



EU TECHNICAL ASSISTANCE
TO CIVIL SOCIETY ORGANISATIONS
IN THE WESTERN BALKANS AND TURKEY



Day 1: Monday, 14 June: Human rights and gender equality

On-line Training Programme on Mainstreaming Human Rights- Based Approach (HRBA) and gender Equality Training Programme for CSOs in the Western Balkans and Turkey





Expectations of Participants



Please, go to ...

<https://www.surveymonkey.com/r/23ZCY5N>



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What are human rights?

What are human rights?

Go to www.menti.com and use the code **3636 2846**



EU TACSO 3 project is funded by the European Union



Human rights are inherent to all human beings.

They are essential to our being, who we are and what we are; they are essential to our humanity and our human dignity.

Without human rights we cannot achieve our **full potential**.

No universally acceptable definition:

Human rights are rights and freedoms inherent to all human beings, which are essential to human dignity.



Human rights characteristics

1. Human rights are INALIENABLE - they are inherent to human beings and can be suspended or restricted except in particular circumstances.

2. Human rights are INDIVISIBLE, INTERDEPENDENT AND INTERRELATED - different human rights are intrinsically connected and cannot be viewed in isolation from each other. The enjoyment of one right depends on the enjoyment of many other rights and no one right is more important than the rest.

3. Human rights are UNIVERSAL - they apply equally to all people everywhere, not a synonym for uniformity and cultural differences

HUMAN DIGNITY and **EQUALITY** are two main values protected by human rights!



Values protected by human rights

FREEDOM - to be forced to do something against our will demeans the human spirit

RESPECT FOR OTHERS - a lack of respect for someone fails to appreciate their individuality and essential dignity

NON-DISCRIMINATION - we should not judge people's rights and opportunities on the basis of their personal characteristics

TOLERANCE - intolerance indicates a lack of respect for difference; and equality does not signify uniformity

JUSTICE - people equal in their humanity deserve fair treatment

RESPONSIBILITY - respecting the rights of others entails responsibility for one's actions and exerting effort for the realisation of the rights of one and all

Participation and inclusion

All people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being

Rights-based approaches require a high degree of participation by communities, civil society, minorities, women, young people, indigenous peoples and other identified groups

Accountability and Rule of Law

States have to comply with the legal norms and standards enshrined in international human rights instruments. Where they fail to do so, rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other bodies in accordance with the rules and procedures provided by law.

Individuals, the media, civil society and the international community play important roles in holding governments accountable for their obligation to uphold human rights.

State responsibility

1. **TO RESPECT HUMAN RIGHTS** – States must refrain from interfering with or curtailing the enjoyment of human rights
2. **TO PROTECT HUMAN RIGHTS** - requires States to protect individuals and groups against human rights abuse
3. **TO FULFILL HUMAN RIGHTS** - States must take positive action to facilitate the enjoyment of basic human rights



Human rights classification

Subject matter -
civil, political,
economic, social,
cultural rights

Right-holder -
individual and
collective rights

Type - negative
and positive rights

Nature - absolute
and qualified rights

Justiciability -
justiciable and non-
justiciable rights

Generality -
general and
specific

Announcing

BREAK TIME

15 min



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Two levels of human rights protection

1. **UNIVERSAL**– within the UN

2. **REGIONAL**– regional systems of protection:

EUROPEAN

CoE
EU
OSCE

AMERICAN

AU

AMERICAN

OAS

UNIVERSAL system (UN)

Core document: Universal declaration on Human Rights and 9 core human rights treaties

Bodies:

1. **ECOSOC** (principal body of the UN)
2. **HUMAN RIGHTS COUNCIL** (subsidiary body of the General Assembly)
3. **UN TREATY BODIES (UN COMMITTEES)**
4. **SOME OTHER SPECIALISED BODIES** (High Commissioner for Human Rights (OHCHR), The UN Refugee Agency (UNHCR), Children's Fund (UNICEF))

Core International Human Rights Instruments

ICCPR	International Covenant on Civil and Political Rights (1966)
ICESCR	International Covenant on Economic, Social and Cultural Rights (1966)
CERD	The Convention on the Elimination of All Forms of Racial Discrimination (1965)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women (1979)
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
CRC	Convention on the Rights of the Child (1989)
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)
CRPD	Convention on the Rights of Persons with Disabilities (2006)
CED	Convention on the Protection of all Persons from Enforced Disappearance (2006)

9 UN committees

Committee on the Elimination of Racial Discrimination (1969)

Human Rights Committee (1976)

Committee on the Elimination of Discrimination against Women (1982)

Committee on Economic, Social and Cultural Rights (1985) – established by ECOSOC

Committee against Torture (1987)

Committee on the Rights of the Child (1991)

Committee on the Protection of All Migrant Workers and Members of their Families (2003)

Committee on the Rights of Persons with Disabilities (2008)

Committee on Enforced Disappearances (2011)

+ Subcommittee on Prevention of Torture (2006)



Monitoring mechanisms

Consider periodical reports

Consider individual
communications

Issue general comments

Observation procedure



Human Rights Council

Universal periodic review

Special procedures

Complaints procedures

Advisory committee

Protected groups

National and ethnic minorities - but there is no agreed definition or international convention, protected under the Convention on the Elimination of Racial Discrimination

Women – Convention on the Elimination of all Forms of Discrimination against Women

Persons with disability – Convention on the Rights of Persons with Disabilities

Children – Convention on the Rights of the Child

Migrant Workers – Convention on the Rights of Migrant Workers and members of their Family

Refugees – Convention on the Status of Refugees (1951)

Victims of human trafficking – Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000)

Case study 1

John is 17 years old. In order to avoid being forcibly recruited by the rebels, who already killed his brother, with some friends he left Country A and is now in Country B.

In country B. he is at the Detention Centre for Illegal Migrants, pending deportation. John doesn't have any personal documents, as he was not registered at birth, because the government of Country A does not recognize as nationals people from his ethnicity.



Case study 2

Melita was born in the small village in Country A. When she graduated from architecture, she couldn't find a job for 3 years. In Country A, women are less employable persons in her profession as there is a dominant view that women cannot be good as man.

Unfortunately, she decided to leave Country A. She is now in Country B, where she found a job as a cashier.

Case study 3

Ana lived in a poor region in Country A. Since the loss of her father, she has been supporting her mother in providing for the younger siblings. Due to the struggle faced by the family, a distant relative offered Ana a 6 months-job in Country B to work as a nanny and cook for a wealthy family. She accepted this offer.

They crossed the official border without problems, but once arrived in Capital B, Ana was picked up by a friend of the relative, who took her in a hotel, where she was forced to give him a passport and to have sex with men to pay back the expenses of the journey.

Regional protection mechanisms

1. European system - Council of Europe - European Convention on Human Rights (1950/1953)

European Court of Human Rights (ECtHR)

2. Inter - American system - Organization of American States - Inter-American Convention on Human Rights (1969/1978)

Inter American Commission on Human Rights

Inter American Court of Human Rights

3. African system - African Union - African Charter on Human and Peoples' Rights (1981/1986)

The African Commission on Human and Peoples' Rights (ACHPR)

African Court on Human Peoples' Rights (AfCHPR)

Council of Europe

European Convention on Human Rights (1950/1953) - European Court of Human Rights (ECtHR)

Revised European Social Charter (1996) –
European Committee of Social Rights

European Charter on Regional and Minority Languages (1992) –
Committee of Experts

Framework Convention for the Protection of National Minorities (1995) –
Advisory Committee

Istanbul Convention Action against Violence against women and domestic violence (2011) - GREVIO

Convention on Action against Trafficking in Human Beings (2005) - GRETA

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (1987) - CPT

European Commission against Racism and Intolerance (ECRI) (1993) - General Policy Recommendations

European Union

EU Charter on Fundamental Rights (2000)

The Charter sets out the **full range of civil, political, economic and social rights based on:**

the fundamental rights and freedoms recognised by the ECHR

the constitutional traditions of the EU MS

the Council of Europe's Social Charter

the Community Charter of Fundamental Social Rights of Workers, and

other international conventions to which the EU or its MS are parties.

The Charter became legally binding on EU Member

States when the Treaty of Lisbon entered into force in December 2009.

The [European Union Agency for Fundamental Rights](#) (FRA) provides independent advice to EU institutions and Member States on the rights set out in the Charter. FRA also engages in legal and social science research to identify areas in the EU where further work needs to be done to meet international standards.



Human Rights Limitations

Derogations

Limitation clauses

Derogations

Certain human rights treaties envisage a system of derogations allowing states parties to adjust their obligations temporarily under the treaty in exceptional circumstances, i.e. in times of public emergency threatening the life of nation.

Emergency clause – Article 15 of the ECHR

Affords to the governments of the States parties, in *exceptional circumstances*, the possibility of derogating, in a temporary, limited and supervised manner, from their obligation to secure certain rights and freedoms under the ECHR.



Standards of the ECtHR

public emergency' must be actual or imminent

the continuance of the organized life of the community must be threatened

the effects of emergency must involve the whole nation

the crisis or danger must be exceptional



Derogations in times of emergency

1. qualifications of severity
2. temporariness
3. proclamation and notification
4. legality, proportionality
5. consistency with other obligations under international law
6. non-discrimination
7. non-derogability of certain rights recognized as such in the relevant treaty



The principle of proportionality

Derogation measures must be limited to the extent strictly required by the exigencies of the situation.

3 factors in proportionality:

1. severity

2. duration and

3. geographic scope

The principle of proclamation

The duty **to proclaim** the state of emergency is designed to prevent arbitrary or *de facto* derogation and to oblige derogating states to act openly from the outset of the emergency and to deligitimate after-the-fact justifications for violation of fundamental rights, and also serves a domestic supervision as opposed to international which is tied to the duty of notification.

