Land acknowledgement and grounding
Who We Are

The John Humphrey Centre for Peace and Human Rights (JHC) works to advance dignity, freedom, justice, and security through collaborative relationships and transformative education on peace and human rights.
Digging into Human Rights

DAY ONE
- HR 101: Human Rights Frameworks, Architecture and Mechanisms
- Anti-Oppression in Advocacy

DAY TWO
- HR 102: Human Rights Mechanisms
- Advocacy Models
- Rights Based Poverty Lens
- Mapping Assets and Resources

DAY THREE
- HR 103: Methods of Human Rights Action and Advocacy
- Networking Lunch
- Self Care in Advocacy
Introductions

• Who are you?
• What brought you to the training?
• What do you hope to get out of this training?
Establishing Expectations

- right time, right place, right people
- be respectful
- all voices and perspectives are given a fair hearing
- it’s OK to disagree
- if you are offended, feel free to bring it forward directly into the circle or speak to one of us team members; things do not change if we do not bring then to light
- share “air time”
- feel free to pass; silence is acceptable
- respect confidentiality; anything shared here should stay here
- practise of circle when working together
- sit with discomfort; strive not to feel the need to respond to others
Human Rights 101
The architecture of human rights

JOHN HUMPHREY CENTRE for PEACE and HUMAN RIGHTS
Training February 2024

Art by Angelica Quesada
THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Laying the groundwork to an international legally binding international bill of rights
CENTRE

the individual
ORGANIC

the strength of our human rights is dependent on our knowledge of them and engagement with systems of feedback
# Levels of Human Rights Mechanisms

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UNITED NATIONS MECHANISMS

A growing architecture

**HUMAN RIGHTS COUNCIL**
An inter-governmental body made up of 47 States responsible for the promotion and protection of human rights.

**TREATY BODIES**
Committees of independent experts that monitor implementation of the core international human rights treaties.

**SPECIAL PROCEDURES**
Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective.

**UNIVERSAL PERIODIC REVIEW**
A unique process which involves a periodic review of the human rights records of all 193 UN Member States.
NGO Engagement

Non-Governmental Organizations can participate in International Treaty and Review mechanisms through:

- National consultations held by the State under Review;
- Send information on the human rights situation in the country;
- Lobby members of the Working Group;
- Take the floor at the Human Rights Council during the adoption of the report;
- Monitor and participate in the implementation by the State under Review of the Universal Periodic Review recommendations.

Art by Allison Ochoa
Taking our Human Rights Temperature

Art by Mickey Pop
Fundamentals of Anti-Oppression

Art by Angelica Quesada
"Our humanity is worth a little discomfort, it's actually worth a lot of discomfort."

-Ijeoma Olou
"Some of these stories might make you feel “a chill down your back, [or make you] randomly start crossing your arms, get tense all over your body, or even just feel an urge to resist? Well good! When your body is cold it shivers, when it’s hungry it growls, when it’s in fear it shakes and when it’s sad it cries. Your body is meant to respond, whether that be physical or emotional, and it’s the same when deconstructing what you’ve been taught. It tells you that something is there and that you must go through it and find ways to process it.”

Kris Archie, Executive Director of The Circle on Philanthropy and Aboriginal Peoples
Challenging Our Story of Canada
Breakout Groups

Guiding Questions:
- One fact that caught your attention?
- Why?
- How does this history manifest itself in our communities today?

Share Back - what is one high level theme or take away from your discussion?
The network of institutional structures, policies, and practices that create advantages and benefits for some, and discrimination, oppression, and disadvantages for others. Institutions are organized bodies such as companies, governmental bodies, prisons, schools, non-governmental organizations, families, and religious institutions etc.

Interpersonal
Interactions between people where people use oppressive behavior, insults or violence.

