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Introduction

The 2014 NHRI Academy brings together staff from National Human Rights Institutions (NHRIs) across the OSCE area. It aims to provide practical training to senior and mid-level staff on how to address particular challenges that NHRIs face in their work. The Academy intends to build capacity for European NHRIs to fulfil their role of promoting and protecting human rights more effectively. The Academy will also create an environment for sharing good practice between peers, and a platform to establish a common understanding for joint work and interventions by NHRIs.

The topics for this first NHRI Academy have been chosen by ENNHRI members as:

- **Gender Mainstreaming**, a commitment by ENNHRI members from the Amman Declaration and regional Plan of Action (2012);
- **NHRI Independence**, both formal and functional, and the challenges this brings, as well the application of the relevant Paris Principles and General Observations;
- **Human Rights Monitoring**, including effective methodologies and follow up, and with specific attention to the monitoring of social and cultural rights;
- **Interaction with UN Mechanisms**, including NHRI interaction with the treaty bodies, UPR, special procedures and Human Rights Council, from reporting to follow up.

The Academy will use a particularly interactive approach to training, devoting considerable time to an exchange of experience between participants, and practical exercises in small groups. In total, 34 ENNHRI members nominated staff members to take part in the 2014 NHRI Academy. In their applications, all participants had to set out how their job descriptions were relevant to the topics addressed in the Academy, and they also committed to carry out Pre-Academy Assignments, with the support of their managers. Participants were asked to complete three Pre-Academy Assignments.

First, in order to ensure that trainers were aware of the needs of participants at the NHRI Academy, participants were asked to complete a Pre-Academy Survey. This activity collected information on participants’ needs and expectations of the Academy, as well as an overview of their home NHRIs’ actions and expertise in relation to the methodologies that were selected as topics for the Academy. The questions and summary results of the Pre-Academy Survey are included from page 3.

Secondly, in order to ensure that all participants have a minimum level of knowledge of each of the topics covered at the NHRI Academy, participants were also sent a Pre-Academy Reading List, which is included at page 19.

Thirdly, in order to facilitate the exchange of experience and discussion between participants at the Academy, they were asked to prepare Pre-Academy Tasks. For these tasks, participants collected examples of their NHRIs’ experience and best practice on various topics, as well as considering the potential impacts of certain activities. These tasks are listed at page 20.
Pre-Academy Survey: Questions and Summary Responses

Introduction

1. Please insert your name:
   All 34 participants responded to the survey.

2. What do you hope to achieve from the NHRI Academy?
   Participants underlined that all Academy topics (gender mainstreaming, NHRI independence, monitoring and engaging with UN mechanisms) were vital to NHRI work. Participants hope to learn about these topics, particularly through an exchange of experiences and best practice with participants. Several participants stated their intention to strengthen their home NHRI by taking practical knowledge back to their colleagues through training or a report. Participants were also keen to meet other NHRI staff, network and consider joint NHRI actions for the future.

3. In the last five years, while working at your NHRI, have you received training on any of the following (Select all that apply):

   Answered: 34   Skipped: 0

   - OSCE (ODIHR) 9
   - Gender mainstreaming 7
   - Independence of NHRI 9
   - Human rights monitoring 16
   - ESC rights 8
   - Interaction with UN bodies 8
   - None of the above 15

   If yes, please provide more information below:
   Participants had also received training on non-discrimination, NPM functions, hate crime, rights of the child, criminal justice, right to privacy and access to information.
Session I: Gender Mainstreaming

4. Does your NHRI mainstream gender in its work?

Answered: 34  Skipped: 0

If yes, please provide details below on how this is achieved:
Participants reported including a gender dimension in NHRI's staff; complaints handling; monitoring (including for NPM function); research and data collection; recommendations to state bodies; submissions and shadow reports; (staff) training, awareness raising and events. One participant confirmed that his institution is actively following the Amman Declaration and regional Plan of Action. In addition, several members' institutions had specific advisors, departments, projects or action plans on gender. Several also collaborated with CSOs in this area.

5. What are the primary gender issues that your NHRI is currently addressing? Please name 2-3 issues, or more if you wish:
The most frequently cited issues were: employment (representation, pay and maternity), violence against women, participation in politics and public life, trafficking, FGM and the impacts of austerity on women. Participants also referred to intersectional discrimination in relation to LGBTI, disabilities, migration and ethnic minorities.

