

Reporting and Packaging Human Rights Based Stories

MEDIA GUIDE **For** **Journalists and Civic Activists**

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TABLE OF CONTENTS

	Page
ACRONYMS	2
ACKNOWLEDGEMENTS	3
INTRODUCTION	4
SECTION ONE: HUMAN RIGHTS KNOWLEDGE	7
Section One – Part 1: What Are Human Rights?	9
Section One – Part 2: Human Rights On Paper	14
Section One – Part 3: The Main Human Rights Treaties	19
Section One – Part 4: Human Rights In Uganda	24
Section One – Part 5: A Bill Of Rights For Women	30
SECTION TWO: JOURNALISM UNDERSTANDINGS, SKILLS AND TOOLS	38
Section Two – Part 1:	38
Section Two – Part 2: Human Rights in the Newsroom	44
Section Two – Part 3: Human Rights and Gender-sensitive Reporting	52
Section Two – Part 4: How to Interview: The Nuts and Bolts of Good Journalism	59

ACRONYMS

AU	:	African Union
BBC	:	British Broadcasting Corporation
CAT	:	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CED	:	Committee on Enforced Disappearances
CEDAW)	:	Convention on the Elimination of All Forms of Discrimination against Women
CMW	:	Convention on Migrant Workers
CNN	:	Cable News Network
CRC		Convention on the Rights of the Child
CRC	:	Convention on the Rights of the Child
CRPD	:	Convention on the Rights of Persons with Disabilities
EC HR	:	European Convention on Human Rights
HIV/AIDS	:	Human Immunodeficiency Virus Infection / Acquired Immunodeficiency Syndrome
ICCPR	:	International Covenant on Civil and Political Rights
ICERD	:	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	:	International Covenant on Economic, Social and Cultural Rights
ICPED	:	International Convention for the Protection of All Persons from Enforced Disappearance
IFJ	:	International Federation of Journalists
NGO	:	Non Governmental Organization
OAS	:	Organization of American States
OAU	:	Organization of African Unity
OHCHR	:	Office of the United Nations High Commissioner for Human Rights
UDHR	:	Universal Declaration of Human Rights
UHRC	:	Uganda Human Rights Commission
UMWA	:	Uganda Media Women's Association
UN	:	United Nations
UNESCO	:	United Nations Educational, Scientific and Cultural Organization
UNFPA	:	United Nations Population Fund
US	:	United States
WHO	:	World Health Organization

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Margaret Sentamu-Masagazi
Executive Director – UMWA

INTRODUCTION

This toolkit is both a human rights reference guide and a workbook for journalists and civic activists who want to improve their ability to report on, or package human rights issues in a fair, accurate, and sensitive way.

Uganda Media Women Association (UMWA) believes that a critical first step toward ending human rights abuses is revealing them to the public through a variety of media platforms. However, we also know from experience that for journalists working in countries emerging from conflict or decades of autocratic rule, reporting on human rights can be extremely challenging. They face dangers associated with reporting on sensitive issues while also striving to protect the rights of victims and other vulnerable groups.

Over the past 30 years, UMWA has worked with a variety of media professionals, including media managers, editors and journalists, in both traditional media (print, radio, TV) and online media (Web-based media, social media) spheres. The Association has run a number of training programs in various aspects of the media including reporting on conflict, reproductive health, parliamentary, policy analysis, elections, among others.

This tool kit grew out of the UMWA's need to help provide Ugandan journalists with the skills, knowledge and tools to report responsibly on human rights issues and generate innovative coverage of these topics. It can be used as a training workshop resource or as a daily resource in news or production rooms.

Media workers all over the world continue to be intimidated, harassed, tortured and silenced as a result of reporting on sensitive issues resulting from abuse of human rights by governments. It is therefore not surprising that many journalists avoid covering human rights issues or cover them superficially.

Both professional journalists and citizen reporters and human rights activists who do "advocacy journalism" are in a unique position to shed light on human rights violations. Their reporting can put pressure on governments and international organizations to take action. It can also help inform the public about their rights and how to access remedies for violations of these rights.

Many journalists struggle every day to tell these stories, placing themselves at grave risk and often becoming victims in the process. While developing country governments like Uganda have signed on to various international treaties and UN conventions, very few have set up independent bodies to monitor their adherence and make their findings public. Journalists who work in conflict areas and especially those who report on human rights issues find their access to stories restricted. Many are forced to rely on government public relations officers for information, sources and insight. This makes their human rights stories one-sided and lacking in credibility.

Over the years a number of nongovernmental organizations specializing in monitoring human rights violations have sprung up. Often supported with funding from western democracies, they are better-resourced and staffed than government and media organizations, and many have become savvy producers of content and important players in the information marketplace. In contrast, most Ugandan journalists still lack knowledge and understanding of human rights, and so cannot provide reliable and consistent coverage.

In addition to limited thematic knowledge, another challenge today's media practitioner encounters is a lack of basic journalism skills. UMWA trains journalists on multiple platforms – from the smallest rural community radio stations to large newspapers and public broadcasters.

This media guide will address some of the issues today's human rights journalist encounters such as: How do we provide consistent coverage on human rights issues? How do we use the Internet as a resource for information? How do we make use of user-generated-content? And how do we evaluate the quality, validity and integrity of that content? In this new media environment, UMWA is increasingly working with both professional journalists and social media activists to help them learn skills necessary to produce better stories that are fair, balanced, accurate and independent – especially in places where media outlets need a lot of help.

Much of the information contained here is not new. It draws on a variety of research, training and experience – especially that of the United Nations and the International Centre for War and Peace Reporting. In order to tackle human rights issues, a basic knowledge of human rights is necessary. We have therefore included an overview of key human rights principles, treaties and monitoring bodies.

The toolkit is laid out as a workbook. During training sessions, trainees will build lists of contacts, find new resources, develop story ideas and draft outlines. Space to write these down for future reference is included.

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SECTION ONE: HUMAN RIGHTS KNOWLEDGE

The world of human rights is complex and busy. There are thousands of organizations that promote human rights and guard against abuses. There are hundreds of charters, treaties and laws. They refer to each other, asserting their "interrelatedness" and "interconnectedness."

There are universal rights, particular rights, positive rights, negative rights, first, second and third generation rights, all to ensure that we live full and free lives. Yet there is widespread ignorance about human rights. Many people do not know what they are, how they came about, why they are there, or how to access them. There is also controversy.

People with different cultures, traditions and religions interpret human rights differently. Human rights can be used to divide or to heal communities. The main international body is the United Nations (UN). For those who know how to use it, the UN is a rich source of information, learning and contacts. In Section 1 we explore the world of human rights and the UN.

Section 1 — Key Terms

- **Article** — a clause, or section, or part of a treaty.
- **Bill of rights** — a formal declaration of rights and freedoms.
- **Charter** — a document that forms an organization and defines its guiding practices and principles.
- **Covenant, Convention, Treaty** — words used to refer to formal agreements between states (countries) that are legally binding. "Treaty" will generally be used in this toolkit to refer to such documents.
- **Gender** — socially constructed differences between men and women.
- **Human rights defender** — a term used to describe people who, individually or with others, take action to promote or protect human rights.
- **Impunity** - exemption from punishment. In international human rights law, impunity means the failure to punish perpetrators of human rights abuses and violation. Impunity is a denial of the victim's right to justice.
- **International human rights law** — the international body of law that is designed to protect and promote human rights.
- **International law** — laws that govern and regulate relationships between states.

- **Multilateral** — between three or more parties. A multilateral treaty is therefore an agreement between three or more states.
- **Norm** — something that is usual, typical, or standard.
- **Nullify** — to nullify a signature is to revoke it, or to “unsign.”
- **Optional protocol** — an addition to a treaty, covenant or convention which a state has the option of signing.
- **Ratify, accept, approve or accede** — these all mean more or less the same thing. A state that ratifies, accepts, approves or accedes to a treaty, covenant or convention agrees to it and becomes a States Party.
- **Rights-based approach** — a way of working that ensures that the given approach is based on human rights and promotes human rights.
- **Sovereignty** — a sovereign state is an independent state with an effective government within a defined territory or geographic area.
- **States party** — once a state signs a treaty, that state agrees to, or is party to, the treaty and is called a States Party.
- **Statute** — a law.
- **Treaty** — another word, more commonly used, for convention or covenant, meaning a formal agreement between states.
- **Treaty-based** — an institution or mechanism established on the basis of an agreement signed by two or more states.
- **UN System** — all the international organizations, treaties and conventions that were created by the UN, and which the UN manages and enforces.
- **Universal** — belonging to, or affecting, all people.

SECTION ONE – PART 1

What are Human Rights?

"Rights inherent to all human beings"

"Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible."

Definition of the Office of the United Nations High Commissioner for Human Rights (OHCHR)

Human rights are a set of norms, or standards of behavior, that are intended to protect us so that we are able to live full lives, free from fear and abuse. They are rights that belong to all people, just by virtue of being human.

Although the term "human rights" first became widely used in the 17th century in Europe, the rights themselves have their roots in ancient times. Most societies created traditions and responsibilities to protect individuals and build healthy communities by, for example, outlawing crimes like murder, rape and theft. We learn about these from oral and written histories.

Definitions of Human Rights

The UN definition:

"Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible."

