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Prevent violations through systematic work for human rights Conference on the Prevention of Human Rights Violations

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We have to speed up progress in turning human rights principles into reality. The rights proclaimed and agreed to are too often not met in the everyday lives of Europeans. After having visited most member states, I am aware of the disappointment felt by many and remain impatient about the shortcomings in fulfilling human rights obligations.

All states encounter challenges in their work for the full realisation of human rights. It takes time and effort to develop a culture of respect for human rights. Scarce resources are often invoked as the main obstacle. Conflicts, corruption, racism and intolerance are other barriers to progress. Even without such hindrances we know that human rights are never fully implemented. There will always be improvements to be made. One reason is that minimum requirements change with economic and social developments.

Politicians have a responsibility – the implementation of human rights principles is largely a question of political will. It is unfortunate that key concepts and the language of human rights have often been politicised and demeaned in political discourse. It also happens that government politicians object strongly when shortcomings in their own countries are exposed by mechanisms set up to verify the practical implementation of agreed standards. Yet those responsible have in all cases an obligation to demonstrate the political will to address the identified problems.

We have to be systematic about human rights work. The objective is to build a society which takes human rights seriously: a society which endeavours to ensure that all its members can fully enjoy their rights. This requires a systematic approach for the prevention of violations and the implementation of the agreed standards.

Too little attention has been paid to the more practical, every-day work the public authorities need to carry out when implementing rights. Problems experienced include lack of knowledge and awareness of human rights, problems with coordinating different actors and levels of society and lack of human rights perspective in budgeting and planning processes. These factors can, alone or in combination, lead to human rights violations.

The first step in systematic work for human rights is to assess the current human rights situation. This should include an honest identification of existing problems. The reports of

European and international monitoring mechanisms are very useful at this stage but a thorough analysis of existing policies and practices should be carried out at the national level. It is also essential to gauge the role and ability of different authorities, the judiciary and human rights structures to contribute to human rights work.

Human rights planning and budgeting is the second step. National action plans or strategies should be developed to address the already identified human rights challenges. Such plans should contain concrete activities coupled with time-frames and targets and indicate the authorities responsible for their implementation. The purpose of systematic work is to make continuous progress in all areas of human rights.

Most member states of the Council of Europe have developed strategies or action plans targeting specific problems, such as gender inequalities, racism and discrimination, abuse of children or trafficking in human beings. Azerbaijan, Croatia, Lithuania, Norway, Moldova, Spain and Sweden have also adopted comprehensive action plans for human rights. When accompanied with an honest acknowledgment of problems and political will to make progress such plans have proved useful for clarifying the authorities' responsibilites and addressing gaps in human rights protection.

Equally important is that human rights planning is coordinated with the budgetary process to secure proper funding. It is necessary to review budget proposals from a human rights perspective to inform politicians of the consequences of their decisions and to hold them accountable.

The Human Rights Centre at Queen's University in Belfast applied budget analysis in a recent research project into the effects of public expenditure on economic and social rights in Northern Ireland. It analysed various examples of government resource allocation in areas such as housing and linked them with the realisation of specific human rights standards.

Broad consultation and participation is crucial for the assessment and planning stages alike. This should involve all relevant authorities and actors, including national human rights structures, civil society and representatives of disadvantaged groups of people. Such an inclusive approach will contribute to the legitimacy of national strategies, create shared ownership and make implementation effective.

High-level political support is necessary to provide impetus and ensure continuity. Politicians and the leadership of the authorities and agencies responsible for the implementation of national action plans should be involved from the start. The government and the parliament should be committed to the national action plan. Active participation by representatives from the political opposition during the planning process can contribute to the continuity of the work.

The implementation phase should be well coordinated and integrated in the ordinary work of public authorities. A government authority would usually be identified as the coordinating unit and the communications hub. Networks and other joint coordination bodies can then be set up for cooperation between the authorities and the exchange of experiences and information. Such cooperation is also useful for reporting to international human rights monitoring mechanisms and may in fact save resources and minimise overlap in reporting obligations.

In Sweden, a Delegation for Human Rights was set up as part of the national action plan to support government agencies, municipalities and county councils in their work for human rights. It also stimulated public debate on human rights and involved a wide range of civil society organisations and the business community as focus groups in its activities.

Authorities at all levels should become aware of the fact that they also work for the implementation of human rights. Human rights work can be mainstreamed in the ordinary activities of both central and local authorities when they plan and deliver services to the public. Individuals are not merely clients but holders of rights as well.

Local authorities are key partners. They should be encouraged to review the local human rights situation and coordinate efforts to address human rights challenges. Monitoring is needed for the provision of health care, education, housing and social services, whether provided by private or public actors, using the rights-based approach. There are several cities in Europe, such as Graz in Austria, Nuremberg in Germany and Utrecht in the Netherlands, which have adopted a strong local human rights approach.

Non-governmental actors should also be involved in the continuous work for human rights. Focus groups for the representatives of civil society, national minorities, national human rights structures and business can be established for this purpose. It is important to create an enabling environment for the activities of NGOs and human rights defenders.

Ombudsmen, human rights institutions and equality bodies need independence and adequate resources to be effective in their work for human rights. The economic crisis has highlighted their importance in defending the rights of vulnerable groups of people. Their mandates should comply with the UN Paris Principles on the status of national human rights institutions. Such institutions can also be set up or be present at the regional and local level to facilitate easy access for those whose rights may have been violated.

Another major building block of systematic work is human rights education, training and awareness raising. Concrete and accessible language should be used in human rights education and participatory learning methods developed. Training is needed for public officials and professionals whose work relates to the human rights of others. They should have an up-to-date knowledge of the international standards relevant to their field of competence. The aim of broader awareness raising is to foster a human rights culture among the public. The media play a central role in this.

Action plans and strategies should be reviewed regularly and evaluated when they are completed. In Norway, the implementation of the national action plan for the prevention of violence against women could be followed on a dedicated website which included regularly up-dated information on the progress of the different measures of the plan.

It is equally important to assess the process, in terms of participation, inclusiveness and transparency, as it is to evaluate the end result. The conclusions of this review should be openly presented and debated in public, preferably in the parliament as well. All those who participated in the planning process should be able to contribute to the evaluation.

In the long run, it is also necessary to set up adequate systems for data collection and analysis of the human rights situation. Collection of sensitive data should be voluntary

and coupled with safeguards to prevent the identification of individuals belonging to a particular group. Information made available by national human rights structures and civil society should be taken into account when collecting and analysing data.

Systematic work for human rights is a continuous process. The prerequisite is the determination to work harder for protecting the human rights and fundamental freedoms of everybody. Assessments of the human rights situation, national action plans and evaluation exercises are tools for clarifying and gauging the steps to be taken to reach our objectives. They inform us of what has worked and what has not.

There is a need to counter hypocrisy and to be more serious about preventing human rights violations. Criticism must be responded to in a constructive spirit and by making a conscious effort to secure the broadest possible support for human rights. Capacities must be built in every-day work to ensure that human rights are made a reality in all walks of life. What matters are results and the determination to achieve them.