

25th Annual Human Rights and Peoples' Diplomacy Training for Human Rights Defenders in the Asia-Pacific



Program Report

This training has been one of a kind, the very best I could say. I have gone through a lot of experiences that had changed my life in this training in terms of exchange of ideas, different interpretations, different interventions and at different levels knowing more about migrant workers, DRIP, levels of lobbying and activism and most of all the newfound relationships and networking that have been bonded.

Colombo & Kandy
SRI LANKA

February 18 – March 5
2016



Executive Summary

The Diplomacy Training Program's **25th Annual Human Rights and Peoples' Diplomacy Training for Human Rights Defenders in the Asia-Pacific** was held in Sri Lanka (Colombo & Kandy) from February 18 to March 5, 2016. Twenty three human rights defenders from Nepal, India, Malaysia, Indonesia, Bangladesh, the Maldives, Fiji and Sri Lanka participated in this eighteen day program of intensive learning, sharing and skills building.

The program took place at a time of hope in Sri Lanka, with the recently elected government exploring constitutional change to guarantee human rights, engaging with the UN and international efforts to bring accountability and justice to victims and to build a future of peace and respect for human rights. The program drew from Sri Lanka's community of experienced human rights defenders and provided an opportunity for exchanging experiences and perspectives on impunity and accountability, transitional justice and reconciliation, protecting human rights defenders and claiming human rights in authoritarian and repressive environments.

"...the past and present context in Sri Lanka paved the way for the program to be more discursive and interactive." Participant End of Training Evaluation

The program began with a focus on human rights, international human rights standards and mechanisms and principles and human rights fact finding and documentation. The program explored some specific issues that participants were working on – the rights of women, the rights of Indigenous peoples, the human rights of migrant workers and human rights in transitional justice. There was a strong focus on practical advocacy strategies and participants had the opportunity to apply program content in practical exercises including engaging the UN Human Rights Treaty Bodies, a group role play on the Universal Periodic Review and in meetings with the diplomatic representatives of Australia, the USA, UK, Switzerland and Norway. The program provided time and space for sharing information, ideas, strategies and resources and for establishing networks for continued solidarity amongst the participants and on building regional and international solidarity. There were also sessions which focused on developing communication strategies to share human rights issues more broadly.

The program evaluations were very positive. All participants had by the end of the program identified plans for implementing the training in their work and with their organisations. As a result of the program the knowledge, skills and support networks of 23 participants, and their organisations, have been strengthened. Some found new motivation and inspiration for their work.

The Diplomacy Training Program's (DTP) trainers are experienced and highly respected local, regional and international human rights leaders, academics, diplomats, media and UN professionals who understand and support DTP's philosophy of participatory training. Trainers, presenters and facilitators in the program included: DTP Board Member, Professor Andrew Byrnes; Dr Deepika Udagama; Professor Savitri Goonesekere; Basil Fernando; Mr Ratnavale; Ruki Fernando; P.P. Sivaprasagam; Kumadini Samuel; Joshua Cooper; Arul Prakkash; Sayeed Ahmad; Ambika Satkunanathan; Sunthararaja Vathana; Niranjala Arulnandhy; Patrick Earle; Pradeep Wagle and Juan Fernandez. Australian High Commissioner Bryce Hutchesson kindly hosted an afternoon tea for the participants. DTP records its thanks and acknowledges them all.

DTP also acknowledges with appreciation Malathy Bavanathan and staff of the Centre on Human Rights and Development (CHRD), Ruki Fernando (INFORM); Father Nandana Manatunga and the staff and volunteers of the Human Rights Organisation (Kandy); Deepika Udagama, staff, volunteers and students of Peradeniya University; Mr Sivaprasagam from Human Development Organisation (Kandy). DTP also thanks Australian Government, through the Australian Non-Government Cooperation Program (ANCP) and the Scully Fund for the funding that made this course possible.

Program Methodology and Materials

“The practical experience was especially good and relevant because it gave a hands on approach to the theoretical teachings.” Participant Evaluation

Since 1989 the DTP has established its reputation for delivering relevant and practical human rights training programs for human rights defenders in the Asia-Pacific region. DTP recognises and values the experiences and skills that participants bring to its programs. Active participation is strongly encouraged throughout the program. The training methodology is interactive, with an emphasis on group work, discussion, role-play and case studies. Participants are involved in program management and in daily reflections. The course schedule is continuously reviewed and adapted to respond to participants’ feedback, advice and requests.

The opportunity to share experiences and lessons with other participants and trainers is one of the real benefits of participating in the program. All participants are encouraged to make short presentations highlighting the human rights issues they work on. This helps participants to develop skills and confidence in presenting, encourages sharing of experiences and strategies and builds

knowledge on the diverse and shared human rights issues of the Asia-Pacific region.

Participants are provided with a comprehensive DTP manual to complement the training and for future reference. The DTP Manual and trainer and participant presentations are provided to the participants in soft copy.



The Participants

Information about this program was widely distributed by DTP and its partners through NGO networks in the Asia-Pacific region. Participants in the training program were selected through an open and competitive selection process. Efforts were made to ensure gender balance and geographic representation

and priority consideration was given to Indigenous peoples’ advocates and women. The participant group was comprised of lawyers, researchers, advocates, trainers, program workers and activists working on a broad range of human rights issues, contributing to the richness of the program.

DTP acknowledges the commitment of the participants, many working on challenging human rights issues in the region. DTP thanks them for their energetic participation and the support they extended to each other throughout this intensive learning program.



Program Overview and Highlights

- **COUNTRY CONTEXT – OVERVIEW OF HUMAN RIGHTS ISSUES IN SRI LANKA**



Key Note Address: The program was opened by [Ambika Satkunanathan](#), a Commissioner of Sri Lanka's National Human Rights Commission. Ambika noted the challenges posed to human rights defenders by current global trends which have contributed to a backlash against human rights. The global war on terrorism and the rise in ethno-nationalism provide *'a moral standpoint from which to defend the curtailment of human rights'*.

