

# Preface



**UNIVERSITY  
OF OSLO**

Norwegian Centre for Human Rights

*Siri Skåre* has been Programme Director of the Norwegian Resource Bank for Democracy and Human Rights (NORDEM) based at the Norwegian Centre for Human Rights since 2002. She is a political scientist from the University of Oslo. She has been observing elections for the UN, OSCE/ODIHR and others in Africa, the Middle East, the Caucasus, Haiti and South East Europe since 1993 and has designed and conducted training in human rights monitoring and election observation for several years. She has been deputy head and head of several OSCE/ODIHR election observation missions. She has also worked ten years in the Norwegian Ministry of the Environment, NORAD and the Norwegian Ministry of Foreign Affairs.

*Ingvild Burkey* is a writer and holds a degree in political science from Yale University. She has been a member of the NORDEM Stand-by Force since 1994 and has observed elections in Uganda, mainland Tanzania and Zanzibar, South Africa, Zimbabwe, Madagascar and Bosnia and Herzegovina. From 1997 to 2000 she was a human rights officer with the OSCE Mission to Bosnia and Herzegovina. She has also been Project Coordinator at NORDEM in 2003 and in 2005–2006, where her responsibilities included planning and organising training courses for human rights monitors and rule of law personnel. She is the author of four works of literary fiction.

*Hege Mørk* holds an LLM in Comparative European and International Law from the European University Institute. She has worked as Protection Officer for UNHCR in Bosnia and Herzegovina and at the UNHCR headquarters in Geneva. She has also been Regional Advisor to the Civil Rights Project of the Norwegian Refugee Council in Kosovo. Since 2003 she has been employed as Project Coordinator at NORDEM, acting as Programme Director from 2006 to 2007.

## Preface third edition

The aim of the Norwegian Centre for Human Rights is to actively promote respect for and implementation of internationally recognised human rights. Through NORDEM, the Norwegian Resource Bank for Democracy and Human Rights, the Centre supports the work of the Organisation for Security and Cooperation in Europe, the United Nations and other intergovernmental organisations by ensuring qualified and well prepared personnel to human rights related field operations. International requests for personnel assistance are accommodated through annual recruitment and deployment of professionals who are trained in human rights field work prior to taking on an assignment. The present *Manual on Human Rights Monitoring: An Introduction for Human Rights Field Officers* is the primary source of reference for such pre-deployment training.

Human rights field operations generally consist of persons with a wide range of backgrounds and experiences. While this variety often is an asset in human rights work, which is an interdisciplinary field, it also entails that many staff members in human rights missions have little specific expertise in human rights. This situation gives rise to the need for a training tool that provides both an overview of the theoretical framework for human rights and practical advice on how to implement it in the field.

This *Manual on Human Rights Monitoring* is written for human rights field officers who are not necessarily specialised in the field of human rights. The NORDEM Stand-by Force has been used as an example reflecting the composition of professions and experiences of persons commonly recruited to human rights field operations. The NORDEM Stand-by Force was jointly established by the Norwegian Centre for Human Rights (NCHR) and the Norwegian Refugee Council to develop general preparedness in the field of democracy and human rights. Assignments undertaken by the NORDEM Stand-by Force have been used to indicate which areas are most urgently in need of guidelines and training material. This manual therefore contains a compilation of manuals on specific human rights issues.

The distance separating a human rights officer in the field from the decisions and policy makers at the centre of the UN or OSCE system may be considerable. To be able to orient oneself within such a complex system as the UN, and to understand the possibilities and limitations of working as a field officer, the first part of this manual provides a description of the international human rights system and its dynamics, while the second part gives guidelines on how to work with human rights monitoring within specific issue areas.

The first and *general* part (Chapters 1-4) provides an introduction to the international human rights system, principally that which falls under the responsibility of the UN. Regional human rights systems such as the OSCE, Council of Europe, the inter-American system and the African system as well as non-governmental organisations are also touched upon.

The second and *specific* part (Chapters 5-10) includes a general introduction to human rights monitoring and a methodology for human rights fact-finding (Chapter 5 and 6 respectively); a methodology for monitoring the administration of justice, such as law enforcement officials and prisons (Chapter 7); an introduction to trial observation (Chapter 8); and a manual for election observation (Chapter 9).

