

Human Rights Information Manual

Tools for
Grassroots
Action



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Human Rights Information Manual

Tools For Grassroots Action

Second Edition, 1996



Burma Issues

Post Office Box 1076

Silom Post Office

Bangkok, Thailand

Tel: 66 02 234 6674

Fax: 66 02 631 0133

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Dedicated to all people who refuse to let
oppression make them powerless.

Human Rights Information Manual

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Preface

As civil war and chauvinism continue to oppress Burma's population, an increasing number of ordinary people are becoming interested in human rights. Looking for alternatives to armed conflict, or seeking to support or improve the work of opposition parties, they see human rights information as a necessary part of their people's struggle. Burma Issues presents the second edition of the Human Rights Information Manual to respond to this need and encourage Burma's grassroots to declare ownership of their human rights.

The purpose of this book is to provide an introduction to human rights information to people committed to working for genuine peace in Burma. The authors have tried to use language which is easy to understand and translate into other languages. To be most effective, the Human Rights Information Manual, in whatever language, should be integrated into more specific human rights education programs, such as training for human rights information field workers or community human rights educators. Schools, monasteries, churches, mosques and other cultural institutions are also warmly encouraged to integrate all or part of the ideas in this book into their ongoing educational, religious and social programs.

To be effective, human rights education has to fit into the life-style, abilities and needs of the common people. Human rights education must therefore be flexible, not the property only of leaders and intellectuals-- but a public resource that all people can use in their own way.

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Like any public resource, education about human rights must be accessible. For this reason, it is extremely important that people share what they learn, think and feel about human rights with others in their communities, with their children and leaders. In fact, this is the only way to begin changing societies so they represent people's rights and freedoms, because from this public awareness and discussion about human rights comes the feeling that people know and understand how they **should** be treated and how they are being treated.

However, people have often said that they already know how they should be treated, and that the army also has its opinion about how it should treat people. "All the international laws and treaties ever written won't have any effect on an officer's bad conduct in the middle of a civil war," they say. People are absolutely right to point out that words alone will not protect them from abuse. However, the point of good human rights education is to teach people that action is more important than mere words.

A common mistake people make about human rights information is that local people may collect and record it, but it is the international community which takes action. In some cases this is true, but in too many cases political interests and other factors in global politics make it extremely difficult for one or many nations to take meaningful action. Although people should maintain contact and exchange information with international human rights workers, they must also develop plans and systems for using information within their own communities. Doing this lays the foundation for long-lasting and solid understanding of the power of human rights. Furthermore, human rights are not given freely, but come with a price: responsibility. To take responsibility for one's own human rights means

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to actively struggle to define, establish and protect them for all people, and not simply to complain or cry for justice when they have been violated.

All human rights training should be connected to taking action. By studying how to collect, understand and communicate human rights information, people will discover the most effective way of using human rights for their own survival. One good way to use human rights information for immediate action is to publicize the abuses that have been committed against people. However, good human rights reporting rises above merely reporting the fact; it offers something useful back to communities to encourage greater understanding and activity.

It is also very important to try to educate those who violate our rights, even though this may seem like a waste of time. After all, just knowing that what they do is "wrong" won't make them stop, will it? Maybe not, but in fact before they ever step foot inside your village soldiers know that it is wrong to hurt innocent people, rape women and take away your food. However, in armies the ordinary soldiers do not have the opportunity to stand up for what they think is right or wrong. They are taught to do what they are told and suppress their emotions; if they feel sorry for someone else, they are told that they are weak. If they question or disobey an officer, they will be thrown in jail or maybe even shot. Therefore, some abusers need support, so they can find ways to learn about human rights and share the information with each other. They must realize that their sense of right and wrong is not the sign of a weak or bad soldier, but of a good person. As these soldiers find strength in realizing that they don't have to harm innocent people, they can begin to slowly change the army. When they themselves become officers, they might not repeat the mistakes of the past.

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Generally, however, people should begin just by recording the things that happen to them. Although this sounds very simple, in fact it is the most important and challenging aspect of human rights information work. No action can be taken, no outsiders can be reached, no information can be publicized until there is a thorough, accurate record of what is happening.

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Information can be the most powerful weapon in Burma's civil war. This manual is designed to teach people how to use information in the struggle for human rights, peace, and justice.

Learning to work with human rights information gives people the opportunity to communicate about their country's current suffering and begin guarding against future abuse.

This manual is divided into three sections, according to the three steps of human rights information development: collecting data, analyzing your data, and communicating what you have found. Along with the guidelines and reference materials for each section, we have created basic exercises to help you develop your skills.

However, human rights workers must be familiar with all three steps of the process before they begin. For example, you must understand the different types of human rights and be able to identify violations of them ((which you will learn in Part 2) before you begin collecting information (Part 1). Otherwise, how would you know what type of information to collect? Also, before you are able to finish collecting data for a report, you must be familiar with the styles and requirements of different types of reporting.

In all cases, you should strive for two goals in your human rights work. The first is to collect and produce accurate and complete information, whether through field documentation or

data analysis. Thorough, truthful information is always more impressive and effective than vague and questionable accounts.

The second goal is to turn that information into a useful product that will communicate the realities of your struggle clearly and powerfully. No matter whether you are writing a report to the United Nations or a comic book to teach peace to children, always know clearly what you wish to communicate and who your audience will be.

Your new role as a human rights information worker will be demanding. You must dedicate yourself to learning about information collection, analysis and communication. You must be willing to develop patience and impartiality, and you must assume responsibility for the information you have collected. This means not only protecting it, but also assuring that it is used peacefully and effectively. Well-handled human rights information is basic to any struggle for justice and peace.

In addition to these challenges, your new role will also present many rewards. You will be able to tell people that they are not suffering in isolation -- you can help them communicate with friends all over the world. As a human rights information worker, you will meet many people and learn about all people's different perspectives on the struggle.

Part One: Collecting Information

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The starting point for any human rights information worker is collecting facts. In the field, meaning anywhere where people are oppressed, perhaps the two most effective techniques for collecting information have been interviewing and photography.

This section provides practical instruction on how to gather information about human rights through both of these methods. Of course, there are other ways to gather information, notably research of documents. Although some good work can be done in recovering documents about human rights abuses, generally there is very little evidence of this type available to the human rights field worker. If you can find it, keep it-- it is powerful and important material.

Interviewing

One of the greatest problems facing the human rights field interviewer is the difference between his needs and perspective and those of the person interviewed. Too often, the field worker is so determined to gather good information that he forgets that his "subject" also has feelings and concerns.

Imagine that you had been raped or tortured, and suddenly people you don't even know are very interested in talking to you. You transform from a farmer or school teacher into a type of celebrity. People come from all over to hear your sad story

and nothing else. During an interview, the field documenter must recognize above all else that the information belongs to the victim and that the interviewer is only asking to borrow it.

Photography

Pictures can tell powerful stories that words sometimes can not explain. However, taking good pictures that tell meaningful human rights stories is a skill that must be practiced and developed.

The section on photography deals with the general theory behind taking good, meaningful pictures. Even if you do not own a camera, read this section and begin to look at the world around you as if you could capture bits of it and share them with other people. Start thinking of images in terms of their ability to tell stories to other people, people who may know nothing about your struggle.

As with interviewing, it is always important to treat the people you photograph with respect. Let them know what you are doing and why, and ask their permission to take and use their photographs in your work. Remember that their face, body and life belongs to them and that when you want to take a picture, as in an interview, you are asking to borrow them.

Guidelines for Interviewing

These guidelines are intended for reporters who are struggling for human rights and justice through the process of sharing information. They can be used for conducting interviews concerning all types of injustice and unfair treatment that take place under oppression.

1. Behavior in the Field

1a. Respect the Culture

There are many different cultures within Burma. Even within one ethnic group, cultural differences abound. People, especially the ethnic minorities, hope you will understand and respect their culture, and even small mistakes on your part can create problems. In many cases they have experienced extreme oppression of their culture, being told that it is inferior or should be eliminated. First, therefore, you should quickly learn the basic cultural sensitivities of the people you visit. If you truly respect them and their culture, and don't make them feel that you are looking down on them, they will notice your efforts and cooperate more fully with you.

1b. Commitment and Cooperation

The stronger your commitment to justice and human rights, the better your interview skills will be. You will automatically ask questions that let the people know that you understand their suffering, and people will cooperate with your efforts.

Part of this commitment to the people's struggle is recognizing that they themselves can bring an end to oppression. A good reporter respects this ability in the people and treats them not

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only as victims, but as equals who are also struggling for justice.

After you have written up your interview with the people, you should find some way to share it back with them so they can see how their information is useful to the struggle (see "The Importance of Feedback" in Part 3). This will also help create a deeper feeling of solidarity between you and the oppressed. Usually, reporters do not share their information back with the people, making them feel that the reporter is only interested in his own gain.

1c. Reliable Information

Reporters must collect the most detailed and reliable information possible, because any information that appears exaggerated will discredit the report and the people who are suffering. You should always double-check information, especially if an answer is unclear.

Sometimes language differences can make it hard to get clear information. Therefore, when you use an interpreter, you should double-check with him after the interview about the facts of the story. If you do not use an interpreter, taking along another person will help you verify the answers you get.

Reporters should always be sensitive to whether or not people feel free to express their true feelings. Minorities and oppressed people often give answers that they think the interviewer wants to hear, in order to avoid problems. This is part of the culture of oppression under which they live. It is important to ask questions in a way that builds their confidence to speak freely.

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2. Preparing for the Interview

2a. Background Information

Before you interview, you should know the background of the situation you are entering, including, for example, the history of human rights abuse in a village or the general nature of a person's complaint. Try to collect background documents and talk to other people.

2b. Preparing Questions

After learning some of this background information, write down some general questions that will help the interview get started or move in the direction you want it to go. Preparing questions beforehand is important because sometimes interview time is limited, or the people will need help focusing on relevant information.

Three useful categories of interview questions are:

1. Background Questions

These are questions about the general situation to ask at the beginning of the interview so that you can gain as much useful background information as possible. These will also give the interview subject the chance to relax and get comfortable with the interview process.

Examples: When did the soldiers first start coming to this village? How is the relationship between this village and the rebels? Did you have a good harvest last year?

2. Specific Questions

These are more specific questions covering more detail about what was learned from the general questions.

Examples: How did the army tell the village that it had to move? Did the commanding officer send a letter or talk di-

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rectly to the headman? How many soldiers did you see take your husband away?

3. Questions About Opinions and Feelings

These questions are to be asked at the end of an interview. They can be broad and general, asking people how they feel about the present situation or what they think might happen in the future.

Examples: What impact does this execution have on your family? What does the village think will happen if it has to move another time? How do the women here feel about their children's future? What do the children want to do when they grow up?

2c. Selecting People to Interview

Sometimes, when there are many people who can be interviewed for a single subject (for example, the burning of a village), you should carefully select your informants in order to save time. Selection should depend on who the most articulate and knowledgeable eyewitnesses are. People who are not eyewitnesses do not make good primary informants, but can be useful in double-checking information. Try to interview just one person at a time; too many people produce confusing statements with many interruptions and contradictions.

2d. Interview Materials

Pens (always more than one!) and notebooks are the basic required equipment for good interviews. When available, tape recorders and cameras can also be very useful, because they supplement the information in your notes. Never rely only on a tape recording of an interview, however, because if the tape gets lost or damaged, you will have no record. Always ask your subject's permission to record his voice or take a picture.

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2e. Interview Site

An interview site should be chosen according to its privacy, security and comfort for the interview subject. In civil war zones, it is important that interviews be discreet, involving only a few people and conducted over a short period of time. Public interviews can draw the attention of spies and gossips who can cause problems for the interviewee and the information worker.

3. Beginning the Interview

3a. Before an interview, you should develop a friendly relationship with your subject by asking personal questions and sharing information about your own life. Starting an interview quickly and formally can intimidate people. Share some food or a cup of tea, and let them realize that they don't need to be afraid of you.

3b. Clarify who you are, the purpose of your interview and what you hope to do with the information you seek. Encourage people to think about human rights information work and why you and other are involved in it.

4. Asking Questions

4a. You should not ask difficult questions at the beginning of an interview. Oppressed people may feel that they are being challenged or pushed.

4b. Try not to put your opinions in questions. This can be confusing, and people may start responding more to your opinion than to the question asked.

Example "Those soldiers are really brutal when they come into the village. Were they brutal when they talked to the headman here?"

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4c. Leading questions, which encourage the interview subject to give a specific answer, should always be avoided.

Example "So, after you came outside you saw your husband being beaten and you felt afraid, right? So then you went and told your son, right?"

4d. If someone refuses to answer a question once, do not repeat it or try to find another way to ask the same question. Respect your subject's right to privacy.

4e. Be gentle. Don't interrogate people the way police do.

4f. Use simple and direct language. Don't use special English or other foreign language terms unless you already know that the person understands them.

4g. If the subject does not understand the intention of your question, and gives an answer that moves away from the question, don't interrupt them directly, but wait for them to pause and redirect their answer by saying something like, "I understand what you are saying, but what I meant to ask was..."

4h. If your subject's answer moves away from your original question, but uncovers other important or interesting information, follow that direction and resume your primary questions later.