In Sri Lanka a further challenge, related to the long period of surveillance and intimidation by the military in the north and the east, is the mistrust within and between civil society organisations which has stymied the growth of social movements.

Ambika also warned that the prevailing peace through development discourse ignored the role of structural injustice and would do little to address the oppression and dispossession experienced by vulnerable groups in society. Historical injustice needs to be addressed but, as long as the memory of the past is constructed by the dominant to the detriment of the dominated, states will be able to ignore their responsibility to rectify structural injustices.

Ambika posed a number of challenging and relevant questions for the participants to ponder in the course of the program:

- *How can you contribute to the creation of a new political community?*
- *How can you enable and empower survivors to disrupt the hegemonic memory and normalisation of past injustices?*
- *How can you support groups in their efforts to demand redress for structural and historical injustices?*
- *How will you find openings in very complex and sometimes restrictive spaces to ensure the continuity and longevity of social justice initiatives?*

Panel on Human Rights Context in Sri Lanka:

DTP's regional programs provide an opportunity for participants to gain deeper understandings of the human rights challenges and opportunities in the host country. DTP alumnus, Niranjala Arulnandhy and other panellists provided a comprehensive overview of the current human rights environment in Sri Lanka, giving context for the program. Sri Lanka is at a critical juncture in its history. It is a time of hope - 30 years of civil war has been brought to an end and the country has changed government through democratic election. But the peace remains precarious. There are deep divisions between the north east and the south and the pleas for information about 'disappeared' family and colleagues need to be addressed. Reconciliation may be a shared goal but there are conflicting views about the process of transitional justice and the investigation into war crimes and human rights violations that are necessary parts of any reconciliation process. The culture of impunity, ethnic and religious tensions, sexual violence by the military, gender and ethnic-based discrimination, displacement due to acquisition of land for the military are all issues that threaten to destabilise the peace process.

- **INTERNATIONAL HUMAN RIGHTS STANDARDS AND MECHANISMS**

Human Rights and the UN System:

What is the utility of using a human rights analysis to address situations or practices that you are seeking to change?

The focus of **Professor Andrew Byrnes** presentations was on the value and practical application of human rights advocacy. All countries struggle with particular human rights challenges and also have in their histories, experience which provides lessons for successful advocacy. Advocacy can involve international human rights law, courts and tribunals, national human rights institutions and parliaments. Lawyers and civil society have their domains of influence in relation to human rights. While Andrew acknowledged the critiques of human rights, he noted that human rights law is positive law which incorporates universal moral and political beliefs about rights. International human rights law provides an avenue when domestic law fails to provide protection of human rights.

The distinction between hard law (customary international law and treaties which give rise to state obligations) and soft law (non-treaty instruments such as the Sustainable Development Goals (SDGs), the Ruggie Principles on Business and Human Rights and Declarations) was explained and comparisons made of the differing systems by which states incorporate international human rights law into their domestic law.



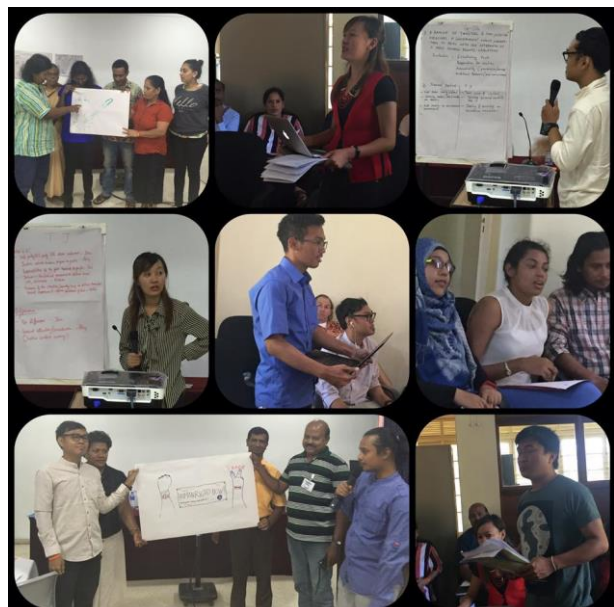
obligations) and soft law (non-treaty instruments such as the Sustainable Development Goals (SDGs), the Ruggie Principles on Business and Human Rights and Declarations) was explained and comparisons made of the differing systems by which states incorporate international human rights law into their domestic law.

The Universal Declaration of Human Rights

was examined to identify the rights, responsibilities, obligations and limitations. Participants compared the content of the International Convention on Civil and Political Rights (ICCPR) and the Convention on Economic Social and Cultural Rights (ICESCR). The nine core treaties and their accountability mechanisms were introduced and limitations and reservations discussed. An interesting discussion on permissible infringements on freedom of expression highlighted some of the complexities and differing perspectives involved in the interpretation of human rights.

Participants related the information on the UN human rights treaties and the treaty bodies to their work and concerns. Working with examples of human rights violations occurring in the region they identified the economic, social and cultural rights which were being violated and how the treaties could be used to hold governments accountable. National protections for economic, social and cultural rights were discussed and government responses evaluated against the obligations arising from the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other human rights treaties. The treaty reporting system and treaty body recommendations were examined to identify how civil society could incorporate international law into their advocacy strategies. The value of General Comments, as interpretive statements, was reinforced.

Ruki Fernando followed Andrew's sessions to explain that the UN human rights treaty bodies



are part of the UN's larger human rights system. If advocates know the system they can make strategic choices on how to engage with different parts of this system to influence outcomes and support the work of human rights defenders. Ruki took Sri Lanka as an example and explained that in addition to the Treaty based human rights system there were mechanisms that drew their mandate from the UN Charter. These include the UN's Human Rights Council, its Universal Periodic Review, the UN's human rights special procedures and the work of the Office of the High Commissioner for Human Rights (OHCHR).

