

Guiding Principle 1: The law

International human rights law is the basis for the work of human rights field officers (HRFOs) and includes recognition of human rights for all persons, and the indivisibility of all rights, civil, cultural, economic, political and social. In armed conflicts HRFOs also apply international humanitarian law.

A. The respect for all rights: human rights field officers address civil, cultural, economic, political and social rights concerns.

○ Early field operations deployed in conflict or post-conflict environments often focused only on civil and political rights and failed to address economic, social and cultural rights on the basis of their indivisibility and equal status. However, it is now recognised that discriminatory practices and the direct violation of economic, social and cultural rights are often one of the root causes of conflict and the subsequent violation of civil and political rights. Unless individuals have their rights to food, housing, health, safe drinking water, education and work respected, protected and fulfilled, there is little chance of building a lasting peace.

○ Development and humanitarian agencies have been addressing social concerns to promote sustainable recovery for years, often achieving solid results on literacy levels, reducing infant and maternal mortality, increasing the population's access to adequate housing, clean water and sanitary facilities and creating jobs. Yet some agencies have not used a human rights approach. What HRFOs offer is a human rights framework, drawing from human rights treaties and instruments, with their reporting and oversight procedures, thus complementing the work of development and humanitarian partners and introducing human rights principles like non-discrimination, accountability, progressive realisation of rights and the government's obligation to spend maximum available resources to achieve economic, social and cultural rights.

○ Beyond the broad categories of civil and political and economic, social and cultural rights, HRFOs, taking account of priorities, may have to address evolving issues like environmental rights affecting access to clean air, arable land and protection from toxic waste and similar hazards.

○ Although much of human rights is considered customary and universal, debate continues on its local application, for example in the context of some traditional practices. HRFOs need to work closely with local partners to ensure the spirit of international human rights law is applied while recognising local cultural specificity consistent with this law. Local partners help HRFOs identify how best to reconcile respect for local practices while upholding the universality of human rights regardless of culture, religion or region.

○ In this regard, regional and subregional human rights instruments are especially valuable since they reflect local perspectives and goals and by definition are attuned to local context.

B. All persons: have fundamental human rights under international law that the state is bound to protect, respect and fulfil, and there must be no discrimination on the basis of gender, race, religion, or other criteria. That all persons have rights that are inalienable is a central tenet of HRFOs' work. However, because certain persons are particularly vulnerable to violations, HRFOs have an overriding responsibility to support the members of these groups – including minorities, women, children, persons with disabilities, human rights defenders and the elderly – and apply national and international human rights law. For example, internally displaced persons are often displaced because they are specifically targeted, and are especially vulnerable also because of having to leave their

homes. The *United Nations Guiding Principles on Internal Displacement* is a compendium of existing international law standards from a variety of sources. HRFOs can draw upon international human rights law to detect early warning signs of repression, discrimination or violence that are precursors to future population displacement. If displacement occurs, HRFOs' monitoring and reporting on human rights law and the *Guiding Principles on Internal Displacement* can enhance protection during displacement, particularly where internally displaced persons are not in camps, and monitor any voluntary return and its sustainability.

O Gender-based violations of human rights or international humanitarian law most frequently affect women and young girls. The most common forms are sexual violence, trafficking and domestic violence. HRFOs are well placed to draw upon international human rights law and international humanitarian law to respond to immediate gender-based violations as well as their root causes.

C. *Human rights obligations*: the state is the entity responsible for guaranteeing all rights, including through all its agents. In addition a growing consensus holds that some non-state actors, especially militias, paramilitary organisations, and even private, commercial enterprises including corporations may incur human rights responsibilities. Depending on the overall guidance, policy and strategy developed by the field operation's leadership, HRFOs may engage these entities in their work.

D. *International humanitarian law*: applies in situations of armed conflict, international and internal in different degrees, and includes protection of all persons not taking an active part in hostilities. It applies jointly with human rights law. It imposes obligations on all parties to the conflict, including non-state actors.

Guiding Principle 2: Objectives

HRFOs seek to protect individuals by preventing violations from occurring, especially for those facing particular risks, ensuring accountability for violations that have occurred, and empowering persons to protect themselves.