Source: OHCHR website: www.ohchr.org/EN/Issues/Pages/WhatareHuman-Rights.aspx

This is how the Office of the UN High Commissioner for Human Rights (OHCHR) defines human rights. The OHCHR is the agency mandated by the UN to promote and protect human rights. The OHCHR also monitors human rights violations and has powers to recommend enforcement of human rights in countries that are members of the UN.

Amnesty International describes human rights as, "basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, or other status.

Human rights include civil and political rights, such as the right to life, liberty and freedom of expression; and social, cultural and economic rights including the right to participate in culture, the right to food, and the right to work and receive an education. Human rights are protected and upheld by international and national laws and treaties."

Source: Amnesty International website: www.amnestyusa.org/research/human-rights-basics

Amnesty International is one of the leading civil society organizations that promotes human rights and fights human rights abuses.

There are many different ways of defining and describing human rights. Each definition will reflect particular intentions and interests. But most will include, or imply, these four elements:

- **Human rights are universal.** We have human rights simply because we are human.
- **Protection, especially from abuse by those in power.** Human rights ensure that people can live in freedom and security.
- **Equality.** Everyone has them equally. You do not have more human rights than I do. I do not have more than you.
- **Human rights are international** and set standards for the behavior of states, groups and individuals.

Three generations of rights

The UDHR creates three generations (categories) of human rights. These are first, second and third generation rights. The generations are grouped in relation to the three slogans of the French Revolution (1789-1799), which led to the creation of a republic in France — liberté, égalité, fraternité (liberty, equality, fraternity).

First generation rights concern liberty and participation in political life. They are fundamentally civil and political in nature. They limit the power of the state over citizens and aim to prevent abuse by those in power. They are set out in Articles 2-21 of the UDHR. First generation rights include:

- Freedom from all forms of discrimination; for example, on the basis of gender and race.
- The right to life, liberty and security.
- Freedom from slavery and forced labor.
- Freedom from torture, cruel, inhuman or degrading treatment and punishment.
- Freedom from arrest without cause or judicial process, detention or exile.
- The right to a fair and public trial.
- The right to privacy.
- Freedom of movement and residence.
- The right to seek asylum from prosecution.
- Freedom of conscience, religion and thought.
- Freedom of opinion and expression.
- Freedom of peaceful assembly and association.
- The right to take part in government and to vote.
- The right to own property and not to be deprived of it arbitrarily.

Second generation rights concern social, economic and cultural equality. They include the equal rights of everyone to education, healthcare, and housing, and to take part in cultural activities. Governments are expected to take affirmative action to achieve these rights. However, not all governments can afford universal education and healthcare, or to house all citizens, so they are incremental. This means that governments must demonstrate that they are taking positive steps to achieve them and enter into agreements with other governments and international organizations that can help them through aid. Second generation rights are set out in Articles 22-27 of the UDHR and include:

- The right to social security.
- The right to work and to protection against unemployment.
- The right to rest and leisure, including public holidays with pay.
- The right to an adequate standard of living.
- The right to education.
- The right to take part in cultural and scientific activities and to protection of one's scientific and artistic creations.

Third generation rights concern fraternity, meaning brotherhood or solidarity, and are sometimes called “solidarity” rights. They include the right of everyone to a sustainable, clean and healthy environment, to social development and to other collective or group, rather than individual, rights. They are set out in Articles 28 and 29 of the UDHR.

Positive Rights, Negative Rights

Human rights theory distinguishes between negative and positive rights.

A negative right is your right not to be interfered with. For example, the government may not take away your right to freedom of expression, to marry the person of your choice or to have a family. First generation rights are negative rights in that they protect individuals from state interference with their liberties.

A positive right is your right to receive goods or services; for example, welfare support, healthcare or a place to live. Second and third generation rights are positive rights.

Check Your Understanding

Are the following statements about human rights true, false or a matter of opinion?

1. Children have the same rights as adults.
2. The right to health is more important than the right to education.
3. Countries that have joined the UN should help promote human rights for all people.
4. The Queen of England has more human rights than the President of the US.
5. Human rights are bestowed on citizens when they reach the age of 18.
6. If you kill my child, I have the right to kill yours.
7. Human rights law only applies to governments.
8. First generation rights are more important than second generation rights.
9. The UDHR is legally binding in international law.
10. December 10 is International Human Rights Day.

Learn more about human rights by exploring the OHCHR website at www.ohchr.org.

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SECTION ONE – PART 2

Human Rights on Paper

This part includes information about how treaties are written, and the rights and duties of states and individuals in relation to treaties.

Conventions, Covenants and Treaties

Human rights norms are set out in international conventions, covenants or treaties. These are the formal agreements between states that set standards for the behavior of states (countries represented by governments) and individuals. The organization responsible for adopting most international human rights treaties is the UN General Assembly. Once a treaty has been drafted, states have the option of agreeing to it. States are not obliged to sign any treaty, but when a state does sign the treaty, it is legally binding on that state.

Most human rights treaties use these key terms to describe human rights:

Inherent — human rights are natural or inborn to all human beings.

Universal — everyone has the same rights.

Inalienable — they cannot be taken away from us, except, in some circumstances, through fair legal processes. For example, the right to freedom may be restricted if a person is found guilty of a crime by a court of law, but imprisonment without trial is a violation of a person's right to freedom.

Indivisible — one cannot separate one right from another, or prioritize one right over another. For example, the right to a fair trial and the right to education are equal human rights. The right to a fair trial is not more important than the right to education.

Interrelated — all rights relate to each other; there are groups (or families) of rights; many treaties have the same rights and common characteristics and principles.

Interdependent — all rights depend on each other. For example, the right to vote depends on the right to freedom of movement; the right to life depends on the right to health care; the right to freedom of expression depends on the right of access to information.

International Treaties, Regional Treaties

Conventions and treaties can be global; for example, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is an international treaty. Or they can be regional; for example, the African Charter on Human and Peoples' Rights (also known as the Banjul Charter) is a treaty that promotes and protects human rights and freedoms on the African continent.

Rights, duties and responsibilities for individuals and states

Human rights entail duties and obligations for both states and individuals.

States (governments) must not interfere with human rights, either of their own citizens or the citizens of other states. They must protect citizens against human rights abuses by other states, or by any other person or people.

Very importantly, human rights treaties say that states are obliged to take positive steps to ensure that all citizens enjoy human rights. This means that, if necessary, they must change their national legal systems to comply with international human rights standards.

Individuals — either on their own or in organizations or groups have obligations to respect the human rights of others, and must not interfere with or violate the rights of others.

Human Rights in International Law

International human rights law is the body of law that protects and promotes human rights. It sets out the obligations of states in regard to human rights. By signing a treaty, the state agrees to be bound by the treaty; that is, the state is legally obliged to respect, protect and fulfill the human rights set forth in the treaty. All countries in the world, except the Vatican, are member of the United Nations and all have signed or ratified at least one of the main human rights treaties. Eighty percent of states have signed or ratified four or more of the main treaties.

Human Rights in National Law

Once a state has signed an international treaty, the government is obliged to take steps to ensure that the national legal system complies with the standards set out in the treaty. For example, a state that has signed CEDAW must ensure that none of its national laws discriminates against women. The state must also take positive steps to promote gender equality.

Many states have included international human rights standards in their national constitutions and laws, or have changed their constitutions and laws so that they are more compliant with international human rights standards.

States do not have to sign a treaty to comply with international human rights standards. Some states include international human rights standards in their national constitutions and laws even though they have not signed a particular human rights treaty.

Human Rights and Power

Human rights define relationships between individuals and power structures, especially the state. Human rights set limits on state power; for example, freedom of expression rights set limits on a state's power to restrict media.

How to read a treaty

Most human rights covenants, conventions or treaties are laid out in the same way. They usually have:

A preamble that explains why the treaty was created and describes its main intentions and points.

A set of articles, which is the list of the rights agreed to in the treaty. Articles are mostly divided into three groups: (i) the list of rights; (ii) a description of how they will be implemented and monitored, and (iii) an explanation of how the treaty will be signed and can be amended.

Signatories — each treaty is adopted by the governing body, and then opened for signature. Once enough states have signed, the treaty enters into force.

Signing up: becoming a state party States can sign, ratify or accede to treaties. States that have signed, ratified or acceded to a treaty are referred to as **“states parties,”** meaning they are “party” to the treaty. In other words, they have agreed to be legally bound by its articles.

How states agree

The most usual way for states to become party to a treaty is by signing it. Most human rights treaties are multilateral treaties (agreements between three or more states) and are open for signature indefinitely. However, some are only open for signature until a certain date. Once the deadline has passed, signature is not possible, and a state may only become a party to it through accession or ratification.

Simple signature: Multilateral treaties usually provide for simple signature; that is, signature that is subject to ratification, acceptance or approval. Simple signature means that the state intends to agree to be bound by the treaty at a later date.

The aim of simple signature is to give the state time to seek approval at the national level, through parliamentary processes or a referendum of citizens, and to pass any laws needed to ensure it is in compliance with the treaty. In the period between signature and ratification, states must not act in ways that violate the treaty.

Ratification, acceptance, approval or accession

These terms all mean more or less the same thing. They are processes of confirmation and final agreement. The processes follow “simple signature.” Once a state has ratified, accepted or approved the treaty, or informed the UN Secretary-General that it is acceding to the treaty, the treaty is legally binding on that state.