Ruki's reflection on Sri Lanka's experience with the United Nations noted the disappointments. The failure of the campaigns during 2007-2009 to gain international support for a OHCHR/UN field presence in the war zone weigh particularly heavily as the feared killing and abuse of civilians became fact. However, Ruki argued that sustained and determined advocacy through the UN system has been instrumental in the struggle for human rights in Sri Lanka. It has been necessary for advocates to reflect and strategise and to learn to engage different parts of the UN for different outcomes. The UN human rights special procedures proved to be flexible and immediately responsive in relation to individual cases and to patterns of abuse. The establishment of the UN Commission of Inquiry also showed that the system continues to develop. The UN Human Rights Council's resolution on Sri Lanka was now providing both the framework and the impetus for action on human rights in Sri Lanka.

Joshua Cooper led sessions on *The Universal Periodic Review (UPR)*, and how this mechanism could be used in advocacy strategies. It is not a case of either/or, but rather choosing which process and mechanism to prioritise for engagement. The UPR provides only restricted space for NGOs, and takes place every 4.5 years in a cycle and therefore is not usually the best forum for immediate or urgent action. It does however draw from the work of all the other UN mechanisms and includes all human rights in its review of each state.

Joshua outlined the five steps necessary to effective engagement with the UPR process:

- preparation;
- interaction;
- consideration;
- adoption;
- implementation

A role play provided participants with the opportunity to develop their understanding of the process and to bring together the skills and knowledge they had developed in the program.

- **NATIONAL HUMAN RIGHTS INSTITUTIONS**

Facilitators and trainers emphasised that the engagement with the international human rights system could only ever supplement action at the local and national level where change was necessary. Over recent decades an increasing number of countries have established national human rights institutions (NHRIs) - to institutionalise the protection and promotion of human rights. They have been given a formal role in the UN's human rights system. NGOs have mixed views on their effectiveness – which can be very dependent on their leadership, which changes. *Dr Deepika Udagama*, the newly appointed Chair of Sri Lanka's National Human Rights Commission hosted the program participants and presented on the work of the Commission in Sri Lanka. The different roles of NHRIs were explained – these include monitoring, advising, researching and complaints handling, Dr Udagama engaged with participants in a discussion on the strengths and the limitations of NHRIs.

- **THEMATIC HUMAN RIGHTS ISSUES**

The Rights of Persons with Disability: *Professor Andrew Byrnes* encouraged participants to reflect on the impact of adverse treatment on the basis of disability, and to evaluate where such treatment amounts to a violation of human rights standards. **Professor Byrnes** described the advocacy that resulted in the development of the Convention on the Rights of Persons with Disability.

Women and Human Rights: *Kumadini Samuels* located the Convention on the Elimination of Discrimination Against Women within the wider context of international law and discussed the rationale for a separate human rights treaty for women. The structure and substance of CEDAW was reviewed. Following an analysis of the different approaches, and outcomes, to equality Kumadini presented case studies to generate discussion on the operation of gender bias/blindness and the value of incorporating CEDAW into advocacy for substantive equality.

The Rights of Migrant Workers: The Convention of the Rights of all Migrant Workers and Their Families was adopted in 1990, but only came into force in 2003. It responds to the vulnerability of migrant workers who cross borders in search of work. Labour migration is a feature of globalization and growing gaps between rich and poor. Increasingly, migration is being feminized with women going from many rural areas in Asia to do domestic work in Hong Kong, Singapore, Malaysia and the Middle-East. Poor migrant workers are made to bear the costs of recruitment, often going into significant debt and becoming more vulnerable to abuses by officials and employers.

The Rights of Indigenous Peoples: *Joshua Cooper* shared the story of Indigenous peoples' engagement with the League of Nations and then the United Nations - as forums where they could expose the taking of their lands and the denial of their rights, cultures and identities as peoples. From their initial exclusion by the colonial powers, the concerted advocacy by Indigenous peoples and their representatives has resulted in significant outcomes for Indigenous people internationally including the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and mechanisms established to promote and protect their interests - the UN Permanent Forum on Indigenous Issues (UNPFII), the Expert Mechanism on the Right of Indigenous peoples (EMRIP) and the Special Rapporteur on the Rights of Indigenous Peoples – currently held by Victoria Tauli-Corpus, an Indigenous woman from the Philippines. In 2014 a UN World Conference on Indigenous Issues was held and a UN-wide Action Plan adopted. Joshua explained the mandate of the different Indigenous peoples' mechanisms and how they can be accessed and incorporated into advocacy strategies.

Human Rights, Globalisation and Corporate Accountability: As corporations and multinational corporations have become more powerful efforts have been made to define their responsibilities and to hold them accountable. The UN has adopted a framework on Business and Human Rights that emphasises the responsibilities of governments to protect individuals and peoples from abuses by companies, the responsibilities of companies to respect human rights, and for there to be access to remedies. The UN has adopted a set of Guiding Principles (GPs) to guide implementation of this framework, and has urged the adoption of National Action Plans by governments to promote implementation. Currently the OECD Guidelines on Multi-National Enterprises is only international framework with a grievance procedure. There was a practical exercise to build understanding of the OECD Guidelines and this provided an opportunity to practice strategic lobbying techniques and incorporate the UN Guiding Principles into advocacy strategies.

Transitional Justice: Addressing past human rights violations, challenges of accountability and impunity, of justice for the victims, of understanding the past and of moving towards a society with institutions and cultures respectful of human rights are challenges in many societies in the region.

They are very pressing and sensitive issues in Sri Lanka. The complexity of the legal and moral processes, the enormity of the task and the sensitivities involved in steering transitional justice processes following mass human rights violations were identified by the participants in group discussions. Officials from the Office of the High Commission for Human Rights (OHCHR), *Pradeep Wagle* and *Juan Fernandez* outlined the mandate for the UN task force for transitional justice. Drawing on international experiences with transitional justice they explained the sequence of tasks involved: truth telling; prosecutions and amnesties; reparations; institutional reform and addressing root causes. *Professor Sivitri Goonesakare* provided a Sri Lankan perspective of the system failures from the 1970s that had contributed to the mass scale human rights violations which the Sri Lankan task force for transitional justice has now to respond.