A. *Protection*: has taken on many meanings and has generated long discussions among practitioners. A widely accepted definition developed with regard to humanitarian crisis contexts is:

‘all activities, aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights, humanitarian and refugee law).

‘any activity which:

- prevents or puts a stop to a specific pattern of abuse and/or alleviates its immediate effects;
- restores people's dignity and ensures adequate living conditions through reparation, restitution, and rehabilitation;
- fosters an environment conducive to respect for the rights of individuals in accordance with the relevant bodies of law’.

The HRFO will often engage in all three types of protection activities: responding to specific acts, seeking remedies, restitution and compensation for victims and building an environment where sound laws and policies and effective institutions prevent or punish further violations. There is no hierarchy and all three are essential to enhanced enjoyment of human rights, which is in effect ‘protection’. Close collaboration between HRFOs and national and international partners (especially military, police and humanitarian and development agencies and workers) is essential to protection work.

o As with every aspect of human rights fieldwork, intense and early consultation with the host country population is crucial to effective protection; the role of local civil society cannot be overstated. People's own understanding of the situation, their knowledge, familiarity with the threat and experience all inform the design of protection strategies.

B. *Accountability*: is a form of protection and can be attained through monitoring, reporting, advocacy and capacity building (see below). Accountability for past violations is a required component of the rights of victims as well as the responsibility of states. Amnesty cannot be granted for the most serious offences involving war crimes, crimes against humanity and genocide, whose perpetrators must face prosecutions, and every effort must be made to combat impunity. Individual accountability for violations is now increasingly complemented by the work of the International Criminal Court, the international tribunals for Rwanda and the former Yugoslavia, and hybrid courts in Sierra Leone and Cambodia. Along with these institutions, HRFOs may also contribute to the work of truth verification processes, reparations committees and other bodies in the evolving field of transitional justice.

C. *Attention to those facing special risk*: although HRFOs recognise the rights of all, they may focus on certain populations facing particular risks. Internally displaced persons, children, persons with disabilities, and women in particular situations are common priorities (see Guiding Principle 1). Depending upon the situation, HRFOs will often implement a strategy designed to maximise protection of ethnic, religious or other groups especially at risk in the mission area

D. *Empowerment*: empowering individuals to protect and claim their human rights and promoting the development of a human rights culture are further principal objectives for HRFOs.

E. *Short and long-term perspectives*: when designing strategies, projects and activities, while addressing immediate objectives, the ultimate goal of the HRFO is to work him or herself out of the job. The goal is to structure work in close consultation with local partners, governmental and private, so that they will be able to perform HRFOs' tasks on their own. HRFOs' work is assessed on whether they are meeting this objective of 'sustainability', which should be central to the mission's strategy.

Guiding Principle 3: Mandate

HRFOs use their mandate, which identifies objectives and tasks and enables special authority to access places and persons, to protect and promote human rights.

A. *The legal significance of the mandate*: the mandate typically arises from a peace agreement, the authority of an inter-governmental organisation or such other bases as an agreement between an intergovernmental organisation and a host state. The mandate establishes a legal basis for the work of HRFOs in a country, and usually authorises visits to places of detention, military camps and other locations where most people do not normally have access. Special rules provide for immunities for HRFOs from search and arrest and include commitments that witnesses not be threatened or anyone punished for cooperating with HRFOs' work.

B. *Interpreting the mandate*: mandates can never cover all eventualities that might arise, and most mandates are deliberately broad and general to allow for interpretation on the ground, in light of the human rights-based objectives of the mission. Whenever a doubt arises with regard to the mandate, HRFOs shall seek guidance from mission leadership or headquarters. To do otherwise might jeopardise the mission as a whole.

Guiding Principle 4: Monitoring

HRFOs gather, analyse and use information on the human rights situation to prevent further violations and to establish responsibility for violations already committed.

A. *Purposes*: monitoring's ultimate purpose is to improve respect for human rights. It involves developing a solid base of information on the human rights situation (types of violations, victims, persons responsible, and why abuses are occurring) as well as working relationships with authorities, nongovernmental organisations and other actors, and knowledge of the terrain.

