Introduction to Human Rights

Glossary:

Acceptance
See “Ratification”

Accession
Accession is the act whereby a State that has not signed a treaty expresses its consent to become a party to that treaty. Accession has the same legal effect as ratification, acceptance or approval. The conditions under which accession may occur and the procedure involved depend on the provisions of the relevant treaty. Accession is generally employed by States wishing to express their consent to be bound by a treaty which has already entered into force. However, many modern multilateral treaties provide for accession even during the period that the treaty is open for signature.

Approval
See “Ratification”

CAT
Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1984).
Source (for all conventions): http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx

CEDAW

Charter, The (UN)
The Charter of the United Nations (1945) establishes the United Nations and its purpose. The charter was signed in 1945 and is essentially the UN organization’s founding document. As a charter it is “hard law” and all members of the UN are bound by its articles. The Charter guides everything the organization does, setting out its aims and objectives, along with the rights and obligations of member states.

Charter-Based Bodies
Charter-based bodies are those established by resolutions of principal organs of the UN. The authority of these organs flows from the UN Charter.

Charter-based bodies hold broad human rights mandates and address an unlimited audience. This is in contrast to treaty-based bodies, who were established by provisions contained in a specific legal instruments and thus hold a narrower mandate (the set of issues codified in the legal instrument). They also address a more limited audience: only those countries that have ratified the legal instrument.

The current charter-based bodies are the Human Rights Council and its subsidiaries, including the Universal Periodic Review Working Group and the Advisory Committee.

CMW

Common Understanding, The (UN)
The UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming, also known as the Stamford Common Understanding.

The Common Understanding was adopted by the United Nations Development Group (UNDG) in 2003. The purpose was to ensure a consistent human rights-based approach (HRBA) to common programming processes. According to the Common Understanding, an HRBA is one in which:

- All programmes of development cooperation should further the realisation of human rights.
- Human rights standards and principles guide all development cooperation and programming in all sectors and in all phases of the programming process.
- Development cooperation contributes to the development of the capacities of ‘duty-bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights.


Convention
International legally binding agreement, which are knowns by different names, including conventions, covenants or treaties.

Conventions are normally open for participation by the international community as a whole, or by a large number of states. Usually the instruments negotiated under the auspices of
an international organization or adopted by organs under an international organization are entitled conventions (e.g. the 1989 Convention on the Rights of the Child, adopted by the General Assembly of the UN).

Source: https://treaties.un.org/pages/Overview.aspx?path=overview/definition/page1_en.xml#conventions

**Covenant**
See “Convention”

**ICPED**

**CRC**

**CRPD**
Convention on Rights of People with Disabilities (CRPD) (2006) and its optional protocol (2006) on individual or group communications

**Declaration**
The term “declaration” is used for various international instruments. Declarations are not always legally binding. The term is often deliberately chosen to indicate that the parties do not intend to create binding obligations but merely want to declare certain aspirations. Declarations can however also be treaties in the generic sense intended to be binding at international law. It is therefore necessary to establish in each individual case whether the parties intended to create binding obligations. Some instruments entitled “declarations” were not originally intended to have binding force, but their provisions may have reflected customary international law or may have gained binding character as customary law at a later stage. Such was the case with the 1948 Universal Declaration of Human Rights.

Source: https://treaties.un.org/pages/Overview.aspx?path=overview/definition/page1_en.xml#declarations

**Discrimination**
Racial discrimination as defined in international law is “any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

Source: Article 1 of The International Convention on the Elimination of All Forms of Racial Discrimination.
Duty bearer
Duty bearers are those actors who have a particular obligation or responsibility to respect promote and realize human rights and to abstain from human rights violations.

The term is most commonly used to refer to State actors, but non-State actors can also be considered duty-bearers. An obvious example is private armed forces or rebels groups, which under international law have a negative obligation to refrain from human rights violations.