- **PRACTICAL SKILLS BUILDING**

Human Rights Documentation: *Ruki Fernando* facilitated a practical session on human rights documentation. Drawing on his substantial experience Ruki shared tips on how to gather information and evidence on human rights abuses and produce documents that maximise impact. The participants took part in a number of practical exercises that demonstrated some of the challenges involved in collecting stories and the strategies that can be implemented to minimise difficulties. Examples of written complaints were analysed to identify strengths and weaknesses and participants were given the task of preparing a complaint on a situation from their own experience. *Sayed Ahmed* from Front Line Defenders supplemented this session with practical advice in relation to safety and security of human rights defenders when documenting human rights violations and promoting human rights.

Advocacy - Achieving Change: Drawing on the substantial experience of the participants and their own work both in building and conducting campaigns and in developing campaign materials *Patrick Earle* and *P.P Sivaprasagam* facilitated sessions on the techniques and tools available to build effective strategies for bringing about change. Participants were encouraged to be clear about their objectives, and the individuals and groups who have a role or responsibility in relation to the change they are seeking and to think about who or what might influence them to make the desired change. Working with examples of shared concern - dams in Northeast India and Sabah, migrant worker issues, enforced early marriages and torture - groups analysed the problem and identified key campaign targets.

Video Advocacy: *Arul Prakkash* from WITNESS shared a number of samples to highlight the strengths and value of video advocacy and also ethical and security considerations. He provided technical training on security and safety and on producing compelling and effective film footage. Participants took part in a practical video filming session. *Prakkash* introduced participants to some of the apps and internet resources available for protecting identities and video products. The Witness website has a tool kit available: <https://witness.org/resources/>

Engagement/Dialogue: Through different exercises through the course participants built their skills and confidence in constructing their arguments, and in engaging in dialogue with others in pursuit of change. The importance of having clear objectives, of having specific and realistic recommendations relevant to the different target audiences was emphasised – along with the need to consider and prepare for counter-arguments. Participants put these skills to practice in meetings with diplomatic representatives from different Embassies in Colombo close to the end of the program.

- **NETWORKING and OUTREACH**

An important component of DTP's training programs is the opportunity, formally and informally, for participants to build networks valuable for future collaboration and support.

Participants gained exposure to organisations in the region working on human rights and advocacy issues related to transitional justice, peace and reconciliation, freedom of expression, judicial reform, constitutional recognition of Indigenous peoples, legal protection and assistance for migrant workers and caste discrimination.



Front Line Defenders: Front Line's regional protection coordinator (and DTP alumnus), *Sayed Ahmed*, led a discussion on the work of human rights defenders, the UN Declaration on Human Rights Defenders and the EU Guidelines on Human Rights Defenders. He outlined how these documents affirm the importance and legitimacy of the work of the participants, and how the UN Declaration has informed the EU Guidelines – which mandate EU diplomatic representatives to act to protect human rights defenders at risk. Supporting the work of human rights defenders and ensuring that there is safe political space for human rights work is one of the roles of diplomats. Front Line Defenders works very practically to ensure the safety and security of human rights defenders, providing different kinds of support and Sayeed provided the group with contact information for [Front Line Defenders](#).

Witness: *Arul Prakkash* is the Asia regional representative of US based human rights NGO, Witness which provides practical training and support to NGOs and activists interested in using video in their advocacy work. Witness can work with selected partners over months and years, providing the technical support in developing video advocacy plans, shooting, editing and production of videos. They encourage their partners to think carefully about their objectives, the audiences that they are trying to reach and the best way to reach and communicate with these audiences. [Witness](#)

OHCHR: OHCHR is the UN's specialise agency on human rights. It has regional offices in Bangkok and Suva and field presences in a number of countries in the region. OHCHR staff provide the support to the UN's human rights machinery. Participants met with two very experienced OHCHR staff currently based with OHCHR in Sri Lanka.

Asian Human Rights Commission: In Kandy, there was an opportunity to have a shared session with another program organised by leading Sri Lankan and regional human rights activist, Basil Fernando. Basil is a member of DTP's Advisory Council and founder of Hong Kong based Asian Human Rights Commission that has worked extensively on issues of justice and rights in Sri Lanka and the region for more than 30 years.

NGO Visits: In Kandy participants visited two local NGOs – the Human Rights Office with **Father Nandana Manatunga** and his staff and the Human Development Organisation with **PP Sivaprasagam** and staff. This was a valuable opportunity to exchange information, learn more about how these organisations do their work on the ground, and the issues in Sri Lanka.

Embassy Meetings: In a practical engagement/dialogue exercise, DTP and its partners set up meetings with diplomatic officials from the USA, UK, Switzerland and Norway Embassies. Participants were encouraged to prepare for these meetings to make them effective – clarify the

purpose of the visit; establish realistic requests; compile background information to substantiate appeals and prepare the key points to be raised. Some concrete outcomes were achieved – including funding opportunities, invitations to meet again and contacts for building collaboration.

Afternoon reception hosted by the Australian Ambassador: Participants were welcomed to the Australian Embassy by Australia’s High Commissioner, Bryce Hutchesson for afternoon tea. This provided another opportunity to reach out and build networks.



Participant Evaluations; Reflections and Suggestions

Participants were engaged in monitoring and evaluating the training program from the beginning through to the end of the program.

At the end of each day, participants met with the organisers/facilitators to informally reflect and provide feedback on each day’s activities and to offer advice and suggestions. This enabled the organisers to monitor participants’ learning and to implement a process of continuous improvement throughout the program. Participant’s also completed evaluation forms in relation to the different trainers/sessions.

At the end of the training, participants completed a comprehensive end-of-training evaluation questionnaire. The forms are completed anonymously to enable/encourage frank and critical feedback. At the end of what is a very intense learning experience, participants were also given the opportunity to share their reflections in an open session with the whole group.

The evaluation questionnaire was predominantly qualitative in nature, and elicited general feedback on the program experience. The questions were designed to prompt reflection on best and worst parts of the program, most and least useful training session, and on how participants intend to apply the training to their work. Participants were also asked to rate the extent to which they believed the program objectives had been achieved¹.