○ Monitoring is integral to all functions of the HRFO: reporting, capacity building, advocacy, protection, corrective action, awareness-raising and education initiatives, evaluations of the impact of HRFOs' work and priorities for follow-up action.

○ Monitoring helps prevent human rights violations through the presence of HRFOs, which can discourage violations from being committed (such as torture in a place of detention) and supports accountability for violations that have occurred by documenting essential information. HRFO monitoring supports state authorities in understanding the human rights situation while identifying possible solutions. Monitoring is a way to diagnose a situation and propose cures. Effective protection is not possible without accurate human rights monitoring.

○ Others also contribute to the monitoring of human rights: international military and police, humanitarian agencies and local non-governmental organisations and government bodies; once again, HRFOs coordinate and communicate as much as possible to maximise their efforts, avoid duplication and corroborate data.

○ Monitoring is a major support to the international community, providing an independent analysis of the extent to which human rights obligations are being met or violated while alerting it about human rights situations requiring action.

○ And finally, information and analyses generated by sound monitoring guide the organisation's secretariats, as well as agencies, in defining their own policies, informing member states and providing information to United Nations and regional treaty bodies and special rapporteurs and working groups.

B. *Monitoring activities*: monitoring involves meeting with a wide range of persons to gather the most accurate, comprehensive and objective data possible; monitoring also requires a presence in relevant locations throughout the country.

○ HRFOs meet with victims of and witnesses to violations, state authorities, non-governmental organisations, religious organisations, teachers, journalists, lawyers, judges, women's groups, internally displaced persons, refugees, trade union officials, academics and the civilian population.

○ Monitoring may involve driving through communities to provide a reassuring presence. More frequently, monitoring will involve visits to specific places such as detention centres, internally displaced person camps, health facilities, morgues and other locations where violations might be investigated and confirmed, as well as the conduct of enquiries or investigations in response to reports of violations. Attending trials and demonstrations is also a good source of information, while HRFO's presence may deter violations. These activities require knowledge of relevant human rights law and having interviewing skills and the ability to assess camp/prison conditions and police behaviour in keeping public order.

o Monitoring requires follow-up: regular meetings and checking on case files, arrest records, prison registers and other indicators that human rights violations may have occurred.

o Monitoring includes communicating the results of an investigation or repeated visits to courts, police stations, military camps, prisons and government ministries week after week to encourage and pressure the authorities to follow the law and implement recommendations that flow from the monitoring. Changing behaviour so that rights are respected is a principal goal of all human rights monitoring.

o All monitoring activities must assiduously take account of the protection needs of those persons who provide information.

C. Prioritisation and analysis: the best monitoring is both strategic and diagnostic: spotting trends, areas of greatest concern, vulnerable groups and the most frequent perpetrators.

o 'Diagnostic monitoring' is dynamic, requiring HRFOs to ask: what is the problem; why does it occur; and what is the best cure? Much as a physician diagnoses an illness, HRFOs diagnose the human rights violation to identify its source and offer cures and preventive action to stop the disease from spreading.

o HRFOs keep protection in mind while monitoring, asking themselves 'what is it about this situation that I can address, seek allies or highlight in my advocacy for corrective action and capacity building to prevent further violations'?

o Identifying the causes of violations helps to pinpoint which other partners are needed to address the situation since most abuses have multiple causes requiring multiple responses. HRFO monitoring will only be effective if it involves a sound analysis of violations and an understanding of why they occur.

o Given limited resources and time, HRFOs must establish priorities, such as focusing on certain types of abuses, on the most vulnerable populations or on the riskiest regions or locations (such as prisons or internally displaced person camps).

o Consultation with local partners helps identify priorities, while collaborating with other international agencies spreads the burden of responsibility to achieve the maximum coverage possible.

o Monitoring includes follow-up to gauge changes, whether positive or negative, over time.

D. Quality information: since monitoring provides the basis for all HRFO actions, it must always be of the highest quality, honest and without errors. Any errors must be corrected at the first opportunity. When seeking information, HRFOs confirm, cross-check and corroborate the facts to the greatest extent possible. Rumours or unconfirmed information are treated accordingly. HRFOs require skills and training in assessing the credibility of information.