The principle of notification

The notification requirement serves as a guarantee for supervision by international bodies of the legality of the establishment of a state of emergency.

Notification procedures impose the duty on the state to provide information about the ‘provisions from which it has derogated’ and the states parties are to include in their reports “sufficient and precise information about their law and practice in the field of emergency powers”.

Non-derogable rights

The relevant treaty provisions provide a list of rights that in absolute terms cannot be derogated from.

Common to all treaties:

the right to life, the prohibition of slavery, prohibition of torture or to cruel, inhuman or degrading treatment or punishment and prohibition of retroactive penal measures.

Limitation clauses

The state is entitled to restrict the exercise of individual rights and liberties by the so-called restrictive clause on different grounds, in the general public interest

ICCPR - freedom of movement, freedom of thought, conscience and religion, freedom of expression, freedom of peaceful assembly, freedom of association

ECHR - + right to respect for private and family life

Example

The state is entitled to restrict the exercise of individual rights and liberties by the so-called restrictive clause on different grounds, in the general public interest

ICCPR - freedom of movement, freedom of thought, conscience and religion, freedom of expression, freedom of peaceful assembly, freedom of association

ECHR - + right to respect for private and family life



Example of a provision

ARTICLE 8

Right to respect for private and family life

Everyone has the right to respect for his private and family life, his home and his correspondence.

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Conditions

1 **restriction must be prescribed by law**, required by law in accordance with the law

2 **legitimate aim** - protection of common values such as national security, public safety, public health, public morals, rights and freedoms of others and

3 must be "**necessary in a democratic society**" (urgent social needs proportionate to the legitimate aim desired)



Covid 19 as a public emergency

Reason: The rapid spread of Coronavirus - and the consequent risk to life and the heavy burden on health services from persons succumbing to Covid-19, the disease caused by it – has led to the imposition by governments of many restrictions on normal life in CoE member States.

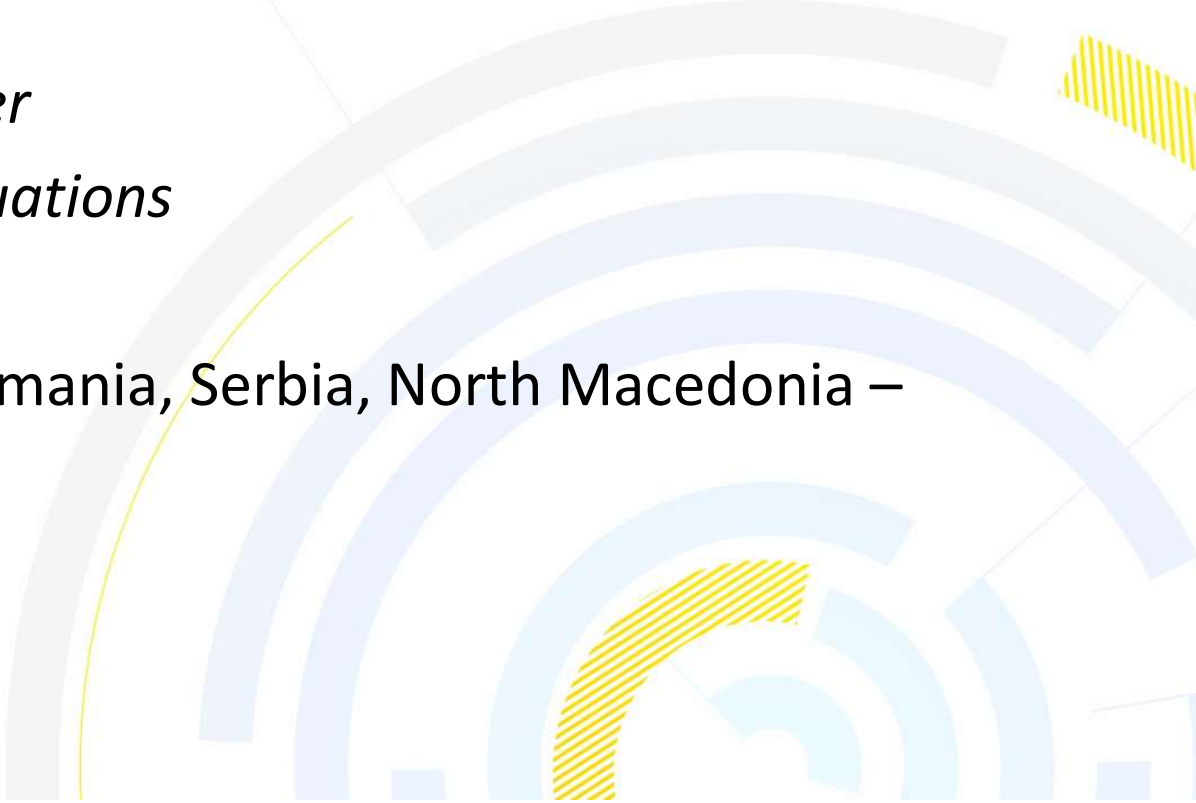
However, only 10 out of 47 MS declared state of emergency.

EU TACSO 3 Regional Needs Assessment Report

- While the fundamental freedoms (freedom of association, assembly and expression) in most of the IPA Beneficiary countries are in line with the **international standards**, during the **state of emergency period**, most of these liberties were suspended and hundreds of CSOs were closed down through decrees, but with no judicial proceedings.
- The gap between formal legislative guarantees and their practical implementation has increased in several IPA Beneficiaries.
- Source: <http://tacso.eu/wp-content/uploads/2020/09/Regional-CS-Needs-Assessment-Report-2018-2019-final.pdf>



How the States call COVID-19 crisis?

- Albania- *state of natural disaster*
 - Estonia, Latvia – *emergency situations*
 - San Marino – *urgent measures*
 - Armenia, Georgia, Moldova, Romania, Serbia, North Macedonia – *state of emergency*
- 

Different measures implemented

- Restriction of movement/ quarantine/ ban for travel
- Restriction on property rights/businesses
- Restrictive regimes in closed institutions (e.g. penitentiary institutions, social care institutions, asylum and migration centres)
- Closing of educational institutions
- Closing of gastronomy and entertainment industry
- Prohibition of assembly and association, public gatherings/events
- Restrictions on transport
- Restrictions to the right to health
- Restrictions on private life
- Skype trials
- Restrictions on the right to information
- Restrictions to freedom of religion



Humanitarian principles

HUMANITY: Human suffering must be addressed whenever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings.

NEUTRALITY: Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature.

IMPARTIALITY: Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions.

OPERATIONAL INDEPENDENCE: Humanitarian action must be autonomous from the political, economic, military or other objectives that any actors may hold with regard to areas where humanitarian action is being implemented.

The response approach is guided by humanitarian principles as well as by **inclusivity, gender, protection and community engagement principles.**

Humanitarian needs analysis

Not only current, but also considering contexts where a humanitarian response may be required in the near future as a result of **excessive pressure on health systems** and other essential services, as well as **secondary effects on livelihoods, employment, the economy and mobility, and possible social discontent and unrest.**

The pandemic has led to a measurable decrease in the treatment of other pathologies and fewer services being offered relating to preventive health care, and prenatal and post-natal care, among others.



Research on Deep Poverty and Access to Human Rights During the Pandemic

Suggestions for Local Governments for Crisis Intervention Programs



nion



Rights based approach in humanitarian aid and social service-based activities:

- Deep Poverty Network is a solidarity network who are working with the vulnerable groups in the field to tackle urban poverty and producing data for revealing the current state of poverty especially among Roma and refugee groups. The field studies and the reports prepared by the network reveals that there are many structural and organisational problems in service delivery of the local municipalities to certain social groups such as Roma people and refugees who fight with “deep poverty”.
- **Deep Poverty Network (DYA)** to discuss the increasing poverty among certain social groups such as Roma people and refugees, cooperation practices of the network with the local municipalities and the reports prepared by the Deep Poverty Network namely, “Research on Deep Poverty and Access to Human Rights During the Pandemic: Suggestions for Local Governments for Crisis Intervention Programmes” and “Report on Combating Deep Poverty in the Context of the Pandemic”.

SUPPLY KITS for seasonal migratory agricultural workers prepared by Development Workshop

• Development Workshop Cooperative has recently designed samples of SUPPLY KITS for seasonal migratory agricultural worker FAMILIES and CHILDREN in accordance with their needs during the pandemic. The aim is to guide individuals/experts and/or institutions who want to deliver/disseminate in-kind support for seasonal agricultural workers and their children in Turkey. Moreover, since the beginning of April 2020 Development Workshop has been monitoring the rights and needs of agricultural worker families and children and producing maps, visual materials and reports for evidence based-advocacy.