We have included an article (Chapter 10) on “Human Rights Professionals and the Criminal Investigation and Prosecution of Core International Crimes”. This chapter gives an introduction to the work of internationalised criminal courts and tribunals and the basic features of international criminal law. Although it is not a manual in a strict sense, we have found it important to include this chapter to give human rights monitors and investigators an understanding of how such tribunals work, particularly with regard to the problems and issues encountered in international criminal investigations. Our aim in including this chapter is to provide the necessary background to enable human rights monitors and investigators to draw the important distinction between intergovernmental human rights operations and the investigative arms of international criminal tribunals. Even though some of the techniques used are similar, it would be wrong and dangerous for UN or OSCE monitors to assume that their work could replace or somehow duplicate the work of an investigation team attached to one of the international tribunals. However human rights professionals and their organisations can be particularly well placed to contribute to the investigation and analysis of core international crimes, thus Chapter 10 also provides a number of practical suggestions for how human rights monitors can improve the quality of their monitoring and investigation efforts and thus be better positioned to support international criminal investigations.

The last chapter (Chapter 11) is an introduction to health, safety and security issues of which any person who will be deployed in the field should be aware. It is not intended to replace the need for safety and security training offered by the various organisations prior to deployment but highlights many important issues early in a recruitment process which allows those being deployed time to give them some thought and make appropriate preparations before departure.

The manual’s design of individually bound chapters enables the users to bring with them to the field those parts of the manual needed for a particular assignment. Feedback from readers and users over the past decade suggests that the format is working well both in design and content. We would, however, welcome your comments and suggestions for further improvement.

Many people have been involved in producing this manual over the years. We would like to thank all the authors of the individual chapters of this edition of the manual: Anne Gallagher, William G. O’Neill, Annette Lyth, Paul LaRose-Edwards, Maja Kirilova Eriksson, Marit Mæhlum, Tor Bøhler, Trond Dolva, Donna Gomien, Kåre Vollan, Morten Bergsmo, William H. Wiley and Miles Martin. By sharing their knowledge and experiences with us they have made this publication possible. We would also like to thank the editors of the two previous editions of the manual: Kristin Høgdahl, Ingrid Kvammen Ekker, Lalaine Sadiwa, Hege Araldsen and Øyind W. Thiis.

This third edition of the manual maintains the basic structure and format of the first and second editions. It has however been updated, revised and in some respects significantly adjusted to reflect the changing reality of international human rights field operations and the feedback of more than 1500 secondees who have been on missions through NORDEM over the last fifteen years.

## PREFACE

I would like to recognise the many valuable inputs received from individuals working in and for international partner organisations, most notably the UN and the OSCE, as well as NORDEM secondees and colleagues at the Norwegian Centre for Human Rights and the Norwegian Refugee Council who have given their time and comments on various issues throughout the editing process. Very special thanks go to my two co-editors Ingvild Burkey and Hege Mørk who have both done an impressive job. Lastly, I would like to thank Anne Karlsen and her colleagues at the publishing house 07 Gruppen AS who endured many detailed comments to the final layout.

The manual is published on the NCHR's website and can be downloaded freely. The NCHR is grateful to the Norwegian Ministry of Foreign Affairs which once again has supported the publishing of the revised manual.

I conclude this preface with the hope that the international community will continue its work to enhance the effectiveness and professionalism of human rights field work and with the conviction that the Norwegian Centre for Human Rights and NORDEM have a role to play in supporting this work also in the years to come.

Oslo, May 2008

*Siri Skåre*





*The Norwegian Centre for Human Rights* aims to contribute to the realisation of internationally recognised human rights, through research and reporting, teaching, advisory services, information and documentation. The Centre was founded in 1987 and is organised as an interdisciplinary centre under the Faculty of Law at the University of Oslo. Since 2001 the Centre has been designated as the National Institution for Human Rights in Norway.

*The Norwegian Resource Bank for Democracy and Human Rights – NORDEM* – was established at the Norwegian Centre for Human Rights in 1993 with the support of the Norwegian Ministry of Foreign Affairs. NORDEM aims to accommodate international requests for personnel assistance in subject areas relevant to the promotion of human rights. Requests for personnel to human rights field operations are serviced through the NORDEM Stand-by Force, which is operated jointly with the Norwegian Refugee Council.

The first edition of the Manual on Human Rights Monitoring was developed at the request of the United Nations High Commissioner for Human Rights and published in 1997. The Manual is integral to the generic training provided to members of the NORDEM Stand-by Force in order to prepare them for human rights field operations. This is the third, revised edition (2008). The new edition includes one new chapter (Chapter 10) and three rewritten chapters (Chapters 2, 5 and 11). The remaining chapters are updated according to events and new developments in the field of human rights since the second edition in 2001.