electronic version available at: https://www.ohchr.org/Documents/HRBodies/HRCouncil/PracticalGuideNGO_en.pdf



How to work with the UN human rights program. Handbook for civil society. UN treaty bodies. Office of the UN High Commissioner for Human Rights. Electronic version available at https://www.ohchr.org/EN/AboutUs/CivilSociety/Documents/Handbook_en.pdf



Database of UPR recommendations in English: <https://www.upr-info.org/database/>



EXAMPLES OF HUMAN RIGHTS VIOLATIONS



- ① In Armenia, there are no legal regulations for transition procedures, both from a medical stand point (protocols for conducting any kinds of medical procedures), and a legal standpoint (there is no way to amend one's gender in legal documents). Currently, in order to change gender markers in official documents, trans* people are forced either to choose clandestine medical services, including surgery, in Armenia, or to seek medical assistance abroad. Among other things, such forced measures deprive trans* people of the right to compensation in the event of malpractice and/or the right to receive additional medical care following an operation. Thus, they may end up with serious medical problems, and are left without proper support.
- ② In April 2019, 6 trans* women were attacked by an unknown man near the Hilton hotel in Yerevan. They tried to hide in the lobby, but were kicked out by the hotel staff. They went to the police and wrote a statement about the attack. During this time, two other trans* women went to the same police station to support their friends. While they were waiting for the paperwork to be completed and for the testimonies to be recorded, an unknown man began to insult them. As a result of the argument, a fight broke out. Both of the trans* women were detained for their involvement in the fight, and the police opened a case. The man who insulted and attacked the trans* women claimed that he was the victim. One of the detained trans* women subsequently claimed that during her interrogation, the police humiliated her, raised their voices, and that one of the officers beat her. She sought assistance from a lawyer at an NGO. She provided a medical examination report and photographs of the injuries she sustained while at the police station. A complaint was filed against the actions of the police. A case was opened, but due to an inappropriate investigation, it was closed.
- ③ A trans* woman, Anna K., was subjected to police violence in December 2018 near the restaurant «Tarelka». One of the police officers hit Anna K. in the face after a short argument and her refusal to show her documents. The next day, Anna K. filed a complaint about the attack with the police. The police made fun of her and refused to accept the statement. Anna K. turned to an NGO for assistance, and together with a lawyer filed another complaint with the police. A criminal case was opened for abuse of power using violence, weapons, or special measures. As a result of an internal investigation of this case, the police confirmed that the incident had taken place, that the police officer tried to inspect the documents of Anna K., detain her, and transfer her to the local police station. However, they did not confirm that any bodily injury had taken place. The investigator decided to close the criminal case. Appeals against the closure of the case were unsuccessful.
- ④ A trans* woman from Samarkand faced difficulties and insults at passport control when leaving the country for the first time in September 2018. She was asked to submit to a physical examination. The examination was carried out by two male border guards in a utility room, violating all legal procedures required for such examinations. The woman was stripped naked, and while the border guards carried out the examination, they discussed what they saw and insulted the woman. The victim only received a formal reply, but no response to the merits of her complaint in response to her written complaints sent to the management of the border control service. The guilty parties did not suffer any punishment.
- ⑤ In January 2016, «Ozodlik» radio shared a video in which two police officers brutally beat an unknown trans* person. On one Uzbek YouTube channel, several videos were posted in which young groups of men attacked and brutally beat trans* people.