Optional protocols

These are additional legal articles that add to and are relevant to the original treaty. Optional protocols usually address something that is missing in the treaty, or a new concern. They are “optional” because they are *not automatically binding* on states

that have already ratified the original treaty. Once an optional protocol has been adopted, states may independently agree whether or not to sign.

Usually, only states that have already agreed to be bound by an original treaty are likely to ratify its optional protocols. However, there are exceptions. The Optional Protocols to the Convention on the Rights of the Child (CRC) allow non-states parties to ratify or accede to them. For example, the US has not ratified the CRC but has ratified both of the optional protocols.

Enforcement

Treaties or their subsequent protocols generally establish bodies and procedures to monitor the implementation of and compliance with the treaties and receive and investigate complaints regarding violations. These treaty-based committees are subsidiary organs of the UN General Assembly. Although international bodies often lack the ability to enforce their decisions and recommendations, states will often comply either out of a sense of obligation, as a result of diplomatic efforts, or because of the threat of shame or embarrassment if they do not.

In other cases, complaints may be lodged with a regional or international tribunal, which have jurisdiction over States Parties.

The first recourse for addressing human rights issues is the state's national legal system, and complaining parties are generally required to exhaust national remedies before turning to international bodies for help. However, in many cases the national response is inadequate and redress impossible. In such cases international human rights bodies offer an important avenue to pursue remedies for human rights violations.

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SECTION ONE – PART 3

The Main Human Rights Treaties

This part introduces several of the documents that provide the basis for human rights standards worldwide.

The Universal Declaration of Human Rights (UDHR)

The Universal Declaration of Human Rights (UDHR) was the first universal and fundamental statement of human rights. It forms the basis of over 60 international treaties and is the global standard for human rights. But it is not a treaty; it is a statement of principles and therefore is not legally binding.

The International Bill of Rights

After the adoption of the UDHR in 1948, the Commission on Human Rights turned its attention to drafting agreements on specific political and civil rights, and social and economic rights. They drafted two treaties:

- The International Covenant on Civil and Political Rights (ICCPR), and the
- The International Covenant on Economic, Social and Cultural Rights (ICESCR).

In an era where colonialism, although in decline, was still practiced and where racism and ethnic discrimination were common, the two treaties were politically controversial. It took almost 20 years for UN member states to reach agreement on these rights.

The treaties were finally approved in 1966, 18 years after the adoption of the UDHR. It took another 10 years before these two treaties were signed by enough states to ratify them, and they finally came into force in 1976.

The Universal Declaration of Human Rights, with the two conventions— the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights — form the International Bill of Rights.

The International Covenant on Civil and Political Rights

The ICCPR commits states to respect the civil and political rights of all people, including the right to self-determination, to life, freedom of speech, freedom of religion, freedom of assembly, electoral rights and rights to a fair trial. As a covenant (treaty), the ICCPR is legally binding in international law. These are mainly first generation rights. The treaty is monitored by the Human Rights Committee.

The International Covenant on Economic, Social and Cultural Rights

The ICSECR commits states to work toward achieving economic, social and cultural rights for individuals. These rights include labor rights and the right to health care, the right to education, and the right to an adequate standard of living.

These are mainly second generation rights. The treaty is monitored by the Committee on Economic, Social and Cultural Rights.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

The CAT and its Optional Protocol outlaw torture and cruelty throughout the world. As a convention, the CAT is legally binding in international law. The treaty is monitored by the Committee Against Torture.

Convention on the Rights of Persons with Disabilities (CRPD)

The CRPD protects the rights and dignity of people living with disabilities. It is legally binding and commits states to ensure that people with disabilities have full human rights and equality under the law. The treaty is monitored by the Committee on the Rights of Persons with Disabilities.

Convention on the Rights of the Child (CRC)

The CRC is the most widely signed treaty in the world. It is supported by all member states of the UN General Assembly, except the US and Somalia. The CRC draws on other treaties and brings together children's rights expressed in the other treaties. It guides the way in which all people and states should view children. The principles in the CRC apply to children and adults. Children are defined as young people up to the age of 18, and the CRC pays special attention to children belonging to minority ethnic groups. The CRC recognizes the family as the primary site of care and responsibility for children. It says states, and those who care for children, must always act in the child's best interests. As a convention, the CRC is legally binding in international law. The treaty is monitored by the Committee on the Rights of the Child.

International Convention on the Elimination of All Forms of Racial Discrimination

The ICERD defines and condemns racial discrimination. It calls for states to act to ensure the advancement of specific racial or ethnic groups. It outlaws dissemination of ideas based on racial superiority or inspiring racial hatred, and makes them punishable by law. As a convention, it is legally binding in international law. The treaty is monitored by the Committee on the Elimination of Racial Discrimination (CERD).

Convention on the Elimination of All Forms of Discrimination against Women

The CEDAW promotes women's equality and sets out steps that states must take to ensure women's equality in private and public life. As a convention, CEDAW is legally binding in international law. The treaty is monitored by the Committee on the Elimination of All Forms of Discrimination Against Women.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

This convention is also referred to as the International Migration Convention or the Convention on Migrant Workers (CMW). It protects migrant workers; promotes respect for migrants' human rights; aims to guarantee that migrants receive equal treatment to citizens under the labor laws of the state where they are working. As a convention, it is legally binding in international law. The treaty is monitored by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

International Convention for the Protection of All Persons from Enforced Disappearance

The ICPED provides a legally binding instrument to protect individuals against enforced disappearance. It defines enforced disappearance and requires criminalization of the act and prevention and protection of victims. It entered into force on December 10, 2010. The treaty is monitored by the Committee on Enforced Disappearances (CED).

Non-UN Treaties

There are also several international human rights treaties which did not originate with the UN. The most important are:

The Rome Statute

The Rome Statute defines the four most serious crimes against humanity and sets up the International Criminal Court (ICC) to try people who are accused of these crimes. The Rome Statute is binding in international law.

The Geneva Conventions

The Geneva Conventions set standards in international law for humanitarian treatment of civilians during war and conflict. They also recognize the human rights of journalists during war and conflict. The Geneva Conventions and their additional protocols are binding in international law.

Regional Human Rights Systems

The Organization of African Unity, the Council of Europe and the Organization of American States have all adopted treaties to further human rights in their regions. Countries that have signed these regional treaties are all bound by them. There is currently no regional human rights convention in Asia. The three main regional human rights treaties are:

The American Convention on Human Rights

The Organization of American States (OAS) adopted the American Convention on Human Rights in 1969. It entered into force on July 18, 1978.

The system includes the Inter-American Commission of Human Rights and the Inter-American Court of Human Rights.

The Commission is a permanent body which meets several times a year and monitors observance of the rights contained in the American Convention on Human Rights.

The Court's job is to interpret the Convention and to adjudicate on cases where violations are claimed. Individuals may not petition the Court directly, as with the European Court, but must first take their cases to the Commission, which decides whether their cases should be heard by the Court.

The US is a signatory of the Convention, but is not a party to the Court. Most Latin American countries are party to the Court. The Court has succeeded in ordering Latin American governments to pay compensation to families that have lost members

through human rights violations. It has also persuaded governments to release the victims of unjust trials and prison sentences.

The OAS has also adopted several other treaties related to human rights, including torture, economic, social and cultural rights, the death penalty, violence against women, forced disappearances, disabilities and a declaration on principles concerning freedom of expression.

The European Convention on Human Rights (EC HR)

In 1953, the Council of Europe adopted the European Convention on Human Rights and Fundamental Freedoms. The European Convention on Human Rights provides for the European Court of Human Rights. The Court is in Strasbourg and adjudicates individual cases and issues between states.

All 47 member states of the Council of Europe have signed the Convention and are under the jurisdiction of the European Court of Human Rights. Individuals who believe their rights are being violated, and who have failed to solve the problem through national courts, may submit their cases to the European Court of Human Rights. If they succeed through the European Court of Human Rights, the national rulings are usually set aside and the European Court's ruling has the force of law.

For example, the UK government was ordered to pay damages to former army officers who had been discharged for being homosexual. Article 8 of the European Convention on Human Rights allows all citizens the right to a free and private life. The British Armed Forces may no longer fire anyone for being homosexual.

In another example, the European Court upheld the French government's ban on Muslim girls' wearing the hijab (headscarf) in schools. The Court's unanimous ruling was that there had been no violation of Article 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights, because the ban was intended to uphold the principle of secularism in schools (that schools should not be affiliated to any particular religion) and was not a specific attack on the Muslim religion.

The Council of Europe has also adopted other human rights treaties involving economic, social and cultural rights, torture, national minorities, violence against women, trafficking in human beings and racism and intolerance.

The African Charter on Human and Peoples' Rights

The Charter was adopted by the Organization of African Unity (OAU), now the African Union — AU) in 1981 and entered into force on October 21, 1986. October 21 was declared "African Human Rights Day" to celebrate the occasion. The Charter has 53 signatories.

The Charter lists rights and duties covering all walks of life, from family security to African unity. It stresses that civil and political rights cannot be separated from economic, social and cultural rights.

Many clauses refer to national law, and are subsidiary to national law. The Charter has been criticized for this, because in many countries oppressive laws that limit human rights still exist.

The OAU also established the African Commission on Human and People's Rights. The Commission's function is to promote the rights outlined in the Charter, ensure their protection and to interpret the Charter.