¹ A complete copy of the transcribed evaluation questionnaires is available upon request

<i>Workshop objectives</i>	# of strongly agree	# of agree	# of disagree	# of strongly disagree
To build the capacity of community advocates and human rights defenders in the Asia Pacific region to apply human rights instruments, principles and standards to the different challenges and issues they face in their advocacy work	 (11)	 (7)		
To enhance the capacity of advocates to engage effectively with international processes and regional mechanisms such as ASEAN to promote, protect and fulfill human rights	 (7)	 (10)	(1)	
To enhance the capacity of human rights advocates to advocate for economic, social and cultural rights and to engage effectively with key state actors and stakeholders for the positive realisation of these rights	 (11)	 (7)		
To strengthen protection for human rights defenders and their work and facilitate collaboration and networking among human rights defenders across the region	(6)	 (12)		
To provide an opportunity and a forum for participants to share perspectives and experiences and identify key issues for further work in the area	 (8)	 (8)	* (2)	

When asked to nominate the best or most useful parts of the program several participants found it difficult to select specific sessions.

All parts of the program were very good for my work.

The sessions covering UN standards and instruments and documentation and integration were nominated by a number of participants as being the best part of the program and the UPR role play and video advocacy were also a highlight for many.

The UPR role play... I gained a lot of clarity.

Most sessions were nominated as “the best part of the program” by at least one participant. A number of participants also mentioned aspects of the program process as being particularly useful – the opportunity to discuss issues in groups, the morning recap sessions, opportunities to apply theoretical information in practical activities. Exposure to such diverse sectors related to human rights was a highlight, as was networking with other participants.

By the end of the program most participants had plans for implementing the training. A number intended to use the training to hold capacity building sessions in their organisations, to assist their organisations in engaging with UN mechanisms, to incorporate the learning into policy papers to submit to government, to network with the DTP alumni, share the knowledge on digital security and to contribute more to their organisations existing human rights programs.

*If a human rights violation occurs it will be immediately taken up to the international level.
Through this training we can get justice for human rights violations.*

Participants were planning to develop power point presentations, write articles and reports, present on the training at staff meetings and to recommend the DTP training through their networks.

After eighteen days together participants felt confident that they would be supported in their future work by the network developed amongst the group. They believed that campaigns would be

supported and that the network could be accessed when capacity gaps were identified. The Sri Lankan participants were particularly appreciative of the opportunity to establish relationships with participants and trainers from Sri Lanka and a number felt they had much stronger support networks as an outcome of the program.

I have been inspired tremendously. I have been further empowered, boosted, gained more confidence and more knowledge and can now contribute constructively to defending, promoting and protecting human rights in the work that I do.

Participants told us that some of the out-of-program additional evening sessions were not helpful and that we need to be mindful of too much theoretical content particularly in the afternoon.

Outcomes

The most immediate outcome of the program was the establishment of a new network among the participants. They formed a closed Facebook group amongst themselves and even before the program concluded this was being used to share information on human rights. Since the program, participants have continued to use and engage with the network, sharing news and updates on activities – work related and personal. Examples include an advocacy collaboration between two of the participants from Indonesia on a migrant worker concern and the sharing of information and resources between Indigenous peoples' advocates in two countries related to the construction of dams.

The program participants have also joined DTP's wider alumni network and receive a monthly E-Newsletter and some have contributed to the content of this E-Newsletter.

Recommendations:

- DTP should link this Facebook group to the DTP Facebook page and other DTP alumni groups
- DTP should continue to provide information updates and access to relevant trainers and experts where requested
- DTP should do profiles of the alumni of this program and their work for human rights following their participation in the DTP course

Reflections and Recommendations

The participant evaluations of the program were very positive. The impacts of the training on the work of the individuals and on their organizations are more difficult to assess. This is the longest running regional human rights training program in the Asia-Pacific region. DTP knows from its 25 years of experience that participants gain much of value from participating in its programs – and will continue to apply the knowledge and skills they built over many years. It knows that participants will also have made life-long friendships that can help to sustain them in often isolating and challenging human rights work.

DTP is committed to the value of this kind of experiential and participatory learning. Each of its programs is different – influenced by location, context and the different mix of participants and trainers. This section includes its reflections and recommendations from this program, which should improve the next program.



Program location: The decision by DTP's Board to hold the program in Sri Lanka at this time in the country's history was validated in the feedback from participants and human rights NGOs and defenders in Sri Lanka. Sri Lankan

participants said this was a significant opportunity for them to come together to discuss their issues of concern and to engage with some of the country's key human rights activists. The program was held in two locations – Colombo and Kandy. The week in Kandy, and the connection with the School of Law at Peradeniya University, enabled participants

The overseas participants acknowledged that they gained much from the Sri Lankan experience. Many of the issues that the Sri Lankan human rights defenders are grappling with resonate with their own contexts and they both welcomed the opportunity to express their solidarity and to gain additional perspective on opportunities and challenges for human rights defenders.

Recommendations:

- DTP should continue to engage with the Sri Lankan alumni and partners and explore options for responding to training needs. Business and human rights is emerging as an issue as international investment returns to Sri Lanka.
- DTP should consider how it can assist in developing the knowledge, skills and networks of CSO/NGO advocates in the north and northeast of Sri Lanka.
- DTP should consider holding at least part of any future training in Sri Lanka in the north-east.
- In deciding the location of its flagship annual regional human rights and peoples' diplomacy program, DTP should continue to consider strategic issues of contributing to the local human rights movement.
- DTP should consider what follow-up steps can be taken to increase any positive local impacts of organizing the program in different locations.

Program participants: Program participants were selected through an open call for participants distributed through DTP's alumni and partner networks. DTP's criteria for selection include commitment and capacity to apply the training to future human rights work. Its priority is for individuals working for NGOs/CSOs. One of the distinctive and positive features of this program is the range of human rights issues that participants work on – and the value of the program in building understanding, awareness and links across sectors – such as women's rights, Indigenous peoples and migrant workers' rights. In relation to Sri Lankan participants, there was limited representation from the north-east and DTP did not reach out successfully to these areas, with the possibility that both language and cost issues were disincentives.