6. What are the key approaches, activities, and/or methods your NHRI uses to address gender issues?
Most participants reported that their NHRI submit recommendations and policy submissions to relevant authorities; undertake research; and create information reports on gender issues. Other methods included: investigations and monitoring; complaints handling; review of legislation and policies; campaigns; meetings with relevant authorities; strategic litigation; training and human rights education; and general awareness raising.
7. **What are the main challenges your NHRI faces in promoting gender equality?**
   Participants found that the key challenges were lack of resources (financial and human) and combating the status quo of gender stereotypes and public perception. Other important challenges included: weak political commitment to gender issues; and under reporting of complaints.

**Session II: Independence of NHRIs**

8. **How does your NHRI achieve formal independence (for example, in its founding legislation)?**
   Most participants reported that their NHRIs achieved formal independence through their founding law or the state’s constitution. It was generally set out that the NHRIs could not take instruction from government, and were accountable only to Parliament. Several NHRIs’ members had a limited term, and the NHRIs often have an advisory board including members of civil society. Some NHRIs’ members could not hold other positions and had judicial immunity for their actions in office. Some participants reported that their NHRIs have control over their budgets, staffing, strategic plan and work plans.

   **Are you aware of any areas where your NHRI’s formal independence could be improved upon?**
   Participants explained that their NHRIs’ formal independence could be improved through more financial independence and control; more transparent appointment and selection criteria and process for members; a more limited term and broader immunity for members; increased mandate (power to initiate court proceedings); more control over the office structure, staffing and location; and a Parliamentary vote for a member.

9. **How does your NHRI ensure functional independence when carrying out its work?**
   Participants explained that their NHRIs have freedom to decide upon their actions, which can only be initiated and concluded of their own motion, and involve robust challenges of government action. Further, it was described that NHRIs have equal and transparent relations with public bodies and civil society, ensuring independent collection of data and drafting of recommendations. Some NHRIs have access to all information available (official secrets provisions not applying). Some participants referred to the plurality of their NHRIs’ members, who have protection against conflict of interests and dismissal.

   **Are you aware of any areas where your NHRI’s functional independence could be improved upon?**
   Most participants underlined that increased resources could improve their NHRIs’ functional independence, as they were restricted in carrying out their varied mandates. It was identified that some challenges to NHRI independence come from individuals’ actions and psychologies, as opposed to structural shortcomings.

10. **What challenges does your NHRI face, due to the requirement for independence, in carrying out its work?**
    Nearly all participants reported insufficient budgets as challenging their NHRIs’ independence, leading to reliance on donor funding, limited activities, and the need for Parliamentary approval to continue some work. Several participants reported political pressure on their NHRIs’ work, and a few found challenges in achieving changes to the founding legislation. Lack of awareness of NHRIs’ independence was also a challenge, both in public bodies’ understanding of its mandate, and civil society’s perception of it as a state body. A recent NHRI merger was also cited as a challenge.
11. How familiar are you with the Paris Principles (PP)? (Select One)

Please provide more details:
Several participants had applied the Paris Principles (PP) for their NHRI’s (re)accreditation process, or legal and structural changes to prepare for accreditation. Some participants had used the PP to raise awareness of their NHRI’s independence, or in drafting submissions to government or Parliament.

12. How familiar are you with the 2013 General Observations (GO) on the Paris Principles? (Select One)
Session III: Human Rights Monitoring

13. What methodologies does your institution use in its monitoring work? (Select all that apply):

- Review text of laws/policies: 32
- Identify indicators: 20
- Analyse statistics: 20
- Collect primary data: 20
- Observation of places: 26
- Observation of events: 15
- Interview victims etc: 21
- Interview key informants: 16
- Focus group discussions: 22
- Review reports: 29
- Analyze budget allocations: 7
- Track budget expenditures: 3
- Other (please specify): 7
Other (please specify):
In addition to the methods above, participants described monitoring state compliance, collaborating with NGOs, and monitoring the media. Participants also provided follow-up methods including reviews, reports, engagement with civil society, and reviewing draft legislation.