Internalized
The process by which a member of an oppressed group comes to accept and live out inaccurate myths and stereotypes applied to the group by its oppressors.
“Oppression is the act of one social group using power or privilege for its own benefit while disempowering, marginalizing, silencing and subordinating another group. Oppression occurs both systematically (within societies and institutions) and individually (between 2 interacting people).” (NCRA anti-oppression toolkit)

Oppression is “the process of oppression and keeping a person down. It attempts to stop someone flourishing, refuses to let them get ahead, tries to prevent them from reaching their potential, stifles and keeps them underfoot.” (Dumbrill and Yee)

“Young (inspired by the work of social movements of the 1960s and 1970s) defines oppression as “institutionalized processes, which prevent some people from learning and using satisfying and expansive skills in socially recognized settings, or institutionalized social processes which inhibit people’s ability to play and communicate with others or to express their feelings and perspective on social life in contexts where others can listen” (1990, p. 38). Oppression in this sense is structural: “Its causes are embedded in unquestioned norms, habits, and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules” (p. 41). It is also a condition of social groups, where a structural social group is understood as “a collection of persons who are similarly positioned in interactive and institutional relations that condition their opportunities and life prospects” (Young, 2000, p. 97).
Closing Circle

Art by Renee Vaugeois
Human Rights 102
Mechanisms for Accountability

Training February 2024

Art by Angelica Quesada
How are you coming in today?

Is there anything sitting or resonating with you from yesterday?
HUMAN RIGHTS MECHANISMS

01
United Nations' Human Rights Council

02
Canadian Human Rights Commission

03
Provincial/Territorial Commissions

Art by Adrian Lauden
**MECHANISMS FOR HUMAN RIGHTS ACCOUNTABILITY**

**Complaint Mechanisms**
- Saskatchewan Human Rights Commission
- Ombudsman
- Public Complaints Commission
- Professional Standards - Police
- Civilian Review and Complaints Commission for RCMP
- College of Dental Surgeons of Saskatchewan
- College of Physicians and Surgeons of Saskatchewan
- Law Society of Saskatchewan
- Office of Residential Tenancies
- Financial and Consumer Affairs Authority of Saskatchewan

**Public Advocates**
- Advocate for Children & Youth
- Health Services, Patient or Client Concerns
  - Saskatchewan Health Authority
- Indigenous Resources Officer Program
- Interpersonal Violence and Abuse Programs
- Office of the Information and Privacy Commissioner

**Employment & Work**
- Fair Practices Office (WCB)
- Employment Standards
- Saskatchewan Labour Relations Board (Unions)
- Office of the Workers Advocate
Human Rights Council Complaint Procedure

On 18 June 2007, the Human Rights Council adopted resolution 5/1 entitled "Institution-Building of the United Nations Human Rights Council" by which a new complaint procedure was established to address consistent patterns of gross and reliably attested violations of all human rights and all fundamental freedoms occurring in any part of the world and under any circumstances.

The complaint procedure addresses communications submitted by individuals, groups, or non-governmental organizations that claim to be victims of human rights violations or that have direct, reliable knowledge of such violations.

Like the former 1503 procedure, it is confidential, with a view to enhance cooperation with the State concerned. The new complaint
Federal Jurisdiction

- Crown corporations
- post office
- chartered banks
- airlines
- television and radio stations
- inter-provincial communications and telephone companies
- buses and railways which travel between provinces
- places of business where labour issues are governed by the Canada Labour Code
- other federally regulated industries, such as certain mining operations
- RCMP

Provincial Jurisdiction

- Employment
- Education
- Housing
- A place where you receive goods or services or use facilities (schools, stores, hospitals etc.)
- Contracts
- Professional trade associations
- Purchase of property
- Occupations
- Trade Unions
- Publications

*** Private Relationships DO NOT fall under the protection of these Acts.***
The following are examples of discriminatory practices when they are based on one of the areas of discrimination:

- denying someone goods, services, facilities or accommodation
- refusing to employ or continuing to employ someone or treating them unfairly in the workplace
- paying men and women differently when they are doing work of the same value
- following policies or practices that deprive people of employment opportunities
- communicating hate messages on the telephone or through the Internet
- harassing someone retaliating against a person who has filed a complaint with the Commission or someone who has filed a complaint for them
## Protected Grounds