DTP seeks a training fee for this program. This fee helps to meet the costs of the program, and enables DTP to subsidize participation from those who cannot raise a fee. It is a vital source of income for DTP as an organization. DTP acknowledges that the fee can also deter applications and it seeks to address this by making it clear that it will work with successful applicants to seek funds and that some subsidized spaces are available. DTP did not secure any training fees for this program.

There were also fewer participants than the targeted 25-30 participants. This was a result of a combination of factors including lack of sufficient funding to subsidize more international participants, and some late withdrawals and cancellations.

There was a good balance of age, gender, experience with different human rights concerns amongst the selected participants. The participants impressed the facilitators and trainers with their knowledge and skills and their active participation. Participants quickly established a very good group dynamic and the group was very supportive of each others' learning needs.

Recommendations:

- In future programs in Sri Lanka, greater efforts should be made to secure participation from the north and east of the country as these are the areas where there is the greatest need

- DTP should seek to establish the dates for its *Annual Regional Human Rights and Peoples Diplomacy Training Program* more regularly in the calendar to enable participants to plan for their participation
- DTP should seek to work more with selected partners in Asia and the Pacific to identify and secure funding for participants – as part of their own capacity building strategies

Program Partners:

DTP records its appreciation of Ruki Fernando (INFORM) and of its formal partner, the Centre on Human Rights and Development (CHRD) who made the program possible and the Law Faculty at Peradeniya University, Father Nandana and the Human Rights and Development Office in Kandy.

A number of individuals, including DTP alumni offered valuable advice and support in preparing for the program. The Sri Lankan participants in the program were very supportive hosts and assisted the program in many ways.

Program organization would have benefited from establishing formal partnerships earlier in the planning process. It would have been helpful if the program coordinator could have made a planning and outreach visit to prepare for the program and establish the partnerships.

Recommendations:

- DTP should confirm partnership agreements much earlier in the program planning cycle
- DTP should seek and allocate resources to enable a planning visit to establish partnerships, plan logistics and do outreach about the program to maximize program impact.

Program Staffing:

This program was coordinated by Lorelle Savage, DTP's Programs Coordinator, with volunteer support from Tammy Theikdi, who had initially applied to participate in the program. DTP acknowledges their hard work and dedication in delivering a successful program. This program presents an extraordinary and rich learning experience for volunteers/interns.

Recommendations:

- DTP should seek the resources for two staff to be present on this program at all times
- DTP should seek to establish a regular voluntary/internship position for this position with support from UNSW

Follow-Up:

DTP recognizes the need to learn more about whether and how participants apply the knowledge, and skills they have developed to their subsequent work, and whether the networks they have built have continued and been useful to them. Learning this may help in future processes of participant selection, and in program planning and follow-up. At the end of the program, participants are asked to reflect on what was most useful about the program – but this may only emerge over time. The value of this training program, like other training programs, is the use to which it is put by the participants.

Recommendation:

- DTP will conduct a follow-up survey within six months with participants to seek feedback from the participants about the value of the training – and specific examples of impact.

Annexes

1. Program Schedule
2. Resource Persons Biographies





**DTP 25th Annual Human Rights & Peoples'
Diplomacy Training Program**

**Sri Lanka
February 18 – March 5
2016**

PROGRAM SCHEDULE v.13

	Thursday February 18	Friday February 19	Saturday February 20	Sunday February 21	Monday February 22	Tuesday February 23
Morning 1 9.00 to 10.30	Opening Ceremony – DTP 25 th Annual Program Keynote : Dr Ambika	Introduction to Human Rights continued – Human Rights, the UN and the Obligations of States	Economic, Social and Cultural Rights – an Introduction	International Human Rights Promotion and Accountability – OHCHR, HRC, Special Procedures and the UPR (intro/overview)	Advancing Rights The UN Convention on the Rights of Persons with Disabilities –	Rest Day in Kandy
		Prof Andrew Byrnes	Prof Andrew Byrnes	Ruki Fernando	Prof Andrew Byrnes	
Morning 2 10:45-12:30	Participant Introductions – Human Rights Challenges, Expectations, Course Outline and Logistics	The International Bill of Human Rights - Interdependent	Human Rights Accountability: Introduction to the UN Treaty Bodies and Periodic Reporting Process	Reflections on Engaging with the UN System – The Sri Lankan Experience	Promoting CRPD and Addressing the Challenges in Sri Lanka –	
Facilitated by		Prof Andrew Byrnes	Prof Andrew Byrnes	Ruki Fernando	Prof Andrew Byrnes	
Lunch 12:30-1.40						
1.40 – 2.00		Participant Presentations/Energiser	Participant Presentations/Energiser	Participant Presentations /Energiser	Travel to Kandy	
Afternoon 1 2:00-3:30	Human Rights Opportunities and Challenges in Sri Lanka		Engaging the UN Treaty Bodies – Practical Exercise	Human Rights Fact- Finding and Documentation – Principles and Tips		
Trainer(s)	DTP alumni plus	Prof Andrew Byrnes	Prof Andrew Byrnes	Ruki Fernando		
Break 3:30-3:45						
Afternoon 2 3:45-5:30	Introducing Human Rights-What are human rights? – Practical Exercise		The UN Treaty Bodies and General Comments – Human Rights and Policy Advocacy	Human Rights Fact- Finding and Documentation – Practical Exercise		
Trainer(s)	Patrick Earle	Prof Andrew Byrnes	Prof Andrew Byrnes	Ruki Fernando		
	Diary Exercise	Diary Exercise	Diary Exercise			
Evening	Welcome Dinner	Reception at the Australian Embassy				Cultural Night