14. What are the key challenges faced by your institution in carrying out monitoring?
The lack of resources (financial and human) was the most frequently cited challenge facing NHRI in monitoring. Other challenges included: under-reporting; difficulties in accessing data; keeping data up to date; lack of (standardized) methodologies, guidelines and indicators; lack of state bodies’ cooperation and transparency; a lack of experience and training among staff; and lack of state action in response to NHRI conclusions.

15. Which specific monitoring activities has your institution carried out in practice in relation to Economic, Social and Cultural Rights? (Select all that apply):

- Scrutinize legislation: 27
- Scrutinize policy: 24
- Investigations: 24
- Contribute to HR action plan: 15
- Monitor HR action plan: 16
- Poverty reduction strategies: 6
- Monitor poverty r.e.: 8
- Regional HR recommend’ns: 16
- Intern’tl HR recommend’ns: 19
- None: 0
- Other (please specify): 6
Other (please specify):
In addition to the above, participants described specific initiatives, including on housing rights, minority rights and National Action Plans.

16. On which of the following economic and social rights has your institution conducted monitoring activities?

Answered: 34  Skipped: 0

- Health: 30
- Housing: 24
- Education: 28
- Work and Labor: 22
- Food and Water: 9
- Poverty: 16
- None: 5
- Other (please specify): 5

Other (please specify):
In addition to the topics listed, participants mentioned property rights, consumer rights, the ban of begging, and minority rights.

17. Please give examples of the monitoring activities conducted by your institution in relation to the previous question:
Participants conducted monitoring through: reviewing complaints; undertaking site visits and investigations (including as NPM); reviewing policies and legislation; writing letters, opinions, and recommendation; following up state implementation; undertaking consultation; and attending in relevant working groups. Thematic areas that had been addressed included health (hospitals, psychiatric care); housing; education; migrant rights; employment; food and water; children and youth; welfare; police/detention centers; and impacts on gender, older persons and persons with disabilities.
18. Capacity Self-Assessment: Please indicate the extent to which you agree with the following statements:

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>I can differentiate between the various obligations the state has in relation to economic, social, and cultural rights.</td>
<td>1</td>
<td>2</td>
<td>6</td>
<td>20</td>
<td>5</td>
</tr>
<tr>
<td>I feel comfortable analyzing economic, social, and cultural rights in my work.</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td>17</td>
<td>3</td>
</tr>
<tr>
<td>I understand how to interpret indicators against different human rights standards.</td>
<td>1</td>
<td>1</td>
<td>16</td>
<td>13</td>
<td>3</td>
</tr>
<tr>
<td>I feel comfortable using indicators in my work.</td>
<td>2</td>
<td>0</td>
<td>16</td>
<td>14</td>
<td>2</td>
</tr>
<tr>
<td>I know where to locate data on human rights indicators.</td>
<td>1</td>
<td>5</td>
<td>14</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td>I am able to develop basic tools for collecting primary data.</td>
<td>1</td>
<td>9</td>
<td>5</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>I am able to identify human rights issues in the national budget.</td>
<td>2</td>
<td>3</td>
<td>11</td>
<td>17</td>
<td>1</td>
</tr>
<tr>
<td>I understand how fiscal policy affects economic, social, and cultural rights.</td>
<td>1</td>
<td>5</td>
<td>7</td>
<td>18</td>
<td>3</td>
</tr>
</tbody>
</table>

Answered question: 34  
Skipped question: 0

Session IV: Interaction with UN Mechanisms

19. Has your NHRI engaged with UPR Process?

Answered: 34  Skipped: 0

- **Yes**: 85.29% (29)
- **No**: 14.71% (5)
20. If yes, please indicate which of the following actions your NHRI undertook.

Answered: 34  Skipped: 0

- Prep. NHRI Report: 18 (Yes), 10 (No)
- Hosted meetings: 14 (Yes), 13 (No)
- Commented on State Report: 18 (Yes), 13 (No)
- Supported NGOs: 23 (Yes), 8 (No)
- Working Group Session: 12 (Yes), 14 (No)
- Publicity/awareness raising: 16 (Yes), 12 (No)
- Statement in HR Council: 12 (Yes), 14 (No)
- Undertook follow up: 22 (Yes), 6 (No)
21. What was your personal role, if any, in the UPR engagement?
In addition to the activities stated above, participants had been involved in drafting the NHRI report, comments on the state’s midterm report, engaging with UPR-info, and preparing debates and meetings for both state institutions’ and NGOs. Awareness raising activities included civil society workshops, simplified articles in newspapers, public streaming of the session, and a side event during the session. Some participants had not been personally involved in their NHRIs’ actions.