There previously was no court to hear cases of either states or individuals, and the Commission was criticized for being toothless. The African Court on Human and Peoples' Rights began operations in 2006 and has recently begun to hear cases regarding violations of the African Charter on Human and Peoples' Rights.

The AU has also adopted conventions on the rights of children and the rights of women.

SECTION ONE – PART 4

Human Rights in Uganda

Chapter four of the Ugandan Constitution provides for the protection and promotion of fundamental and human rights and freedoms. It is arguably the part of the Constitution that has had the greatest impact on life in this country, as it enshrines the rights of all people in our country and affirms the democratic values of human dignity. It goes without saying that the rights and freedoms stipulated under Chapter four of the Constitution are binding on the government and all organs of the state. It is also imperative to note that private individuals and bodies (such as clubs, companies and private schools) are also obliged to observe such rights since it is widely recognized that some private bodies, such as large companies, can have great power.

Categories of Human rights

First, Second and Third generation rights

Human rights fall into two broad classes – first and second generation:

1. First generation rights are Civil and Political rights, which include the basic rights to life, freedom from torture, cruel, inhuman and degrading treatment or punishment, freedom from slavery and forced labour, fair hearing, dignity, equality and privacy. They also include the fundamental freedoms associated with democracy: freedom of expression, association, assembly, opinion, belief and religion, and movement.
2. Second-generation rights are those connected to the social and economic features of life (Economic and Social Rights). They include rights such as access to food, water, housing, healthcare, work, adequate standard of living, education, and social security. Special rights of Children, Women, Minorities and Persons with disabilities also fall in this category.
3. Third-generation rights are a relatively new field in human rights (Collective or group rights). They basically concern the environment, peace, security and development, as well as culture and language.

RIGHTS AND OBLIGATIONS

Human rights entail both rights and obligations. States assume obligations and duties under international law to respect, to protect and to fulfill human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfill means that States must take positive action to facilitate the enjoyment of basic human rights. At the individual level, while we are entitled our human rights, we should also respect the human rights of others.

Absolute rights

Under the Ugandan Constitution, four rights are absolute/non-derogable. This means that there can be no justification for any person restrict, limit, or takeaway these rights, for whatever reason. These rights are;

- Freedom from torture, cruel, inhuman and degrading treatment or punishment;
- Freedom from slavery or servitude;
- Right to a fair hearing;
- Right to an order of habeas corpus.

The Uganda Human Rights Commission (UHRC) is the lead government custodian of monitoring human rights in Uganda. The Commission was established under the 1995 Constitution of the Republic of Uganda as a permanent body to monitor the human rights situation in the country. This was in recognition of Uganda's violent and turbulent history that had been characterized by arbitrary arrests, detention without trial, torture and brutal repression with impunity on the part of security organs during the pre and post independence era.

Commission's Functions

Article 52 (1) of the Uganda Constitution lays down the following functions of the Commission:

- To investigate, at its own initiative or on a complaint made by any person or group of persons against the violation of any human right;
- To visit jails, prisons, and places of detention or related facilities with a view of assessing and inspecting conditions of the inmates and make recommendations;
- To establish a continuing programme of research, education and information to enhance respect of human rights;
- To recommend to Parliament effective measures to promote human rights including provision of compensation to victims of violations of human rights, or their families;
- To create and sustain within society the awareness of the provisions of the Constitution as the fundamental law of the people of Uganda;
- To educate and encourage the public to defend this Constitution at all times against all forms of abuse and violation;
- To formulate, implement, and oversee programs intended to inculcate in the citizens of Uganda awareness of their civic responsibilities and an appreciation of their rights and obligations as free people;
- To monitor the Government's compliance with international treaty and convention obligations on human rights; and
- To perform such other functions as may be provided by law.

Article 52 (2) also requires the Commission to publish periodic reports and submit annual reports to Parliament on the state of human rights and freedoms in the country.

Articles 52(3) and **48(1)** also provide for other functions, powers and guidelines of the Commission.

Powers of the Commission

The powers of the UHRC are provided under article 53 (1) of the Constitution. The UHRC has the power of a court to: summon or order any person to attend before it and produce any document or record relevant to any investigation by the Commission; question any person in respect of any subject matter under its investigation; direct any person to disclose any information within his or her knowledge relevant to any investigation by the Commission, and commit persons for contempt of its orders

Order of Remedies

The Commission if satisfied that there has been a violation of human rights or freedom, may order: the release of a detained or restricted person, payment of compensation, or any other legal remedy or redress. However any person or authority dissatisfied with an order made by the Commission has the right to appeal to the High Court.

What the Commission is barred from:

The Commission is barred from investigating any matter, which is pending before a court or judicial tribunal, or a matter involving the relations or dealings between the Government of Uganda and the Government of any foreign State or international organization, or a matter relating to the exercise of the prerogative of mercy. In view of the above functions and empowers, the UHRC has put in place various departments and committees to carry out its work

UHRC Mandate

The Uganda Human Rights Commission (UHRC) was established under the 1995 Constitution of the Republic of Uganda to promote and protect human rights and freedoms in the country in recognition of Uganda's violent and turbulent history that had been characterized by arbitrary arrests, detention without trial, torture and brutal repression with impunity on the part of security organs during the pre and post independence era.

The Uganda Human Rights Commission was established under the provisions of Article 51(1) of the 1995 Constitution of the Republic of Uganda and its functions and powers were operationalized under the Uganda Human Rights Act of 1997.

Use this space!

List the main treaties your country has signed.

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Which of the main treaties has your country **not** signed? Do you know why not?

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This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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What rights are being violated within your community? Name the rights. What can you do about this in your professional role as a journalist?

The right	The violation	What to do — story ideas!

SECTION ONE – PART 5

A Bill of Rights for Women

Women are especially vulnerable to human rights abuses because of their lesser position in many societies, so their rights are protected under a special convention known as CEDAW.

Gender is not just about women, but women are a special focus of human rights work. Due to their position of lesser power in most societies, women are especially vulnerable to human rights abuses. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is a treaty that emphasizes women's rights.

It was created because in most parts of the world, women and girls are still seen as socially inferior and are assigned to inferior roles in public life, in the family and at work. Women's access to money, property, healthcare, education and knowledge is not equal to that of men; similarly, girls often do not have the same access to school or freedom as boys.

The results of discrimination: how women's rights are violated

The rights to life, healthcare and security of person

Every minute, a woman dies in pregnancy or childbirth and another 20-30 women suffer serious injury or disability. Complications during pregnancy or childbirth are the leading cause of death for girls aged 15-19 in developing countries. Almost all of these deaths resulted from preventable or treatable complications.

—UNFPA Factsheet: Motherhood and Human Rights.

The right to education

64% of all illiterate adults (as measured from 1995-2004) were women. Globally, there were 89 women who could read and write for every 100 literate men.

—UNESCO Institute for Statistics, Factsheet, March 2008, No. 1

The right to own property

Existing statutory and customary laws limit women's access to land and other types of property in most countries in Africa and about half the countries in Asia.

—UN Statistics Division, *The World's Women 2010: Trends and Statistics*

The right to live free from cruel, inhumane and degrading treatment Violence against women is a universal phenomenon.

—UN Statistics Division, *The World's Women 2010: Trends and Statistics*

The right to health

Women constitute the majority of HIV-positive adults in sub-Saharan Africa, North Africa and the Middle East.

—UN Statistics Division, *The World's Women 2010: Trends and Statistics*

The right to equality with men

Only 13 of the 500 largest corporations in the world have a female Chief Executive Officer.

—UN Statistics Division, *The World's Women 2010: Trends and Statistics*

"All members of the human family"

When the UN was formed in 1945, the idea of equal rights for men and women was quite new in the international community. Only 30 of the 51 original member states of the UN allowed women to vote, and many countries believed that the issue of equality between men and women was a sovereign issue — that is, an issue for each sovereign government to decide, as part of the national laws of that country.

The UDHR was the first internationally agreed document to clearly express the principle of equal rights between men and women.

In the Preamble:

The UDHR stresses that recognition of the rights of "all members of the human family" is the foundation of a free, just and peaceful world.

"...the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women..."

Article 1 of the UDHR says:

All human beings are born free and equal in dignity and rights.

Article 2 of the UDHR says:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 16 declares that women and men are equal partners in marriage:

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Marriage shall be entered into only with the free and full consent of the intending spouses.

Although it is not a treaty, and therefore not binding in international law, the UDHR was groundbreaking for women, and since 1945 the rights and status of women have changed in country after country.

A Bill of Rights for Women

Human rights for women did not stop with the UDHR. Since 1945 women in the UN and in civil society organizations across the world, sometimes supported by men, have continued to fight for real equality.

These struggles led to the development of a UN convention specifically focused on gender. This was the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which was adopted by the UN in 1979.

CEDAW is often described as an international “**Bill of Rights** for women.” It is comprehensive and addresses women's rights to equality in political, civil, cultural, economic and social life.

Article 1 of CEDAW defines discrimination against women as any form of discrimination which hinders women's equal rights and freedom:

“For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field...” —CEDAW Article 1

Gender and sex

In the 1960s and 1970s, research and intensive debate and discussion by women academics, activists, professionals and workers in the women's movement led to new ways of understanding the relationship between men and women. It also led to the development of new approaches to eradicating inequality between men and women.