COVID-19 FAMILY SUPPLY KIT
For Seasonal Migratory Agricultural Worker Families



small size aid kit ~ b.150

- Informative brochure
- Cologne 80° 400 ml
- Surgical masks (100 pcs)
- Latex gloves (100 pcs)
- Soap bar (pack of 4)
- Digital thermometer
- Plastic tableware kit for 6
- Liquid soap 1000 ml


medium size aid kit ~ b.250

- Informative brochure
- Cologne 80° 400 ml
- Surgical masks (100 pcs)
- Latex gloves (100 pcs)
- Soap bar (pack of 4)
- Digital thermometer
- Plastic tableware kit for 6
- Liquid soap 1000 ml
- Wet wipes 300 pack
- Shampoo 1000 ml
- Sanitary pads 24 pack
- Tooth brush (4 pcs)
- Tooth paste 300 ml
- Bath loofah 6 pcs
- Kids tooth brush (2 pcs)
- Kids tooth paste
- Kids shampoo 1000 ml
- Baby diapers 50 pack
- Coloring book - 12 colored crayons
- Solar powered flashlight

large size aid kit ~ b.350

- Informative brochure
- Cologne 80° 400 ml
- Surgical masks (100 pcs)
- Latex gloves (100 pcs)
- Soap bar (pack of 4)
- Digital thermometer
- Plastic tableware kit for 6
- Medium size nail clippers
- Wet wipes 300 pack
- Shampoo 1000 ml
- Sanitary pads 24 pack
- Tooth brush (4 pcs)
- Tooth paste 300 ml
- Bath loofah 6 pcs
- Kids tooth brush (2 pcs)
- Kids tooth paste
- Kids shampoo 1000 ml
- Baby diapers 50 pack
- Washing powder 15 kg
- Liquid dish washer 1500 ml
- Solar powered flashlight
- Hair comb
- Paper tissues (pack of 100)
- Hair clippers (pack of 10)
- School stationary set
- Notebook (2 pcs)
- Household bleach 5 lt
- Large bin liners (pack of 50)
- Liquid soap 1000 ml

COVID-19 CHILDREN SUPPLY KIT
For Seasonal Migratory Agricultural Worker Families' Children



small size aid kit ~ b.120

- Informative brochure
- Cologne 80° 400 ml
- Surgical masks (100 pcs)
- Latex gloves (100 pcs)
- Soap bar (pack of 4)
- Digital thermometer
- Kids tooth brush (2 pcs)
- Kids tooth paste
- Lice Shampoo 200 ml
- Medium size nail clippers

medium size aid kit ~ b.220

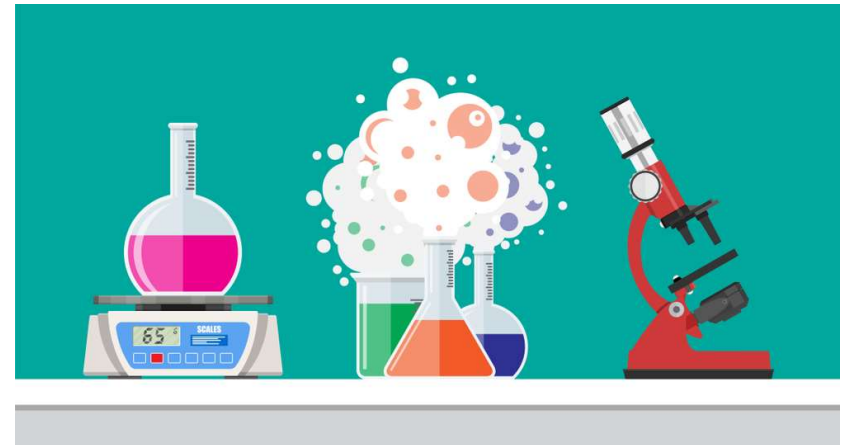
- Informative brochure
- Cologne 80° 400 ml
- Surgical masks (100 pcs)
- Latex gloves (100 pcs)
- Soap bar (pack of 4)
- Digital thermometer
- Kids tooth brush
- Lice Shampoo 200 ml
- Kids shampoo 1000 ml
- Medium size nail clippers
- Sanitary pads 24 pack
- Baby diapers 50 pack
- Hair comb
- Hair clippers (pack of 10)
- Washing powder 15 kg
- Liquid dish washer 1500 ml
- Coloring book - 12 colored crayons

large size aid kit ~ b.320

- Informative brochure
- Cologne 80° 400 ml
- Surgical masks (100 pcs)
- Latex gloves (100 pcs)
- Soap bar (pack of 4)
- Digital thermometer
- Kids tooth brush (2 pcs)
- Kids tooth paste
- Lice Shampoo 200 ml
- Kids shampoo 1000 ml
- Medium size nail clippers
- Sanitary pads 24 pack
- Baby diapers 50 pack
- Hair comb
- Hair clippers (pack of 10)
- Washing powder 15 kg
- Liquid dish washer 1500 ml
- Bath loofah
- Solar powered flashlight
- Paper tissues (pack of 100)
- School stationary set
- Notebook (2 pcs)

3 groups

- 15 minutes for discussion
- 5 minutes for presentation
- **Timekeeper**
- **Person leading discussion and presenting the group**
- **Person taking notes**





For discussion

Most affected and at risk population groups list them all)

Most endangered rights during the Covid-19 crisis



Announcing

BREAK TIME

15 min



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For discussion

What is discrimination?
What causes discrimination?



Definition of discrimination

Any unjustified discrimination or unequal treatment, or omission which is reflected in the exclusion, restriction or preference in relation to individuals or groups and their family members or persons close to them, be it overt or covert, which is based on real or presumed personal characteristics.



Elements of definition

1. unjustified different treatment
2. act or failure
- 3. reflected in the exclusion, restriction or preference
4. direct or indirect
5. against persons, groups, family members or other close persons
6. based on actual or supposed personal characteristics

Legal definitions

National laws

International law:

1. ICERD

2. CEDAW - Art. 5 *States Parties shall take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and*

customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

3. jurisprudence of UN treaty bodies, ECtHR, CJEU



What are attitudes?





Components of attitudes

Three main components:

Cognitive - what do we think about something (*snakes are dangerous*)

Emotional - what do we feel about something (*I'm afraid of snakes*)

Bihevioral – how we behave (*I'm running from snakes*)



Functions of attitudes

Knowledge – secures information around the world and secures foreseeability of events

Ego – expressive – helps us to express who we are and gives us the identity

Adaptive – we are accepted if we express feelings of the majority

Ego - defensive – we keep self-respect and rationalize our behavior



Stereotype/prejudices

Stereotypes are regarded as the most **COGNITIVE** component (reflects expectations and beliefs)

Prejudice is the **AFFECTIVE** component of stereotyping (represents emotional response) and

Discrimination is the **BEHAVIORAL** component of prejudicial reactions (refers to actions)



Two main forms of discrimination

Direct discrimination

Indirect discrimination

European Convention on Human Rights

Article 14 of the ECHR – an ‘accessory right’ to equality in the enjoyment of the substantive rights and freedoms guaranteed by the ECHR.

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 1 of Protocol no. 12 – autonomous rights

The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Charter of Fundamental Rights of the EU (2000)

Art 20. Equality before the law

Art 21. Non-discrimination

Art 22. Cultural, religious and linguistic diversity

Art 23. Equality between men and women

Art 24. The rights of the child

Art 25. The rights of the elderly

Art 26. Integration of persons with disabilities



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Day 2: Tuesday, 15 June: Human rights and gender equality mainstreaming

On-line Training Programme on Mainstreaming Human Rights- Based Approach (HRBA) and gender Equality Training Programme for CSOs in the Western Balkans and Turkey



CEDAW

- Article 1



- *For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.*

Article 5

- A) - *States Parties shall take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.*



Sex/gender?

Term *'sex'* - reference to biological, genetically determined differences between women and men

Term *'gender'* - reference to social or cultural categories



Examples

- Women give birth to babies.
- Girls are gentle, boys are rough.
- In Europe, most long-distance truck drivers are men.
- Amongst Indian agricultural workers, women are paid 40 - 60 per cent of the male wage.
- Men's voices break at puberty, women's do not.
- In Britain girls perform better academically in primary school than boys do.
- Women can breast feed babies, men can bottle-feed babies.
- Men are susceptible to prostate cancer, women are not.

EU policy framework – EU Gender Action Plan III (2020)

1. Making EU engagement on gender equality more effective as a cross-cutting priority of EU external action in its policy and programming work.
2. Promoting, together with EU MS, strategic EU engagement at multilateral, regional and country level. This will require greater coordination, cooperation and transparency.
3. Focusing on key areas of engagement.
4. Leading by establishing gender-responsive and gender-balanced leadership at top EU political and management levels.
5. Reporting and communicating on results, putting in place a quantitative, qualitative, and inclusive monitoring system to increase public accountability, ensure transparency and access to information and achieve

better EU outreach on the impact of its work worldwide.

https://ec.europa.eu/international-partnerships/system/files/join-2020-17-final_en.pdf

1. Making EU engagement for gender equality more effective

1.1. Tackling the root causes of gender inequality: three core principles

- Take a gender-transformative approach
- Address intersectionality of gender with other forms of discrimination
- Follow an approach based on human rights
- **1.2. Promoting gender mainstreaming in all areas of EU external action**
- Conducting and using updated gender analyses to inform decision-making on future action and integrating these into all relevant dialogues, policies, strategies, programmes and operations
- Applying gender-sensitive and sex-disaggregated indicators

and statistics to monitoring and evaluation

- Giving robust reasons, based on the findings of the gender analysis, to substantiate any action deemed not to contribute to gender equality

3. Towards a gender-equal world: focusing on key thematic areas of engagement

3.1. Ensuring freedom from all forms of gender-based violence

3.2. Promoting sexual and reproductive health and rights

3.3. Strengthening economic and social rights and empowering girls and women

- Economic empowerment
- Promoting gender equality in education
- Promoting universal access to health

3.4. Advancing equal participation and leadership

3.5. Integrating the women, peace and security agenda

3.6. Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation

CoE Gender equality strategy (2018-2023)

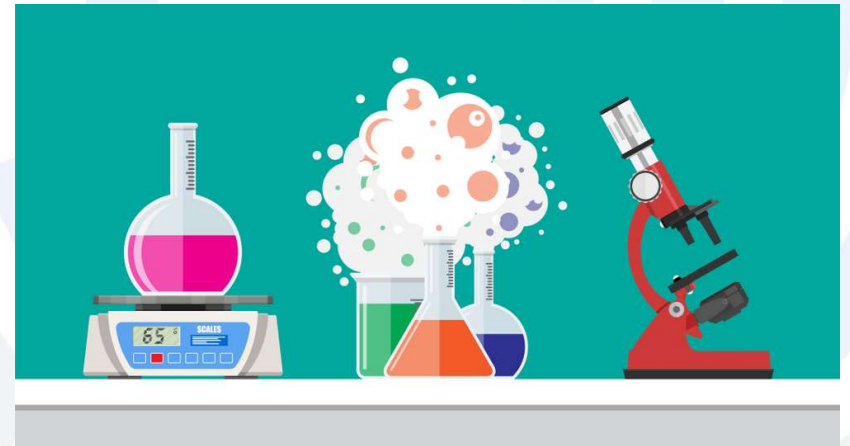
The overall goal:

- 1) Prevent and combat gender stereotypes and sexism
- 2) Prevent and combat violence against women and domestic violence
- 3) Ensure the equal access of women to justice
- 4) Achieve a balanced participation of women and men in political and public decision-making
- 5) Protect the rights of migrant, refugee and asylum-seeking women and girls
- 6) Achieve gender mainstreaming in all policies and measures

<https://rm.coe.int/prems-093618-gbr-gender-equality-strategy-2023-web-a5/16808b47e1>

2 groups

- Topics for discussion:
 - 1. Main human rights challenges in the region
 - 2. Challenges for achieving gender equality in the region
- 20 minutes for discussion
- 5 minutes for presentation



For discussion

What is human rights based approach?