Food and Agriculture Organization, The
The food and Agriculture Organization of the UN is devoted to achieving food security for all. Its three main goals are: the eradication of hunger, food insecurity and malnutrition; the elimination of poverty and the driving forward of economic and social progress for all; and, the sustainable management and utilization of natural resources, including land, water, air, climate and genetic resources for the benefit of present and future generations. FAO is also a source of knowledge and information and helps developing countries and countries in transition modernize and improve agriculture, forestry and fisheries practices, ensuring good nutrition and food security.

Gender Mainstreaming
Gender mainstreaming is a globally accepted strategy for promoting gender equality. It involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities – policy development, research, advocacy/dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects.

General Assembly
The General Assembly (GA) is the main deliberative policymaking and representative organ of the UN.

Decision on important questions, such as those on peace and security, admission of new members and budgetary matters, require a two-thirds majority. Decisions on other questions are by simple majority. Each country has one vote.

General Comments
Each of the UN treaty bodies publishes its interpretation of the provisions of its respective human rights treaty in the form of “general comments” or “general recommendations”. These cover a wide range of subjects, from the comprehensive interpretation of substantive provisions, such as the right to life or the right to adequate food, to general guidance on the information that should be submitted in State reports relating to specific articles of the treaties. General comments have also dealt with wider, cross-cutting issues, such as the role of national human rights institutions, the rights of persons with disabilities, violence against women and the rights of minorities.
**Hard law**

Hard law refers to actual binding legal instruments and laws. In contrast with soft law, hard law gives States and international actors actual binding responsibilities as well as rights. The term is common in international law where there are no sovereign governing bodies. In international law, hard law includes self-executing treaties or international agreements, as well as customary laws. These instruments result in legally enforceable commitments for countries (states) and other international subjects.


**Human Rights Council Working Group**

Part of the Universal Periodic Review (UPR) mechanism.

Under this mechanism, the human rights situation of all UN Member States is reviewed by the Working Group every 4.5 years. The Working Group is composed of all UN member-States and chaired by the President of the Council. Other relevant stakeholders, such as NGOs, national institutions and UN agencies, can attend the Working Group but cannot take the floor. The 3.5 hour Working Group review under UPR results in a report with the involvement of the State under Review (SuR) and the assistance of the Secretariat. The report contains the summary of the interactive dialogue, the responses by the SuR to the questions and recommendations and the full list of recommendations made by States.


**Human Rights Council, The**

The Human Rights Council (HRC) is the United Nations body in charge of human rights.

Located in Geneva, it meets three times per year to discuss a vast range of issues and country situations. It is composed of 47 members elected for three years by the General Assembly. It is also responsible for the organization of the Universal Periodic Review.

**ICCPR**


**ICESCR**


**International Labour Organization, The**

The International Labour Organization is a specialized agency of the United Nations devoted to promoting internationally recognized human and labour rights. Its main aims are to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues, through a tri-partite structure. 185 of
the 193 UN member states are members of the ILO.

**National Human Rights Institution**
A National Human Rights Institution (NHRI) is a State body with a constitutional and/or legislative mandate to protect and promote human rights.

NHRI should comply with the Paris Principles and are ranked according to their independence (from ‘A’ to ‘C’). The NHRI with an ‘A’ status enjoy greater access to the UN human rights bodies. NHRI must apply for accreditation to the Global Alliance of National Human Rights Institutions (GANHRI) – formerly, International Coordinating Committee. There are many different types of national human rights institutions, with varying mandates, structures, and political and legal traditions.


**OHCHR**
The Office of the United Nations High Commissioner for Human Rights (OHCHR) is the United Nations agency that works to promote and protect the human rights. They have mandate from the international community to promote and protect all human rights. Since Governments have the primary responsibility to protect human rights, the High Commissioner for Human Rights provides assistance to governments, such as expertise and technical trainings in the areas of administration of justice, legislative reform, and electoral process, to help implement international human rights standards on the ground. They also assist other entities with responsibility to protect human rights to fulfil their obligations and individuals to realize their rights.