A new theory differentiated between gender and sex.

Gender is defined as the way in which we give people different roles, characteristics and status in society, based on their biological sex.

Sex is the physical biological difference between men and women. Sex is the basis for gender discrimination. In other words, discrimination arises through the idea that a person's physical biology (male or female sex) should determine their role in society.

Therefore, to say that a **woman** may not study to be a doctor represents discrimination on the basis of women's biological difference from men (sex). Similarly, the idea that mothers are better parents than fathers and therefore should shoulder the responsibility of childcare is discrimination based on sex.

By creating unequal roles and allocating resources unequally on the basis of biological difference, we create unequal societies.

Gender is a Social Construction

Defined in this way, gender is something we have ourselves created. It is seen as a social issue, and referred to as a social construction.

Because we have created gender constructions, we can change them. These understandings led to new approaches to addressing the problems of inequality between men and women.

Gender constructions are different in different cultures and religions. For example, in some cultures and religions, women are expected to be virgins when they marry. In others, this is not expected. In some cultures, women may inherit property. In others, they may not.

Gender is constructed differently in different classes and at different times. For example, 100 years ago, there were many working class women employed in textile and garment factories, laundries, as domestic workers and as farm laborers in the US, but it was rare to find any female professionals. Today there are many women working in professional spheres — lawyers, doctors, journalists, architects, etc.

CEDAW embraces these new concepts and understandings.

- **The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**
- **CEDAW recognizes the importance of ending discrimination based on sex** for women to achieve real equality.
- **It highlights culture and tradition as problems**, because cultural practices and traditions all over the world define gender roles in ways that reinforce inequality; enshrine practices that restrict women's lives, and are harmful to women.
- **CEDAW proposes an agenda for national action to end discrimination.** Countries that have ratified or acceded to CEDAW are legally bound to put its provisions into practice.

By signing CEDAW, countries commit themselves to take positive steps — including policy and legal steps — to end discrimination and promote women's equality in political, civil, economic, cultural, and social life, as well as marriage and family relations. Every four years CEDAW states parties must submit national reports on steps they have taken to comply with CEDAW.

CEDAW affirms the reproductive rights of women. These rights recognize the basic rights of all couples and individuals to decide the number, spacing and timing of their children, to have the right information about sex and other means of conception, and the right to high quality sexual and reproductive health services. They also include the right to make decisions about reproduction free of discrimination, coercion and violence. The UN's World Health Organization (WHO) defines and discusses sexual and reproductive health rights. Read more at www.who.int/topics/reproductive_health/en/

The Committee on the Elimination of Discrimination against Women, which is made up of 23 experts on women's issues from different UN member states, oversees the implementation of CEDAW. The Committee meets twice a year to review reports on compliance with the Convention's provisions. States Parties to the convention are required to submit reports to the Committee every four years.

The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which entered into force in December of 2000, grants the Committee the authority to consider complaints from individuals. The Committee may also initiate inquiries into situations of grave or systemic violations of women's rights and formulate general recommendations and suggestions.

The UN's approach to gender equality

The UN's approach is also based on the understanding of gender as a social construction.

For example, the World Health Organization (WHO) says:

“Gender refers to the socially constructed roles, behaviour, activities and attributes that a particular society considers appropriate for men and women.

The distinct roles and behaviour may give rise to gender inequalities, i.e. differences between men and women that systematically favour one group. In turn, such inequalities can lead to inequities between men and women in both health status and access to health care.”

Gender equality means equality between men and women. **Gender perspective** means taking into account the ways in which actions or situations affect men and women differently.

Since 1997, the UN has been working to mainstream gender into all of its work; this means ensuring that gender perspectives and the goal of gender equality are incorporated into all aspects of the organization's work.

Use this space!

Has your country signed up?

By August 2009, 185 countries had ratified CEDAW. Of these, 65 have entered “reservations” that exempt them from certain legal obligations. Examples of reservations include:

- Domestic and family relations within marriage (Egypt)
- Divorce (Syria)
- Equality of opportunities for women in public office (Israel)
- Elimination of traditional forms of discriminatory practices (Niger and Singapore)

The USA is the largest country and only industrialized democracy that has not ratified CEDAW.

Has your country signed CEDAW? If your country has registered reservations, what are they?

International human rights standards have led to many other changes and today the national constitutions of many countries grant women equal rights with men — to education, health care, property ownership, choice of religion and freedom from abuse.

But discrimination today remains widespread. What has your country done to comply with its international obligations under CEDAW? List some of the constitutional guarantees of women's rights and some of the laws that represent positive steps towards women's equality.

Background research exercise: Why has the USA not ratified CEDAW?

Source of the information:

How credible is your source?

Check your understanding:

Gender and sex: what's the difference?

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SECTION TWO: JOURNALISM UNDERSTANDINGS, SKILLS AND TOOLS

This section addresses the nuts and bolts of good human rights reporting and provides guidelines and tips to help journalists.

Section Two – Part 1

Human rights cover everything, from the right to life and the right to live in freedom and security to the right to own property, travel and vote. They belong to everyone, from the tiniest infant to the oldest grandmother; to people of all classes, races, ethnic groups, sexual orientations and migrants. They include sickness, health and all forms of disability, education, entertainment, culture, crime and punishment.

Journalists also cover everything — politics, business, war, peace, the environment, health. It is inevitable that journalists will come across human rights issues. For a variety of reasons, there is more and more coverage of human rights in the media. The climate for doing quality human rights reporting is good, but there are also many threats. Take a look at the list below — do these statements apply to your situation?

Working for and against good human rights journalism

For:

Human rights issues are more newsworthy than in the past.

- State control over media has decreased over the past two decades.
- There are more organizations that promote human rights and that feed the media with information.
- There are more human rights “watchdogs” that investigate human rights abuses and publish information.
- The UN’s monitoring system is more visible.
- More issues are framed as human rights issues; for example, children’s issues, HIV/AIDS, sexual and reproductive health, aging, poverty, housing.
- More governments have integrated human rights into policies and laws.
- Political parties take more account of human rights; human rights are discussed during elections.
- Technology like the Internet and mobile phones, as well as social networking platforms like Twitter and Facebook, mean there are more ways of receiving information, more sources and more alerts.
- Technology and social networks are creating new ways of reporting human rights violations.
- Some international media networks, like the BBC and CNN, now employ people living in developing countries as journalists and stringers. This creates opportunities for finding international audiences for local stories.

Against:

Human rights often work against powerful political and economic interests, and the threat of repercussions can be great.

- Many journalists have cultural beliefs and practices that do not fit well with human rights ideals.
- In times of crisis, governments may introduce laws that violate human rights.
- Victims of human rights violations are often afraid of talking to the media.
- In developing countries, there is limited technological infrastructure, e.g. mobile phone and Internet connections. This works against journalists in a high-speed news environment.
- It is not always easy to fit breaking news into a human rights format.
- In most developing countries, journalists are under-resourced, lacking even the most basic tools — computers, cameras, transmission equipment — and finances, like money for transport and accommodation.
- Many journalists are freelancers or stringers. They struggle to “sell” human rights stories that are not headline news but which are ongoing problems — like poor health services, lack of water, inadequate education — to editors concerned with budgets.
- In some places, media are still controlled by the state. States still have the power to shut down the Internet or to censor Internet content.

Media's relationship to human rights issues

- Media are producers of information for the general public. Reporters collect and present most of the information we receive about human rights.
- Media also carry stories that include information generated by human rights organizations.
- Media decide what to cover and what issues or aspects of a story to highlight. By making these decisions, media have power over what we know and do not know about human rights.
- Media also comment on issues in opinion pieces, talk shows, panel discussions, editorials and columns. Media therefore have the power to shape public morals and public opinions about human rights.

What role should journalists play in relation to human rights?

What are journalists' responsibilities in relation to human rights?

Do journalists have a special responsibility to report on human rights?

It is worth thinking about these questions, because how you answer them will shape your approach to human rights reporting. There are several valid answers, reflecting different viewpoints about journalism.

Here are some points of view to consider. See if you can select one or more answers that describe how you feel about your role:

- Media are a mirror. The role of journalists is to reflect back to society what they see. That will include human rights issues.

- Journalists have a moral obligation to promote human rights all the time and in every story because media are “watchdogs” whose role is to bark loudly to warn people about threats to their freedom, to their security, to their livelihoods and to their culture.
- Journalists have a special, personal interest in human rights.
- Good journalism dies where human rights are weak. Journalists and their families — like everyone else — also need to live free from fear of oppression and exploitation, with rights to their own religious beliefs; access to buildings if they are disabled; equality if they are women. Therefore they have a responsibility to expose abuses and to raise awareness about human rights.
- Human rights are the basis of all good journalism. You cannot be a good journalist unless you incorporate human rights
- The role of a journalist is to report news and issues and therefore do not have a duty to pay special attention to human rights. Human rights are not more special than any other topic.
- Human rights may be newsworthy from time to time, but the real value in knowing about human rights is that human rights help you look at the world in a different way. So you start to see new stories in old issues. Human rights provide another “hook” or angle for your story.
- Human rights are a moral compass for good journalism. Knowing and understanding human rights will make you a better and more professional journalist.

How do you see yourself?

Some journalists see themselves as campaigners — actively, consciously and deliberately exposing injustices, righting wrongs, raising awareness, influencing events. They are journalists because they want to change the world.