Human rights-based approach (HRBA)

HRBA is a normative working methodology based on internationally recognized human rights. It:

- aims to promote, protect and fulfill human rights and democracy in practice
- integrates the norms, standards and principles of international human rights law into plans and processes of development programmes
- applies to all sectors, all modalities, and each step of the programme cycle
- At the heart of a HRBA is the recognition that unequal power relations and social exclusion deny people their human rights and keep them in poverty. The approach puts strong emphasis on marginalized and discriminated groups.

Right holders v. duty bearers

This notion gives a certain direction to the problems you want to address and the changes you want to achieve.

It enables to focus on whose rights you are concerned with and the corresponding duty bearers who have to fulfill those rights.

Right holders – every single individual who has inalienable human right.

It seeks to empower them to know and claim

their rights and to seek redress.

The primary duty bearer is the State, who signs up those obligations by ratifying international treaties.

It also seeks to build up the capacity of state actors to meet those obligations.

Elements necessary to apply a HRBA

- Assessment and analysis to identify the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers.
- Assessment and analysis to identify the immediate, underlying and structural causes of the non-fulfillment of rights.
- Design of programmes that includes an assessment of the capacity of rights-holders to claim their rights and of duty-bearers to fulfill their obligations.
- Development of strategies to strengthen the capacities of rights-holders and duty-bearers.
- Monitoring and evaluation of programmes need to follow both the process and the outcome and integrate aspects of the working principles (P.L.A.N.E.T.) in their results framework and monitoring system.

Participation in and access to the decision-making process

- Is there active and meaningful participation of rights holders?
- Are there opportunities for rights holders to influence the formulation of problems, planning, implementation and follow-up of the intervention?
- Will the intervention strengthen rights holders' participation in public affairs?
- Will it strengthen the plan of services and delivery of services?

Links to human rights

- How are human rights standards from treaties, laws and recommendations used to define and advance the intended project and programme outcomes (or how could they be)?
- How is information from monitoring mechanisms and reviews used to define and advance the intended project and programme outcomes?
- Make the link to the human rights system and use its products (reports, concluding observations, recommendations, etc) to inform strategies and activities.

Accountability

- Who are the duty bearers?
- Do the duty bearers have the knowledge, mandate, resources and willingness to achieve their human rights obligations?
- Do rights holders know who the duty-bearers are and can they hold them to

account?

- Activities have to promote accessible, transparent and effective mechanisms of accountability.

Non-discrimination

- Who are the rights holders?
- Have they been taken into account in the design of the contribution?
- Are people in vulnerable situations considered?
- Is discrimination actively counteracted?
- Projects and programmes have to prioritise the most marginalised groups and avoid contributing to established patterns of discrimination.

Empowerment

- What capacity do duty bearers have to fulfill their obligations and rights holders' to claim their human rights?
- Can their capacity be strengthened – including the capacity of duty bearers to ensure accountability, transparency, participation and non-discrimination?



Transparency

- Is information about the intervention available in an accessible way to all stakeholders?
- Are rights holders able to attend and observe meetings and processes where issues that affect them are discussed?
- Can the intervention strengthen or institutionalize transparency in the relation between duty bearers and rights holders in a sustainable way?



EU TECHNICAL ASSISTANCE
TO CIVIL SOCIETY ORGANISATIONS
IN THE WESTERN BALKANS AND TURKEY

For discussion

What is human
rights
mainstreaming?



EU TACSO 3 project is funded by the European Union



Human rights mainstreaming

It means the reorganization, improvement, development and evaluation of policy processes, so that a human rights perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making.

Human rights mainstreaming refers to the deliberate infusion of **human rights** standards into the work of organisations.

Gender mainstreaming

The systemic integration of the respective needs, interests and priorities of men and women in all the organization's policies and activities. This rejects the idea that gender is a separate issue.

It involves the integration of a gender perspective **into the preparation, design,**

implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, with a view to promoting equality between women and men, and combating discrimination.

Two dimensions of gender mainstreaming

GENDER RESPONSIVE CONTENT - Gender mainstreaming requires integrating a gender perspective to the content of the different policies

GENDER REPRESENTATION - Gender mainstreaming requires addressing the issue of representation of women and men in the given policy area.

Gender mainstreaming for organisations

Gender mainstreaming is systematic efforts to integrate gender concerns into all aspects of programme development and management, and also organisational systems and procedures.

UNDP: “taking account of gender equality concerns in all policy, programme, administrative and financial activities, and in organisational procedures, thereby

contributing to a profound organisational transformation. Specifically, gender mainstreaming means ensuring that staff fully understand the relevant policy and its context, and have the capacity to implement it, in order that they can bring the outcomes of gender sensitive policy analysis, including socioeconomic analysis, into the core decision making processes of the organisation.”

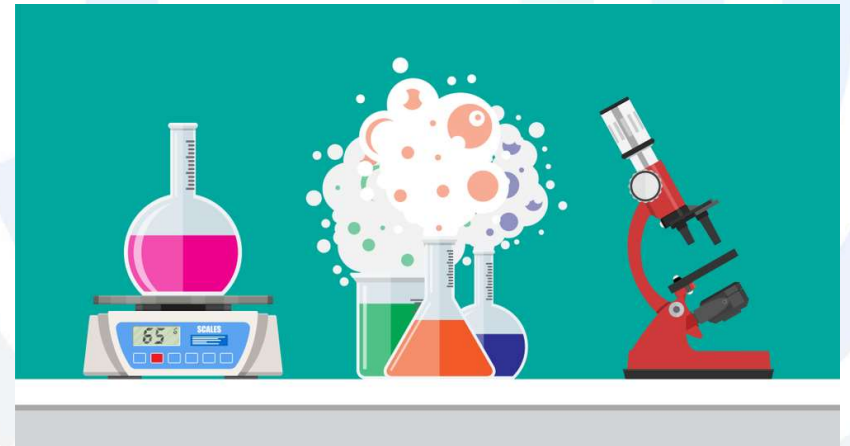
Work in a plenary

- Read the text in the chat

- Your task:

1. *What are the immediate and long-term needs of each of the individuals in the case study?*

2. *What role could gender analysis play in an assessment of refugee needs?*



Summary Learning Points

1. Involve refugees in identifying their needs
2. Immediate needs are important, but they can be more important for some groups (e.g. pregnant women)
3. Longer term needs can involve legal information, documentation, registration, access to family reunification, education and skills training, economic opportunities, etc.
4. Specific health needs of different categories vary considerably, e.g. older people, pregnant women
5. Refugees have skills which can be utilised to address needs

The role of gender analysis in needs identification

Can contribute to the participation of refugees in:

- planning
- how need change over time
- to categorize needs into practical and strategic gender needs
- to gain deeper insight into needs in general
- **Overall: it will help to ensure more effective people/centered disaster response measures.**

Announcing

BREAK TIME

15 min



terstock.com · 316127

Intersectionality

It is defined as a new method since the approach implies a shift away from defined categories, **to focus on dynamic processes of interaction between multiple aspects of identity that a person develops regarding particular social relations, backgrounds and structures of power.**

It takes into account people's overlapping identities and experiences in order to understand the complexity of prejudices they face.

Intersectional theory asserts that people are often disadvantaged by multiple identity markers.

Intersectionality recognizes that identity markers (e.g. "woman" and "black") do not exist independently of each other, and that each informs the others, often creating a complex convergence of oppression.



Intersectionality



Participation

The initial principle
of mainstreaming is
ensuring
participation!



Practical Work

To what extent do you adopt a rights-based approach in your CSOs works, projects and activities?

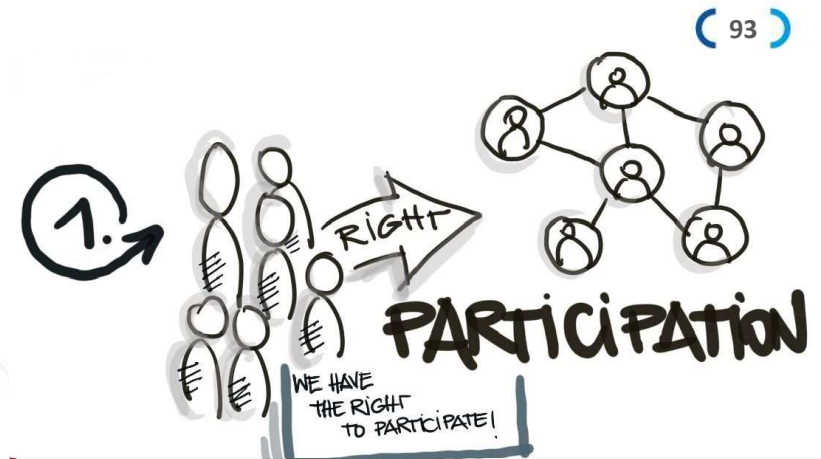
- How is the gender balance in your organisation?
- How is the age distribution within your organization?
- How many women do you have in your board (or participate into the decision-making mechanism of your organisation)?
- Do you consult to young people while taking decisions regarding your CSOs' works and/or activities
- Do you have an organisational policy for the inclusion of the people with disabilities into your CSOs works?
- Do you have an accessibility policy during the organisation of your activities/events?
- Do you have a structured monitoring and evaluation and/or self-assessment policy/programme in your organisations?

