



DIGNITY AND JUSTICE FOR DETAINEES WEEK

Information Note No. 2

Suggested Activities

As part of the commemoration of the 60th anniversary of the Universal Declaration of Human Rights, **the Office of the High Commissioner for Human Rights has proposed that 6 – 12 October 2008 be designated Dignity and Justice for Detainees Week.**

The following activities in support of the OHCHR initiative can be undertaken by all partners including, but not limited to, National Human Rights Institutions (NHRIs), governments, OHCHR field offices, United Nations actors (especially UN country teams), civil society organizations, non-governmental organizations (NGOs) specializing in issues related to detention, police forces, justice systems and the media.

All are invited to participate in the High Commissioner's initiative in a manner appropriate to their expertise and conditions in the country of operations. The goals of the initiative are to prevent arbitrary and unlawful detention and to improve conditions for those deprived of their liberty.

Visiting prisons and detention centres and handling complaints

- Organizations with a mandate to visit places of detention—including NHRIs—could assess the human rights situation in prisons and detention centres, interview prisoners and detained persons, access detention registry files, and gather information on human rights abuses in the context of detention. (The NHRIs of at least 20 countries have provisions in their enabling legislation that give them access to places of detention.¹)
- Civil society and other partners such as students, religious groups, non-governmental organizations and associations of relatives of detainees could also conduct visits or undertake other activities in places of detention.
- All partners may draw attention to the need for accessible complaints mechanisms for detainees that lead to prompt and impartial investigations.

To assist them in performing this role, NHRIs, NGOs and other advocacy organizations and interested stakeholders may wish to refer to the *Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, adopted by the United Nations General Assembly in December 2000.

¹ Examples of provisions allowing NHRIs access to places of detention can be found in various regions. In sub-Saharan Africa (Ghana, Kenya, Malawi, and Uganda); in the Middle East and North Africa (Jordan and Palestine); in Asia (India, South Korea, Malaysia, Nepal and Sri Lanka); in Central Asia (Kazakhstan and Kyrgyzstan); in Latin America (Bolivia, Costa Rica, Ecuador and Mexico); and in Europe (Armenia, Russia and Ukraine).

Advocacy

General

- Publicize the human rights of detainees and develop concrete projects that have a direct, positive impact on those in detention; advocate for detention to be used only for grave offences.
- Devise ways to guarantee that detainees have access to lawyers at all stages of the criminal justice cycle; for example, by establishing or strengthening legal aid and outreach schemes and working with bar associations and law faculties.
- Highlight the different rights of detainees under international law and lobby for national policies and legislation in support; for instance, on minimum standards for correctional facilities and the intake, incarceration and transfer of inmates; as well as the establishment of codes of conduct for prison staff.

Publicize and encourage implementation of the recommendations of UN Treaty Bodies, as well as of as the Human Rights Council's Special Procedures to monitor thematic areas in human rights

- NHRIs, civil society, the UN and the media could cooperate in this activity, especially on recommendations relevant to detainees.

Call for the ratification and implementation of international human rights norms, principles and standards

- Present concrete proposals aimed at ensuring that minor offences do not come under the ambit of the criminal law system; for instance, by strengthening mediation and direct victim compensation, and promoting local community structures for resolving petty crimes.
- Support the ratification and implementation of UN standards and recommendations, for instance by calling for the ratification of the Optional Protocol on the Convention against Torture (OPCAT), and ensuring that recommendations of UN mechanisms on the rights of persons deprived of their liberty are followed-up at the national level.
- In countries where OPCAT has been ratified, partners could lobby for the establishment of a National Preventive Mechanism (on torture prevention) as required by the convention.
- Promote domestication of international norms into national law, for instance by advocating for a law against torture where one does not exist.

Advocate for marginalized groups

- Pay particular attention to marginalized groups of detainees, including members of ethnic minorities, persons with disabilities and those with HIV and AIDS.
- Look into the special needs and rights of women and child detainees.
- Produce a documentary on the rights of children in detention centres, with the participation of detained children and custodial staff.

Capacity building and training

- Hold roundtables and training sessions to increase the awareness of human rights issues among those responsible for running detention facilities as well as other stakeholders; and call on social services to extend their activities to places of detention.
- Raise awareness among detention facility staff of the importance of proper detention registry files as a means of guaranteeing the legality of detention, safeguarding against corruption, and ultimately preventing disappearances of detainees.²
- Hold public meetings with the services implementing alternatives to pre-trial detention and non-custodial measures of punishment (such as bail, non-cash guarantees, confiscation of travel documents, community service, fines, restitution or compensation to the victim, electronic monitoring, and suspended or deferred sentences); and support these services by advocating for better training, more resources, partnerships with similar organizations in other countries, etc.
- Train staff working with detainees on human rights standards in general, the prohibition of torture and OPCAT.

Raising public awareness

- Conduct competitions soliciting contributions on the rights of detainees, conditions of detention, etc.
- Organize campaigns and events involving former detainees and celebrities who have been detained.
- Organize information campaigns for journalists to raise their awareness of the impact of detention not only on individuals but also on their families and, ultimately, communities.
- Propose talk shows and media programmes on the rights of detainees.

Research

- Conduct research in different thematic areas related to the rights of detainees. This can be done by academic experts, NHRIs and other organizations.

Activities with government and judicial authorities

- Recognizing that protecting the rights of detainees involves a combination of different actors, all concerned organizations could work with government and State agencies (given the fact that they are the primary duty bearers) to draw their attention to human rights problems relating to detention and issues of particular concern in a country. Dialogues, meetings and other activities could be conducted with the Government or by the Government alone. State involvement in other planned activities may also be solicited.

² See the report of the Working Group on Arbitrary Detention, A/HRC/7/4, paragraph 69.

- Invite the judiciary and prosecution services to use non-custodial measures where appropriate; make judges and prosecutors more aware of the impact of detention on individuals and families; organize visits to places of detention for judges and prosecutors to promote greater awareness of conditions therein; and look for ways to institutionalize visits by judges.

Other activities

- Support activities by detainees, such as the producing of radio programmes and newspapers in detention facilities, prison farming, training sessions for detainees on legal issues through schemes involving law students, etc.
- Hold art contests in schools with the theme of the rights of detainees; exhibit winning and other submissions.
- Support educational theatre in places of detention and elsewhere; use plays and skits to raise awareness of the problems faced by detainees.

ABOUT OHCHR

The Office of the United Nations High Commissioner for Human Rights (OHCHR), a part of the United Nations Secretariat, has been given a unique mandate to promote and protect all human rights. Headquartered in Geneva, the Office is also present in some 50 countries. Headed by the High Commissioner for Human Rights, a position established by the General Assembly in 1993 to spearhead the United Nations' human rights efforts, OHCHR takes action based on the unique mandate given it by the international community to guard and advocate for international human rights law. For more information please visit www.ohchr.org

On Human Rights Day 2007, the United Nations and OHCHR launched a year-long UN system-wide advocacy campaign to mark the 60th anniversary of the Universal Declaration of Human Rights (UDHR), under the theme: "**Dignity and justice for all of us**".