22. If your NHRI did not participate in UPR, please indicate why:
Participants reported that their NHRIs had not participated in UPR due to a limited mandate, the establishment of their NHRI after the UPR process, or their jurisdiction not being recognized as a UN state (Kosovo).

23. Has your NHRI followed up on any Human Rights Council decision(s) or action(s) in any way?

![Pie chart showing the following responses: Yes 41.18% (14), No 23.53% (8), Uncertain 35.29% (12).]

Please explain:
Participants’ NHRIs had followed up through conferences and roundtables; human rights education and training; and the inclusion of HRC recommendations in their submissions, recommendations, status reports and annual reports. One NHRI had urged its government to translate, publish and disseminate the HRC recommendations, and also prepare a midterm report. A few participants reported a lack of knowledge of UPR, or an understanding that the recommendations are directed mainly at governments.
24. Has your NHRI engaged with Treaty Bodies (CERD/CRC, etc.)?

Answered: 34    Skipped: 0

Yes 82.35% (28)

No 17.65% (6)
25. If yes, please indicate which of the following actions your NHRI undertook:

- Submitted NHRI Report: 20 (Yes), 12 (No)
- Hosted meetings: 19 (Yes), 12 (No)
- Commented on State Report: 23 (Yes), 9 (No)
- Supported NGO Engagement: 21 (Yes), 10 (No)
- Attended the TB Session: 22 (Yes), 8 (No)
- Publicity/awareness raising: 18 (Yes), 13 (No)
- Statement in the HR Council: 18 (Yes), 10 (No)
- Undertook follow up: 16 (Yes), 12 (No)
26. What was your personal role, if any, in the engagement?
In addition to the activities stated above, participants had been involved in: drafting the NHRI report; preparing meetings and collaboration with civil society stakeholders; preparing a compilation of recommendations (including country reports); and informing the media of the NHRI’s activities. Participants specifically referred to work on CRPD, CERD, CEDAW and CAT. Some participants had not been personally involved in their NHRIs’ actions.

27. If your NHRI has not engaged with any Treaty Body, please indicate why
Participants reported that their NHRI had not engaged due to a lack of financial resources, foreign language skills, a limited mandate, or belief that such engagement would not improve the state’s human rights situation.

28. Has your NHRI engaged with Special Procedures Mandate Holders (e.g. Special Rapporteurs)?

Answered: 34  Skipped: 0

No 29.41% (10)

Yes 70.59% (24)
29. If yes, please indicate which of the following actions your NHRI undertook:

- Submitted NHRI Report: 11 Yes, 17 No
- Hosted meetings: 8 Yes, 17 No
- Met Special Rapporteur: 11 Yes, 17 No
- Supported NGO Engagement: 10 Yes, 17 No
- Publicity/awareness raising: 7 Yes, 18 No
- Statement in HR Council: 6 Yes, 19 No
- Undertook follow up: 8 Yes, 17 No
30. What was your personal role, if any, in the engagement?
In addition to the activities listed above, participants had: organized meetings with the Special Rapporteur (SR) and civil society (including the legal sector); collected data and drafted reports; and responded to SR questionnaires. Specific mandates included rights of the child; freedom of religion; the right to water and to education; minorities and civilian victims of war. Some participants had not been personally involved in their NHRI's actions.

31. If your NHRI has not engaged with any Special Procedure, please indicate why:
Participants reported that their NHRI had not engaged due to insufficient resources or knowledge, a limited mandate, or a lack of relevance to their jurisdiction.

32. What challenges do you think your NHRI faces when engaging with the UN, either internally (such as internal resistance within the NHRI to such engagement, lack of resources) or externally (lack of information, lack of state support)?
Most participants found that the lack of financial and human resources was a challenge to engaging with UN mechanisms. It was underlined by a few that priority should be given to national work, and that engagement was not necessarily effective. Several participants described a lack of experience, knowledge, interest and (up to date) information on engaging with the UN, and a few found contacts with the UN challenging. Regional human rights mechanisms were found by some participants to be more accessible and efficient. Some participants found that they had insufficient monitoring, information from state institutions and reliable indicators. A couple of jurisdictions were not represented as UN states.
33. Please indicate under each heading which specific knowledge and skills you would like to gain from the topics that will be covered, to strengthen your Institution’s performance:
   In general, participants asked for a practical approach in training on monitoring, drafting and submitting reports, following up recommendations, promoting awareness in their jurisdictions, and cooperating with the relevant UN bodies. It was suggested that participants learn from each other’s experience. The role of non-A status NHRIs was also of interest.