You can include additional questions...

What is participation?

- Everyone has the right to active, free and meaningful participation in decision-making processes that will affect that person's social life. From a HRBA perspective, participation is not just a technical tool used in planning or during the implementation of activities, but it is the right and duty to actively involve all identified rights-holders and duty-bearers in all phases of planning, implementation, as well as monitoring and evaluation. **Enabling participation in the decision-making processes is the basis for active citizenship. Participation and inclusion are especially important for strengthening the most vulnerable, marginalized, excluded and invisible entities in the society.**

- Source: Handbook For Application of The Human Rights Based Approach



Source: European Anti-poverty Network





EU TECHNICAL ASSISTANCE
TO CIVIL SOCIETY ORGANISATIONS
IN THE WESTERN BALKANS AND TURKEY

EU TACSO 3 Regional Needs Assessment Report

- A significant majority of the local CSOs and grassroots organisations evidently have low capacity in terms of building up inclusive internal structures by taking into account a participatory all-inclusive HRBA approach. The majority of them lack the perspective of gender equality, youth participation, inclusion of persons with disability, child participation, which is fundamental for the inclusive structure of the organisations as well as their watchdog activities.
- **Source:** <http://tacso.eu/wp-content/uploads/2020/09/Regional-CS-Needs-Assessment-Report-2018-2019-final.pdf>



EU TACSO 3 project is funded by the European Union



Assessment
on the State of the
Enabling Environment
and Capacities of
Civil Society
against the Guidelines
for EU support to Civil
Society in Enlargement
Region, 2014-2020
for the period
2018-2019

FINAL REPORT



EU TECHNICAL ASSISTANCE
TO CIVIL SOCIETY ORGANISATIONS
IN THE WESTERN BALKANS AND TURKEY

EU TACSO 3 Regional Needs Assessment Report

- Although the awareness about the importance of gender equality is higher among CSOs than in public or private sectors, only a handful of CSOs adopt gender equality mainstreaming policies in place. Women are prevailing in civil society sector, **however their representativeness at governing positions is still low.** Gender equality is rather weak and still looked at superficially and as a cross-cutting issue, except with women's organisations, which have significantly contributed to integrated gender policies.
- **Source:** <http://tacso.eu/wp-content/uploads/2020/09/Regional-CS-Needs-Assessment-Report-2018-2019-final.pdf>



EU TACSO 3 project is funded by the European Union



Assessment
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FINAL REPORT

Participation - Article 12 of CRC - what does it mean?

- All children have the capacity and ability to form and express opinions
- They have the right to express their views freely
- They have the right to have their views heard / heard on all matters that affect them.
- These views are right to be taken seriously.
- When listening to the views of children, their age and maturity level should be taken into account.

Child participation - what is it?

- It is a joint work of children and adults.
- It is to listen carefully to the opinions of children.
- To carry out joint activities at every stage including planning, preparation, implementation and evaluation in parallel with these opinions, respecting the views of children.

Children's Rights and Child Participation

- “There should be trainings to teach every child about their rights. In these trainings, it should be explained item by item, and how to apply it.”
- “Aid offices should be established where children can apply.”
- “Participation should be in line with the wishes of the children.”
- “When we are going to participate in a place, we should be asked for our opinions. At the same time, there should be places where we can report our satisfaction and complaints.”

Visual: Children for Health





The groups you are working with
do know their needs best...
...and the solutions as well!

- In the opening page of the research titled **“The Needs of University Students”** Research prepared by Community Volunteers foundation in Turkey
- *“Young people know what they want; young people want an environment and opportunity to develop themselves; young people want to get together, meet and trust each other; young people want to participate, have a say, and take responsibility...”*

ÜNİVERSİTE GENÇLİĞİNİN İHTİYAÇLARI ARAŞTIRMASI

2009

Gençler ne istediğini biliyor;
gençler kendilerini geliştirmek için ortam ve fırsat
istiyor; gençler bir araya gelmek, tanışmak, ve
birbirine güvenmek istiyor; gençler, katılmak, söz
söylemek, ve sorumluluk almak istiyor.

Discussion

- What might be the relation between **consumer rights**, **women's rights/gender equality** and **children's rights**?

Here are some good examples of an inclusive perspective for different social groups:

- Do not forget that **children/women/people with disabilities are also not a homogenous group**... Consider the diversities and cross-cutting thematic issues while working with different groups
- Check whether your publications are child/youth friendly
- Check whether your publications are accessible to all children, disabled people, vulnerable groups etc. (eg. Children with disabilities)
- Be sure that you consulted to children on the content and the child friendliness of your publications.
- Be sure that the graphics and/or visuals you use are “gender free” (reflect the diversities of children)
- Do consult to women’s organisations, LGBTI+ organisations and/or other related organisations working on gender equality while developing your projects/activities

Adopting an Inclusive Approach in Communication Activities and Publications

- Please keep in mind that **depending on the gender, different age groups, different socio-economic backgrounds** etc. people usually prefer different communication and/or social media tools. Thus, it is important to check which communication and/or social media channels your target group usually prefer.

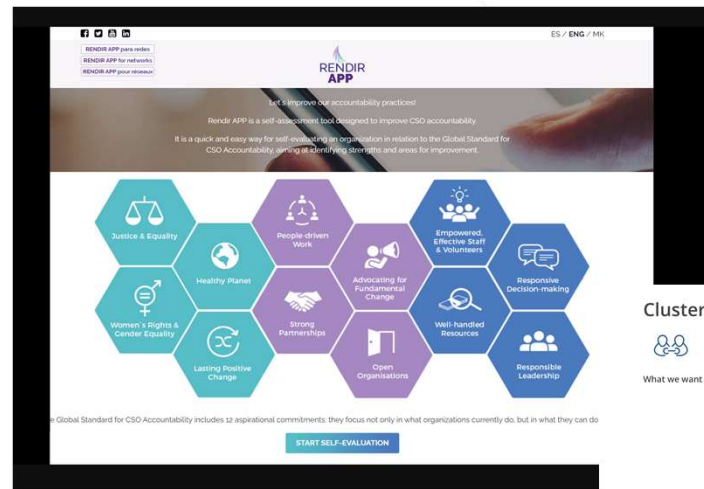
Participation

- Do not forget that inclusion is a long process which requires a sensitive approach
- Collaborate with CSOs from different thematic areas!

Self Assessment

- **The Global Standard for CSO Accountability/ Rendir App:**

The **Global Standard** aims to be a comprehensive and adaptable reference for **CSO accountability**. With a set of 12 commitments that CSOs work towards and that their own stakeholders can uphold them to, the commitments showcase what we as CSOs want to achieve, how we approach change and our internal practices.



Cluster A



What we want to achieve

1. **Justice and Equality:** We will address injustice, exclusion, inequality, poverty and violence to create healthy societies for all. +

2. **Women's rights and gender equality:** we will promote women's and girls' rights and enhance gender equality. -

The realisation of gender equality is vital for the socio-economic development of peaceful societies. Access to crucial political and economic resources enables more women and girls to participate fully in society and achieve their true potential. CSOs must promote behaviours and attitudes that ensure opportunities, rights and obligations of women and men in all spheres of life.

Key actions: Listen to women, men, girls and boys, lead by example and empower women and girls to live more fulfilled lives. Work closely with all parts of society to drive lasting social, economic and political change.

Does your organisation... Stakeholders consider... Guiding questions

- ... conduct regular and participatory systemic gender analyses
- ... promote and advance women's empowerment and gender equality in CSO programmes, policies, structures and employment practices, creating opportunities for women and girls.
- ... address men and boys as crucial stakeholders in prevailing social relations and collaborating with a diverse group of stakeholders in the promotion and respect of women's rights.
- ... provide effective staff training on topics such as gender analysis, gender programming, gender equality and equity, gender identity and gender related
- ... have planning processes that include consultation with those marginalised due to their gender, in particular women and girls, to allow for contextual analysis of the barriers to their inclusion and identification of opportunities for their participation.