E. Skills and knowledge: monitoring requires a range of skills and knowledge, including: knowledge of international human rights law and international humanitarian law and the ability to identify human rights violations in all areas; specific knowledge of how to analyse and identify violations of economic, social and cultural rights; interviewing skills; inter-cultural skills; gender-specific training; investigation skills, including specialised training to interview survivors of sexual abuse and children and to approach victims from different socio-economic backgrounds; knowledge of how to conduct prison and camp visits, observe demonstrations, evaluate the fairness of judicial and administrative proceedings; familiarity with police and military practices and cultures; familiarity with government structures and policies on issues such as housing, education, finance, health, and labour; and the ability to work with statistics, indicators and benchmarks. It is important for HRFOs to recognise their own limitations and form partnerships with other actors, as required.

Guiding Principle 5: Reporting

Reporting on human rights violations is an essential tool of human rights work and protection.

A. Reporting objectives: like monitoring, reporting is a means to an end – a tool to help improve the human rights situation and achieve greater protection.

○ Reporting fulfils multiple objectives, including:

- recording a current human rights situation and its evolution over time, both negative and positive;
- informing state authorities and other relevant actors of their responsibilities and obligations regarding human rights problems and identifying solutions;
- providing an independent appraisal of the human rights situation that can inform the decisions of the international community and mobilise action;
- supporting the rights of victims and their families to know about the details of violations and their rights to justice, restitution, compensation or reparations; and
- use in criminal prosecutions and other accountability mechanisms.

○ Public reports put all on notice that HRFOs are taking note of government and, where applicable, non-state party behaviour. This can deter further violations while reinforcing accountability for violations.

○ It is also a form of confidence building for the population, especially those who have cooperated with HRFOs, that their information is valued and part of the effort to secure improvements.

○ Reporting has a major protection role, including through prevention and accountability. ‘Diagnostic reporting’ identifies the causes of violations and solutions. Reporting is never done merely to condemn but always with the objective of achieving greater protection of human rights.

B. Reporting skills: good reporting relies upon effective monitoring. It also requires the ability to analyse information and to write clearly and concisely. Good reports require knowing applicable human rights law (including national laws and regional treaties) and current country conditions, national politics and regional issues. If reporting is flawed, biased or inaccurate, the HRFOs’ and their organisation’s credibility, one of their main assets, is weakened, threatening all aspects of their work and the entire mission.

C. Reporting content: all field missions do reporting. Some reports are internal to the mission, while others are for public release. Reports can be based on a geographic situation (e.g. the northern province), or a particular thematic problem (e.g. torture, violence against women) or on a particularly serious incident. Periodic reports cover the general human rights situation for a given time, e.g. weekly, monthly, and semi-annually.

○ Reports clearly identify violations and responsibilities for the violations. HRFOs do not seek to be ‘neutral’ or ‘balanced’ in their reporting, but rather to be ‘impartial’, using objective criteria based on applicable international, regional and national laws. If one party is committing more violations than others, then this is reflected in the reporting and there is no attempt to ‘equate’ or ‘balance’ criticisms.

○ Reports acknowledge improvements and note cooperation provided by the state authorities and other actors with HRFOs. Reports usually include recommendations on how to fix the problems identified. HRFOs must take care when writing their reports to ensure that the safety of victims, witnesses and staff is not placed at risk

D. Disaggregating data: HRFO reporting disaggregates data highlighting the situation of specific vulnerable groups, including with regard to displacement, gender or minority status. This reinforces

the importance of paying attention to such issues in human rights fieldwork. All activities, from monitoring and reporting, to advocacy, capacity building and awareness-raising incorporate the unique challenges and perspectives of such groups, who often suffer disproportionately in modern conflicts and in their aftermath.

- Disaggregating data in general helps analyse economic, social and cultural rights issues, so HRFOs need to work with local and international agencies who can provide information, for example on literacy levels for minority children or inoculation rates for rural women. The greater detail and specificity the greater utility for addressing human rights violations and identifying remedies.