4i. Always double-check numbers, names and dates. One way to do this is to take these facts near the beginning of the interview, double check them again a while later, and then when finishing the interview ask one last time. Then, check with other people.

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4j. Try to write your notes openly so that the subjects can see. Even if they can not read themselves, writing openly is an act of trust that they will appreciate. Explain when you start that you want to take some notes to help you later, and that the interview subject can ask to have some things left in or out.

4k. Make sure you get good definitions for local terms that are unfamiliar to you or your audience. A classic example of this is the measurement of distance in some parts of rural Burma, where the traveling time between two points is often described in terms of how many betel nuts can be chewed along the way. While this may be an accurate way for villagers to gauge distance, people outside the community would not understand if you told them that a village is about one and a half betel nuts from the next one on the river.

5. Concluding Your Interview

5a. Check to see if your information is clear and complete. Do you need any more information? Are your notes clear to you?

5b. If you need more information, but can not continue the interview, ask your subject if a future interview would be possible.

5c. Ask permission to use your subject's real name. Explain that there is a chance that the information will be published and that their oppressors might get to see a copy of it. You both might consider changing the names of the victims and other personal details to protect them (note: official reports to the U.N. must carry a real name and are always treated as confidential).

5d. Take some time to answer questions about what you do and who you are; you don't have to rush away from your sub-

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ject. Conversing freely will establish a good reputation for your work.

5e. Don't forget to say Thank You!

6. Tips on Equipment

6a. Before you use a recorder, understand all its functions.

6b. Take extra tapes for the recorder and plenty of film for your camera; bring extra batteries for both.

6c. If you use a recorder, try to find an interview site with little background noise and few interruptions.

6d. Before recording the actual interview, start the tape by stating your name, the subject's name, and the date, time and place of the interview.

6e. If you need to save tape, you can try recording only the answers, not your questions (but have a written record of your questions).

Sample Interview Questions for Investigating Human Rights Violations

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The question is the most fundamental tool for developing information. When you talk to people about human rights, you will find yourself asking a lot of questions. This section has examples of questions an interviewer might want to use.

All these questions look for information that can be used in good human rights documentation. They look for the six types of facts that help uncover information: who? what? where? when? how? and why?

However, these are not complete lists which have to be used in all cases. They are only provided to show what type of questions might help you in an interview. In real interview situations, you will ask other, very detailed questions which this book can not predict.

As you talk to more and more people, you will see which questions are easy for people to answer and which ones provide good evidence for human rights documentation. You may find that the questions you make up from your own experience are the best ones.

Generally, good questions receive good answers. Simple, "open" questions encourage people to think about all the things that have happened to them. They will answer in long statements holding much information. Then, more specific questions can be used to clarify their statements. "Closed"

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questions only require simple one or two word answers, and are not as useful.

Example

Open question: "Can you tell me what happened in the village on 19 October?"

Closed question: "Did soldiers burn the village on October 19?"

Complicated questions sometimes confuse people, and they have trouble thinking out and expressing their answers. When people don't really understand questions they tend to give short Yes or No answers.

A plow and an ox can't till a field by themselves; they need a farmer to implement them properly. The same is true with questions: they are tools that require skilled people to use them. Human rights investigators must always take care of their interview tools, sharpening them and watching how well they do their job.

The sample questions that follow talk about specific forms of human rights abuse. Definitions of the abuses and rights discussed can be found later in this book.

Torture

Torture is a very serious form of human rights abuse, and a very common one in rural Burma. In investigating cases of torture, it is extremely important to record as many details of each incident as possible and to find out if someone intentionally made the victim suffer physical or mental pain.

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1) Who was tortured?

1a) What is your name and age? Where do you live? What do you do for a living? What are your parents' names? Were you alone or were there other people with you?

2) When and where did the torture take place?

2a) Were you tortured in your own home, or did the police take you somewhere else?

2b) Was it daytime or nighttime? What day was it?

3) Who tortured you?

3a) Were they policemen or soldiers? Do you know their names, ranks, or what division they belong to?

3b) Was it one person or more than one person? Could you tell who was in charge?

4) What did they do to you?

4a) Can you remember the details of how you were tortured?

4b) Did the people who tortured you use their fists, or did they use weapons (like clubs or knives)?

4c) What part of your body was harmed during the torture?

4d) After you were tortured, were you set free, or did you escape? Did you need to see a doctor?

4e) Do you have any scars or other physical evidence? Can they be photographed?

4f) Were you tortured mentally? Were you threatened? Were you lied to about your family being killed or taken away?

4g) Were you tortured sexually (raped or otherwise abused)?

5) Why were you tortured?

5a) Were you tortured as a punishment for doing something?

5b) Were you tortured to make a statement, confession or to give information about another person?

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5c) Were you tortured because you are a member of your ethnic group?

Rights Regarding Arrest, Detention and Imprisonment

To investigate abuses of these rights, ask questions that focus on the procedures used by police (or military) to arrest and treat their prisoners. Remember that above all, people do not automatically lose their human rights when they become prisoners. When investigating a case of arrest, detention and imprisonment, focus on finding out whether the authorities followed an arrest procedure that is established by law or the common principles for the treatment of prisoners.

Arrest

1) What was the arrest procedure?

1a) Did the police arrest you because you were suspected of committing a crime?

1b) Did the police tell you exactly why you were being arrested?

1c) Did the police tell you what rights you had as a person under arrest?

1d) Did the police make a written report that stated your name, the date and reason for the arrest? (This may be difficult to know)

Detention

2) Did the police respect your human and civil rights while you were being held?

2a) Did the police use torture or threats to get information from you or make you do something?

2b) If you could not understand the language spoken by the police, did they provide a translator?

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2c) Did the police tell you about the legal procedure for being arrested and detained, and offer you an independent person to provide legal advice?

2d) Were you allowed to contact your family or friends?

Imprisonment

3) If you were convicted of a crime and sentenced to go to jail, were your rights respected?

3a) Were you sentenced to a prison term by a court of law?

3b) When you were sentenced, was there a record made of your crime, the date you started your sentence, and the date you were scheduled to be set free? (This may be hard to know, but if you don't know about an official record, were these things told to you?)

3c) Were you told about the rules and procedures of the prison, and how you would be treated?

3d) Were you fed enough decent food to be kept healthy?

3e) If you got sick in prison, were you allowed to see a doctor?

3f) Did you have adequate bathing and toilet facilities?

3g) Were you ever punished in a cruel way? Did prison guards ever allow other prisoners to punish you?

3h) Were you allowed to write and receive letters?

3i) Were there any facilities for education or religion?

Execution

According to international standards, a person can only be legally executed if a court of law has ordered death as punishment for a crime. All other cases of execution should be investigated as crimes of murder.

Sometimes you aren't sure that the person was killed, but there is enough information to suggest that he or she was illegally

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executed. In these cases, provide as much information as possible to support the suspected execution.

One obvious difficulty in gathering information about illegal executions is that the actual victim is no longer alive to provide evidence. Another is that because illegal execution is such a serious crime and the people who commit it are dangerous, one must be very careful to conduct a safe and discreet investigation.

The most important information to gather is evidence about the identities of the victim and violators, the time and date of the illegal execution, the identity of the person filing the report, and any other details that will help people understand the full circumstances of the death.

1) Who was executed?

1a) What is the name and age of the person killed?

1b) Where does the victim come from (village, township, state and country)?

1c) What are the victim's parents' names? Did the victim have a spouse? Children?

2) When did the execution take place?

2a) What was the time and date when the victim was killed? (Sometimes, this information is not known. When you know that somebody was killed but don't know when the execution happened, gather as much information as you can about the last time and place the person was seen alive)

3) Where did the execution take place? (Again, if you don't know, gather as much information as possible about the last place the victim was seen alive)

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3a) Do you know the building or piece of land where the person was killed?

3b) In what village, township, and state did the execution occur?

4) Who executed the victim?

4a) Who killed the victim? Was it the police, military or other officials?

4b) Do you know their names, ranks or other information about their office?

4c) Do you know who was in charge of the execution?

5) Are there witnesses or material evidence?

5a) Did anybody see the victim get killed? If so, gather all the information about their identity (name, age, home) that you can, as well as a detailed statement about what they saw.

5b) What happened to the victim's body? Was it buried? Do you know where it is?

5c) If you know how the person was killed, do you know where the murder weapon is?

6) Circumstances of the execution

6a) In as much detail as possible, provide a statement that described exactly what you know happened to the victim. For example, if he or she was taken somewhere, say whether he walked or was taken in a truck. What road did they take? What was the color of the truck?

6b) Why was that person chosen to be executed? Had he or she been involved in political activity? Did the victim do something to make the officials angry?

7) Who is filing this report?

7a) What is your name and age? Where do you come from?

7b) How do you know the victim?

Civil and Political Rights

These very basic rights about the freedoms people have in society are supposed to be protected by laws. When you investigate and document the abuse of these rights, concentrate on freedom of thought, movement, assembly, association, and legal process. Violations of the right to life can be documented more effectively using the guidelines for Genocide and Illegal Executions.

Use these questions to investigate abuses of civil and political rights:

Freedom of Thought and Association

- 1) Have individuals, groups, the government or military tried to keep you from expressing your ideas and sharing them with other people?
 - 1a) Have you been arrested, tortured or harassed because of your beliefs, statements, or because you talk to other people?
 - 1b) Have books, pamphlets, magazines, newspapers, or radios been taken away?
 - 1c) Have you been kept from meeting in groups and discussing topics that the government (military, groups etc.) does not like?
 - 1d) Have you been kept from teaching about your ideas?

Freedom of Movement

- 2) Have you been kept from going places or returning home freely?
 - 2a) Have you been arrested or detained by the police or military without being charged with a crime?

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2b) Have you been kept from traveling because the government (military etc.) does not want you to leave your home or go to certain areas?

Legal Process

3) Read the section on Legal Process in the summary of the International Covenant on Civil and Political Rights, and ask if each of the steps had been followed.

Assembly

4) Has your right to meet with other people in public places been violated?

4a) What happens if a group of people meet together in a public place?

4b) Are people ever hurt or arrested for meeting peacefully in public?

Social, Cultural and Economic Rights

All these rights have two things in common. First, they all represent how people can live when they have the freedom of *self-determination*, or in other words, the opportunity to make decisions about how they live. Also, all these rights try to give people some form of security in their lives.

Sometimes, these rights are violated so often that people do not even know that they have rights in these areas. In deciding whether or not these rights have been violated, keep in mind that there must be some person or group who is responsible for violating them. Think about how the specific actions of the government or military may have violated these rights.

COLLECTING

Economic Rights

- 1) Are people being forced to work without pay? Are people being kept from working and earning a living?
 - 1a) Are people being used as slaves to work for the government or army? Are they forced to work without pay and without being allowed to leave?
 - 1b) Are the jobs that people ordinarily do, like farming or raising animals, being taken away? Are people prevented from supporting themselves and their families?

Social Rights

- 2) Is the basic right of families, communities and individuals to live under self-determination being violated?
 - 2a) Are people kept from marrying who and when they want?
 - 2b) Are families being broken apart against peoples will?
 - 2c) Are children being forced to work in harmful ways?
 - 2d) Are children kept from having an education?
- 3) Is the basic right to a secure lifestyle being violated?
 - 3a) Are people's homes being moved or destroyed against their will?
 - 3b) Is people's food being taken away or destroyed?

Cultural Rights

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

Racial Discrimination

Racial discrimination can affect individual people, whole communities, or entire ethnic groups (see the definition of racial discrimination in Part 2's Glossary). In all cases, it is impor-

COLLECTING

tant to document specific events or policies that violate people's right to live equally with others. Try to show the connection between the attitude and motivation of the violators and the conditions that people live in.

One way to do this is to ask people about the causes of their problems. If, for example, people say they are poor and without food because they are Karen, ask them why the Karen people should have less food or wealth than other groups. By asking questions in this way, people may reveal that others-- perhaps in the government or another ethnic group-- have been keeping them from working, living or developing as they wish.

1) Have you been told that there are places you can't go and things you can't do because of your race?

1a) Have you been told that you can't live in certain areas because of your race?

1b) Have you been told that you can't do certain jobs or hold offices because of your race?

1c) Who told you this? When? What did they say exactly?

2) Have you been kept from owning property because of your race?

2a) Have you had your possessions taken away by someone because of your race?

3) Have any of your basic rights (the interviewer might want to substitute an example here) been violated because of your race?

3a) What happened? When? Where? How?

3b) Did the violators say or do something to make you believe that the reason they violated your rights was because of your race?

Indigenous Peoples

Burma has many groups of people who could be considered "indigenous." Indigenous people are people usually living apart from the main population and whose economic and cultural survival depends on a close relationship to their natural environment.

As with all rights regarding whole groups of people, a good way to investigate violations of the rights of indigenous people is to point out individual events or a series of events, show what rights they violate, and then draw the conclusion that the rights of the entire group have been violated.

Remember that you should be able to point out a person or policy or event in each case that is responsible for the violation of your groups' rights

1) Has someone tried to force a foreign education system on your people?

1a) Have you been told that you can not have your own schools?

1b) Have schools been forced to teach in a different language than your people's usual language? Are people told not to speak their own language?

1c) Have students been kept from studying about the history of their own people?

2) Has someone tried to force your people to change the traditional ways they use to earn a living and survive?