Source: <https://www.csostandard.org>

Self Assessment

- The Global Standard for CSO Accountability/ for Rendir App:

Cluster A



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Self Assessment

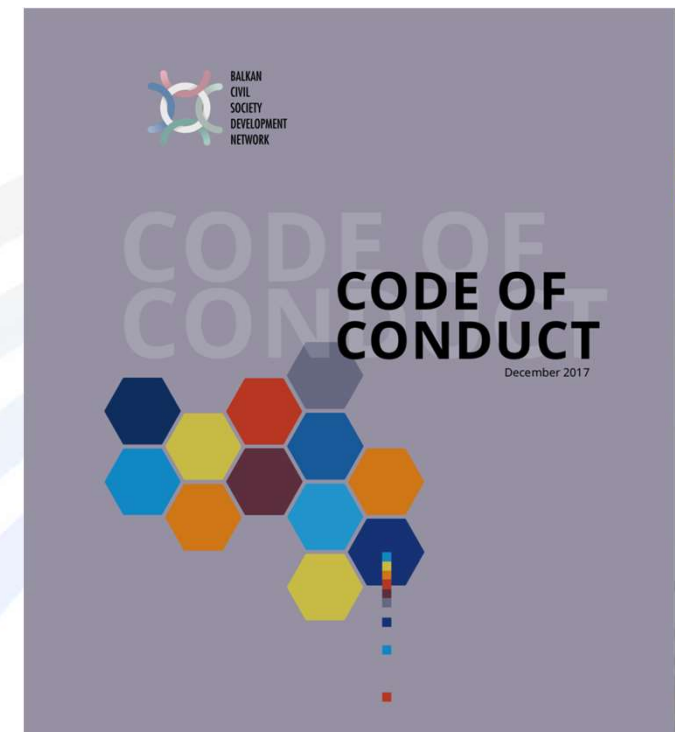
Balkan Civil Society Development Network (BCSDN) - Code of Conduct

Set of Commitments:

1. Open and Transparent Organisations
2. Partnership-Driven Organisations
3. Good Governance
4. Organisational Integrity
5. Ethical Finance; Fundraising
6. Well-Handled Human Resources
7. Responsible Advocacy

Source: <https://www.csostandard.org>

- 1 OPEN AND TRANSPARENT ORGANISATIONS**
 - 1.1. We will share information on who we are, what we do, how decisions are made, the resources we have, and the positive and negative impacts of our work.
 - 1.2. We will share information in a timely and accurate manner.
 - 1.3. We will provide opportunities for people to question our work and engage in constructive dialogue to reach a shared understanding where possible.
 - 1.4. We shall be open and responsible in the work with institutions of the public sector, community partners, donors and all stakeholders.
 - 1.5. We will make all of our work reports (final and progress), as well as financial reports, available to all stakeholders.
- 2 PARTNERSHIPS-DRIVEN ORGANISATIONS**
 - 2.1. We will share data, resources and knowledge, and take important decisions collectively.
 - 2.2. We will regularly communicate in order to ensure equal representation of all partners, and that no organisation speaks in the name of another.
 - 2.3. We will collaborate with different kinds of organisations to achieve maximum impact on shared goals.
 - 2.4. We will provide assistance to other organisations, when appropriate, in order to empower them and improve performance in future work.



7

Self Assessment

• European Union Sivil Düşün (Think Civil) Programme – Event Toolkit

Event Toolkit:

The Toolkit has been developed for all actors engaged in rights-based civil society work and will guide you through the design, planning, preparation and implementation processes involved in event management to meet your specific purposes.

Source: https://drive.google.com/file/d/1OgozG9AXF-PcwHGM_kn7e1N/view

Venue Planning

Paying attention to certain points when choosing a venue for your event will prevent possible difficulties

What should be considered when choosing a venue?

- Is transport to the venue easy from the city? (Can one use public transport? How frequently is public transport available?)
- Is the venue accessible to persons with disabilities? (Ramps, elevator for disabled people, bathrooms for the disabled, etc.)
- Is the physical structure of the room(s) suitable for your activities? (space to move, walls to project presentations and videos, working groups, columns that would block people's view, etc.)
- Does the venue have the technical equipment you need? If so, is there a fee?
- Are the rooms bright? Is there clean air? How is the heating/cooling system?
- Is there a nursery/child care centre, etc. for guests with children?
- Is there a parking place? If so is there a fee?
- Is there a cloakroom? If so, is there a fee?
- Is there Internet access? If so, is there a fee?



CIVIL SOCIETY EVENT TOOLKIT

Methods for the improvement

Increased awareness among CSOs

Human rights and gender policies

Mainstreaming human rights and gender in
programme management systems

Avoidance of stereotyping

Prioritizing strands of diversity

Another major issue has been to which
strand of diversity a given organization

should lend priority?

- Which groups should be prioritized and why?
- What is it about them which makes them deserving of specific attention?

Ways of providing organisation gender expertise

A variety of ways of providing and developing gender expertise in CSOs and motivating staff have been tried, such as:

- gender advisers
- gender units
- gender focal points

- gender networks
- gender informative bulletins and websites

Diversity and inclusion practices

1. Leadership commitment
2. Strategic objectives of the CSO
3. Accountability
4. Monitoring and evaluation
5. Disability inclusion and knowledge
6. Nurturing trust
7. Interventions for change
8. Promoting a learning environment
9. Context matters
10. Practice what we preach

Questions for discussion

1. What do you think mixed-sex teams are more effective in the type of work outlined in the case study?
2. What could you do to encourage the mobilisation of more mixed-sex teams?
3. Can you think of other situation where it would be more appropriate or effective to have single-sex teams rather than mixed-sex teams of volunteers?

Case study 1 – learning lessons

- Refugees may be more likely to answer the door to a mixed-sex team (cultural barriers) - two men may be seen more threatening, and two women may be vulnerable and not taken seriously
- Strategies to attract women volunteers:
- Analyze what puts women off volunteering
- Discuss with members of the local community
- Use female volunteers to encourage other women
- Raise awareness about why women are needed
- Advertise attractive advantages of volunteering
- However, if volunteers are dealing with sensitive issues amongst beneficiaries, single-sex teams may be more appropriate
- Be aware that some women may not wish to be paired with men, or their families may not like them working with male volunteers

Human rights and gender equality mainstreaming: three steps

Conditions

Methods and tools

Results



Enabling conditions (1)

Preparation: set up a plan for the implementation of gender mainstreaming, define steps and milestones, assign tasks and responsibilities, formalise and communicate the plan.

Resources: sufficient resources need to be made available; effective gender mainstreaming requires budget and time. Think about resources for awareness-raising and capacity-building initiatives. The use of special (external) expertise might also be considered.

Stakeholder involvement: close liaison with all policy stakeholders is essential throughout the policy cycle to take on board the concerns, expectations, and views of the target groups. It is recommended to cement opportunities and structures for stakeholder involvement and consultations into the policy process.

Enabling conditions (2)

Monitoring and evaluation: set in place accountability mechanisms to ensure an adequate follow-up of implementation and progress. Foresee regular reporting and share results.

Knowledge generation: building up knowledge on gender equality and good practices in gender mainstreaming contributes to making the approach more

effective. You can contribute to the institutional learning by collecting data and information on indicators, reporting on progress and facilitating experience exchange.

Gender expertise: this expertise should be internal, but the use of special external expertise might be considered as well.

Methods and tools

Gender analysis

Gender audit

Gender awareness-raising

Gender budgeting

Gender equality training

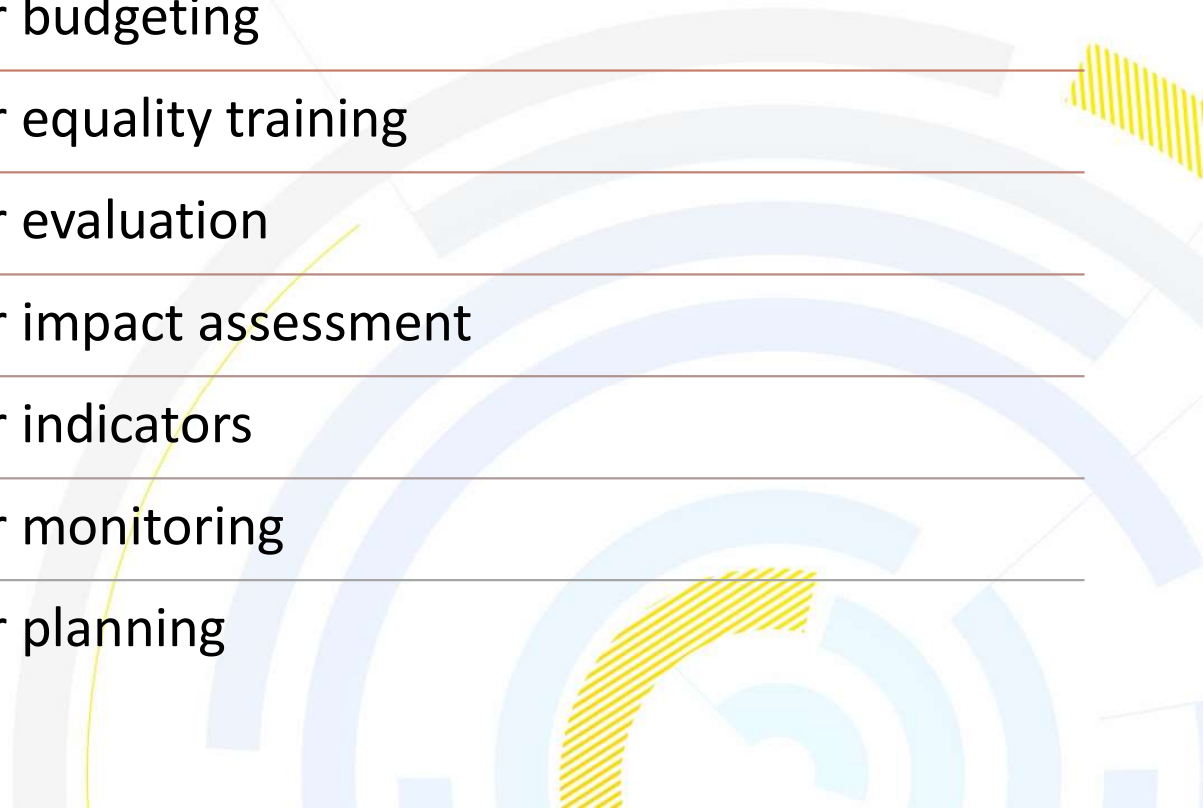
Gender evaluation

Gender impact assessment

Gender indicators

Gender monitoring

Gender planning



Gender audit

A gender audit is a tool to assess and check the institutionalisation of gender equality into organisations, including in their policies, programmes, projects and/or provision of services, structures, proceedings and budgets.