- Women frequently suffer from violations of their economic, social and cultural rights. Girls are forced to leave school to marry or work; women do not have equal access to already limited food, medical care or shelter. Women rarely participate in decisions that vitally affect their lives. HRFOs identify such patterns in their monitoring and reporting, which provides the basis for crafting pragmatic solutions.

- Similarly, if displacement occurs, HRFOs' monitoring skills and reporting procedures can enhance the protection of internally displaced persons. Collecting information on internally displaced persons, disaggregating data on women, children, the elderly and vulnerable groups (e.g. women and girls susceptible to, or victims of, gender-based violence, indigenous communities, young men or women facing heightened risk of forced conscription, human rights defenders, displaced community leaders, persons with disabilities) is shared, based on agreed procedures, with the United Nations High Commissioner for Refugees, international military and police, the United Nations Children's Fund and others, to collaboratively design protection and prevention strategies.

E. Due care in using information: HRFOs gather, evaluate and analyse huge amounts of information. Much of it is highly sensitive and often subject to promises of confidentiality. Before sharing information with other colleagues in complex operations, United Nations and other agencies, government officials, truth commissions, international tribunals, non-governmental organisations or the press, the HRFO must be aware of relevant institutional policies and absolutely certain that the sources of the information agree to the ground-rules for its dissemination, whether for inclusion in a report or more generally, and that all precautions are taken not to reveal sources or endanger anyone connected with the case (see Guiding Principle 10).

Guiding Principle 6: Advocacy

HRFOs advocate for human rights in all that they do.

Advocacy is principled, respectful, timely and targeted.

A. Advocacy is an aspect of protection: by persuading the government and other actors to meet their human rights obligations and responsibilities, HRFOs can protect individuals in a way that is more sustainable than by seeking to physically remove them from harm's way.

- Advocacy can take the form of constructive dialogue with governments and other actors intent on protecting and promoting human rights but suffering from a lack of capacity.

- Advocacy directed at governments and other actors is essential, if for no other reason than to place them on notice of the legal consequences should they fail to respect their obligations.

- No government or other authority, no matter how brutal or repressive, is monolithic. HRFOs can usually find someone open to their arguments – in the police, courts, prison administration or inside government at all levels. The goal is to change the calculus and behaviour of those responsible for respecting human rights so that respect is rewarded and violations are punished.

B. Opportunities and techniques:

- Advocacy promotes human rights. HRFOs use the media (television, radio and newspapers/magazines), drama, sports, artistic and cultural events to reach parts of the population often cut off from human rights discourse.
- Advocacy reinforces capacity building where, for example, HRFOs, along with local and international partners, champion changes to the laws to ensure gender equality, train police, prosecutors and judges on combating gender-based violence, support public information campaigns combating sexual and domestic violence and even work with the perpetrators to try to address their behaviour and prevent further abuses.
- Advocacy can be public (e.g. through speeches, press releases or reports) or private (e.g. through bilateral conversations with key actors, restricted distribution reporting and off-the-record meetings).
- Sometimes advocacy on a single issue lasts weeks or months and involves many contacts with different actors, state and non-governmental. Informal but sustained interventions at the working level, backed up by higher-level behind-the-scenes contacts, take time and effort and often are more challenging than public advocacy, yet they can yield long-term and sustainable results.
- Every meeting, training session, conversation with government and non-governmental organisations is an opportunity for human rights advocacy. HRFOs try to exploit these encounters to advance human rights.
- Advocacy can range from encouraging to a more forceful explanation to authorities of their legally binding obligations (using international, regional and national laws), to public statements illustrating both problems and progress, depending on the facts.

Guiding Principle 7: Capacity building

Capacity building is an essential aim of human rights fieldwork. HRFOs strive to strengthen governmental and non-governmental institutions.

A. Capacity building is an essential aim of human rights fieldwork: it can function as a key protection tool if strategically integrated in the overall field operation strategy. It strengthens national entities' (e.g. the police and military, prison administration, judges and lawyers, parliamentarians, local municipal authorities and public service providers, human rights non-governmental organisations, professional associations) ability to respect and protect human rights. Capacity building promotes comprehensive institutional reform since institutions failed to protect rights in the past and need to operate differently now.