2a) Have your people been forced to change the crops they grow?

COLLECTING

2b) Have your people been told that they can not make and sell things that they used to make and sell?

3) Has someone tried to force your people to stop believing in their own religion, or stop practicing traditional customs?

3a) Are people punished for trying to keep their traditions alive?

3b) Are people allowed to wear their traditional clothing?

3c) Are people allowed to marry, build homes, and live in communities in traditional ways?

4) Has your group been forced to leave its traditional lands?

4a) Have you been forced to move your homes and farms?

4b) Have you been given a fair amount of money when your land is taken away?

4c) Has your land been polluted or damaged by other people?

5) Has your group's right to self-determination been violated?

5a) Have people been told that they can not try new ways of living because they come from your group?

5b) Have your group's leaders been kept from representing your people to a national or regional government?

Rights of Peoples

Entire groups of people have the right to exist and preserve the things that make them special, like customs, language and religion. Violations of these "rights of peoples" must be documented carefully, with good supporting evidence.

COLLECTING

The best way to provide evidence about violations of these rights is to describe specific events which violate specific rights of peoples. People must be familiar with the rights they have as "peoples" in order to document this type of rights violation.

The questions below show how to investigate in this way.

1) Generally, what rights do you feel have been violated?

Examples:

- 1a) The right to use your own language?
- 1b) The right to practice your own religion?
- 1c) The right to preserve your culture? etc.

2) Who is responsible for these rights violations?

2a) If it is the government, what members or divisions of the government? (examples: Army, Department of Education; Mr. John Smith, Minister of the Interior; Mrs. Mary Jones, Township Education Officer)

2b) If it is another group of people, which individuals, organizations or leaders are responsible?

3) Describe how the rights of your people have been violated.

3a) What specific events have taken place which have violated the rights of your people? Give the date of the event, name the people involved, and explain exactly what effects it has had on your people's rights.

3b) If there has been a policy or campaign against your people which has violated their rights to their own culture and identity, describe the policy, who started it, and how it affected your people's rights.

Children's Rights

Although children share all the basic human rights that all people have, because of their youth they require special protection. When documenting cases where children's rights have been violated, try using the following questions:

1) Has the child been taken away from his or her family?

1a) Has the child been forced to live apart from his or her family?

2) Has the child been kept from having an education?

2a) Have authorities denied the child the opportunity to receive an education?

3) Has the child been made to work in a way that is dangerous or harmful to him or her, or which prevents him or her from receiving an education?

3a) Is the child forced to work in a way that threatens their physical, emotional or moral development?

4) Has the child been bought, sold or traded by anyone (including his or her parents)?

4a) Has the child been taken away as payment for a debt?

4b) Have parents, relatives or strangers tried to sell the child?

4c) Has the child been forced to work as a prostitute?

4d) Has the child been sold into slavery or into some job to earn money for other people?

5) Has the child been involved in war?

5a) Did someone force the child to join the army?

5b) Has a civilian child been purposely killed during warfare?

Genocide

For the crime of genocide to take place, there must always be a group (or groups) of people being persecuted, and a group or groups attacking them and their rights. The attacking group can be a government, an army, or another racial group.

To find out if a group is being subjected to genocide, you must determine *whether there been a systematic effort to deprive a racial group of its basic human right to life? Are your people dying in ways that are directly or indirectly caused by the efforts of another group to harm your way of life?* There are several ways to look at these questions.

1) Has there been a campaign to purposely reduce the number of people?

1a) Have members of your ethnic group been killed because of their race? Have large numbers of people been killed at one time (massacred)?

1b) Have families been prevented from having children, or have children been killed or taken away?

1c) Have people been kept from marrying and having children, or forced to marry and have children with people from other groups?

2) Has there been a policy, law or campaign to make life so hard for your people that they have been dying?

2a) Have people been unable to eat? Has their food source been destroyed or taken away? Are your people sick and dying from starvation?

COLLECTING

2b) Have their homes been destroyed? Are people sick and dying from lack of shelter?

2d) Are people getting sick and dying because the medical help they used to get has been taken away or is impossible to deliver?

Human Rights Documentation

Exercise I

Effective Field Documentation

Exercise 1

This is an example of a human rights violation statement:

Date: December 10, 1993

Name: XXXXXXXXXXXXXXXX **Sex:** M **Age:** 35

Home: Pa'an Township, Thaton District, Karen State, Burma

Parents: Mother XXXXXXXXXXXX (living), Father
XXXXXXXXXXXX (deceased)

Family: Married, with three children

Occupation: Farmer

Statement:

When the soldiers came to my village we men ran into the forest. We knew that they were taking porters for long trips into the jungle. They chased us for many days, and I was separated from the others. The soldiers were following me. I hid in another village overnight, and when I left through the rice fields the next day, the soldiers caught me and took me into the jungle.

They tortured me in the forest. I thought they would kill me when they were done. They told me that they had killed my wife, and taken my children to carry their ammunition boxes. I wanted to die.

The soldiers made me say that I was a rebel soldier, but I've been a farmer in these hills my whole life. The headman from

COLLECTING

my village then came to the jungle with some soldiers, and gave them some money to let me go. I went back to my village.

Questions: Is there any information missing from this statement that could help provide more evidence about this case?

What questions could you ask the victim that would give you more information?

Compare the following account with the one above. What is different about it?

Discuss the human rights violations that are reported here.

Statement:

Burma Army soldiers from the 99th regiment came to my village on November 1, 1993. We had heard that they had been taking porters from two nearby villages, Nat Kyauk Kyauk and Chit Chit, so the men were going to hide in the forest. They chased us through the forest, and after one day I was separated from the others. I spent one night in Gyi Gyi village, and when I left the next morning, the soldiers caught me.

There were three soldiers. One of them was a lieutenant in the 99th regiment, one was a corporal, and I don't know the other one's rank. The Lieutenant's name was Than Shwe, and I don't know the other ones' names, but the corporal had two gold teeth and a long scar down his right arm, and the other one had a snake tattooed on his chest.

COLLECTING

They made me walk for almost an hour, northwards away from the village. We got to a clearing and they tied me to a tree. The rope was so tight that the blood couldn't get to my hands and feet. The soldiers kept me in the forest for two nights. They only let me have three spoonfuls of food the whole time, and no water. The corporal heated up a bayonet and burned my legs and chest until I cried out in pain. The lieutenant told his men to poke me with the bayonet until I bled in many places.

On the first night, if I fell asleep the lieutenant hit me. He told me that other soldiers had already killed my wife and burned my house. He said that my children had already been taken to carry ammunition for the army, and that I would never see them again. He burned me until I lied and said I was a rebel soldier-- but I've been a farmer in these hills my whole life.

The next day four more soldiers from the 99th regiment brought the headman from my village to the jungle. He had collected 5,000 kyat from other villagers to persuade the soldiers to let me go. The lieutenant took the money and untied me.

On the way home, the headman told me the truth: that my wife was still alive and that my children were safe.

Questions:

What is different about this statement? Does it provide more information?

Which basic human rights did the soldiers violate, and how? How does the information in the accounts allow you to say exactly which rights were violated?

COLLECTING

How could you use this information? What does the information in the second statement allow you to do that the first doesn't?

Discuss the human rights violations reported here.

Photography for the Struggle

The camera is a powerful weapon in struggles for justice. By creating meaningful images it helps fight the oppressors, bring the oppressed together and bring in support from the outside.

It is feared by your oppressors because:

- a. It can show the realities of your suffering
- b. It can influence people's actions against them
- c. It can embarrass them and their families

It builds solidarity among the oppressed because:

- a. it helps them see their common problems
- b. it helps them express their anger
- c. it helps them see what must be done to improve their situation
- d. it helps them see what they can do

It builds international support by:

- a. alerting the international community to truth
- b. focusing the concern of aid and support groups
- c. helping groups to unite their actions

Using the Camera for Human Rights Documentation

Photography can be a very effective way to gather human rights information. However, some pictures are more useful than others in telling stories about injustice. What are the elements of a good photograph?

- 1) It makes the viewer feel something
- 2) It makes the viewer think

3) It urges the viewer to act

Before a human rights field worker takes any picture for documentation, he must examine how it will be used to support the struggle for human rights. Ask yourself:

- What *story* will this picture tell?
- What do I want the viewer to *feel*?
- What do I want the viewer to *think*?
- What do I want the viewer to *do*?

Techniques for Taking Good Pictures for the Struggle

The only way a photographer can learn the secrets of taking good pictures for the struggle is through practice and critical self-evaluation. There is no magic way to get the work done. It is difficult and takes a lot of thought, but it is also very rewarding and effective.

There are some techniques, however, which can help. These techniques are only tools. They are no substitute for seriously thinking about the issues and knowing what needs to be said about the struggle for human rights.

Once you know what your goal for the photograph is-- what story you want it to tell, how the viewer should feel, think and act-- you must carefully plan your picture so that it will effectively communicate your idea. Three questions can help you take the photo that will meet your goal.

1) What is the main subject of the photo?

The main subject depends on what you want to communicate. It might be refugees, a burned village, porters, hungry children, or the determined face of a man or woman. This is the

COLLECTING

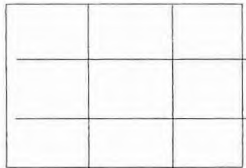
most important and difficult aspect of photography. Other techniques can easily be learned, but it takes practice and hard work to know what subject is important and what message needs to be communicated. One of the best ways to practice this is to look at photos which have successfully communicated feelings and thoughts to you, and urged you to take action. Analyze carefully how the subjects of these photographs were selected and what about them makes you react. Think about how you can take similar pictures.

2) How can I emphasize the subject?

There are many techniques to help emphasize the subject. Study those given here and then look at photographs from books or magazines to see what techniques are used.

a) Emphasis through placement. Most photographers place their subjects directly in the center of the picture. Such a picture usually shows little movement or action. The subject does not have to be placed in the center.

Instead, use the rule of thirds. Draw imaginary lines vertically and horizontally across your frame, as shown below.



The four intersections that are formed make good locations for your subject.

b) Emphasis through relative size. Getting very close to your subject will make it appear larger than other parts of the picture

COLLECTING

This will focus the viewer's attention on the subject and create a stronger feeling. One of the main problems with many photographs is that the main subject is too far away, and the viewers have trouble seeing or understanding it.

c) Emphasis through framing. Within a photograph, a frame formed by some object at the side or top of the picture can help strengthen the image. It will add life and action to the photo, and this can create a stronger feeling in the viewer.

d) Emphasis through selective lighting. Choose an angle in which light falls strongly on the subject, but leaves the background or foreground dark.

e) Emphasis through selective focus. In cameras with aperture controls, a picture's focus can be controlled very accurately. By controlling the aperture, you can control the depth of field, and thus different areas of the picture will be in focus. By keeping only the subject in focus, it will stand out more clearly.

f) Emphasis through motion. When using a camera with shutter speed controls, a photographer can emphasize an active subject by selecting a slow shutter speed. The subject's motion will appear slightly blurred.

g) Emphasis through angle. There is a variety of angles which can be used to help emphasize a subject. Many photographers make the mistake of using only an eye-level angle. Consider using a low angle (photographer lower than subject) to emphasize size and power, or a high angle to emphasize the subject's powerlessness.

COLLECTING

h) Emphasis through distance. Changing the distance from the subject can change the mood of the photograph. A long shot shows the subject's environment; a medium shot shows the entire subject; a close shot emphasizes one part of the subject, such as the look of a person's eyes.

Pictures get very boring if they are all taken from one distance. Practice taking photographs from a range of distances.

3) How can I simplify the picture? For your photograph to tell a story clearly and effectively, it must be simple. If the viewer has to search the photo for the subject, or has difficulty focusing on one item in the photo, the entire picture may fail to evoke feelings, thought and action.

Many of the techniques used for emphasizing the subject can also be used for simplifying the photo. For example, a close shot will automatically eliminate unnecessary background elements which might distract from the subject. Or, by controlling the aperture, you can put unnecessary background elements out of focus.

Sample Photographs for Good Documentation

Study the photographs below and the explanations of how they tell stories.

1. Placement

The placement of the subject in the picture frame helps give a specific kind of feeling to the picture. Depending on where you place the subject, you can give a feeling of movement, or one of oppressive rigidity.

1a.



COLLECTING

a) In photo 1a, the child stands in the center of the photo, balanced on either side by a red hot water bottle and a bamboo post. The photo seems static - there is not much movement. The placement of the child along with the expression on her face gives the feeling of sadness. It almost looks as though she is imprisoned.