Gender audits help organisations identify and understand gender patterns within their composition, structures, processes, organisational culture and management of human resources, and in the design and delivery of policies and services.

Results

Better policy making

Better functional institutions

More effective processes

Questions for discussion

You are members of the committee tasked with formulating a proposal for how to conduct a gender audit of existing programmes.

1. What a gender audit implies for the National Society?
2. What is the value of carrying out a gender audit?

3. Identify topics/areas/issues that you would attempt to assess when conducting your audit?

Case study -learning lessons

- A gender audit is an exercise which reveals where the National Society's strengths lie. It is also a process which helps identify which procedures may require adjustments to ensure procedures themselves are not undermining gender mainstreaming.
- Conducting it means to have:
- A clear idea of the objectives and purposes of carrying out such an exercise (to identify areas needing improvement)
- Management needs to be committed to improving gender mainstreaming in the NS
- Questions:
- Is management committed to gender?
- Are staff on board involved?
- To what extent does the language of the organization (reports, publications, proposals, reflect gender?
- Is data sex-disaggregated?
- How is the workplace organized?
- Look at human resource practice and policy
- Look at the programmes



EU TECHNICAL ASSISTANCE
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Day 3: Wednesday, 16 June: Capacity building through different monitoring activities

On-line Training Programme on Mainstreaming
Human Rights- Based Approach (HRBA) and
gender Equality Training Programme for CSOs in
the Western Balkans and Turkey



Importance of relying on data

Evidence is Power!!!

Problems:

Lack of data

Lack of disaggregated data

Lack of resources

Lack of knowledge and capacity

Some other challenges?

Involvement of groups of interest in all aspects of data collection activities

Participation is central to a HRBA.

All data collection exercises should include means for free, active and meaningful participation of relevant stakeholders, in particular the most marginalized population groups.

Participation should be considered in relation to the entire data collection process: from strategic planning through

identification of data needs; selecting and testing an appropriate collection methodology; data collection (for instance, hiring interviewers from particular communities to improve response rates); and to data storage, dissemination, analysis and interpretation

Not possible

In some contexts, it may not be possible or appropriate to engage directly with certain groups.

This may be the case where:

- their legal status makes engagement with government agencies difficult or risky
 - social stigma and negative stereotypes create negative ramifications for publicly identifying with the group
 - the group is so marginalized and/ or disadvantaged as to lack of access, ability or resources to engage productively in participatory processes
-

Where appropriate, CSOs should participate on behalf of these groups to provide relevant perspectives and information (provided they are competent to represent the group's interests)!

Decision-making about participation should be transparent and equitable

The process and decisions by which participants are selected and groups are engaged with should be clear and transparent. Groups who wish to be involved in participatory processes should be able to access the relevant CSO.

Where groups have participated in data collection processes, data collectors should ensure that the resulting data is shared appropriately with these groups. This

‘return’ of data should be meaningful to the population of interest and delivered in culturally appropriate ways.

This demonstrates the impact of their inputs and encourages their ongoing use of data and engagement with the activities of the data collector.

Data collectors should proactively consider participation options and groups to be represented (1)

To facilitate the participation of population groups at risk of being left behind, it is necessary to identify vulnerable groups, namely the groups most at risk of not enjoying their human rights. This should be done proactively.

The form of participation should be decided on a case-by-case basis. Options may include:

- Online consultations, with appropriate access provisions and publicity to ensure

relevant groups are aware of the consultation process

- Public meetings, in locations that are easily accessible for vulnerable groups and with appropriate publicity and engagement to encourage participation

- Community visits, which may incorporate public meetings, meetings with key stakeholders and representatives and discussion with community members about issues relevant to data collection

Data collectors should proactively consider participation options and groups to be represented (2)

- Including relevant CSOs in thematic or advisory boards or committees convened by the data collector
- Creating advisory groups to facilitate regular engagement with vulnerable groups and frequent input on data collection processes

- Establishing focal points within data collection organizations who are responsible for seeking information and perspectives from groups of interest

- Formal memoranda of understanding

among organizations or departments, including between national statistical offices and human rights institutions, to facilitate information sharing and collaborative work

relevant to data collection

Data disaggregation

Disaggregation of data allows data users to compare population groups, and to understand the situations of specific groups. Disaggregation requires that data on relevant characteristics are collected

KEY PRINCIPLES:

More detailed data than national averages is key in identifying and understanding

inequalities

Data should be disaggregated by key characteristics identified in international human rights law

Collection of data to allow disaggregation may require alternate sampling and data collection approaches

Self-identification (1)

For the purposes of data collection, populations of interest should be self-defining. Individuals should have the option to disclose, or withhold, information about their personal characteristics

KEY PRINCIPLES:

Data about personal characteristics should be provided by the individuals to whom the data refers (at the individual's discretion)

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Data collection activities should be conducted in accordance with the human rights principle of 'doing no harm' - it should not create or reinforce existing discrimination, bias or stereotypes exercised against population groups, including by denying their identity(ies).

Self-identification (2)



Any objections by these populations must be taken seriously by the data producers.



Data collectors should only include characteristics that relate to personal identity in data collection exercises where it is necessary and appropriate to do so.



Questions about personal identity characteristics should be voluntary and a non-response option should be provided; this is especially important where personal characteristics may be sensitive.

Transparency

Data collectors should provide clear, openly accessible information about their operations, including research design and data collection methodology. Data collected by State agencies should be openly accessible to the public

KEY PRINCIPLES:

- Use of Official Statistics
- Information about how data is

collected should be publicly available

- Dissemination should be in an accessible language and format, taking into account considerations such as disability, language, literacy levels and cultural background
- Data should be disseminated as quickly as possible after collection
- CSOs should be able to publish and analyse statistics without fear of reprisal.



Privacy

Data disclosed to data collectors should be protected and kept private, and confidentiality of individuals' responses and personal information should be maintained

KEY PRINCIPLES:

- Privacy and confidentiality must be considered alongside access to information
- Information that identifies individuals or discloses an individual's personal characteristics should not be made public as a result of data dissemination
- Data collectors must have robust data protection mechanisms and procedures
- When personal data is released, this should only be done with the permission of the individual concerned (or their appropriate representatives)

Accountability

Data collectors are accountable for upholding human rights in their operations, and data should be used to hold States and other actors to account on human rights issues

KEY PRINCIPLES:

- Data can, and should, be used to hold

human rights actors to account

- National Statistical Offices are human rights duty-bearers and are accountable for respecting, protecting and fulfilling human rights

Research and human rights monitoring

Use of different mechanisms:

- Shadow reports to UN human rights treaty bodies
- Alternative report to Human Rights Council (HRC) in universal periodic report
- Communication with specialized procedure (HRC)
- Complaint procedure (HRC)
- Third party before the European Court of Human Rights (ECtHR)
- Advisory Committee (Framework Convention)
- CPT (communication)
- Negotiation process for Chapter 23

Human Rights Monitoring Reports

- In October 2020, Human Rights Foundation of Turkey published a comprehensive report on the state of fundamental freedoms in Turkey (covering the period 1 January-31 August) which was prepared by reviewing of statements and monitoring reports of human rights organisations and professional organisations as well as written and visual media. According to the report, in the first 8 months of 2020, fundamental freedoms including freedom of association, freedom of expression and freedom of assembly have considerably and systemically deteriorated. The report brings to light significant regression in democratic participation of citizens and rights advocacy practices which has become almost impossible due to increasing state prohibitions and interference.

- Source: <https://tihv.org.tr/wp-content/uploads/2020/10/IfadeToplanmaOrgutlenmeRapor.pdf>



Shadow Reporting

Shadow NGO Report on Turkey's

- State commitment to the CEDAW process and its engagement with independent women's NGOs in this review has again been limited. Although the national machinery (The General Directorate on the Status of Women, GDSW) organized a consultation meeting with NGO representatives on the 16th December, 2013, the opinions of the NGOs were only minimally reflected in the final document. Dialogue between the Ministry of Family and Social Policies (MoFSP), the GDSW and women's NGOs remains limited and constrained. Although the women's NGOs filed several requests for a meeting from the governmental bodies throughout the preparation process, they have yet to receive any response.



For discussion



How do you collect data? Challenges?



Experience with focus groups



What of these mechanisms your organisation used to support the monitoring process?



What were the challenges?



What was the success?

Support of victims of human rights violations/discrimination

- What is the best way to support a victim of human rights violations/discrimination?
- Advantages/Disadvantages of the use of media
- Legal aid provided by CSOs
- Legal aid provided by legal clinics



Legal mechanisms

Criminal procedure

Civil procedure

Misdemeanor procedure

Administrative procedure

First case

Milanovic v. Serbia (2010)

The Court considers that, just like in respect of racially motivated attacks, when investigating violent incidents State authorities have the additional duty to take all reasonable steps to unmask any religious motive and to establish whether or not religious hatred or prejudice may have played a role in the events. Admittedly, proving such motivation may be difficult in practice. The respondent State's obligation to investigate possible religious overtones to a violent act is thus an obligation to use best endeavours and is not absolute; the authorities must do what is reasonable in the circumstances of the case

Second case

Skorjanec v. Croatia (2017)

The authorities had failed in their obligations under the Convention when rejecting the applicant's criminal complaint without conducting further investigation prior to their decision. The Court noted in particular that, under Convention case law, a person may be a victim of a violent hate crime not only when they have been attacked because they themselves have a certain characteristic – but

also when they are attacked because they have an actual or presumed association with another person, who has (or is perceived to have) that characteristic. States have an obligation to recognise both types as hate crimes, and investigate them accordingly.

Third case

Opuz v. Turkey (2009)

For the first time the Court has elaborated the nature of State obligations with respect to violence in the family – recognising the gravity of domestic violence in Europe, acknowledging the problems created by the “invisibility” of the crime, and highlighting the seriousness with which States must respond. The Court emphasised that domestic violence is not a private or family matter, but is an issue of public interest which demands effective State action.