Other journalists are closer to the “media as a mirror” position. They may also strongly believe in changing the world, but see this as an inevitable outcome of good journalism. They avoid campaigning journalism, or deliberately trying to influence events. Your selection may also be decided by where you work:

- A community radio or TV station with a community development mission, for example, may want you to do campaigning journalism about people's rights to housing or about poverty. A bridge over a local road could be framed as a “right to life” or “right to safety” issue.
- A public radio or TV station is more likely to want you to be more detached in your approach and report what others say, being sure to be fair to all sides of the story.
- If you are blogging, what you write will depend on your own personal values and beliefs, and on the aims of your blog.
- A commercial television or radio station might want to avoid controversy and will thus avoid campaigns that might anger advertisers.

Criticisms of human rights coverage in the media

Many observers note that although there is more human rights coverage in the media now than in the past, it is not all good. Some common criticisms are:

- Media confuse issues because journalists have an inadequate understanding of human rights: what they are, how they are created, governments' responsibilities and how they are promoted and enforced.
- By not taking account of human rights, journalists miss stories or ways of reporting issues. This affects the quality of journalism and the public's right to information.
- When journalists cover human rights issues, they do not present them as human rights issues, but as national or local crime or politics. They ignore the existence of international human rights standards for domestic violence, racial discrimination, treatment of migrants, child abuse, education, health, cultural freedoms and many other issues. This weakens media's "watchdog" role, because the media do not hold their governments and other powerful institutions to account on these issues.
- Journalists present information without context or analysis. As a result, human rights violations seem to be isolated instances or new events even when they are only the latest in a history of similar violations.
- Media themselves sometimes perpetrate human rights abuses by invading privacy, perpetuating bias and stereotypes, not calling governments to account, or deepening conflict.

Use this space!

What kind of journalist are you? How will your understanding of the role of journalists in society affect your human rights reporting?

Think about your work and your media environment. What is good about human rights reporting in your environment? What is bad about it?

What's good?	How can you make it even better?
What is not good?	How can you overcome the challenges and improve

In your context, what prevents you from doing good human rights reporting?

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SECTION TWO – PART 2

Human Rights in the Newsroom

Every decision a journalist makes has the power to do good or harm, so it's important to understand the ethical rules that should govern the choices you make in the newsroom.

The power of media

Before it goes out, every idea and story has been the subject of questioning, thought and decision-making by many people. Reporters, news editors, sub-editors, editors, producers and even media owners are involved in deciding what is finally printed or broadcast. This decision-making process can be understood as a type of “mediation.” There may be fewer decision-makers when it comes to online media, because individuals can post news directly, without consultation.

Online journalism posted by individuals is therefore sometimes referred to as “unmediated.” But even individuals publishing online make their own choices and decisions.

Journalists make decisions all the time. Sometimes they operate in a supportive environment and are guided by others — news editors, editors, other journalists. Sometimes they operate in more oppressive environments and are told what stories to cover or ignore; what angles to take; who may be interviewed. But even in oppressive newsroom environments, journalists make decisions — the decision to agree rather than opt out, for example.

When making decisions, journalists balance many issues: the standards, ethics and values of journalism; their own country's media laws; the rules and regulations operating in their newsrooms; deadlines and time; the format of stories; length and language. They also consider personal issues: the need to earn a living; the safety of their families; personal time; their own culture and values; personal ethics; what is possible to achieve in a day.

All of these issues have a bearing on the quality of a journalist's work. Every decision a journalist makes has the power to do good or harm. That is the power of the media. Most of the time, media do no harm. But unfortunately, media have also both abused their power and, through poor practice, caused unintended harm.

Values of good journalism

The values of journalism guide journalists in exercising their power, and protect the public. They are intended to guarantee good journalism.

According to the International Federation of Journalists (IFJ), there are about 400 written codes for journalists, which vary in quality and comprehensiveness. Some news organizations have their own lists of values and codes of practice. In other newsrooms,

they are not written down, but learned in practice through working with more experienced colleagues.

VALUES OF JOURNALISM:

The Big Five

- Truth
- Accuracy
- Independence
- Fairness
- A commitment to minimize harm

They vary from country to country to accommodate different situations and sensitivities. But there are certain elements that are universal and recognized by all journalists. These are journalism's Big Five: truth, accuracy, independence, fairness and a commitment to minimize harm.

Other important values say that good journalism should:

- Expose crime and corruption
- Make governments work better
- Promote open debate
- Explain the impact of events
- Be inclusive
- Respect privacy
- Promote the values of freedom of expression and information

See page [xxxxx](#) for an international code of conduct for journalists and an example of a newspaper's code of ethics.

How do you apply these values to reporting human rights issues?

You apply these values in all your work, whether you are reporting on human rights or not.

"Reporting on human rights requires the same adherence to high standards as reporting on any other subject. But because of the great sensitivity, journalists need to be especially careful and sensitive to the possible dangers and pitfalls." — *"Reporting for Change, A handbook for local journalists in crisis areas."* (Institute of War and Peace Reporting, London, 2004)

News Values

When making decisions, journalists also consider "news values." News values are qualities that make information newsworthy. News values have been developed over many years, through practice and experience, and are not rigidly defined. They are what the media have come to believe will attract interest and audiences.

Like the values of good journalism, they vary in different media, but there is a generally agreed list:

To be newsworthy, the story must have some or all of the following values:

Impact — the story must be relevant to people's lives. For example, stories about price rises, political developments and climate change all have direct impact on people's lives.

Public interest — do people have a right to know the information? Do people need to know? Will telling the story prevent harm or save lives? Will it inform the decisions they make?

Timeliness — the story includes information that people need to know in order to organize their lives in the present.

Proximity — close to home. A crime in your own city is more important to your community than a crime that is far away.

Currency — what's in the public focus at the time, e.g. controversial issues, cultural trends, topics of debate set in motion by recent events.

Development Goals — is approaching. Race and racism were “hot” topics when Barack Obama, America's first black president, was elected in 2008.

Novelty — events that are unexpected or surprising. The “man bites dog” story.

What are news values when it comes to human rights stories?

The same news values apply to human rights stories.

Awareness of human rights has benefits for journalists. Human rights can help you recognize a good story. Linking events to human rights standards can make the story more newsworthy.

For example, there may be several instances of child abuse in your community, but your editors might not regard them newsworthy. Try another angle – has your country signed the Convention on the Rights of the Child (CRC)? What positive steps is your government taking to eradicate child abuse? Why does child abuse persist? The story becomes more newsworthy when you bring in these angles.

At the same time, it is an opportunity to raise awareness about the CRC and about what constitutes child abuse. You can also link your story to the human rights calendar. For example, stories about domestic abuse might not be considered newsworthy most of the time. But domestic abuse is a rights violation and you might be able get it into the news on March 8, which is International Women's Day. Or you could try November

25, which is the International Day for the Elimination of Violence against Women. Take a look at the calendar of UN international human rights days in Appendix xxxx, page xxxx for dates. Mark them in your diary and list some ideas for story.

How do you recognize a good story?

To recognize a good story, you need good “news sense.”

“News sense is recognizing the potential news value in facts that might by themselves seem unimportant, and selecting the parts that will interest people. It is finding ways to bring the audience into the story. It is making connections between facts and events and predicting the ways an audience will react.”

—“*Understanding Journalism*,” Lynette Sheridan Burns [Sage, London, 2010, p. 53].

We are bombarded by events and information all the time, but we are limited by deadlines and space. Having news sense means you can make quick decisions about what stories to follow and what facts to include. Most journalists develop news sense over time. Here is a set of questions to help you develop good news sense and to choose your stories:

- Would people be interested to know about this?
- Who are the stakeholders — that is, who are the people who would be most affected by the story? Who else would be affected?
- What is the news value — is it unexpected, timely, current, “close to home”...?
- Is it in the public interest?
- How will it affect people's lives?
- What is my own relationship to the issue? To what extent am I driven by my own interests? What values / beliefs / connections do I have that may be influencing me?

Use this space!

What personal values influence your work as a journalist?

Ethical dilemmas and rights issues

Here is a true story involving a political/sex scandal in Finland. Take a look at the events below. What do you think?

Politician's love affair leads to blows

Late one night, a politician came home with his girlfriend. To their shock, they found his wife at home! The wife and the girlfriend got into an argument, and this ended up in a physical fight between all three people. The police were called and the politician and his girlfriend were arrested. The next day, stories about the incident, including the names of everyone involved, were published. The media also commented on the consequences of the incident for the politician's career.

What do you think? Were the media right to cover the story?

What are the human rights and ethical issues involved?

More hot news: the girlfriend's scandalous past

A few weeks later, although there had been no further developments, the media again carried stories about the incident. This time, they gave further details about the fight and further information about the politician's troubled life and relationships.

They also published further information about the girlfriend, including where she lived, her age, the name of her workplace, her family and other relationships and her picture. They also carried more details about her relationship with the politician.

Were the journalists right to revisit the story? What are the ethical and human rights issues involved?

Journalists found guilty of invasion of privacy!

The politician and his girlfriend reacted by asking the police to conduct a criminal investigation into the journalists' methods and how they had covered the story.

This resulted in a criminal case, which the journalists lost.