In Saskatchewan, the Human Rights Code provides protection from discrimination under the following grounds:

- Race or perceived race
- Nationality
- Religion or creed
- Colour
- Sex
- Gender identity
- Disability
- Age (18 or more)
- Ancestry
- Place of origin
- Marital status
- Receipt of public assistance
- Family status
- Sexual orientation
The Challenges of the Process

Imperfect structures and rigidity:
- Timeline limitation
- Length of process
- Unfair treatment is not enough
- Lack of legal representation
  - Burden of proof on the complainant
- Publication of decisions (application can be made to de-identify)
- $20,000 cap on monetary damages awarded - Canadian Human Rights Commission
Why File a Human Rights Complaint?

- Document and monitor human rights violations - if they are not reported, they are not seen
- To influence policy and push for systems change
- To have voice heard by rights violator and seek remedy
- To move away from internal reporting/complaint mechanisms that are biased and based in an interest of protecting the organization
- The power to make decisions in discrimination cases = power within the system
Summary Points

- 12 months from the incident or treatment
- Can file a complaint on behalf of others with consent
- No fee to file
- No lawyer required - if you use, it's your cost
- Can call the Commission and ask for help
- Method to have your voice heard and seek remedy
Ways to File a Complaint

1. Online through the Intake Questionnaire or the Accessible Intake Questionnaire
2. By Mail “In your own words”
3. By Phone Call
Core Elements to Get Across in a Complaint

- When, where and what happened?
- How was your treatment different than others?
- What protected areas/grounds were you discriminated against?
- How did the discrimination impact you (and your family)?
- What do you want to see as a result of your complaint?

Need to be:
- objective and non-emotional
- succinct and to the point
STEPS TO COMPLAINT

1. determine jurisdiction
2. build case
3. review with allies
4. fill out intake questionnaire
5. provide supporting documentation
6. intake consultant drafts complaint
7. review & sign complaint form
8. wait
Reflection on Case Studies

IDENTIFY

1. jurisdiction
2. protected areas
3. protected grounds
Break

Art by Adrian Louden
Steps in the SK Human Rights Complaint Process

**PRE-COMPLAINT RESOLUTION**
- Intake officer has authority to see if a “pre-complaint resolution can occur”
- Opening the door to communication
- Duty of intake consultant to remain neutral
- ie. educate employers
- Describing the process and gravity of human rights violations

**MEDIATION AND SETTLEMENT**
- Can occur at any stage in the process

**DIRECTED MEDIATION**
- Prior to hearing Respondent is asked to provide final offer of resolution
- if it is reasonable in the determination of the commission and it is not accepted, Chief Commissioner will dismiss the complaint
- Where a reasonable offer is not made it will proceed to hearing

**INVESTIGATION**
- impartial investigator talks to witnesses and examines records
- can occur after Mediation or instead of
- Does not always occur

**HEARING OF CASES**
- Court of Kings Bench conducts hearing referred by the Commission
- Commission’s lawyer will present case in the court for the complainant free of charge
- Complainant can hire a lawyer if they choose
- Respondents can self represent or hire a lawyer.
Making the Connection

Art by Adrian Louden
Group Work

Build a profile of an individual in the community who may be having their rights violated in this area.

- give them a name, gender and other identifiers
- what are their needs?
- what are their personal or family circumstances?
- what are the rights that are being violated?
BALANCING ADVOCACY

IMMEDIATE NEEDS

ROOT CAUSES

Art by Jordan Varney
STRIDE  a collaborative model of advocacy

JOHN HUMPHREY CENTRE for PEACE and HUMAN RIGHTS

Coalition for Justice and Human Rights
Elizabeth Fry Society of Edmonton
NCSA Native Counseling Services of Alberta
Voice of Albertans with Disabilities
Self Advocacy Federation
Canada
Advocacy Model

- Five connection points for intake contributing to community based research, action and collaboration.
- Two working collaborative areas including restorative practises (diversion from courts and systems) and systemic advocacy (inform and collaborate with responsible authorities).