- Capacity building cannot be conducted separately from an assessment of the wider human rights situation, based on monitoring and reporting, and must be linked to accountability. Capacity building helps isolate points of resistance to reform, identifying whether political will for change is present or absent.
- With increased 'capacity', for example through training, comes increased accountability; and the target of the training can never again claim that he or she 'did not know'. If HRFOs do not link capacity building to accountability, the training, or other capacity building activity, can become mere 'window-dressing', allowing a government to use its participation in the training programme to claim it cares about human rights while avoiding the changes necessary for real reform.

o Capacity building programmes flow from sound monitoring and analysis, and follow-up monitoring. HRFOs ensure that accountability is tied to capacity building by monitoring the performance of institutions after they have received support, in order to evaluate whether their performance has improved, and if not, why not.

B. *Techniques*: efforts to improve the performance of institutions are based on an accurate diagnosis of their strengths and weaknesses. HRFOs conduct needs assessments with the participation of local partners, thereby incorporating ground-truth into capacity building efforts. Post-training assessments are equally vital to gauge the impact of the activity on behaviour, attitudes and performance.

o HRFOs work to improve the ‘sinews’ of institutions charged with respecting and protecting human rights. Addressing issues like hiring criteria and processes, personnel policies, management, budget and financial oversight, logistics and procurement, and overall disciplinary and accountability mechanisms is crucial to improving the capacity of such institutions, including those of a governmental and non-governmental nature. For example, vetting and reforming hiring criteria can help ensure that judges, police or other key government personnel reflect the ethnic, religious or racial diversity of a country, while also promoting improved gender balance. In addition, HRFOs place a high priority on promoting the reform of laws and regulatory frameworks.

o HRFOs bear a particular responsibility to support development of non-governmental organisations by enabling their sustainable operation and ability to interact effectively with government. Issues of their own internal management and administration, budgeting, oversight and accountability, as well as their ability to monitor, report, advocate and lobby government are areas where capacity building can be effective.

o Capacity building includes support for the establishment and strengthening of national human rights institutions in line with the *Principles relating to the status and functioning of national institutions for protection and promotion of human rights (Paris Principles)*. This may include advising on their legal framework, assisting them in developing a capacity to monitor, analyse and report, receive and act on complaints, advising on strategy development, and other activities.

o Partnerships with those experienced in development projects can enhance HRFOs’ efforts to build the sound local institutions that are essential to protecting human rights.

o Attention to the integrity of those working in the institutions is as important as their competence. Vetting current officials, especially in sensitive posts like the police, military and judiciary, when properly done, removes those responsible for human rights violations, promotes accountability and builds public trust in the institution.

o Strategic training of local trainers is a fundamental approach adopted by HRFOs. This not only ensures that knowledge is disseminated in an appropriate and efficient way but also increases the likelihood of sustaining this knowledge in the long term. It can also be more cost-effective and a better use of scarce HRFO time and personnel.

o Training integrates human rights into all aspects of a job, whether police, penal, judicial or military, and shows how every activity has a human rights component. Isolating human rights as special topic risks ghettoising and marginalising human rights.

o Human rights education is an important element in capacity building. HRFOs work with teachers and school officials to design locally appropriate human rights curricula for students of all ages. HRFOs also support local civil society actors to deliver public information campaigns on human rights for the general population.

- Promoting greater awareness of human rights both protects persons from violations and prevents further abuses. Once rights are better understood, the population is better able to make demands on their governments to respect, protect and fulfil all rights. By claiming their rights, the population pressures the state to respond, which in turn can highlight where the state may be weak and need assistance to fulfil its duties.
- With greater demands on the state exerted by an aware population, HRFOs help pinpoint exactly where the state is weak and whether it is a question of lack of political will or lack of resources. In either case, the HRFOs are well placed to design an appropriate response to the problems identified. If it is a lack of will to effect change, then the solution includes political pressure on those resisting.

C. *Skills*: capacity building requires a range of skills similar to those needed for monitoring (Guiding Principle 4) including:

o knowledge of international human rights law, local laws and the regulatory framework; report writing and analytical ability, training or teaching skills, especially adult learning tools; and knowledge of how to design, implement and evaluate projects (budgeting, recruitment, logistics and procurement); and skills related to media/public information activities. Also needed are statisticians, demographers, public health, labour and housing experts, who are most likely to be found in development and humanitarian agencies, hence the need for close partnerships.