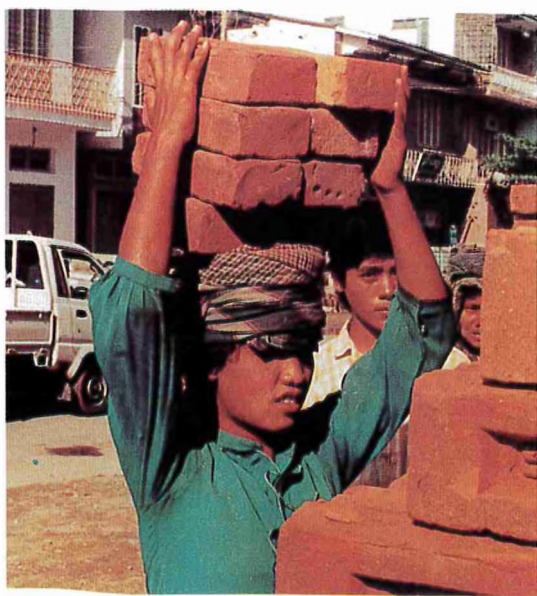
1b.

b) Here the two subjects are placed in the left two thirds of the photo frame. There is open space in front of them on the right. This helps give a feeling of motion. You can almost feel them moving forward, running to escape something. Placing the subject off center helps give movement and action. It helps bring the picture alive. This photo also makes use of a slower camera speed. If you look closely, there is slight blurring on the arm and the hair. This is caused by a slower shutter speed. This blurring helps give a feeling of fast movement and strain.

2. Size

Often we must take pictures in places where there are many people, or much action. If the subject is too small, it can get lost to the viewers. The best way to bring attention to the subject in such a situation is to get close to the subject and make it the largest part of the picture.

2a.



COLLECTING

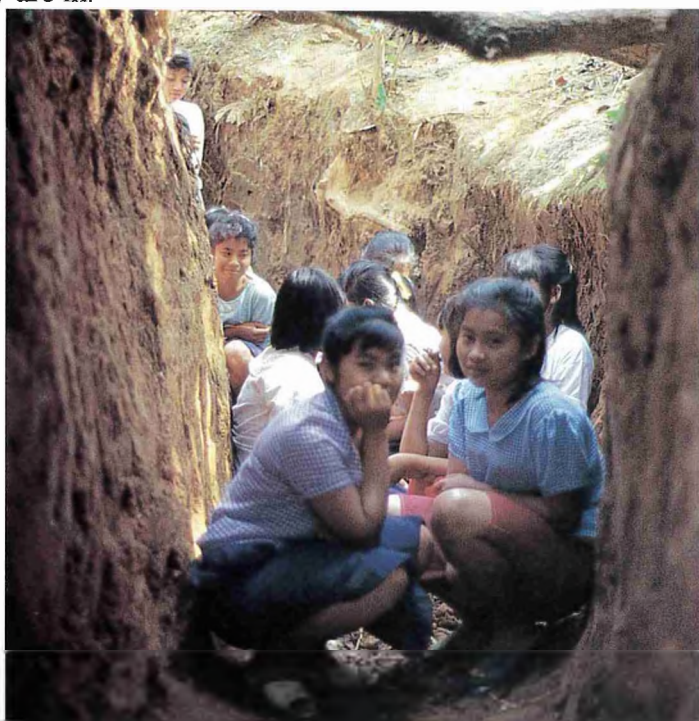
a) Taking photos in the city is quite difficult because there are usually many people, cars and buildings around to distract viewers from the subject. In photo 2a, the photographer moved in close to almost fill the frame with the woman and the pile of bricks. Attention is easily focused on her and the heavy work she is carrying out. The photo is also improved by using the pile of bricks as a frame in the lower right corner.

3. Framing

Framing helps give depth and interest to a photo. An item used as a frame in a photo is usually between the camera and the subject, and should usually be in sharp focus so as not to be distracting.

a) The children hiding from a rocket attack are framed by the walls and top of the bunker, telling us of the fearful situation they are in.

3a.



4. Selective lighting

One way to simplify a photo and focus attention on a subject is to use selective lighting. This means trying to find a position from which light falls on the subject, but does not light up the background too much. This can help eliminate any distracting background elements, and clarifies the story you wish to tell through the photograph.

4a.



a) In this photo, the photographer used back lighting to emphasize the subjects. This is called a silhouette, and is effective only if the subject is clearly outlined by the light with no distracting background elements.

COLLECTING

5. Selective Focus

A clear focus on all parts of a picture may distract viewers from the subject. Through selective focus, parts of the picture can be placed out of focus, thus taking away the viewers interest in those elements and rather focusing the attention on the main subject. However, in some cases it is important to make all elements in the photo clear. This is especially true in photos of panoramas.

5a.



a) A fairly narrow depth of field has thrown the background of trees out of focus. Their blurred green texture makes a nice outline around the black hair of the woman holding the child.

COLLECTING

b) In this photo, everything from the tiles immediately in front of the camera to the building in the back, is in clear focus. This gives a beautiful panorama of part of the Shwedagon Pagoda in Rangoon.

5b.



6. Selective Shutter Speed

(Refer to photo 1b.) This photograph has a strong sense of motion. This is partly due to the placement of the subject, as discussed in 1b, but it is also due to the selective use of shutter speed. The women walking in the foreground are much sharper and clearer than the wood and trees in the background. A very fast shutter speed would have put all elements of the picture in focus, but by setting the shutter at a slow speed and then moving the camera along with the women as they walk, it

COLLECTING

gives the impression that the background is being passed rapidly.

7. Angle

As a rule, people should usually be photographed from eye level. This means that if you photograph children, you should get down to their level. However, if you want to give a feeling of frailty or vulnerability, a high angle can help. It makes the subject appear smaller within the environment. A low angle, on the other hand, makes the subject seem larger and more powerful.

a) A higher angle was used to capture the vulnerability of these two children. They seem small and afraid.

7a.



photo by Jurgen Pohlitz

8. Distance

Vary the distance you shoot the subject from in order to tell different stories about the subject. For example, a closeup picture will tell more about the personal feelings and attitudes of the subject, while a long shot will place the subject within an environment which will help explain the situation.

8a.



COLLECTING

- a) This young boy was photographed from a medium range. His expression tells clearly his determination to carry out his responsibilities.
- b) These farmers were photographed using a long shot. While it is not possible to see the details of their faces, we see the surroundings in which they are working, and this can tell us much about their lives and struggles.

8b.



Part Two: Interpreting Your Information

Data collected from the field becomes meaningful and useful when it is analyzed for human rights content. Field workers should be familiar with the major categories of human rights and the important documents where they are proclaimed. They should also know how to interpret their data to produce meaningful information about human rights.

This section summarizes some of the most important human rights documents, and presents a glossary of human rights terms. These can be useful in teaching about the basic human rights that all people deserve, and also in analyzing data you collect to document in detail human rights abuses. *It is important to note that the declarations of rights are not laws that take the place of a nation's own fair legal structure. Instead, they should be understood as statements of common belief and concern, made by people worldwide about how everyone should be treated.*

To use these documents and definitions in your work, become as familiar as you can with the meaning of each one. As you learn about basic human rights, your data collection techniques, as discussed in the previous section, will allow you to recognize violations as you talk to people.

INTERPRETING

"Introduction to Data Analysis" discusses the different ways that data from your field work can be treated in order to make it meaningful

The data you collect in the field can be organized and selected according to type of rights violation. For example, you will be able to investigate accounts of both mental and physical torture, and put together information about these violations as examples of the abuse of rights proclaimed in "The Convention against Torture and Other Cruel, Inhuman or Degrading Punishment." Another example is that, after studying about racial discrimination, you might be able to collect a type of information that you did not even know was classified under human rights.

As you move on to Part Three: Communicating Your Results, you will see that friends who support the struggle for peace in Burma can use your human rights information more effectively when you can document clearly and accurately the realities of human rights abuse.

Introduction to U.N. Human Rights Documents

Over the last fifty years, people from all over the world have worked together to declare human beings' basic rights and freedoms. These rights belong to all people, and all people have the duty to respect them and use them to protect people from unfair treatment. When recognized and respected, basic human rights become the foundation for peaceful and just societies.

Most of the documents summarized in this collection were produced by the United Nations. Unfortunately, even the United Nations can not force countries to make and enforce laws genuinely based on these rights. However, it can encourage nations to establish such laws. One purpose of writing these standards, therefore, is to give countries the opportunity to join together and declare that they believe in these rights and will try to uphold them.

Not all governments agree about basic human rights. Some of the charters and conventions here have the agreement of support of only a few countries. However, as more people become active in learning about and protecting their rights, more governments will recognize them and use them as a foundation for national laws.

Another reason why the U.N. writes about people's rights is so that ordinary people anywhere in the world can read about universal standards. Even if a government does not respect basic rights, the people must share this information among themselves. Knowledge about human rights gives all people-- even

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soldiers and politicians-- the chance to begin creating a peaceful society.

These documents were written over a long period of time, by many different people and for different reasons. Sometimes, two documents on the same topic, or even on different topics, will seem to be repeating the same ideas that were already written somewhere else. For example, a special statement was written about people's right not to be tortured. Then, in the statement about police conduct written several years later, once again it is stated that people can not be tortured or treated cruelly.

Each document was written by people who wanted to make a clear and full statement about human rights. What if the person reading the document on police conduct had never seen the statement on torture? The points that are repeated are usually the most important points.

No matter what conditions people live under, they must never forget that they have basic rights that can protect them. Teaching, talking and writing about human rights is the only way to begin changing those conditions and preparing the world for peace.

I. Basic Human, Civil and Social Rights

Universal Declaration of Human Rights

*Adopted and Proclaimed by U.N. General Assembly resolution
217A (III) of December 1948*

Aim of Standard

To declare the inherent dignity of human life and describe the basic human rights that all people share

Summary of Provision

All people have rights to life, liberty and security.

These rights protect people from slavery, torture and cruel treatment, arbitrary arrest, illegal execution, detention and exile. People have the right to a name and nationality.

People are also free to live where they want, hold and express their own opinions, peacefully assemble, marry, and own property.

All people are equal, and have the right to be free from any form of discrimination. All people have the right to be recognized and treated as equals by the law. All people have the right to take part in government and to equal access to public services.

INTERPRETING

All people have the right to improve their standard of living and provide for their well-being and the well-being of others. People are free to develop their skills and talents through education.

A person's human rights can only be limited in order to protect the rights of other people, never because of discrimination or persecution.

International Covenant on Economic, Social and Cultural Rights

Adopted and opened for signature, ratification and accession by the U.N. General Assembly resolution 2200 A (XXI) of December 1966

Entry into Force: 3 January 1976, in accordance with Article 27

Purpose

To promote the economic, social, and cultural conditions which respect and develop basic human rights.

Summary

All people have a basic right to self-determination. People have the right to pursue their own interests with support from the state where they live. All people have the right to work, live and develop as they wish, as long as they don't interfere with other people's rights. Governments can only limit these rights according to laws, and only in situations where other people's rights must be protected.

INTERPRETING

I. Economic rights

Everyone has the right to work for a living, to receive fair payment for work, and to form unions to protect workers.

II. Social Rights

Families have the right to form, grow and prosper without interference. States should support parents in their efforts to raise children and maintain families. Children should be protected from working in ways that keep them from getting an education or ways that are harmful to them.

Food, clothing, and housing are basic to human life. States should support decent living standards for all people, and provide opportunities for people to improve their living conditions.

Education is essential to the development of healthy, dignified people, and is a tool for providing and strengthening respect for human rights. People should have access to education, beginning with early childhood, and families should be directly involved in making decisions about the quality and method of children's education.

III. Cultural Rights

People also have the right to pursue their cultural and scientific interests, and to benefit from their cultural and scientific efforts.

INTERPRETING

International Covenant on Civil and Political Rights

Adopted and opened for signature, ratification and accession by the U.N. General Assembly resolution 2200 (XXI) of 16 December 1966

Entry into Force: 23 March 1976, in accordance with Article 49

Purpose

To promote the use of laws to guarantee people basic rights to life, freedom, security, liberty, thought, movement, assembly, and association.

Summary

Life

All human beings have the right to live. States can only take away a person's life if a formal court of law has decided that the person has committed a very serious crime. Any person who has been sentenced to death has the right to seek a pardon or appeal the death sentence.

Freedom

No person can be made a slave. No one can be forced to work for another person, group or government unless the laws of the country permit courts of law to sentence convicted criminals to labor.

Security

All people have the right to liberty and security of person. Any person who is arrested must be told why he is being arrested and what crime he will be charged with. All people have the right to a trial within a reasonable amount of time of their arrest.

INTERPRETING

Legal Process

All people are considered equal in a court of law, and must be considered innocent unless the court can prove that they are guilty. The court must be formed according to law, and must guarantee the accused person the following rights:

- to know promptly and exactly the nature and cause of the charge
- to prepare a defense with the aid of legal counsel
- to be present at his own trial
- to examine all evidence against him
- not to be forced to confess guilt

No person can be tried a second time for a crime if the court reached a final decision-- guilty or innocent-- once already.

Liberty

Any person who has been arrested or sentenced to prison must be treated with humanity and respect for his humanity. The aim of any prison term should be the reform and rehabilitation of the convicted person.

Movement

People have the right to move freely within their own countries and to leave and re-enter their countries according to national and international law.

Thought

All people have the right to think, believe and say whatever they want. This includes the freedom to believe and practice any religion. People have the right to write or express what they think as long as they don't interfere with other people's rights or the genuine well-being of the society. Laws should

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keep people from promoting war, or hate for racial, ethnic, or religious groups.

Assembly

People have the right to assemble peacefully, so long as they don't interfere with other people's rights or with public safety.

Association

Everyone has the right to associate with other people, to marry and start a family. All children have the right to legal identity and nationality. All people have the right to take part in public affairs and to vote.