- ⑥ A 26 year old trans* woman, K., claimed that on 31 August, 2019, she was raped by a police officer at a police station, where she was taken after her arrest. This was not the first case of police violence that she had encountered. She also stated that she was afraid to file complaints about the action of police and is planning to leave Uzbekistan to seek political asylum in another country.
- ⑦ In November 2017, two homosexual men were arrested under Article 120 of the Criminal Code of Uzbekistan. They were forced to undergo anal screening. The authorities used this to prove that they had sex by mutual agreement. They were sentenced to imprisonment.
- ⑧ B. and A. were meeting for some time. Then the father of A. found out that his son was homosexual. As a former law enforcement officer, the father of A. wanted to imprison B. under article 120. Meanwhile, he tried to force his son to marry a woman. B. and A. were forced to leave the country and apply for refugee status in Georgia.
- ⑨ In 2018, a homosexual man from Samarkand decided to meet a man with whom he had been communicating for two months through a social network. He arrived at the meeting place and was faced with a group of homophobic men who abducted him, took him out of town, and brutally beat him. The victim suspects that homophobic groups, confident in their impunity, deliberately create profiles on social networks to entrap gay men and other MSM. None of the victims report such attacks to the police, as Uzbekistan still imposes criminal liability for same-sex relations between men.
- ⑩ In September 2017, a 24 year old student, accused of being homosexual, was stripped naked and brutally beaten in Ferghana. The violence was filmed on camera, and the video quickly spread on the Internet and was picked up by news agencies. An anonymous article was also posted on behalf of another homosexual man who said he had a similar experience of beatings and threats. He also wrote that his attempt to report the beatings and threats to the police ended by him being kicked out of the police station, He was also insulted and threatened with proceedings under article 120 of the Criminal Code if he ever returns to the police.
- ⑪ A therapist came to a patient's house and, since the patient was not at home, asked the neighbors to request him to go to the clinic and register his HIV status. Now all the neighbors know that an HIV+ man lives next to them. They harass him and regularly spit on his door.
- ⑫ A week after A. tested positive for HIV in an AIDS Center, a police officer came to his home and said that he had received information about A.'s HIV status from the doctor. The officer demanded that A. write a list of everyone with whom he had sexual contact. The officer also used Article. 120 of the Criminal Code of Uzbekistan to threaten A. and demand that he pay money every month «for his silence».
- ⑬ Adam is a gay man living with HIV in Tashkent. He stated that the AIDS Center does not respect confidentiality, as video surveillance is carried out both in the corridors and in doctors' offices. Medical workers are rude and arrogant with gay men. According to Adam, gay men and other MSM have great difficulty in being prescribed anti-retroviral therapy. It is even more difficult to persuade doctors to change their treatment regimen. Doctors are not only rude to gay men and MSM, but they also extort and blackmail patients by threatening to reveal their HIV status.

- 14 On 12 September, 2019, Shokir Shavkatov (25 years old) was brutally killed after coming out on his Instagram page. According to police reports, he had «several» knife wounds on his «neck and arms». Meanwhile, one police officer said unofficially that the victim's throat was cut so deeply that he was almost beheaded.
- 15 Lesbians N. and K. were walking on the street when they were detained by police officers, who tried to accuse them of violating article 120 of the Criminal Code (homosexual relations between men). N. agreed under pressure from the police officers to write an explanation and sign a confession, while K. refused to write or sign anything. K. was taken to the police station and spent two days there, during which time she was tortured and raped. She was released only after writing an explanatory letter and signing documents stating that she was treated well and that she had no complaints against the law enforcement officer.
- 16 In 2015, P's mother found out about her daughter's sexuality. Following this, P. was locked in the house of the mullah at her mother's request for 1 month. The mullah tried to conduct an exorcism, and humiliated and insulted P. She was forced to read religious literature for many hours, beaten, and locked in the basement.



LIST OF VIDEO RESOURCES





What are UN treaty bodies (video from UN Belarus)

<https://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>



Treaty bodies — Committee Against Torture (CAT) (video from UN Human Rights)

<https://www.youtube.com/watch?v=2dxfMzCoYMA>



Treaty bodies — Subcommittee on the Prevention of Torture (SPT)

<https://www.youtube.com/watch?v=iBjkqIYGoe0>



Treaty bodies — Human Rights Committee (HRC)

https://www2.ohchr.org/videos/tb/short_films/english/speech%20en.mp4



Treaty bodies — Committee on the Elimination of Discrimination against Women (CEDAW)

https://www2.ohchr.org/videos/tb/short_films/english/women%20en.mp4



UN Web Television (official channel) where you can watch broadcasts from Committee meetings

<http://webtv.un.org/live/>



Treaty body webcast schedul

<https://www.ohchr.org/EN/HRBodies/Pages/WebcastsTreatyBodies.aspx>



Understanding advocacy and human rights activities, History and animation

<https://www.youtube.com/watch?v=w0BYMqONzgm>



The power of advocacy

https://www.youtube.com/watch?v=_dzaM0fCqsg



Social media advocacy, TED talk

<https://www.youtube.com/watch?v=o4sGLLaLq-Q>



5 easy steps to start advocacy, TED talk

<https://www.youtube.com/watch?v=nlo31mMB4P8>



The Power of Advocacy

https://www.youtube.com/watch?v=_dzaM0fCqsg&t=88s



WE ARE ALL EQUAL -Advocacy Campaign

<https://www.youtube.com/watch?v=jtfkFfdPTwl>



The critical importance of youth advocacy | Lily Gardner | TEDxCorbin

<https://www.youtube.com/watch?v=ugMcG3KpYMs&t=2s>