WEEK 2	Wednesday February 24	Thursday February 25	Friday February 26	Saturday February 27	Sunday 28	Monday 29th
8:30 – 9:00am	Participant Presentations Recap	Participant Presentations Recap	Participant Presentations Recap	Participant Presentations Recap	Participant Presentations Recap	Participant Presentations Recap
Morning 1 9:00-10:30	Reflections and Check in On Expectations Human Rights Standard and System – Recap	The Rights of Minorities – International Standards	The Rights of Indigenous Peoples - “The Declaration”, Self-Determination and Free Prior Informed Consent	UPR Role Play (continued)	Human Rights and Environment	Field Trip
Trainer(s)	DTP	Sivaprasagam	Joshua Cooper	Joshua Cooper	Joshua Cooper	
Break 10:30-10:45						
Morning 2 10:45-12:30	Making Change for Human Rights - Introduction to Strategic Advocacy –	Human Rights Advocacy –	Indigenous Peoples in the UN System – the UN Permanent Forum, EMRIP and the SR – Exercise on Submitting Complaint to SR on IPs	NGO Engagement with the UN Human Rights System – Recap / Making SMART Recommendations	Human Rights and the SDGs	Field Trip
Trainer(s)	Patrick Earle	Sivaprasagam	Joshua Cooper	Joshua Cooper	Joshua Cooper	
Lunch 12:30-1.40						
1.40 – 2.00		Participant Presentations /Energiser	Participant Presentations/Energiser	Participant Presentation	Participant Presentations/Energiser	Participant Presentations
Afternoon 1 2:00-3:30	Introduction to Strategic Advocacy – Practical Exercise	Advocacy Techniques – Lobbying – Sharing Experiences and Practical Tips	The Universal Periodic Review – Introduction Integrating UPR Engagement into Advocacy Strategies - 4 Year Strategies	Contemporary Human Rights Challenges: The Private Sector and the Human Rights Responsibilities of Business	Free Time	Contemporary Human Rights Challenges: Gender and The Rights of Women
Trainer(s)	Patrick Earle and P.P .Sivaprasagam	P.P .Sivaprasagam and Patrick Earle	Joshua Cooper	Patrick Earle		Kumadini Samuels
Break 3:30-3:45						
Afternoon 2 3:45-5:30	Practical Exercise and Feedback	Lobbying Skills – Practical Exercise	UPR Role Play Exercise - Practical Tips and Instructions for Role Play	Engaging the Private Sector to promote and protect human rights - Practical Exercise	Free Time	Contemporary Human Rights Challenges: Gender and The Rights of Women
Trainer(s)	Patrick Earle and P.P .Sivaprasagam	Patrick Earle & P.P .Sivaprasagam	Joshua Cooper	Patrick Earle		Kumadini Samuels
		Diary Exercise	Diary Exercise	Diary Exercise		
Evening		Joint Session – Basil Fernando		Dinner Out		Dinner Out

WEEK 3	Tuesday March 1	Wednesday March 2	Thursday March 3	Friday March 4	Saturday March 5	Sun March 6
8:30 – 9:00am	Return to Colombo	Participant presentations				Participants return home Feedback and Evaluations DTP Closing ceremony
Morning 1 9:00-10:30		Video Advocacy – Communicating Human Rights to Target Audiences	Human Rights, International Solidarity and the International Community – Reflections on the Sri Lankan Experience	Protecting Human Rights Defenders and Promoting Human Rights – the Role of Diplomats – EU/Swiss Guidelines Plus	Feedback from Diplomatic Engagements - The UN Declaration on Human Rights Defenders and the EU Guidelines – Plus	
Trainer(s)		Prakash - WITNESS	Ruki Fernando	Ruki and DTP Team	Sayed Ahmed	
Break 10:30-10:45						
Morning 2 10:45-12:30		Telling Stories – Developing Communication Strategies	Building Regional Solidarity - Key Challenges	Engaging Diplomats – Preparations for Practical Lobbying Exercise	Strategies and Tips for Protecting and Ensuring Safety of Human Rights Defenders	
Trainer(s)		Prakash - WITNESS	Ruki Fernando	Ruki and DTP Team	Sayed Ahmed	
Lunch 12:30-2:00						
Afternoon 1 2:00-3:30	1.00pm – 2.30 pm Deepika Udagama – Institutionalising the Promotion and Protection of Human Rights at the National Level	Telling Stories – Developing Communication Strategies	International Experiences on Transitional Justice, Human Rights and Accountability	Practical Exercise – Dialogue with Diplomats in Colombo	Feed back and Evaluations	
Trainer(s)		Prakash - WITNESS	Pradeep Wagle/Juan Fernandez			
Break 3:30-3:45						
Afternoon 2 3:45-5:30	The role of NHRIs in the protection of human rights	Telling Stories – Developing Communication Strategies	Transitional Justice, Human Rights and Accountability – Challenges and Perspectives from Sri Lanka (TBC)	Afternoon Tea with the Australian High Commissioner	Closing Ceremony	
Trainer(s)		Prakash - WITNESS				
	Diary Exercise	Diary Exercise				
Evening		Dinner Out	Solidarity Night with alumni		Farewell Dinner	



DIPLOMACY TRAINING PROGRAM
AFFILIATED WITH THE FACULTY OF LAW AT THE UNIVERSITY OF NEW SOUTH WALES
A training program for peoples of the Asia-Pacific region

25th Annual Human Rights & People's Diplomacy Training Program
Sri Lanka

TRAINER BIOGRAPHIES

Ruki Fernando, Human Rights Advisor of *INFORM Human Rights Documentation Centre, Sri Lanka*

Ruki Fernando has been working with leading Sri Lankan human rights organisations such as the Law & Society Trust and INFORM Human Rights Documentation Centre. He is a prominent human rights defender from Sri Lanka, who has been involved in human rights and social justice issues since 1997, working with church groups initially and then with secular groups.

Since early 2007, as human rights violations within Sri Lanka began to escalate, he worked on human rights education and advocacy. He documented human rights violations such as land grabbing and enforced displacement through writing in online journals as well as the national press, and giving interviews.

Ruki has also worked two years, from 2005 to 2006, as coordinator of FORUM-ASIA Human Rights Defenders Department.

Andrew Byrnes, Professor of International Law at the University of New South Wales Law Faculty.