Basic Principles on the Independence of the Judiciary

Adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders held at Milan from 26 August to 6 September 1985 and endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985

Purpose

To urge all states to make laws providing for independent and fair judiciary (court) systems.

Summary

All countries should be able to guarantee their people a fair and independent court system. The courts will be able to make fair decisions according to the laws of the country without interference or influence from any outside party, even the government. Every person must have the right to be tried by a fair jury, and the decision of the court can not be changed or ignored by the government.

INTERPRETING

Judges must be well-trained, qualified people, and must be chosen by a method established by law. There can be no improper influence or process in the selection of judges. Judges, just like other citizens, have the right to freedom of speech and freedom of association. However, because of the special nature of a judge's work, one must be able to keep information confidential and always think about how his actions will affect the dignity of the court.

Judges themselves are not above the law. If someone complains that a judge is not doing his job fairly, governments must have a way of investigating and, if necessary, disciplining or removing bad judges.

II. Rights Regarding Police and Law Enforcement

Body of Principles for the Protection of All Persons Under any Form of Detention or Imprisonment

*Adopted by the U.N. General Assembly on 9 December 1988
by resolution 43/173*

Purpose

To outline how all authorities should treat any type of prisoner.

Summary

When authorities arrest suspected criminals, they must follow a legal procedure which protects the human and civil rights of the person arrested. Above all, any person who has been arrested must be treated in a humane manner and with respect for his basic dignity.

Because there are different types of arrest, different words are used to describe how police take people's liberty. "Arrest" means the police take someone's liberty because they think he has committed a crime. A "detained person" is someone whose liberty the police have taken, but who is not accused of a crime. An "imprisoned person" is someone whose liberty is taken away because he has been convicted of a crime.

When someone is arrested, he must be told why he is being arrested, what rights he has according to the law and how he can use those rights. Police or military authorities can only arrest and detain someone if a court has ordered them to do it, or if a court will have control over that person's detention or release.

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The officials who arrest someone must make a record of the arrest, including the time, date and cause of the arrest, as well as the name of both the arrested person and the officials.

While in custody no person can be subjected to any type of torture or cruel punishment, including mental as well as physical punishment. This includes threats and any other treatment that will affect his judgment.

A person who does not understand the language spoken by the authorities has the right to the help of an interpreter. Every person who is arrested has the right to receive advice from a lawyer. If the arrested person does not have a lawyer or can not afford one, the authorities must provide responsible legal counsel.

Someone who has been arrested must be allowed to communicate with his family within several days of his arrest.

Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

*Adopted by the U.N. General Assembly resolution 3452 (XXX)
of 19 December 1975*

Entry into Force: 26 June 1987, in accordance with Article 27(1)

Purpose

To promote the basic human rights that protect people from harmful and dangerous treatment.

INTERPRETING

Summary

All people have the right to be treated with dignity and respect, even if they are being detained by authorities. No state can allow torture or cruel treatment or punishment, even if it is involved in a war or internal conflict.

Police and military authorities must be trained in appropriate methods of questioning, detention and punishment of prisoners. If a person has been the object of cruel punishment, he has the right to complain to authorities, who then must begin an investigation of the incident.

Any statement that a person has been forced to make because of torture or cruel punishment can not be used as evidence against him.

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Adopted and opened for signature and accession by the U.N. General Assembly resolution 39/46 of 10 December 1984

Purpose

To define torture and fight the use of torture and other cruel punishments.

Summary

Torture is any act that causes another person severe pain or suffering as punishment or to make him do something. Every government has to make all types of torture illegal, with no exceptions allowed, including war, public emergency, or the orders of a superior officer in the military or police.

INTERPRETING

No state government can make someone go to a place where that person might be subjected to torture.

All police and law enforcement officials must be trained not to use torture, and be taught that torture is illegal. Governments must control all police methods.

Anyone who believes he has been tortured has the right to complain to a legal court.

Code of Conduct for Law Enforcement Officials

*Adopted by the U.N. General Assembly resolution 34/169 of
17 December 1979*

Purpose

To provide a code of conduct for police and military personnel involved in law enforcement

Summary

Police, and in some places military people who act as police, have a duty to protect and serve communities. This duty requires that they respect basic human rights-- as well as all other rights-- and protect those rights in the communities where they work.

Law enforcement officials should only use force in serious cases, not as part of their daily work. The use of firearms should be considered extremely dangerous and serious, and each case in which a police officer or soldier fires his weapon, a complete report should be made.

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Law enforcement officials also sometimes come across special, confidential information. It is their duty to protect people's right to privacy regarding this information. It is very important for officials to keep information secret when that information could harm someone.

No law enforcement official can inflict torture or cruel treatment on any person as a punishment. Officials are responsible for the health and safety of people in their custody. If a person in police custody needs a doctor, the police have to provide one; if the person needs to go to a hospital, the police must take him to a hospital.

Corruption is against the nature of law enforcement work and an officer's duty. Officials can not demand payment or gifts to do their jobs, and must treat all people equally.

Principles of Medical Ethics Relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners and Detainees Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

Adopted by the U.N. General Assembly resolution 37/194 of 18 December 1982

Purpose

To ensure and protect the duties of doctors who treat prisoners.

Summary of Principles

Doctors have a duty to treat all people as well as they can, whether or not the patients are under arrest. It is absolutely wrong for doctors, whose duty is to ease suffering, to take part in any acts

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of torture or cruel punishment. Doctors can not take part in any examination or treatment that cause or lead to any physical or mental suffering by patients.

Standard Minimum Rules for the Treatment of Prisoners

Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977

Purpose

To provide universal guidelines for the treatment of prisoners.

Summary

When authorities arrest and imprison people, they should follow general procedures which respect prisoners' basic human rights and dignity.

All prisoners must be registered. The prisoner's name, the reason for imprisonment, and the beginning and end of his sentence must be recorded upon arrival at the prison.

Men and women prisoners should be kept separate, and prisoners should be separated according to the seriousness of their crimes.

In all places where prisoners live and work, there must be adequate air and light. There must be facilities for bathing. Prisoners should be permitted to bathe at least once per week. Clothing and bedding must be provided, and kept clean and usable. Adequate food and clean drinking water must be pro-

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vided to all prisoners. All prisoners must have some opportunity for physical activity, either exercise or work.

Medical care must be provided by a qualified doctor, and prisoners in need of further medical care must be allowed to visit a qualified hospital.

When prisoners need to be disciplined, only officials-- not other prisoners-- may carry out punishment. Prisoners can only be punished according to laws and regulations. Restraints, such as handcuffs or leg irons, can only be used when a prisoner is dangerous or is being transported. These can never be used as punishment.

Prisoners shall be told about the rules of the prison and what type of treatment they can expect. Prisoners shall be allowed to make complaints regarding their treatment. Prisoners shall be allowed to have contact with their families or friends.

Prisons must have libraries and must make some provision for all prisoners who wish to practice religion. Prisoners should be given the opportunity to learn skills that may benefit them upon release.

Draft Basic Principles on the Use of Firearms by Law Enforcement Officials.

The 1988 Preparatory Meeting for the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders discussed and adopted the following draft instruments for national and international action

Aim of Principles

INTERPRETING

To outline the responsibilities and procedures law enforcement officials should follow in using firearms.

Summary

Law enforcement officials have special duties in society. Although police and military officers should always be encouraged to use non-violent means to enforce the law, they may also have to carry and sometimes use dangerous firearms. It is important that states have laws regarding how, when, and why officials may use their weapons.

Generally, the use of firearms must be seriously restricted and controlled by governments. Law enforcement agencies should have different types of weapons to use in different situations, so that dangerous firearms are used only in the most serious situations.

As a rule, firearms should only be used in cases of self-defense, or in the defense of others, and only when no other means can be used.

When officials must use firearms, they should always try to respect and preserve human life. If someone needs medical attention because he has been injured by a policeman, the police must ensure that he gets treatment. If a police officer kills or injures someone, he must make a detailed report including the place, time, date, and nature of the incident, as well as the identity of all people involved.

People have the right to assemble peacefully and lawfully. In peaceful assemblies that are against the law, law enforcement officials may not use force. They may only use firearms when confronted with violence and the immediate threat of serious injury or death.

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Police must be trained to respect the inherent value of human life and the seriousness of firearms. Police who use their guns too much or without good reason can be tried as criminals. Police who refuse to use too much force even though a superior officer has ordered them to can not be subject to criminal trial.

Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions.

*Adopted by the United Nations Economic and Social Council
resolution 1989/65, 26 May 1989*

Aim of Principles

To set up guidelines for all people to use in preventing and investigating illegal executions.

Summary of Principles

Prevention

Because all people have the basic human right to live, any type of execution is a very serious incident, even if it is carried out legally, by order of a legal court.

Respecting the inherent dignity of human life, governments must establish laws to prevent people from being killed by officials who act without the approval of a court of law. This applies even during a war or serious armed conflict.

For police and soldiers, there must always be a clear chain of command. This way, superior officers can be held responsible for the actions of their subordinates. It shall be illegal for an officer to order his men to carry out an extra-legal execution.

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Governments must protect people who are in danger of illegal executions, including people who have been threatened with death. It shall be illegal for one country to send a person to another country where he might be executed illegally. All countries must participate in the international effort to prevent illegal executions.

Investigation

Because extra-legal, arbitrary and summary executions are serious offenses against basic human rights, any case where people know or suspect an illegal execution to have occurred should be investigated.

All cases must be investigated by the government. If the government is not able to conduct such an investigation, a fair and qualified independent team may do it. The people who investigate these cases can not be interfered with, and must be allowed to study all available evidence, including a body.

Legal Action

If the investigation of an illegal execution identifies a guilty person, that person must be brought to trial in a legal criminal court.

III. Rights During War and Armed Conflict

Convention on the Prevention and Punishment of the Crime of Genocide

Approved and proposed for signature and ratification or accession by U.N. General Assembly resolution 260 A (III) of 9 December 1948

Entry into force: 12 January 1951, in accordance with Article XIII

Aim of Convention

To define the crime of genocide and declare that it is punishable by international law.

Summary of Convention

Genocide means trying to destroy all the members of an ethnic, social or religious group. Genocide takes away not only people's basic right to life, but also discriminates against them because of their race, language or religion, and tries to make them less human than other people. Genocide denies people the right to exist because one group does not want them to have any rights at all.

The simplest way for someone to commit genocide is to try to kill all the members of a group, but there are other ways people can commit genocide. One way is to make people suffer so much that their ethnic or racial group is bound to die out (for example, not letting them grow food). Another way would be to keep members of a group from having children, or taking their children away, because this would eventually bring an end to the group.

INTERPRETING

Genocide is considered an international crime. This means that different countries have agreed to cooperate when someone has been charged with genocide.

Convention relating to the Status of Refugees

Adopted on 28 July 1951 by the United Nations Conference on Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950

Entry into Force: 22 April 1954, in accordance with Article 43

Aim of Convention

To make clear what a refugee is and how refugees should be treated.

Summary of Convention

Refugees are people who have been forced to leave their countries because of racial, ethnic, or religious persecution and whose home countries can not or will not protect them.

While in foreign countries, refugees have to follow the rules of that country and, in turn, the country must follow international rules regarding refugees.

Refugees must be given the same civil and political rights that other foreigners living in a country would receive. They must not be kept from owning personal property; they must not be kept from forming organizations; they must have access to courts of law.

If possible, refugees should receive fair treatment regarding work and the chance to earn a living. Basic housing, educa-

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tion, and relief services shall be given to refugees. Refugees should be given correct identity and travel papers. They can not be taxed specially because they are refugees.

Countries can not return refugees to their home countries if the refugee will be in danger of persecution and discrimination.

Towards a Code of Combat Conduct: Minimum Combatant Duties - Minimum People's Rights

International Conference on Conflict Resolution in the Philippines, Declaration approved 16 December 1988, Manila

Aim of Declaration

To establish minimum standards of behavior for soldiers involved in warfare within their own countries, and to inform people of their rights during such warfare. War can not allow unlimited methods of combat, without regard for the damage to human life and environment.

Summary of Standards

People's rights

Civil war is no excuse for ignoring basic human rights. Just like in international war, people who live in countries involved in civil war are protected from unjust treatment by the Geneva Convention.

People not involved in armed combat can not be killed, injured, tortured, taken hostage or imprisoned without trial.

People who have been wounded or who are sick must be cared for.

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Soldiers' Conduct

Soldiers have to obey the basic principles that protect human rights to life and security. Soldiers may not attack civilian populations as targets, they may not burn fields or stores of food, and may not steal possessions of civilians. If a civilian has to be arrested and deprived of liberty, he must be fed and given water, and kept in a safe place.

Soldiers can not directly destroy places or items that people consider culturally important, such as churches and temples, or works of art.

Additional points from Protocol II to the Geneva Conventions

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), adopted by the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, 10 June 1977

Humane Treatment

During civil war, slavery, rape, and acts intending to cause humiliation are prohibited. Children must be cared for and given education. Families should not be separated; when separation can not be helped, all efforts should be made to reunite them. Children under fifteen can not take part in war; any child soldier under fifteen who is captured must be treated as a civilian.

Care for the wounded and sick

All wounded and sick people must be cared for. All steps must be taken to search for people who are wounded or sick,

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and to protect and assist medical personnel. Medical personnel must be considered neutral in the war.