Source: [http://www.ohchr.org/EN/AboutUs/Pages/WhatWeDo.aspx](http://www.ohchr.org/EN/AboutUs/Pages/WhatWeDo.aspx)

**Optional Protocol**
Optional Protocols complement and add to existing human right treaties. They may either establish procedures that affect the way a treaty operates and is enforced or include a new substantive area that has not been sufficiently addressed in the original text of the treaty. Most optional protocols establish complaint mechanisms to allow individuals or groups to file formal complaints when States have allegedly violated the human rights recognised in the treaty. Optional protocols are open to signature and ratification by any country that is already bound by the related treaty.


**Ratification**
Ratification, acceptance and approval all refer to the act whereby a State establishes its consent to be bound by a treaty. Ratification, acceptance or approval at the international level indicates to the international community a State’s commitment to undertake the obligations under a treaty. This should not be confused with the act of ratification at the national level, which a State may be required to undertake in accordance with its own con-
Reservations
A reservation is a declaration made by a State by which it purports to exclude or alter the legal effect of certain provisions of the treaty in their application to that state. A reservation enables a state to accept a multilateral treaty as a whole by giving it the possibility not to apply certain provisions with which it does not want to comply. As a rule, States are allowed to make reservations to a treaty, provided that the treaty does not prohibit such reservations, and to the extent that the reservation is not incompatible with the object and purpose of the treaty.

Resolution, UN
A United Nations resolution (UN resolution) is a formal text adopted by a United Nations body. Although any UN body can issue resolutions, in practice most resolutions are issued by the Security Council or the General Assembly. Resolutions are official decisions made by the UN, which its members have voted for and are expected to obey.

Rights holder
Rights-holders are individuals or social groups that have particular entitlements in relation to specific duty-bearers.

In general terms, all human beings are rights-holders under the Universal Declaration of Human Rights. In particular contexts, there are often specific social groups whose human rights are not fully realized, respected or protected. More often than not, these groups tend to include women/girls, ethnic minorities, persons with disabilities, indigenous peoples, migrants and youth, for example.

Shadow report
A shadow report, sometimes called an alternative report, is a document written by NGOs or NHRIs evaluating government efforts to meet the obligations of a human rights treaty. The reporting process for all human rights treaties includes a requirement that the States parties present a report describing their successes in and challenges to meeting their treaty obligations. A treaty monitoring body, elected according to the terms of the particular treaty, reviews the report and conducts a dialogue with the government officials who present it. NGOs and NHRIs have the opportunity to present a written report on implementation of the treaty. The NGO/NHRI shadow report provides a response to the State party report, including clarification of factual issues, indication of misleading information, or information on a situation that is absent from the State party report. Each of the treaty monitoring bodies has established a process for NGOs/NHRIs to present their information orally as well as in writing. Any NGO/NHRI with credible information may present a shadow report.
Signature
Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound. However, it is a means of authentication and expresses the willingness of the signatory state to continue the treaty-making process. The signature qualifies the signatory state to proceed to ratification, acceptance or approval. Signature alone does not impose on the State obligations under the treaty.

Soft law
The term “soft law” refers to quasi-legal instruments which do not have any legally binding force, or whose binding force is somewhat “weaker” than the binding force of traditional law, often contrasted with soft law by being referred to as “hard law”.

Special Procedures
The special procedures of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. The system of Special Procedures is a central element of the United Nations human rights machinery and covers all human rights: civil, cultural, economic, political, and social. As of 1 August 2017, there are 44 thematic and 12 country mandates.

Special Rapporteur
Special Rapporteur (or Independent expert) is the title given to individuals bearing a specific mandate from the UN on a given country or thematic issue. Generally Special Rapporteurs examine, monitor, advise and publicly report on human rights issues falling under their mandate. They publish a yearly report to the Human Rights Council. The activities undertaken by Rapporteurs include, inter alia, responding to individual complaints, conducting studies, raising awareness and providing advice on technical cooperation at the country level. They can also conduct country missions but, first, they have to be invited by the government concerned. Rapporteurs may not hold their positions for longer than six (6) years.