Andrew Byrnes is a Professor of International Law at the University of New South Wales Law Faculty. He teaches international law, human rights law (particularly gender and disability issues), international criminal law, humanitarian law and discrimination law. He was previously a Professor of Law at the Australian National University (2001-2005) and prior to that was Associate Professor of Law at the Faculty of Law, University of Hong Kong, where he was Director of the Centre for Comparative and Public Law and Director of the Master of Laws in Human Rights until his departure in 2001. He has published on human rights law, international humanitarian law and international criminal law, the domestic implementation of international human rights, and national human rights institutions.

He has served as consultant to OHCHR, ILO, UNESCAP and DAW, among others, as co-rapporteur of the International Law Association's Committee on Human Rights Law and Practice, and on the ADB's External Forum on Gender and Development. He served as President of the Australian and New Zealand Society of International Law from 2009 to 2013. He is currently Chair of the Steering Committee of the Australian Centre for Human Rights and a member of the Board of the Diplomacy Training Program. He served as external legal adviser to the Australian Parliamentary Joint Committee on Human Right from November 2012 to September 2014.

Dr. Deepika Udagama, Chairperson of the Human Rights Commission of Sri Lanka (HRCSL)

Dr. Deepika Udagama had her early legal education in Sri Lanka and went on to the University California at Berkeley for graduate studies where she earned both Masters and Doctor of Juridical Science degrees in international human rights law.

On her return to Sri Lanka she played a pioneering role in introducing human rights law into legal education in Sri Lanka. She was the Founding Director of the Centre for the Study of Human Rights, Faculty of Law, University of Colombo, Sri Lanka (1989- 2007) through which human rights education was promoted both at university and school levels. She taught and served as Head of Department of Law (2002-2008) at the University of Colombo before moving to the University of Peradeniya in Kandy, Sri Lanka. She currently serves as Head of the Department of Law at Peradeniya University. She is also a member of the Law & Society Trust Board of Directors, and a newly elected chairperson of the Human Rights Commission of Sri Lanka.

Joshua Cooper, Academic in Human Rights Law, USA

Joshua Cooper is an academic in political science and journalism, non-violent social movements, ecological justice in Oceania and Indigenous peoples' rights. He lectures at a number of universities and educational institutions throughout the world including the University of Hawaii and the International Training Center for Teaching Peace and Human Rights in Geneva.

He has also had a number of leadership and supervisory roles, including as an Asia Pacific Leadership Program Fellow at the East-West Center, Area Coordinator for Amnesty International USA, Senior Advisor to the Unrepresented Nations and Peoples Organization in the Hague, Board member of Peace Action, Board member of the Human Rights Task Force for the United National Association of the USA, and former Chair of the AIUSA Indigenous Peoples Task Force. Joshua has also been selected to work with Nobel Peace Prize Laureate and U.S. Vice-President Al Gore on The Climate Project.

He has most recently been appointed the US Human Rights Network Universal Periodic Review Geneva Coordinator for the historic first review of the human rights record of the United States of America.

William Gois, Regional Coordinator of the Migrant Forum in Asia based in the Philippines

William Gois is an educator, sociologist and human rights advocate. He has been working on human rights education for more than a decade and has been teaching social consciousness among University students across the Asia Pacific region. From 1990 to 1995, he has worked extensively with religious and cross cultural dialogues in Pakistan.

Currently, he is the Regional Coordinator of the Migrant Forum in Asia, a regional network of migrants' organizations, NGOs, advocates, grassroots organizations and trade unions working to promote the rights and wellbeing of migrant workers and members of their families.

He also chairs Migrants Rights International (MRI), an international non-government organization with consultative status with the UN Economic and Social Council (ECOSOC).

Over the last twenty years; he has been at the forefront of international advocacy efforts engaging and influencing international and multilateral organisations to promote equitable and fair migration and development policies. He works closely with UN Treaty Bodies, with the Office of the High Commissioner on Human Rights (OHCHR) and the Committee on Migrant Workers and other special mandates.

He also heads a team to the International Labour Conference (ILC) of the International Labour Organization to monitor the development of labour migration issues within the ILO framework. The last such team was during the June 2011 ILC where the Conference adopted ILO Convention 189, a landmark Convention that recognizes domestic workers as workers with the same rights as other workers.

Kumudini Samuel, Founder of Women and Media Collective, Sri Lanka

Kumudini Samuel is joint coordinator of the Women and Media Collective (WMC) and editor of Women's Rights Watch, both in Colombo. She has worked on the monitoring and advocacy of Human and Women's Rights in Sri Lanka for the past twenty years through the WMC, INFORM and the Movement for Inter Racial Justice and Equality (MIRJE).

In 2011, she coordinated UNIFEM-supported campaign to increase women's representation in local government and in 2010 she also coordinated Women's Consultation on Post-War Responses for Sri Lanka. Ms. Samuel has advised government bodies on gender and peace, including as an advisory member of the Parliamentary Women's Caucus; a member of the Sub-Committee on Gender Issues; and a member of the National Advisory Council on Peace and Reconciliation, established for the peace talks by the president. She coordinated the 2002 campaign to include women in the peace process. Ms. Samuel has a master's degree in women's studies from the University of Colombo.

Patrick Earle, Executive Director at Diplomacy Training Program

Patrick Earle has over 20 years' experience working in the human rights movement, both in Australia and internationally. Since 2003 Patrick has been the Executive Director of the Diplomacy Training Program, and in this role has developed and facilitated human rights courses in the region – including new thematic courses focusing on human rights business, human rights and migrant workers and the rights of Indigenous peoples.

From 1996 until 2003, Patrick worked with the Human Rights Council of Australia with a focus on its ground-breaking project on the relationship between human rights and development and is co-author of "The Rights Way to Development – Policy and Practice". Prior to that he worked for Amnesty International in London and produced their first International Campaigning Manual. Patrick is on the Steering Committee of UNSW's Initiative on Health and Human Rights, a member of the Human Rights Council of Australia, and Visiting Fellow at the Faculty of Law at UNSW.