While acknowledging the existence of laws in

Turkey criminalising domestic violence the Court emphasised the need for such laws to be implemented in practice. It found that the criminal law in place did not have an adequate deterrent effect capable of ensuring effective prevention of violence against the women, and that there was widespread passivity on the part of police and prosecutors in responding to such complaints. The Court observed that “the overall unresponsiveness of the judicial system and impunity enjoyed by the aggressors... indicated that there was insufficient commitment to take appropriate action to address domestic violence”.

Announcing

BREAK TIME

15 min



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Situation testing - notion

A special method of voluntary examination of discrimination that facilitates the proof of discrimination, ie it is an experimental method of determining discrimination and obtaining evidence.

It is used to establish discrimination "on the spot", in order to prove unequal (unfavorable) treatment of a person or group of persons based on a personal characteristic. Thus, it helps to detect discrimination "on the spot."

It is a special mechanism that involves

creating a certain situation in which a person (potential discriminator) is put in a position to behave discriminatory, without fear of being observed, and testers are those who are exposed to the actions of a potential discriminator and check that whether he/she behaves in a discriminatory manner in a given situation.



How is it conducted?

By implementing the method of equivalent pairs.

An experimental group is formed (members have a personal trait based on when discrimination occurs) and a control group (members do not possess that trait, but share all other important characteristics with the experimental group).

Thus, the different treatment they enjoy can

only be explained by discrimination based on protected personal characteristics.

Voluntary discrimination examiners (testers) are persons who voluntarily expose themselves to discriminatory treatment in order to directly check whether discrimination has actually occurred and to obtain evidence against the perpetrator.

Principles of situation testing

IMPARTIALITY AND OBJECTIVITY - in testing moves with the assumption that discrimination will occur... .. testing should be undertaken without prejudice and that those participating in testing should be well prepared and trained, the possibility that test takers have a need for personal satisfaction should be ruled out

RESPECTING THE LAW
NON-DAMAGE

Manners of situation testing

SUBMISSION OF CV

suitable when it comes to discrimination in employment but less effective without personal contact - the combination with a personal encounter is much more effective

CALLING

it is not suitable for all situations - it is not demanding but it is more difficult to

prove discrimination in this way

PERSONAL MEETING

the most efficient way, especially when it comes to clear characteristics of the person participating in the test as a tester - the most demanding way - the most serious preparation - the most efficient when examining the area of services, housing and employment

Areas suitable for testing

WORK AND EMPLOYMENT

- way of advertising a vacancy
- comments during employment interviews
- an explanation of the reasons for refusing to be employed

HEALTH PROTECTION

- individuals who are prejudiced by medical staff are often rejected
- leading to discriminatory behavior

PROVISION OF SERVICES

- way of advertising
- relationship to the service user

HOUSING

- way of advertising
- relationship to a potential future tenant

Steps to be taken (1)

1. DETERMINE WHETHER THERE IS A NEED FOR TESTING

establish who is the subject of testing and whether there is a basis to perform situational testing that th

2. HOW TO SELECT AND HIRE TESTERS

tester training is necessary

preparatory meeting

training should last long enough for everyone to become familiar with testing methods and the role of the tester

to acquaint all participants in the procedure with the methods of testing and the role of the tester

it is advisable to sign contracts with testers and protect

their data as well as provide legal assistance if the need arises

3. CONDITIONS FOR SELECTING THE TESTER

they have not been criminally convicted

exclusion of any personal interest or connection with the victim or person or institution being tested

reliability

to be good observers and able to gather enough evidence

Steps to be taken (2)

4. COORDINATE TESTING

- designate a person in charge of coordination
- the coordinator must be aware that there may be a trial in which he must participate
- the coordinator determines the purpose and method of testing
- the coordinator designs the scenario depending on the facts at his disposal
- the coordinator must take care to avoid a

situation of multiple discrimination

it is important that the coordinator prepares the saws well

5. TEST EVALUATION

- analysis of information obtained by testing
- obligation to notify the Commissioner
- assess whether to file a complaint and proceed with the proceedings

Examples

Roma were denied access to public swimming pool

Roma were denied access to the club

Roma were restricted in the right to rent an apartment

LGBTI couldn't obtain a certificate on free marital status

Persons with Hepatitis C were denied beauty care services

Roma, women and persons with disabilities didn't have access to a job

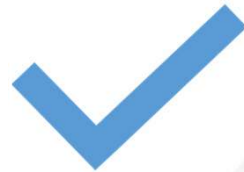
HIV positive persons were denied dental services



Discussion



Have you ever conducted
situation testing?



If yes, please share your
experience



If not, do you see
interest in conducting it?

Strategic litigation - notion

It represents the selection and management of litigation in order to create greater change in society. Its primary goal is not the specific protection of a particular person.

It is a method by which wider judgment changes social judgments, influences legal practice and public policies, and improves

the position of discriminated social groups.

Why strategic litigation is used?

It is used to bring about legal and social change.

The following elements are taken into account:

- Is a specific legal issue related to a wider social problem
- Could a court decision solve the

problem

- Are other protection mechanisms available and are they more effective than litigation in this particular case



Reasons for conducting strategic litigation

Clarify	Influence	Determine	Determine	Point out	Ensure	Influence
Clarify a certain legal norm, give its court interpretation	Influence the adoption of amendments to the law in order to improve anti-discrimination protection	Determine a relationship between multiple anti-discrimination laws	Determine whether the anti-discrimination law refers to a specific situation that is not explicitly provided by law	Point out a serious problem when a certain public policy or practice has a negative impact on a larger group of people, as part of a broader campaign for legal and social change	Ensure enforcement of anti-discrimination law	Influence the change of court practice

Criteria for selection

- discrimination was committed against particularly vulnerable groups
- the form of discrimination is frequent and widely accepted in society
- the discriminator is a powerful social factor, or is in a position to influence a significant group of people
- the balance of power between the person exposed to discrimination and the perpetrator justifies intervention
- a certain phenomenon is on the list of strategic goals of the CSO
- the case has a high chance of leading to a merits judgment, rather than being dismissed on procedural grounds
- the benefits outweigh the risks in this case
- discrimination denies access to goods and services



Discussion



HAVE YOU EVER CONDUCTED
STRATEGIC LITIGATION?



IF YES, PLEASE SHARE YOUR
EXPERIENCE



IF NOT, DO YOU SEE INTEREST
IN CONDUCTING IT?



For discussion

Share your experiences with advocacy and awareness raising campaigns:

- What were challenges?
- What were your strengths?
- Was it successful?
- Have you performed monitoring and follow-up?

Announcing

BREAK TIME

15 min



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Awareness raising campaigns

Awareness raising means to increase the status and desirability of certain ideas and values. It is about changing the priorities and interests of the media, policy-makers, citizens, companies, governments, etc. In other words, it is the promotion of a particular interest as a public interest.

it is important that the arguments, ideas or information in question appear legitimate,

credible and authoritative.

Legitimation can come from:

- the support of the State
- from the professional authority of CSO
- from the large number of people








Advocacy

Advocacy is a set of organised activities designed to influence the policies and actions of those in power in order to achieve lasting and positive change.

It also aims to make decision-making processes more inclusive and ensure policies designed to protect poor and marginalised populations are implemented.



Questions before you start?

-  Does the Board agree with the initiative and are they ready to support you along the way?
-  Are the main people behind the campaign experienced with running campaigns?
-  If not, what additional knowledge is needed? Do you need to hire an additional person with the required experience?
-  Are all the key people planning to stay in the organisation for the duration of the campaign?
-  Do you need volunteers? If yes, is it the sort of campaign people would volunteer for?
-  Are the resources needed for the campaign already available to you? If not, will they be secured during the campaign?
-  Do you have the support of your partners and donors?



STEPS



Define what you want to change



Know who can make change happen



Build alliance to strengthen your voice



Convey your message



Consolidate your plan and tracking progress

Preparing a campaign

Defining the issue

Doing the research

Planning the campaign - defining target groups, developing a narrative, and organising resources

Goal setting

Choosing communication channels

Creating alliances

Execution

Monitoring

Adaptation

What is needed?

RESOURCES - skills, knowledge

MATERIAL SUPPORT

SOCIAL CIRCLES - connections

SYMBOLIC CAPITAL - credibility

POLITICAL CIRCUMSTANCES

Evaluation

- Did we reach our objectives and how do we know that?
- Why did we succeed or fail?
- What tactics (email, word of mouth, social outreach, direct mail, advertising, etc.) worked the best in terms of achieving our objectives?
- What was least effective and why?
- What did we spend the most time on during the campaign, and was it worth the time?
- How did each of our communication efforts perform and why? What were the aspects that triggered the most attention by supporters?
- What were the turning points or challenging moments and how did we act upon them?

Follow-up

Having done a successful campaign often means that there is a new type of responsibility for making further changes through future advocacy and awareness raising activities.

Smaller organisations might approach bigger for consultation or support for their campaigns, politicians might look for alliances with you or expect your

feedback on newer policy developments, and citizens might expect continuing activities that they can participate in.

Therefore, the issue can be how to create enough space and resources to be able to use and build on this newly created position.

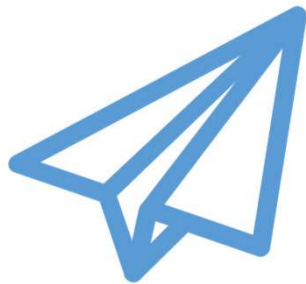


Mentoring work

Decide	Decide for what activities you need mentoring work
Make	Make a workplan highlighting key priorities and the plan
Submit	Submit it to the mentor



Thank you for your attention and participation! :)



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