State report
The state report (or national report) is a report prepared by the government of the State under Review about the human rights situation in the country. It should also include information regarding implementation of previous recommendations.

The state report is one of three main documents that are used to conduct the review of the State in the Universal Periodic Review process. The two others include:
- a compilation of ten pages prepared by the Office of the High Commissioner on Human
Sustainable Livelihood Approach
A SL approach is a way of thinking about the objectives, scope and priorities for the development in order to enhance progress in poverty elimination. It is a holistic approach that tries to capture, and provide, a means of understanding the vital causes and dimensions of poverty without collapsing the focus onto just a few factors (economic issues, food security, etc.). It also tries to sketch out the relationships between the different aspects (causes, manifestations) of poverty, allowing for more effective prioritization of action at an operational level.

The SL approach (or approaches – given that there is no set way of doing things) aims to help people achieve lasting livelihood improvements measured using poverty indicators that they, themselves, define. This, in turn helps to combat exclusion. It is people-centered. It recognizes that people have certain rights but also certain responsibilities to each other and to society more generally.

Treaty
An international legally binding agreement.

The 1969 Vienna Convention defines a treaty as “an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation”. The 1986 Vienna Convention extends the definition of treaties to include international agreements involving international organizations as parties.

Also see “Convention”.

Source: https://treaties.un.org/pages/Overview.aspx?path=overview/definition/page1_en.xml#treaties

Treaty Body, UN
The human rights treaty bodies are committees of independent experts that monitor implementation of the core international human rights treaties. There are ten human rights treaty bodies composed of independent experts of recognized competence in human rights, who are nominated and elected for fixed renewable terms of four years by State parties.

Source: http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx
United Nations Educational, Scientific, and Cultural Organization
The United Nations Educational, Scientific, and Cultural Organization (UNESCO) strives to build networks among nations that further strengthen humanity’s moral and intellectual solidarity. UNESCO does this through mobilizing for education, building intercultural understanding, pursuing scientific cooperation, and protecting freedom of expression.

Universal Declaration of Human Rights, The
The Universal Declaration of Human Rights (UDHR) adopted in 1948 is the foundation of international human rights law. The UDHR has inspired a rich body of legally binding international human rights treaties and includes civil and political rights, like the right to life, liberty, free speech and privacy. It also includes economic, social and cultural rights, like the right to social security, health and education. It is generally acknowledged that the UDHR has the status of customary international law and therefore is binding “hard-law”.

Both the United Nations Charter and the UDHR have been the inspiration of subsequent regional human rights regimes and national laws.

UPR
The Universal Periodic Review (UPR) is a mechanism of the Human Rights Council (HRC) aiming at improving the human rights situation on the ground of each of the 193 United Nations Member States. Under this mechanism, the human rights situation of all UN Member States is reviewed every 4.5 years. 42 States are reviewed each year during three Working Group sessions dedicated to 14 States each. These three sessions are usually held in January/February, May/June and October/November.

The result of each review is reflected in an “outcome report” listing the recommendations the State under review (SuR) will have to implement before the next review.

Source: http://www.upr-info.org/en/upr-process/what-is-it

World Bank, The
The World Bank is a United Nations international financial institution that provides loans to developing countries for capital programs. The World Bank is a component of the World Bank Group, and a member of the United Nations Development Group. The World Bank Group has set two goals for the world to achieve by 2030: end extreme poverty and promote shared prosperity. The World Bank is like a cooperative, made up of 188 member countries. These member countries, or shareholders, are represented by a Board of Governors, who are the ultimate policymakers at the World Bank. Generally, the governors are member countries’ ministers of finance or ministers of development. They meet once a year at the Annual Meetings of the Boards of Governors of the World Bank Group and the International Monetary Fund.

Sources:
http://en.wikipedia.org/wiki/World_Bank
http://www.worldbank.org/en/about/leadership