The courts ordered the journalists and the media companies to pay large fines and damages for the invasion of the girlfriend's private life. They argued that because the girlfriend was not a public figure:

- The fact that she happened to be the girlfriend of a well-known person in society was not enough to justify revealing her identity to the public.
- The fact that her identity had been revealed in the media before, during the first court case, did not justify these new invasions of her private life, the courts said.
- Dissemination of information about a person's private life was enough to cause them damage or suffering.
- Therefore, the absence of intention to hurt the girlfriend was irrelevant.

The courts concluded that the journalists and the media had had no right to reveal facts relating to the girlfriend's private life or to publish her picture as they did.

What do you think about the judgment? Were the courts right?

The Journalists object!

The journalists, editors-in-chief and media companies complained under Article 10 (freedom of expression) of the European Convention on Human Rights about their convictions and the high amounts they had to pay in damages to the girlfriend. The European Court found that:

- The laws of the country were clearly stated.
- It was clear that the journalists had transgressed national laws and were therefore guilty.
- They were journalists of that country and so should have been aware of laws and regulations of that country.
- If they were not clear about the meaning of the law, in particular, the meaning of "private life," they should have sought advice.
- However, there had been no evidence of factual misrepresentation or bad faith on the part of the journalists.
- Nor had there been any suggestion that they had used illegal methods to obtain information about the girlfriend.
- While it had been clear that the girlfriend was not a public figure, she was involved in an incident together with a well-known public figure with whom she had been in a close relationship. Therefore, the girlfriend could have reasonably been seen as having entered the public domain.
- The disclosure of the girlfriend's identity was of clear public interest in view of the politician's conduct and his ability to continue in his post as a high-level public servant.

The court therefore found that the national courts had violated the Article 10 rights of the journalists. The court ruled that the national government had to pay the journalists damages, as well as the costs of the court case.

What do you think? Was the European Court of Human Rights, a regional human rights body, right to overturn the decision of the national courts and fine the government?

Does your country have laws or regulations to protect the privacy of individuals? What do they say?

Notes

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SECTION TWO – PART 3

Human Rights and Gender-sensitive Reporting

We discussed decision-making within the media and how this gives media — and journalists — power. Media do not just provide information and reports on news events and current issues, but through decision-making play a crucial role in influencing how people think and what we consider normal and acceptable.

The kinds of decisions that have an impact include selection of types of news stories, choice of words and language, choice of people to interview, pictures to illustrate stories and story placement in newspapers and radio and television news and feature programs. These decisions all send messages to audiences.

The UN's Decade of Women (1975-1985) and later, the 1995 Beijing Platform for Action² recognized the power of media in relation to gender. The tens of thousands of women who attended the World Conference on Women in Beijing in 1995 drew attention to the role of media in deepening women's oppression and gender inequality. They also argued that the media had the potential to positively address the issues of gender inequality.

A special concern raised at the Beijing Conference was the fact that there is gender inequality in media organizations.

- Women seldom rise to decision-making positions;
- In most places women journalists are in the minority;
- Women journalists are most frequently assigned to cover “soft” news, or news that does not deal with “serious” topics (with the exception of sport!) while men cover “hard” news, the major events of the day, like politics, conflict, finance and crime.
- Sexual harassment of women in the newsroom is also widespread

Tackling the problems

Male bias

Most stories in the media are about men and quote men. There are thousands of untold stories about women everywhere. The best way of finding these stories is to talk to women and to ensure that women's voices are also heard in the news. Media that carry women's voices and perspectives are more balanced and richer.

Another way of countering male bias is to look for the women's perspective in stories, i.e. to mainstream gender perspective.

Lack of knowledge of issues

Journalists, both men and women, often lack knowledge of the issues affecting women, or of how issues affect women in different ways. This can be remedied by education on gender issues and mainstreaming the gender perspective.

The invisible woman

The media ignore certain categories of women, creating the impression that they are unimportant or worthless. Examples include elderly women, working-class women, women from certain minority ethnic groups and poor women.

Gender stereotypes

One of the most frequent criticisms of media coverage is that it portrays women in terms of gender stereotypes. Stereotypes are simplistic generalizations attributed to groups of people without regard for accuracy or truth. For example

- Men are logical, women are emotional
- White people are arrogant
- Working class people are stupid
- People living with HIV/AIDS are promiscuous

When media reproduce these stereotypes they are shaping public opinion in ways that reinforce them and deepen inequality, stigma and prejudice.

Stereotypes prevent us from seeing people as they really are. Gender stereotypes prevent us from seeing women as they really are.

By challenging gender stereotypes, media are fulfilling their obligations under international human rights law. Media that challenge gender stereotypes are also in a stronger position to challenge governments to fulfill their obligations with respect to gender.

Sex objects

Many studies have shown that the media most frequently represent women as sex objects for men to look at and fantasize about. In news, features, entertainment and advertising, images focus on women's bodies, their clothing and their looks. The impression is that women have nothing else to offer society and that women must live up to unrealistic and undesirable standards.

Gender stereotypes

Common stereotypes of women are that they are mothers, homemakers, weak, subservient, victims and intellectually inferior to men. The stereotype of a young girl is that she is pure and a virgin. If a woman behaves in a way that does not fit the stereotype, she is represented as extreme. For example, a woman doctor, or a woman who leads an organization that looks after street children is likely to be portrayed as an "angel" or a "saint" rather than as a professional person. A woman who challenges a man is represented as unnatural. An unmarried woman who is sexually active is portrayed as a sinner.

Double standards

In the media, a teenage boy who has sexual relations is represented as a man. A teenage girl who has sexual relations is represented as promiscuous. A man who

abandons his children is simply bad or irresponsible; a woman who abandons her children is portrayed as unnatural.

Covering Sensitive Issues

As mentioned, women suffer grave human rights violations that sometimes include sensitive topics such as domestic violence, rape and other sexual abuse. Media coverage is often not sensitive to these experiences or may portray women as being responsible for the crimes.

[illegible]

Use this space!

Challenging stereotypes

Stereotypes are learned. They are around us everywhere — in songs, proverbs, the media, religion, culture and tradition. They are potentially very harmful. We have discussed the need for self-awareness to avoid bias and doing harm. In order to challenge gender stereotypes journalists must first confront their own stereotypes.

You will only recognize stereotypes in society if you are aware of and understand your own stereotypes.

Confront your own stereotypes

What are some of the commonly held views about male and female differences in your culture that you hold to be true?

Men Are	Women Are

Discriminatory descriptions and words

The ways in which women are described are often discriminatory. For example, women are referred to as "girls." When this happens, women are perceived as inexperienced and powerless. Stories about war and conflict tend to focus on women refugees or victims of violence. Women do suffer gross rights violations in wars, and this fact is recognized in international treaties like the Geneva Conventions and the Rome Statute. Yet many women also fight in armies. In humanitarian crises, women are presented as "suffering victims." Women do suffer, but many also perform heroic acts, rescuing the elderly and children. In humanitarian situations, women's experience and creativity can strengthen survival strategies. Women also play important roles in peace building and post-conflict decision-making processes. Portraying them merely as victims minimizes their roles in society.

Here are some examples from headlines. Identify the problems and make notes:

Headline	What problems are there with the language?
Blonde beauty wins song contest!	
Mother of three elopes with lover	
Woman driver crashes into fence	
Teenage virgin found strangled on path	
Top job goes to former model	

Examine your own reporting

What percentage of “experts” you have interviewed are women?

SECTION TWO – PART 4: HOW TO INTERVIEW

The Nuts and Bolts of Good Journalism

The way you conduct your interviews will depend on your aims and what you want to find out.

Interviews are the main sources of information for journalists, for many reasons.

- Direct quotes in an article, or real voices and faces on air, give the story credibility. They are evidence of attribution: the information is not just coming from you, the journalist.
- Interviews are more lively, interesting and up-to-date than documents, and potentially more honest than press releases and other public relations material.
- Journalists work under pressure. You may get a long report about an important issue from government or a research institute, but you are not likely to have the time to read every word and understand it thoroughly. So it is easier and quicker to call someone who has deeper knowledge.
- As a journalist, you are not an expert, so you must rely on others who are experts.

The way you conduct an interview will depend on your aims and what you want to find out. You may have one or more aims, and your approach will vary according to your aims:

If you want information —

You are most likely to ask straightforward, 'who', 'what', 'when', 'where', 'why' questions, for example, "Who was involved?"; "How did it happen?"; "How many people were present?"; "What time did it start?" and so on.

If you are investigating, probing or challenging —

The information you want is much deeper, and interviews of this kind can become quite hostile. For example, if you are calling government to account, you might interview an official and follow up information with more probing questions:

- "Why was this allowed to happen?"
- "Who was responsible for the safety regulations?"
- "Is it police policy to extract information through beating suspects?"
- You might ask for comment: "In your opinion, should prisoners be kept 15 to a cell?"

If you want background and contextual information —

You are likely to ask questions like, "Would this normally happen?"; "Has this happened in the past?"; "What are policies are there on this?"

You might want analysis or interpretation —

Your questions will be more about meaning:

- "What does this tax increase mean for the rights of older people to security of income?"
- "How will the new law change girls' rights to go to school?"
- "How will the new border policy affect migrants coming to work in our country?"

Or a personal interview —

You will include questions about the person's history, character, opinions and experience. You could also include emotional questions, like, "How did you feel when it happened?"