Guiding Principle 8: Partnership

Partnerships define the work of HRFOs. Without close cooperation, consultation and communication with international and national partners, HRFOs will never succeed. The best partnerships promote the primacy of local actors.

A. *Partnerships between a HRFO and other actors reflect post-conflict reality*:

- o with limited capacity, HRFOs can only identify a small proportion of violations;
- o the challenges are so vast that no one agency or office can tackle human rights issues by itself;
- o the range of factors affecting human rights conditions extends beyond the mandate of a human rights field operation;
- o partnerships enlist the political, development, humanitarian and security mandates of other actors needed to address human rights issues comprehensively;
- o improvements in human rights depend on the willingness and actions of national actors, especially state authorities; and
- o HRFOs will leave and the long-term protection of human rights can only be assured by national actors.
- o ‘Reinforce, don’t replace’ underlies all strategic planning for partnerships with national counterparts.

B. *Partnership objectives*: objectives can differ according to the partner but involve a combination of:

- o a mutual sharing of information and analysis involving a learning process for all partners;

- o HRFO advocacy to encourage the partner (e.g. state authority) to respect human rights;

- o maximisation of human rights capacity on the basis of a rational division of labour, driven by the partners' respective mandates, resources and expertise (e.g. on advocacy, HRFOs have access to senior decision-makers and may issue public statements while humanitarian actors may prefer to engage in quieter diplomacy at the working level, but use the same information or analysis based on their prior collaboration); and

- o technical support from HRFOs to help a partner meet human rights responsibilities or understand how human rights principles can support their own activities.

C. *Partnership with whom:* the range of partners is broad. The most obvious groups include:

- o national state authorities (particularly those in the ministries responsible for justice, interior, foreign affairs, defence, women, children, health, education, land and development); national and international non-governmental organisations; national human rights institutions; non-state actors, including armed opposition groups (where present and permitted under the mission's mandate and policy).

- o Community leaders, teachers, trade unions, political party leaders, lawyers, judges and a range of other actors within 'civil society' are often important partners and should be sought out as a priority by HRFOs.

- o Local counterparts know best the local context. Nevertheless, local partners must be chosen and developed with care to preserve the real and perceived independence of HRFOs and of their local counterparts.

- o The human rights mission may also need to establish strong working partnerships and mainstream human rights with the United Nations Country Team and other inter-governmental organisations, the military or police or other components of a mission, humanitarian and development agencies, and with the diplomatic community.

D. *Techniques:* Taking full account of distinct mandates and responsibilities, HRFOs encourage and facilitate or support the coordination of human rights activities. Partnerships can be formal or informal depending on the need. Capacity building activities, such as training, can contribute to the development of a partnership. Similarly, HRFOs can help partners obtain resources for projects or can advise on their programming, ensuring it has a human rights component and framework. HRFOs must ensure that partnerships do not block a partner's accountability for violations and do not inappropriately favour one partner over another.

Guiding Principle 9: Integrity

HRFOs must exercise high integrity as part of a human rights field operation, including through professionalism, a commitment to human rights, appropriate personal behaviour and the skills and knowledge needed to fulfil their responsibilities.

A. *Ethical standards and personal integrity:* HRFOs must adhere to certain norms of behaviour described in the *Statement of Ethical Commitments of Human Rights Professionals*, which is annexed

hereto. This Guiding Principle aims to highlight some of the practical implications and challenges involved in applying and upholding the *Statement of Ethical Commitments*.

o HRFOs must exercise high personal integrity during their working and non-working hours, extending respect to nationals of the host country and to their colleagues. This standard applies in contexts as wide-ranging as working within the ideals of the Charter of the United Nations, to more mundane issues such as attention to driving within speed limits, appropriate behaviour in public restaurants or bars, or ensuring that residential neighbours are not disturbed by music or parties.

B. *Commitment to human rights*: while it may seem obvious, a genuine commitment to human rights is not always inherent in every HRFO, and needs to be restated. A commitment to non-discrimination (notably on the basis of gender or race) must be ingrained in every HRFO.