Civilian Population

During war, civilians must be protected from harm. Their crops and other means of survival can not be destroyed. Civilians can not be forced to move unless they are in serious danger.

Declaration on the Protection of Women and Children in Emergency and Armed Conflict

Proclaimed by the U.N. General Assembly resolution 3318 (XXIX) of 14 December 1974

Purpose

To state that war puts women and children at very serious risk, and that all people must protect women and children during war.

Summary

All civilians have the right to be kept safe during wars. Women and children should be specially protected against warfare. It is wrong to attack civilians, especially with chemical weapons and bombs, which can kill many innocent people at one time. Often women and children suffer most during these attacks.

It is also illegal to persecute women and children during times of war. They can not be tortured, forced to leave their homes, or have their homes destroyed.

IV. Group Rights

Universal Declaration of the Rights of Peoples

The Algiers Declaration, 1976

Aim

To declare the rights of entire groups of people to exist and be free from persecution.

Summary

Just as individual humans have basic rights, entire racial groups also have rights and freedoms that protect them. One way of calling all the members of a group or tribe is to call them "a people."

Every people has the right to exist and to have its own culture, language and identity. Every people has the right to live in a place peacefully.

Every people has the right to break away from a colonialist or racist regime, and has the right to participate in a democratic government which represents all members of society.

Every people has the right to access information and technology for its own good, and to set up its own social system.

Every people has the right to preserve and practice its own culture, and to study and use its own language. Every people has the right not to have other customs and beliefs-- including religion-- forced onto it.

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When a people exist as a minority within a country or region, they have the right to be treated as citizens without discrimination or unfair treatment.

Any people that has been deprived of its rights and freedoms has the right to complain, protest, and struggle for justice. All struggles to free people from discrimination and unfair treatment shall have access to international humanitarian organizations and are protected under the humanitarian code of war.

When the fundamental rights of a people have been taken away, it is the duty of others to help them regain their rights and freedoms.

Convention Concerning Indigenous and Tribal peoples in Independent Countries

Draft Universal Declaration on the Indigenous Peoples Rights as contained in United Nations Document E/CN.4/ Sub. 2/ 1988.

Purpose

To define indigenous peoples and establish a policy for how they will be treated by governments.

Summary

Definition: There are many people who, living inside a country, have their own customs and communities that differ from those of their countrymen. In many cases these people descend from ancestors who lived in a region before it ever became a modern country with a government and fixed borders. Almost always, these people have their own languages and traditions

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that set them apart from the majority, and perhaps they are of a different racial group as well. In many cases they live in remote areas, far away from most of the population. These people are considered to be "indigenous" or "tribal" people.

The United Nations will recognize any group of people as indigenous or tribal if they meet this description, and if the people consider themselves to be indigenous or tribal.

Government Responsibilities

Governments have a special responsibility to indigenous people. They must protect not only their human and civil rights (just like anyone else), but also make sure that their cultures-- which are unique and different-- will not be destroyed by outside forces. Indigenous people have the right to protect their own ways of life. Although governments have to help indigenous people achieve equal social and economic status with other people, they must only act in ways that the indigenous group agrees with. A government can not tell tribal people that it is doing something for their own good without the approval of the people themselves.

Indigenous people have the right to decide what is most important to them in terms of development. This could be education, health, agriculture or any other area where the people feel that they need assistance. Indigenous people can also ask to have no assistance at all.

Land

Land is very important to indigenous peoples. Governments must respect and protect the indigenous peoples' claims to their land, and can not take away that land or use its resources without asking for permission. In cases where a government has to use the resources of indigenous peoples' land, (for example, to mine for minerals or oil) the people must benefit from the activity and the land must be damaged as little as possible.

Usually, indigenous peoples have their own systems for owning and using their land. Outsiders may not take advantage of this system as a way to get indigenous people's land.

Employment and Income

Often, indigenous people survive by producing their own food and making many of the things they need. Governments must recognize that traditional economic activities-- including farming, fishing and producing crafts-- are basic to indigenous people's way of life. Governments must protect and develop indigenous people's ability to survive on these traditional means. Governments should promote self-reliant, community-based activities that ensure the independence and success of traditional economies.

Social services and Education

Indigenous people are entitled, just like any other citizens, to the social services provided in their countries. Services that have a presence in indigenous communities, such as health clinics or schools, should always try to use indigenous personnel, and respect and promote traditional practices.

Indigenous people have the right to establish their own schools and teach their own values and skills to their children. Indigenous people, just like any other citizens, shall have the right to

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access government education when it is available. Education that is provided by the government should teach not only about the majority peoples in the country, but also about indigenous peoples' history and culture.

Indigenous people have the right to study how to read and write their own language. Whenever possible, governments must provide children with the opportunity to study in their own language.

Indigenous peoples sometimes work in non-traditional ways (for example, as farm laborers or factory workers). Governments must ensure that they are treated equally by their employers, and not taken advantage of because they come from a minority group. Indigenous workers have the same rights as any other workers, including the right to organize into unions and bargain over working conditions. Indigenous people should also be invited to take part in training which will allow them to earn money in new ways.

Draft Universal Declaration on the Rights of Indigenous Peoples

Draft Universal Declaration on the Indigenous Peoples Rights as contained in United Nations Document E/CN.4/Sub.2/ 1988.

Purpose

To state that indigenous people have equal rights to all other people and that their interests must be protected and preserved.

Summary

In many cases, indigenous peoples are especially in danger of having their basic rights and freedoms violated. Because an in-

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indigenous ethnic group may have relatively few members, or because a group may not be represented by a government-- or even considered part of a country, special measures must be taken to guard its rights.

Most importantly, indigenous peoples must be protected against genocide, and against any effort to destroy their culture and traditions. This includes allowing people to use their own languages and have traditional names. They have the right to education in their own languages, and to teach about their own traditions and customs, including religion.

Also, indigenous peoples have the right to occupy their native lands, and can not be forced to give up their land. If they absolutely must leave their homelands, new (preferably better) land must be given to them. People also have the right to use the resources on their land, and to protect those resources against pollution and destruction.

Indigenous people also have the right to maintain their traditional ways of working and living. They also have the right to try new ways of living, without any discrimination against them.

Indigenous people also have the right to participate in the politics of the country where they live, in the same way that any other citizen can. Any national or international decision that will affect indigenous people-- even far into the future-- must include indigenous representation.

Declaration of the Elimination of All Forms of Racial Discrimination

Proclaimed by the United Nations General Assembly resolution 1904 (XVII) of 20 November 1963

Purpose

To condemn discrimination against people based on race, sex, religion, or language.

Summary

"Racial discrimination" means taking away people's rights or freedoms because of their identity and background. This can mean many things, including the color of a person's skin, his ethnic group, the place he comes from, his language, his religion, or who his ancestors were.

It is a serious violation of basic human rights to practice racial discrimination. No government, group or individual person can discriminate against someone in a way that affects their basic freedoms and rights. Members of ethnic minority groups should be especially protected against racial discrimination. Government policies of segregation (giving different rights to different ethnic groups) are illegal, and must be stopped.

Teaching of racial discrimination must be stopped. Instead, schools and other sources of public information should try to teach people how to understand and be friendly with other groups. People should be taught about basic human rights and about the international laws established by the United Nations.

International Convention on the Elimination of All Forms of Racial Discrimination

Adopted and opened for signature and ratification by U.N. General Assembly resolution 2106 A(XX) of 21 December 1965
Entry Into Force: 4 January 1969, in accordance with Article 29

Purpose

To outline government responsibilities for eliminating racial discrimination.

Summary

Governments will not practice or support racial discrimination, and will work towards ending such discrimination in their territory. When necessary, governments will start special programs to create multi-racial organizations and movements.

All organizations and propaganda that support theories about any race being superior to others will be condemned and made illegal.

Governments will make sure that there is no racial discrimination in the use of all laws, but especially those laws that give people human, social and political rights. For example, the right to take part in government, the right to a nationality, the right to freedom of thought and religion, the right to work, and the right to form unions.

V. Rights for Special Sectors of Society

Declaration on the Elimination of Discrimination Against Women

Proclaimed by U.N. General Assembly resolution 2263 (XXII) of 7 November 1967

Purpose

To state all women's right to be free from discrimination.

Summary

Because all people have the right to be treated equally, it is wrong to discriminate against women. Governments should make laws protecting women from discrimination, and should lead their countries in teaching about women's rights.

Women and men have the same right to an identity. Women have the right to a nationality and a name that can't be changed without their agreement. Just like men, women have the right to vote and to hold public office.

Governments must make laws to ensure women the same civil and social rights as men, including the right to own property and the right to get married only when they want to. Women also have an equal right to education as men. They must be allowed to study in the same schools as men, or in schools that are equal and teach equal subjects.

All social and economic rights that men enjoy, women must also have. These include the right to work and have access to all types of social services.

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Women also have the right to be free from exploitation. Governments must make laws to protect women from sexual exploitation. They can not be bought, sold, traded, stolen or forced to work as prostitutes.

Declaration of the Rights of the Child

*Proclaimed by General Assembly resolution 1386 (XIV) of 20
November 1959*

Purpose

To state children's basic rights.

Summary

All children must be protected and cared for in ways that respect their basic rights and will help them become responsible adults. Children must be raised so that they will become people who value human rights, dignity and peace.

All children will have equal rights and will be free from any type of discrimination.

All children have the right to a name and a nationality.

All children have the right to be healthy, and children who are disabled have the right to medical treatment and social services.

All children have the right to grow up in a loving and secure home, preferably with their own parents. Societies have the duty to supply children who don't have parents with a decent home and caring guardians.

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All children have the right to a free education which will develop their knowledge and abilities. In fact, in the early years, all children must receive some form of education. People in charge of children's education must always put the best interests of the child first.

In emergencies, children will always be the first people to receive protection and relief. Children must be protected from bad treatment and abuse, and can not be treated as property to be bought, sold and traded. Children can not be forced to work before an appropriate age, and can never be forced to do dangerous or harmful work, including prostitution.

Convention on the Rights of the Child

Adopted by the United Nations General Assembly on 20 November 1989; opened for signature by member States of the United Nations on 26 January 1990

Purpose

To establish a universal standard of treatment for children.

Summary

Like all people, children have basic human and civil rights. Because children are different from adults, it is important for all people to recognize that sometimes children need special services and special types of protection.

The United Nations considers anyone below the age of 18 to be a child. In any action involving children, governments

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must always consider the children's best interest to be the most important factor.

Children have the right to life, security and identity. They have the right to a name, nationality, and a family. A child can only be taken away from its parents when an official decision has been made that doing so would protect the child. Governments have a responsibility to help find children without parents good adoptive homes.

Children also have the right to express their own opinions and views. Children are free to think and believe whatever they choose. They also have the right to privacy and freedom from interference in their lives.

Children have the right to an education. This education must be free, and provide for at least the elementary grades. Children's education should prepare them for a healthy and productive life in society, and should give them a sense of respect for human rights, for laws and for the natural environment.

All governments must make laws regarding children's employment. There must be a minimum working age, a fixed number of hours that children may work, and a system to punish people who break these rules.

Governments must make laws, educate people, and provide services to make sure children are protected from the use of drugs and other dangerous substances. This includes making and selling drugs.

Governments also have to protect children from all types of sexual abuse. This includes using children for prostitution.

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Governments must make the buying, selling, trading and stealing of children illegal.

Any child who is arrested must be treated according to the law, and have his human and civil rights respected.

In case of a war, no child under 15 (and, preferably, no one under 18) can be recruited to fight or take part in the conflict.

Declaration on the Rights of Disabled Persons

Proclaimed by General Assembly resolution 3447 (XXX) of 9 December 1975

Purpose

To define disabled persons and state their rights.

Summary

Disabled people are people who might not be able to live a normal life because of mental or physical problems. Disabled people have the exact same basic human rights as all other people, but they also have special rights that are designed to protect their human dignity.

Disabled people have the right to medical treatment for their problems. They also have the right to training or other services that will help them lead as normal a life as possible.

Disabled people also have the right to be free from exploitation. No one can take advantage of them because of their condition.

VI. Rights Regarding Peace, Development and Environment

Declaration on the Rights of Peoples to Peace

Approved by U.N. General Assembly resolution 39/11 of 12 November 1984

Aim

To declare that peace is a basic human right.

Summary

All people have a fundamental human right to live in a world without war. All countries should work together to solve problems peacefully, without warfare or the threat of war.

Declaration on the Right to Development

Adopted by U.N. General Assembly resolution 41/128 of 4 December 1986

Aim

To declare that development is a fundamental human right.

Summary

All people have the basic freedom of self-determination. This means that they are free to choose how they want to live and what goals they set for themselves in life. People have the right to try to improve their lives and the lives of others, in other words, to "develop" their abilities and resources in order to live a happier and more satisfying life.

INTERPRETING

Although some people think development means making more money, it means much more than that. Development also means being free from the unnecessary suffering caused by material poverty (such as famine and poor health) and participating in all the institutions (such as government and education) which affect their lives.

For people to develop, there must first be peace. Development can only take place when basic human rights are understood and respected by all people and all governments. When people respect basic rights and live in peace, they can then work together to provide the security, education, and social services that will give them good choices about how to live.