   **UPR:** participants hoped to learn about the UPR process and structure, the specific role and expectations of NHRIs in the UPR cycle, and how to engage civil society.

   **Treaty Bodies:** participants hoped to learn about the roles and functions of the various treaty bodies, and how NHRI participation differs for each one. Participants were also interested in NHRI interaction on lists of issues and interim reports, and how to strengthen effective implementation.

   **Special Procedures:** participants hoped to learn about the mandates and functions of SP holders, hosting meetings with them, and how to mainstream this work at their NHRIs and use it as a policy tool at the national level.

   **Human Rights Council (General):** participants hoped to learn more about the mandate of the HRC, procedures for NHRI collaboration, how to increase NHRI impact, and potential for joint European NHRI initiatives. Participants were also interested in how to apply HRC decisions nationally and remain aware of developments at HRC.

**Conclusion**

34. Please add any additional comments or suggestions you might have for any of the sessions and the NHRI Academy in general:
   Participants suggested the Academy should use practical examples in methodology, and set up a webinar or teleconference after the course. There were discrete requests for the Academy to address NHRI transparency, accountability, and efficacy; and also how to share NHRI goals with the public bodies, civil society, and the public.

35. Please let us know if you have any dietary requirements and/or of any reasonable adjustments that you might need to attend the NHRI Academy:
   *The organizers have also taken the responses to this question into account.*
Pre-Academy Reading List

Session I: Gender Mainstreaming

Handbook for National Human Rights Institutions on Women’s Rights and Gender Equality

- Executive Summary, pg. 7-9

Session II: Independence of NHRIs

ICC SCA General Observations as adopted in Geneva in May 2013

- The Paris Principles, pg. 1-5
- General Observations (G.O.) 1.4, pg. 81-83
- G.O. 1.7-1.10, pg. 89-101
- G.O. 2.1-2.5, pg. 105-114
- G.O. 2.8, pg. 120-121

Session III: Human Rights Monitoring

INTRODUCTORY NOTE: Monitoring economic, social and cultural rights (Attached as PDF)

Session IV: Interaction with UN Mechanisms

Information Note: National Human Rights Institutions (NHRIs) interaction with the UN Treaty Body System (Attached as PDF)

- Pg. 1-12

Basic Facts About the UPR

Special Procedures of the Human Rights Council

Discussion Paper on Interaction Between National Human Rights Institutions and Special Procedures

Information Note for National Human Rights Institutions
Pre-Academy Tasks

1. In advance of Session III: Human Rights Monitoring, please prepare and bring examples of legal briefs or reports issued by your Institutions which you believe have done an impact on the human rights situation.

2a. In advance of Session IV: Interaction with UN Mechanisms, please prepare a one-minute (approx. 130 words) oral presentation in order to share some of your experiences with all the participants and kick-off the discussions. The presentation will be given during the last session of 25 June.

In one minute, try to address the following three points:

   a. How active your NHRI is with UN bodies and whether your NHRI is becoming more or less active in this area.*
   b. Your own view as to the advantages of engaging with the UN to promoting and protecting human rights in your country.
   c. Your own view on the (actual or potential) disadvantages of engaging with the UN for your NHRI.

*If your NHRI has not engaged with a UN body, please give your view as to why this has not been the case for you NHRI to date.

Please note, as at the Human Rights Council, the short, one-minute speaking time will be strictly enforced! Due to the high number of participants this is necessary in order to ensure that everyone gets to speak and we have time for discussions. There will be more time and opportunities in which to share your experience during the sessions.

2b. Participants should also be ready to share good practice examples of engagement (if any) by their NHRI with: UPR, Treaty Bodies, Special Procedures, Human Rights Council, including follow-up initiatives. Please also think about what practical proposals you would have for other NHRIs in engagement with the UN (we will develop these ideas throughout the UN mechanisms sessions).
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