With emotional interviews, avoid obvious questions like, "How did you feel about the death of your daughter?" And avoid being patronizing — don't say things like, "I know just how you feel...." — because you almost certainly don't!

The 5 Ws + H

"Who, what, when, where, why and how" are the basis for almost all interviews and stories, no matter what the situation or topic. They can be used to construct stories involving human rights and to incorporate human rights into stories.

Good human rights stories will always identify **whose** rights are being upheld, violated or threatened and **what** the rights are. They will link the events to the human rights and identify the interests of all parties.

Vox pops

These are short interviews, mostly used by radio and TV (but newspapers can do them, too) to get many voices talking about a single issue.

Vox pops are usually conducted in public places, with the journalist approaching people randomly while keeping diversity (race, gender, age) in mind. Each person is usually asked the same question(s).

For example, if a new law about the cost of primary health care is passed, you might go to the local park and ask different people how the new law will affect their lives.

Sources of Information

The two main groups of sources are primary sources and secondary sources.

Primary Sources	Secondary Sources
Eyewitnesses	Archives
Perpetrators, survivors and victims	Internet
Official sources / Spokespeople	Books
Experts	Newspapers and other media
Activists and NGOs	Official records, reports and documents
	Press releases

Primary sources in human rights reporting

For journalists working on human rights issues, there are many different kinds of people you will interview. The same basic principles apply for human rights reporting as for any kind of reporting.

- Background research into the topic and the interviewee is essential. Never approach an interview when you haven't done background research.
- Think about your aims and prepare your questions in advance.
- Take care to phrase your questions in ways that are polite. Avoid using language that may be offensive to the interviewee.
- Think about how to dress for the interview and your manner. Some interviewees respond better to a more formal approach; others are happier in a more relaxed environment.
- After the interview, assess your source and the information.

Who	The people in the story	Whose rights are being affected? By whom?
What	The events or actions that prompted the story	What happened/is happening? What is the situation? What human rights are involved? What is the human rights context? What treaties / laws are involved?
When	The time period	When did the event / events happen? If the rights issues (abuses, threats, challenges, struggles) are ongoing, when did they start and how long have they been going on for?
Where	The physical location	In what space/s, place/s or geographical location/s?
Why	Comment on the reasons	Why are the rights being affected? What are the interests of the different parties?
How	Further information about "what?"	In what ways are the rights being affected? Through what strategies / actions? What will happen next? If there is conflict, what are the options for the different parties

Special sources need special approaches

Official sources

Official sources represent institutions and speak on their behalf. They may hold high positions in the institutions, which gives them a combination of knowledge (or the appearance of it) and power. As a result, people tend to believe official sources and journalists are sometimes fearful of challenging them.

Activists and NGOs

There are thousands of NGOs and activists working in the human rights arena. They are a rich source of information, but they have their own agendas and biases. Often, the challenge for journalists is not finding information, but assessing it for accuracy.

Anonymous sources

Human rights stories are controversial. There may be risks of retaliation after a story has been published, and often interviewees will ask to remain anonymous. Many of the same principles apply to all kinds of sources — named or anonymous, in any kind of journalism.

Trauma survivors

Often, journalists covering human rights issues will need to interview people who have survived the trauma of crimes like indiscriminate violence, rape or torture. Handling people who have suffered trauma takes special care and sensitivity. There are many kinds of trauma. Trauma affects survivors in many ways and there are several organizations that help trauma survivors. They provide useful insights for journalists.

Perpetrators of human rights violations

Interviewing people who are charged with committing (or are accused of committing) human rights violations can be difficult for journalists. But it is still important and necessary to do in order to present more than one side of the story.

Many human rights violations are criminal acts and should never be excused. But interviewing perpetrators may help to present a more complex picture of a situation. The interview may help us understand what drives people to violate the rights of others. If you only interview victims, or people who have suffered human rights violations, you will present a simplistic, one-sided — albeit very important — picture.

Because of the risk of prosecution, people accused of perpetrating violations may wish to remain anonymous. As a journalist, you must decide whether to respect their wishes and, in making the decision, you will need to weigh many factors.

One of the main risks of using anonymous sources is that you could be summonsed to appear in court and ordered to disclose the name of your source. If this happens, you will have to decide what to do. If you refuse to name a perpetrator, or an alleged perpetrator, your case will be weaker because the justice system may take the position that “there is no confidence in iniquity” — that is, people accused of wrongdoing should not be protected, and information about crimes should be disclosed.

Guidelines for interviewing perpetrators of human rights violations

- Thorough preparation helps build your confidence and stay on topic throughout the interview.
- Prepare for the interview by researching the interviewee and the circumstances of the crimes s/he is accused of committing.

- Take necessary safety precautions so you can interview your source without having to worry about your and his/her safety
- Be open and honest about the fact that you are a journalist; say which newspaper, TV station or radio you are reporting for.
- Offer the option to remain anonymous; perpetrators who tell the truth may risk revenge or retribution.
- Try to interview the alleged perpetrator alone.
- Never promise favorable coverage, loyalty or understanding in exchange for the interview.
- Confront the interviewee with the allegation and explain you want to hear his or her response. Say you want to tell both sides of the story.
- Do not pretend you are asking about something else: this is both unethical and may be dangerous if you are found out.
- Encourage and allow the interviewee to tell his/her side of the story, but don't shy away from asking probing questions.
- Be direct but polite, regardless of how you feel about the crime(s) the person has committed or is accused of committing.
- Finally, remember that the line between perpetrator and victim is often blurry. Perpetrators of human rights violations may also have suffered similar violations at the hands of someone else in the past. View and treat them as human beings.

Always assess your sources!

This is one of the golden rules of journalism. Always assess your sources, no matter who they are. You can never be absolutely sure if the information you are getting from any source is accurate.

Interviewees may be telling you what they think you want to hear, or they might deliberately try to mislead you. They might be experts, or they might not know what they are talking about! There is only one way to find out — assess the source and verify the information they give you.

Tips for assessing primary sources

What is the source's track record?

Only trust sources who have given you reliable information in the past.

Do they really know?

Check if your sources are really in a position to know the information they are telling you. Were they at the scene? Do they know firsthand or are they reporting what others have said? If you aren't sure, check by asking, "Were you actually there?"

Is the source a competent observer?

In your view, is the source likely to have understood what s/he has seen? Has the source observed the right details? What is the source's age, emotional state, or possible bias?

Check for motives, interests and agendas

Sometimes, people have a personal reason for wanting information to be published. The reasons can be harmless, like wanting publicity for a legitimate cause. Or they could be intentionally manipulative or harmful — an employee wanting to get revenge on an employer, or an ambitious party member wanting political advantage.

Warning!

Be especially careful when people come to you with allegations of human rights abuses. There is a lot at stake for those making the allegations, for the alleged perpetrators and for you, as the “messenger.” The more serious the allegation, the more careful you need to be.

The information may still be accurate, but it is important to at least know the motive and enable the public to understand so that they are not deceived.

Confirm with others if the information is controversial

Always try to find other sources to confirm or corroborate controversial information, and also look for sources who may contradict it, so that you can report fairly.

How experienced is your source?

Some people are experienced in dealing with media. Others are not. Handle inexperienced sources with care so that you do not exploit them. Make sure that they know that what they tell you is going to be published, and that there could be repercussions. Be especially careful with people who have suffered human rights abuses like rape or torture. They are vulnerable. Be especially careful when interviewing children.

How safe is your source?

If you are not a member of the community, you can leave. Your sources may not be able to. So it is important to be aware of their safety.

Secondary sources in human rights reporting

Journalists rely a lot on interviews but use documents and other sources to verify and contextualize what interviewees say.

Secondary sources are also extremely useful for background research. They can help you to ask more challenging questions, because you will know more after consulting them.

The range of secondary sources is vast and use of them is limited only by access, time, and your knowledge and skill in finding and using them.

For journalists who have access to computers, the Internet gives quick access to huge numbers of resources. Search engines — the most famous is Google — allow keyword searches that quickly produce answers to your questions. As with any other source, secondary sources need to be evaluated and checked. In addition to being a vast store of very accurate information, the Internet is full of “grey” or “dirty” information posted by amateur researchers or by people deliberately aiming to mislead.

Tips for assessing secondary sources

- Check the date of publication
- Find out about the author and the author's qualifications. Is the author a researcher? Junior or undergraduate? Senior and expert? Is the author a journalist? Try Googling the author to establish his or her reputation.
- What are the sources of the information — who / where does it come from?
- Find out how the information was produced. Surveys? Interviews?

- What are the risks of using the information — can it harm anyone? Is it essential to the story?
- What are the agendas of the people producing the information?
- What are the likely biases? Is the information complete or is there anything hidden?
- Are there NGOs or researchers who can help you understand the methodology and results of published reports?

Notes

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Use this space!

What civil society organizations and NGOs are there in your country that will have useful information about human rights issues? Who could you contact for background information and quotes? Work on a comprehensive contact list, using the table below for details:

Name of organization	Issue/focus	Address/website	Name of contact or spokesperson	Position of contact	Phone number/ email address

Use this space!

Here are some questions to think about when drafting a story about a woman who has been raped:

Would you include these details? That the survivor had consensual sex with the rapist sometime before the crime?

Descriptions of the clothes and makeup the survivor was wearing?

That she was drunk?

That she was over 18?

That she was in an unsafe neighborhood late at night?