Also, governments have to support and encourage development among people, and not keep people from trying to live happily and improve their lives. This includes promoting peace and working towards disarmament. Although governments must help create the conditions necessary for development, it is the people who must decide what they want and how to achieve it fairly and peacefully.

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Summary of Proposed Legal Principles for Environmental Protection and Sustainable Development

Adopted by the World Commission on Environment and Development Experts Group on Environmental Law in 1986.

Aim

To state that people have the right to protect the natural environment and develop in ways that won't hurt it.

Summary

All people have the right to a clean and safe environment where they can be healthy and secure. With the help of governments, people must protect the natural environment, not just for their own use but so that their children and future people can enjoy a clean and safe place to live.

Glossary of Human Rights Terms

Commonly used words in human rights information

"a people" or "peoples" these words are sometimes used to talk about an entire group of people (example: the Karen are a people)

arbitrary and summary execution when authorities kill people, or allow people to be killed without a formal court of law's decision that the person should be punished by death. This is also called "extra-legal" execution, because it happens outside of the legal system.

arrest to be *arrested* is to have one's freedom of movement taken away by authorities

detention authorities *detain* someone when they arrest someone and charge them with a crime

displaced person a person who leaves his home, but stays within his own country, because of persecution or the fear of persecution

forced labor when someone is forced to work against their will, usually without any type of payment or protection

forced relocation takes place when officials (such as the military) make people leave their homes, not for their own safety, but for the military's own strategic aims.

imprisonment a person is *imprisoned* after being convicted of a crime and given a jail sentence

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indigenous people people whose ancestors lived in a place before settlers from other places arrived. Indigenous people often have their own cultures and languages.

massacre killing more than three people at one time

mental torture treatment which is intended to punish someone or make them do something and which causes emotional distress or fear

peasant a poor person from a rural area, often meaning someone who does not own his own land

physical torture treatment which is intended to punish someone or make him do something and which causes physical pain or injury

political prisoner a person who is detained or imprisoned because of his or her political beliefs. Political prisoners' freedom of thought and opinion have been violated

race a way of categorizing people according to the color of their skin, their language, their ethnic group, religion, ancestors, the area they come from or other characteristics.

racial discrimination treating people differently or giving them different rights because of their color, language, religion, nationality or ethnic group

refugee a person who leaves his or her country because of persecution or the fear of persecution

Human Rights Documentation Exercise

Identifying Human Rights Violations

Part One

This is an example of a human rights violation statement. Read through it once, then consider the questions that follow:

Date: December 10, 1993

Name: ---- Sex: Female Age: 22

Village and district: Maungdaw Township, Arakan State, Burma

Parents: ---

Family: Married, with four children

Occupation: Farmer

The soldiers finally pushed us out of Burma into Bangladesh. The soldiers first came in the rainy season of this year-- I don't remember the exact date. Our people have been suffering terribly.

They came and said we had to close down our mosque, which is where we Muslim people go to practice our religion. We didn't, and when the soldiers came back they burned it down. The head of the soldiers, Lieutenant ----, told us that we weren't real Burmese people and that we had no right to live in this country. Our people have always lived here. He said that because we were Muslims and our skin was dark we couldn't live in Burma.

They made us leave our fields before the harvest. They killed or stole our animals and burned our crops. They made us

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leave our homes with nothing. We lost everything. If we were sick and walked slowly, they shot us. People had no food or water, but the soldiers made us walk for days and days. Many people died.

Now we are in Bangladesh, and we have almost no food or water, and no money. We have no land. We think they might send us back to Burma, but we are afraid we will be killed like the others.

What human rights violations are reported in this statement? Read through it again, noting the different types of abuse and the rights that they violate. Make a list of the abusive activities, the rights they violate, and the document which discusses people's rights regarding such abuse. Some answers are given on the next page, but there are many different ways to look at any one incident of abuse, so finding the "right" answer is not as important to this exercise as learning to identify and define human rights abuse according to international declarations.

Possible Answers:

1) Freedom of thought and religion. By burning down the mosque, the soldiers took away their freedom to practice the religion of their choice. (Universal Declaration of Human Rights; International Covenant on Economic, Social and Cultural Rights)

2) The right to be free from discrimination. By telling them that they couldn't stay in Burma because of their ethnic group and religion, the soldiers were practicing racial discrimination. (International Convention on the Elimination of All Forms of Racial Discrimination)

3) The right to a nationality. By forcing people out of their own country and refusing to let them be citizens of that country, the soldiers violated their right to a nationality (Universal Declaration of Human Rights).

4) The economic right to earn a living, the right to own property, and the right to a home were all violated when the soldiers burned the crops, took the animals, and forced people to leave their homes (Universal Declaration; International Covenant on Economic, Social and Cultural Rights).

5) By making them walk with no food or water, the soldiers were physically torturing the people (Convention Against Torture and Other Cruel, Inhuman or Degrading Punishment).

6) By shooting and killing people who were not walking fast enough, the soldiers were taking away their right to life, and were probably committing illegal executions (Universal Declaration; Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions).

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7) If the people were forced to leave Bangladesh and go back into Burma, where they might be killed or tortured, their right not to be sent to a place where they would be in danger would be violated. (Convention Relating to the Status of Refugees; Convention Against Torture)

Can you name any other rights that were violated by the soldiers?

Identifying Human Rights Violations

Part Two

Directions:

This exercise will let you practice identifying the various human rights. The left-hand column contains a description of abusive behavior. Consider carefully all the different parts of the statement, including who is being abused by what other person, as well as the nature of the violation. In the next column, first write down the human right that such behavior violates, and then the international convention, declaration or other human rights document that discusses that right.

The purpose of the exercise is to get familiar with different situations where specific rights are being violated. Thinking about how the ideas behind human rights apply to real situations is an important skill for human rights field workers.

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Description	Violates what right, declared in what document?
Example: <i>Children in an ethnic minority group are forced to learn only one official language</i>	<i>Rights of people to use and teach their own language, as discussed in the Universal Declaration of the Rights of Peoples.</i>
A Buddhist temple is burned down to punish villagers for letting rebels sleep in their village	
Tying someone up and denying them food and water for three days	
A tribe of people is forced off their land so the government can build a dam. The people were not asked their opinion or compensated for losing their land	
Teenage girls are bought from their parents and sold to brothels	
Forcing a farmer who grows food for his family to use his land to grow tobacco for the government, instead	

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An employer fires workers who have been meeting to discuss ways to improve their working conditions	
Police fire weapons into a peaceful pro-democracy demonstration	
A prisoner is sent to jail without knowing how long his sentence is or what the rules of the jail are	
Newspapers can only print government-approved information	
Muslims are attacked and forced to leave their homes to make Burma a Buddhist country	
A woman who has been teaching people about their rights is taken from her home, tortured and executed by military police.	
A prison has a rule that senior prisoners should punish junior prisoners as a favor to the guards	

The Next Step: Introduction to Data Analysis

The exercises in this section are designed to help human rights documenters work with the data they've collected. Whenever information deals with serious topics like human rights, the people who handle it should know how to analyze. This helps separate good data from poor data, and also prepares the collectors to use their information themselves, for example, writing their own reports.

Raw Data vs. Processed Data

There are two steps in developing human rights information. The first is data collection, which includes all the interviewing skills discussed in Part One. When data is collected, it is in raw form, like rice that has been harvested but not separated from its stalks. It is valuable, and can be carried anywhere, but at some point it must be cooked for it to fulfill its purpose.

The next step, data processing or analysis, takes the freshly harvested data and turns it into useful information. Data processing gives raw data *meaning*. There are different types of data analysis that produce different types of information.

In data analysis, raw information is first examined closely, then combined with other information to make it more meaningful. Data analysis is done to answer questions, such as: Is the data similar to or different from the other data? Now that we have this data, what do we know? Are there patterns that we can see when we look at several pieces of data together?

The Uses of Processed Data

1) Informing the outside world

Imagine that you met a stranger who knew nothing about your struggle and you gave him a collection of raw human rights data, such as simple statements, to read. He would certainly learn that there has been rape, torture and execution in the civil war zone, and would probably feel sorry for the suffering of your people.

However, he may not think of a way to become involved-- to try to help. When people read raw data, they have to make their own comparisons, draw their own conclusions and recognize by themselves causes and effects. Without knowing very much about your struggle for human rights, a stranger might have difficulty doing any of these in a way that could help.

Imagine you met a different person, and instead of giving him only a collection of human rights statements, you also gave him a short analysis. Using the collected raw data, the report compares this year's number of rapes with last year's, it links suffering to a specific cause, and finally it draws a meaningful conclusion about your situation.

Now the stranger may become a concerned and active friend. He understands the scope and history of your problem (by comparison), the source (by linking cause and effect) and the overall meaning of your struggle in terms he may already understand (by drawing a conclusion).

2) Improving your own ability to handle information

Human rights statements are an excellent example of how data is collected and then analyzed for meaning.

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Pretend that you have just taken four human rights statements from four small villages in rural Burma.

Read the five statements below and think about what types of information a human rights documenter would need to produce each one. Which ones are raw data and which ones have been processed using other information? Assume that all are true.

- 1) Last year, soldiers of the 99th infantry committed more rapes than soldiers of the 47th infantry.
- 2) In March of 1992, rebels took 18 porters from Thay Baw Lo village.
- 3) The villager told us that four men were executed because soldiers suspected them of being spies.
- 4) The number of executions has increased because of the government's policy regarding villagers in free-fire zones.
- 5) Judging from the actions of the tatmadaw, Freedom of Conscience is not respected in Burma's Arakan State.

Raw Data

Statements 2 and 3 can be considered as raw data. The information they contain is factual; they describe events without adding meaning to them. Rebels came and took 18 porters; this either happened or it did not. Number 3's statement simply repeats what a villager said; so there is no meaning added.

In both cases, a human rights documenter may have collected information about these incidents, and then repeated that information exactly as it was told. This is an important skill that is developed through good interview and note-taking techniques.

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Analyzed data - Three types

The other three statements, 1, 4 and 5, contain information which has been processed in some way.

Type 1: Making a Comparison

In statement 1, raw data about the number of rapes committed by the 99th infantry is compared to raw data about the number of rapes committed by the 47th infantry during the same year. Combined, these individual pieces of data allow one to draw a comparison-- to add meaning: the 99th infantry committed more rapes last year.

Type 2: Suggesting Cause and Effect

Statement 4 shows how two different types of raw data can be linked together to show cause-and-effect relationships.

The first type of raw data is about executions. Because it is stated that the number has increased, we must assume that information had been collected consistently over a period of time. Therefore, there must be at least two separate "pieces" of raw data about execution.

There also must be some type of raw data showing that the government has a policy about executions in free-fire zones. Most importantly, there has to be a good reason to link the two together, according to information in the raw data. Perhaps a great number of people have been executed in free-fire zones who would not have been killed in the past.

Type 3: Drawing a Conclusion

Lastly, Statement 5, although it seems simple, is actually the product of data analysis. First, one would have to know what Freedom of Conscience is, perhaps learning this from a United Nations document. Then, raw information must be examined

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for examples of the tatmadaw's violation of this right in Arakan State. Finally, the person conducting the analysis must consider whether or not the raw data truly supports the conclusion.

Part Three: Communicating Your Results

The ultimate purpose of learning how to collect human rights information is to share that information with other people and teach them about your struggle.

There are many ways to share human rights information. Some rely on official groups, like the United Nations, to investigate claims of human rights abuse. Others involve sending information to NGOs and friends abroad, who will use your information to work with government and business to pressure human rights offenders to change their habits of abuse. Sometimes human rights information is used locally, for example as part of a school curriculum or to organize a citizen's group.

Each of these different purposes requires human rights information to be communicated in a unique and effective way. The U.N. has its guidelines for writing about human rights and reporting violations, but they are different from those required by, for example, a school looking to teach children about their rights.

Whatever the purpose of your human rights reporting will be, it is important to know how to communicate your information accurately and effectively. The materials in this section provide practical instruction in U.N. "1503" procedure, reporting in and writing general thematic reports to teach people about your human rights problems.

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In 1995, Burma Issues produced a set of detailed forms for collecting human rights information. So far, it have been published in English, Burmese and Sqaw Karen. The forms have their own instructions, contained in a booklet called "Field Documentation." The forms are not intended to replace other types of human rights information reporting, but are intended to help Burma Issues and other groups collecting human rights abuse information manage a large amount of information for analysis and record-keeping. Readers who are interested in learning more about this system should contact Burma Issues at the address in the front of this book.

The Importance of Feedback

Too often, human rights workers take information from individuals or communities but don't put any information back in. People who gave interviews and were photographed wonder what ever happened to the information they contributed and the people who promised to help. They might not be so eager to help next time, if they see no results from the time and cooperation they have invested.

From the human rights worker's point of view, it may be difficult to think of ways to stay in touch with these people. Maybe they live in remote places that can not easily be reached again. Perhaps they can't read the reports you are writing, or don't really understand all this talk about human rights. You might think that when the information gets used by outsiders, the people will eventually feel the positive effects. Regardless of the circumstances, the human rights worker must take responsibility for sharing the immediate results of his work with the people who made it possible. This process is called giving *feedback*.