On-Call Emergency
- document human rights concerns
- help to file to appropriate responsible authority
- facilitate community collaboration
- inform systemic advocacy

Clinic

Online Video Conferencing

Street Level

Agency Based Advocate

Collaboration

Restorative Practises

Systemic Advocacy
A Model in Stride

The goal of advocates is to document discrimination as protected under human rights legislation and ensure that community members have a space where they feel heard, are believed and are not alone.

What we do:
- listen and document the concern
- help draft and file complaints at appropriate human rights mechanism
- providing support throughout conciliation process
  - attending conciliation meetings

What we do not do:
- provide legal advice or representation
COMMUNITY MEMBER

TRIANGLE OF ACCOUNTABILITY

ADVOCATES

CASE MANAGER
Community Response Advocacy Process

Documenting Human Rights Abuses

1. Individual or Community Reaches out for Support

2. Human Rights Clinic/Intake to document the experiences

3. Translate the Experiences
   - as complaint(s) to the appropriate human rights mechanism
   - to responsible authorities - decision makers, elected officials
Intention of Intake

- Understand what has happened
- How did it impact them
- How were they treated differently
- What they would like to see as an outcome
Observation and Witnessing

Cases where people need observers/witnesses present for critical court cases, human rights mediations, or other appointments to balance power and have presence.

These are Ad Hoc based on needs.

Art by Allison Ochoa
Stride Advocacy Toolkit

Portal has:
- more information on Stride
- training videos on various topics
- information sheets
- complaint forms and links

https://sites.google.com/jhcentre.org/stride/home
Connection Points

- Semi-Monthly Case Meetings
- Thursday Office Hours

Art by Maigan van der Giessen
Our Learnings

- flexibility with intake methods and communications - keeping light, simple and responsive
- active listening - answering questions without asking
- patience and allowing space to process; be trauma informed
- not feeling pressure to hurry; fullness of information
- giving space to breathe - knowing you can go and come back, seeing as a journey
- non-judgement and bias
- accepting people's wishes - not directing
- working in teams for accountability, follow through and different perspective
- connection versus referral
- build an arsenal of agencies
Break Time

Art by Allison Ochoa
Defining Poverty

“The extent to which an individual does without resources”

These resources are:

- financial
- emotional
- mental
- spiritual
- physical
- support systems
- relationships/role models
- knowledge of hidden rules
Spoon Theory
Connection versus Referral
Mapping Resources

Where do we go if someone needs:

- housing support?
- mental health support?
- income support?
- food support?

Art by Adrian Louden
Human Rights 103
Taking Action on Human Rights

John Humphrey Centre for Peace and Human Rights
Training February 2024

Art by Angelica Quesada
PILLARS OF HUMAN RIGHTS

SECURITY
-provision of the necessities of life

JUSTICE
-remedy in the event of violation

PROTECTION
-protection from violation of others

PARTICIPATION
-participation in decision that affect

FREEDOM

DIGNITY
Protection of Human Rights Defenders

organize, assemble, participate, seek information, seek remedy, file complaints, dialogue
BEING A HUMAN RIGHTS DEFENDER

ADVOCATE
Use the systems, even though flawed, both individually and systemically

DOCUMENT AND WITNESS
Shifting power through witnessing; documentation and formal filings; building the stats

FACILITATE AND ORGANIZE
Create spaces for collective dialogue and action; power of working across different communities

EDUCATE
We can’t defend or claim rights if we do not know them

shedding perspective
FOUR KEY HUMAN RIGHTS STRATEGIES

a) targeting efforts toward **the root causes** of human rights violations (while still addressing immediate needs) leads to sustainable change;

b) centering on **those most at risk** of human rights violations ensures that no one is excluded;

c) working with **those who have the responsibility to uphold** human rights builds their investment in the solution and its implementation; and

d) generating **participation from those whose rights are violated** helps ensure that solutions are appropriate and fulfill real needs.
ROOTS CAUSES