C. *Professionalism*: requires a combination of high quality substantive work and professional behaviour. Substantive work must meet a high standard commensurate with the responsibility of protecting the human rights of other persons. Work should be accomplished on time, and be accurate and professionally presented. And, although less easy to quantify, work should meet not only short-term expectations but also, where relevant, be sustainable in the long-term. Professional behaviour requires that appointments are rigorously kept, careful attention given to the choice of clothing when at work or in public, and that HRFOs recognise and respect appropriate cultural practices such as formalities of greetings and praise, dress and comportment in public places.

D. *Training, skills and knowledge*: all HRFOs need to have a good knowledge of international human rights law and how to apply it. HRFOs need to have a familiarity with international humanitarian law and the *Rome Statute of the International Criminal Court*. Some tasks require special knowledge or skills (see the examples listed in this document). In some missions, training to improve certain skills is provided.

E. *Professional development*: professional development is an ethical obligation of every HRFO. The HRFO takes responsibility for his or her own professional development, notwithstanding the extent to which deploying organisations provide such support. He or she does not passively wait for training opportunities to appear but rather actively seeks out possibilities to enhance skills and knowledge. A great deal of training and building one's skills can now be accomplished by the HRFO through self-learning, supported by periodic access to the internet. There are a number of online training programmes or materials on different skill and knowledge sets. In addition, HRFOs have an obligation to ensure that prior to arriving on mission, and during a mission, that they actively develop a knowledge of the country in which they are working and seek to understand and reflect upon the application of international human rights in this local context.

Guiding Principle 10: Do no harm

HRFOs in all their actions must ensure, to the greatest extent possible, that they do no harm, and in particular they must take account of the vulnerability of specific groups.

A. *The extent and limits of 'do no harm'*: The 'do no harm' principle guides human rights work. 'Harm' of both direct and indirect nature can take many forms, including killing, torture, disappearance or threats, but also mental trauma from having to recount for a HRFO a traumatic experience.

o At its most basic, the principle serves as a guide to HRFOs when making decisions (e.g. to interview a witness, or publish a report on an incident) – ‘will this action expose anyone to harm’? If the answer is yes, then the most obvious result is that the HRFO does not perform the action.

o In practice, the answer to the question is usually more complex and rarely a simple ‘yes’ or ‘no’. In some extreme situations, HRFOs must assume that almost everyone with whom they meet may be at risk of threats or retaliation. It may be very difficult to measure the extent of risk faced by a person. And in some situations (e.g. a key witness against a senior official guilty of violations) a person may willingly assume a level of risk in the interest of stopping further violations against individuals in the community. In these situations, the HRFO must weigh different factors and give special respect to the wishes of the witness, while also making certain that the witness is fully aware of the limitations on the protection that the HRFO can provide.

o Despite such complexities, ‘do no harm’ remains an essential tenet of human rights work and can help a HRFO to, if not stop an action entirely, then at least conduct the action in a manner likely to reduce as far as possible the possibility that harm might be inflicted on a person.

B. *‘Do no harm’ and vulnerable groups*: HRFOs devote priority attention to the most vulnerable groups in society, often women, children, the elderly, refugees, internally displaced persons and human rights defenders. Each vulnerable group presents its own set of challenges. For example, survivors of sexual abuse often suffer from various forms of physical and emotional trauma. Interviewing them requires special skills and expertise. Gender issues are taken into consideration so that whenever possible female HRFOs, with female interpreters, interview female survivors. Similarly for children, specialised interviewing skills are required and only HRFOs with this particular knowledge and experience interview child survivors or child witnesses of human rights violations. When working with children, HRFOs consult with and involve child protection specialists and local non-governmental organisations working with children, who often have the skills and experience required in this delicate work, showing how sound partnerships reinforce the principles of what is in the ‘best interest of the child’.

C. *Know your limits*: HRFOs cannot solve every problem alone. HRFOs need a healthy dose of modesty, tempered with a realistic assessment of the situation. The best officers quickly realise their limitations and identify potential partners among local and international actors to provide the required expertise, resources and influence.