In some cases, all the conditions listed above are true: the people are far away and isolated. This makes no difference, because the truly dedicated human rights worker will find ways to reach them. If the people can't read your report because it is in a different language, find a way to translate it, or at least parts of it, into their language, along with a description of what you plan to do with it. If the people can't read any language at all, send them a report anyway, using as many photographs as possible, so that they can at least own a copy. Arrange for someone who can translate into their language to visit the village and tell people what the report says.

Good human rights documenters plan out their feedback long before any reports are completed. While visiting people, they find out the best way to provide feedback, asking about the best way to communicate in the future. They promise to stay in touch and, most importantly, they keep that promise. A human rights information assignment is never completed until the people who tell their stories have received some immediate assurance that their efforts to provide information are directly involved in fighting against oppression.

This may be the most important job of a human rights worker, because it shows ordinary people that they participate in an information process that can help relieve their suffering. Seeing and holding a report that makes one's voice heard to the world is what gets people excited about the power of human rights. It relieves the feeling of isolation that often goes along with oppression, and supplies the hope needed to continue the struggle.

Check list for Human Rights Information Development

Throughout your work developing human rights information, you may find it useful to make a list of questions to help guide your work. A list like the one here can keep you focused on the most important topics discussed in this manual.

Before You Start-- What are your responsibilities?

- a)Protecting the security of the people I speak to.
- b)Developing truthful and clear information.
- c)Using the information to communicate about human rights.
- d)Sharing the results of my work with the people who helped me.

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Collecting Information-- What happened?

- a) Who should I talk to?
- b) How should I conduct my interviews or take photographs?
- c) What stories do I want my photographs to tell?
- d) How can I double-check the accuracy of my information?

Interpreting Information— What does it mean?

- a) What human rights have been violated?
- b) How can I use my information to show patterns, make comparisons or draw conclusions?

Communicating-- How will I use the information?

- a) Who do I want to share this information with?
- b) How can I arrange my information around a theme?
- c) How will I use facts, details and analysis to create an interesting report?
- d) How can I use good photographs to improve my report?

When your report is completed-- Have I reached my goal?

- a) Have I fulfilled my responsibilities?
- b) Have I used accurate information to teach people about our struggle and get them involved?
- c) What have I learned from completing this report that will help me in my future work?

Written Reports

There are many different types of reports used to communicate human rights information. The written report is the most commonly used report, and can be a very powerful tool for fighting human rights abuse.

The guidelines given here for writing written reports will help you organize your information and present it in a clear and meaningful way. It can take a long time to develop the skills necessary to produce good written reports. Although writing reports can sometimes be difficult, human rights workers should never feel discouraged, because the reports they write have a great potential to help people in need. These people, suffering under oppression, should be the human rights worker's motivation for constantly working to improve and refine report-writing skills.

1. Purpose of Reports

The purpose of writing reports is to help people who have no direct knowledge of a situation to understand as clearly as possible what events have taken place and what these events mean. Reports must be detailed, to let people visualize what is being described, yet concise-- they must not contain unnecessary or irrelevant information that makes the entire report long and unfocussed.

2. Components

Good reports have three distinct components:

A. Facts

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B. Details

C. Analysis/interpretation

A. Facts provide the background for the reader's visualization of an event or situation. By answering the six basic questions of information development (who? what? where? when? how? why?) a good report will give the reader basic information necessary to understanding any situation.

For example, in a report on human rights abuses from a particular township, brief descriptions of what has taken place, such as "In November 1993, the army carried out a campaign against six villages in this district. Accusing the villagers of supporting the rebels, the soldiers burned fifteen houses, raped nine women, stole personal property and executed five civilians without trial."

B. Details provide even more information about the facts, helping the reader put together his mental picture of what has taken place. Facts and details rely on each other for making a good report. Report writers must state the facts in order to make the details meaningful; otherwise details would be boring lists of information. At the same time, the details are what make facts seem real to other people

For example, once the report has stated the basic facts about human rights abuses in a certain township, it can then make use of more detailed information. One such source of information would be human rights interview statements, such as those taken from the women who had been raped or by people whose homes had been burned. When people read personal statements giving details about these events, they will understand more of what it is like to be abused.

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C. Analysis and Interpretation is the most important component of any report. This is the writer's opportunity to tell the reader what all the facts and details mean to the situation. Analysis and interpretation can be difficult, because they rely on careful and honest reading of the facts, then drawing conclusions, assumptions or comparisons (see Part Two's Introduction to Data Analysis).

The analysis and interpretation section is also important because it allows the report writer to state what the major issue is, and how people should react to it. Without some type of advice or conclusion about what can be done, this type of report is not very useful. Below is a list of questions that can give writers ideas for their analysis and interpretation sections.

- a) What might happen in the future?
- b) What are the strengths and weaknesses of the army and the people?
- c) What type of assistance have the people asked for?
- d) How have similar situations been treated or been resolved?
- e) How can people in other countries help?

Our example now has an introduction to the facts, a number of statements providing details about events, and is ready for analysis. What does the writer have to say about this information that has not already been said by the facts and details? One good interpretation of these facts might be: "The military campaigns against villagers in this district have increased over the last six months. The government is building a gas pipeline nearby, and is worried that villages could help rebels sabotage it. The military's answer is to burn villages and force the people away from the pipeline area. If this practice continues, the future might see all large-scale government "development" projects carried out at the expense of villagers, who will

die because of the government's plans for economic growth, not benefit from them."

3. Responsibilities of Report Writers

People who write reports automatically assume certain responsibilities regarding their work. First, as discussed in Part One, they must protect the safety of the people who give them their information. Second, they must always be honest and critical. Even reports that discuss common and terrible human rights abuses must back up claims with facts and details.

It's also important not to let one's personal ego or problems determine the content of a report. Human rights information is simply too important to be affected by personal issues. Writers always have to ask themselves, "What is my true motive for creating this report? Who will be helped by this information?"

Report Strategies

Data analysis skills are important because they allow you to take action with your information. One excellent way to do this is to create a report which you can share with people to teach them about the meaning of your data. Remember, other people usually can't interpret large amounts of unfamiliar raw data themselves. A report allows you to reach people who either don't have access to raw data or who wouldn't be able to or interested in analyzing it themselves.

Theme

The section on report-writing has more detail on the elements of a good report, but for now it is useful to repeat that all reports have to have a theme which links information together in a logical way.

Read these two short examples of reports and consider whether each is organized using a theme, and how that theme makes the report useful.

1) Burma is the largest nation on the southeast Asian peninsula. It has many different ethnic groups who wear colorful tribal clothes and who are fighting for independence. Although the country is very rich in natural resources, the poor people get almost no benefits from this wealth-- it all goes to the corrupt military officers. Although most of the Burmese people follow Buddhism, a religion based on the teachings of the Indian Sakya prince Siddhartha Gautama, there are many Christians and Muslims as well. Many of the Karen people in Burma are Christians. The Karen also have the largest rebel army, led by General Bo Mya. Someday, the mountains of northern Burma might be peaceful.

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2) The Indians of America feel that they have known only suffering under the national government. First, their land was taken away peacefully, but unfairly, by settlers buying huge areas for very little money. Then, as more settlers needed land, they began to fight with the Indians, forcing them off their land with warfare. People also gave Indians strong alcohol, which was new to them, and encouraged them to drink heavily, thus helping to create many alcoholics and connected social problems. Finally, when the Indians no longer had the chance to win back their land through war, the government told them they could live on small plots of land with few resources and little chance at regaining their former way of life. This long history of suffering explains why American Indians today feel that they have been cheated by North American settlers.

* * *

In the first paragraph, it is very difficult to identify a clear theme. In fact, there is none. True, all the information has something in common: it all deals with Burma, but what single statement or unifying idea could one use to explain how the information fits together-- how it makes sense and shows meaning? It starts out discussing the geography of Burma, then the colorful clothing of its people, then the civil war, without mentioning how these very different things might be related. Imagine an entire report-- perhaps four or five pages-- of this type of information on Burma. It would be useless.

The second paragraph, on the other hand, makes more sense. Plainly stated, the theme is "American Indians' suffering under a foreign government." This is the idea that links all of the information together. All the details concerning alcohol, unfair land deals etc., usefully explain the theme and make sense in reference to it.

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One good way to test the strength of a theme in a report is to take any sentence or section or piece of data out of the report and ask, does this relate to my overall theme?

Narrowing your theme

As a general rule, well-defined, specific themes produce more useful and persuasive reports. The theme for the first paragraph could be "Burma," but that theme is so large that it fails to explain why the information given is useful or well-connected. What if the theme were "Geography of Burma" or "Burmese Clothing"? Although either of these would eliminate most of the information above, each would also provide some guidelines for what should be included and what could be left out.

Themes could even be more specific. "Coastal Geography of Southwestern Burma" could tell a story rich with facts and analysis to people who were interested in exactly that topic. Similarly, "Human Rights Abuses in Burma," although an excellent topic for a report, is so broad that it is bound to either be so long that no one could read it, or leave out much important information. However, a more specific theme, such as "Rape, Torture and Execution in Karen State, 1993", is narrow enough to include much specific data but also be readable.

Exercise: Narrowing Your Report Theme

Below is a list of possible themes for reports. However, each of these topics is much too broad to use realistically for a human rights report. In the next two columns, invent one theme that narrows the focus somewhat, and another that makes the focus very narrow, as in the example.

General Theme	More Specific	Very specific
Human Rights in Burma	Human Rights in the Kachin State	Executions, rapes and torture of Kachin villagers during March of 1993
Karen Children		
Civil War in the Naga Hills of Burma		
Aung San Suu Kyi		
Thailand and Burma		

Creating Reports

Operation Dragon King

Imagine that you have collected a large amount of human rights information. You have interviewed dozens of people over a large area, and maybe even gotten hold of some written documentary evidence. The time has come to share your information, but how exactly should you do it?

One very common way for people to share their human rights information is to collect a series of human rights statements, perhaps excerpts that have been taken from interviews, and publish them all together. In one sense, such a collection is impressive. Fifty pages of people attesting to acts of murder, rape and torture is an impressive comment on living conditions inside Burma. However, it may be more suitable for the U.N. (provided it meets "1503" requirements) than for people in Rangoon or other countries.

Instead, arranging information according to a theme is more logical and interesting. For an example, read over *Operation Dragon King: The Forced Relocation of Burma's Village Peasants*. It shows how a variety of data collection techniques (interviews, photographs, documents) is used to gather information, then data analysis applied (for patterns, conclusions and meaning), and finally a report created to share the results with the public.

Take time to look at all aspects of the report, from the photographs to the table of contents to the organization of the information, thinking about the following questions.

- 1) Who does the author expect will read the report?

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- 2) What does the author assume the audience knows about Burma's human rights situation?
- 3) In what different ways does the report use data analysis to give meaning to raw data?
- 4) What do you think the author's goal was in creating this report?
- 5) What do you feel and think when you look at the photographs?
- 6) Why did the author include the information about international law?
- 7) What do you think this report could urge people to do?

Reporting Human Rights Violations to the United Nations

In addition to sponsoring documents about human rights, the U.N. has also developed a system to receive and review reports of human rights abuse.

There are three ways in which the U.N. will accept human rights documentation although people in Burma can use only one. This one, called the "1503 procedure" collects all human rights reports where there seems to be a consistent pattern of human rights violations within a country. In the other two procedures, the U.N. can only admit evidence from countries that have signed specific human rights statements and treaties and which recognize the U.N.'s power to enforce them. Because Burma has signed virtually none of these important documents, these routes are closed to people in Burma.

Nevertheless, the "1503 procedure" is a valuable opportunity for the people of Burma to help the U.N. compile a record of evidence about human rights abuse.

Rules have been established concerning how rights violations may be communicated to the U.N..

- 1) The goal of the communication must be to report a true event of human rights. Any hint of political motivation will seriously discredit a communication.
- 2) The communication must support evidence of a pattern of serious and well-documented human rights abuse. Individual cases are not reviewed under "1503." The U.N. is well aware of Burma's human rights situation, and the people of Burma

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should not worry about whether or not a pattern can be established.

3) A communication can be accepted from an individual person, a group of people, or an NGO. In all cases, the people submitting the communication must have direct and reliable knowledge of specific human rights abuses, and they must identify themselves. Anonymous communications can not be accepted. This is an opportunity to use your best skills in information collecting and effective documentation.

4) Each communication must describe in detail the facts of the human rights violation, including the right(s) that has been violated. Abusive or insulting language directed at anyone only weakens a report, and is best left out of U.N. communications.

5) Ordinarily, the U.N. requires that a communication shows that all efforts have already been made within a country's legal system to deal with the human rights situation. The people of Burma should not let this stop them from communicating with the U.N.. They can cite that their country has no constitution to define or protect their basic rights and that they live under martial law and civil war, in which the military holds absolute power.

The U.N. does not require that all people follow a single set format for "1503" communications. However, certain information which should appear in any thorough documentation makes an individual communication strong. This includes the identity of the person whose rights have been violated, the identity of the person communicating to the U.N., and how he or she knows about the rights violation. Also, the specific rights-- as established by international agreements-- that have

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been violated must be recorded, along with the facts of the case.

All communications of this type can be sent to:

The Human Rights Committee
c/o Center for Human Rights
United Nations Office
8-14 avenue de la Paix
1211 Geneva 10, Switzerland

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