- identify the human rights violation
- identify the structural barriers to fulfilling the human right
- identify what other human rights are being affected as a result

Action
- establish long term goals to address root causes
- address immediate needs as rights to be claimed
- collaborate with organizations in other sectors to combat shred human rights problems
THOSE AT MOST RISK

• gather data and information on those most affected and the causes of exclusion

Action
• choose objectives that reflect the needs of marginalized groups
• make sure programs do no harm and do not recreate social and cultural discrimination and stigmatization
THOSE THAT ARE ACCOUNTABLE

- identify who has the responsibility to fulfill the human right
- evaluate the capacity of these authorities to fulfill the human right
- analyze existing accountability mechanisms

Action
- build the capacity of responsible authorities to meet their obligations
- use existing mechanisms to hold authorities accountable
- advocate for laws and policies that respect human rights
- monitor whether laws and policies are effective at protecting rights.
EMPOWER RIGHTS HOLDERS

- identify the rights holders most affected by an issue and analyze their participation
- evaluate the existing participation mechanisms
- recognize barriers to participation

Action
- educate people about their rights and increase their capacity to demand change
- eliminate barriers to participation in existing mechanisms and build new ones
- mobilize rights holders and build coalitions to advocate for human rights
Responsibilities at all Levels

**Community Level**
People closely connected to the rights holder as well as local institutions, individuals and government (e.g. family members, teachers, police, city council, community associations, local businesses)

**National Level**
Institutions, individuals, and organizations with national influence or jurisdiction (e.g. Senate, federal courts, executive agencies, national non-profits)

**Provincial Level**
Institutions, individuals, and organizations at the provincial or territorial level, including those that oversee or coordinate community level groups (e.g. provincial governments, provincial professional associations, unions, nonprofits)

**International Level**
Institutions and organizations that operate internationally but have some influence (e.g. other countries, UN bodies, multinational corporations, international NGOs)
Benefits of a rights based approach

- More complete analysis considering issues of justice, inclusion, fairness and accountability.
- Sustainable change through focusing on root causes and working with both those with power and those affected.
- Greater legal clarity as defined through legally binding international law; legal obligations and non-negotiable benchmarks.
- More authoritative basis for policy as based on consensus that all persons have the right to live lives of dignity.
- Greater accountability - grounded in idea that governments bear an obligation.
- Creates connections - human rights are interconnected; building coalition across interconnection will lead to greater social change.
HUMAN RIGHTS METHODS

Capacity Building and Training
- increase the ability of rights holders to claim their rights and responsible authorities to fulfill their obligations by providing tools, resources and skills.

Education
- promote, raise awareness of and foster support for human rights standards and values through schools, media and public outreach

Monitoring and Documentation
- collect, verify and report information on compliance with human rights standards

Law and Policy Reform
- advocate for changes in government budgets, policies, and laws to increase compliance with human rights standards

Strengthening Governance Structures
- create or improve mechanisms that connect community members, civil society, businesses, and government to improve communication and accountability

Accountability and Enforcement
- use courts or other accountability mechanisms to claim rights and to achieve social justice and equality

Networking and Mobilizing
- organize people to demand changes in policies and resource allocations, and forming alliances with link-minded organizations or individuals

Direct Service
- on the ground "face to face" work with clients providing services that fulfill their immediate needs
Break
Tools for Advocacy

- Tactical Mapping Template
- Letter Template
Connecting to Our Characters

In your teams from last time, work through the Tactical Mapping template and build a strategy for your person.
Human Rights Strategies weaving through the tools

- address root causes - connect to human rights obligations and responsibilities
- protect marginalized
- work with responsible authorities
- empower rights holders
Systemic Advocacy
strategizing and planning
Negotiating boundaries

- what do you do to take care of yourself?
- how do you negotiate challenging cases without taking it on?
Closing Circle

What are you taking away with you?