

Submission to:
the Office of the High Commissioner
for Human Rights (OHCHR)

ohchr-registry@un.org
ohchr-wphre@un.org

Madrid, 19.06.2023

INPUT FOR REPORT ON WORLD PROGRAMME FOR HUMAN RIGHTS EDUCATION

The present submission is meant to offer recommendations to the Office of the High Commissioner for Human Rights (OHCHR) on the possible focus for the fifth phase of the World Programme to begin on 1st January 2025.

FIBGAR

Baltasar Garzón International Foundation -[FIBGAR](#)- is a private, social, non-profit foundation, deeply committed to the defence and promotion of Human Rights and Universal Jurisdiction.

Under this mandate, FIBGAR is dedicated to disseminating, defending and promoting Human Rights and the fight against impunity, promoting the empowerment of people as agents of change and supporting initiatives that involve the application of the principles of International Jurisdiction and Human Rights, pushing towards the construction of more democratic societies and stronger institutions.

TARGET SECTOR RECOMMENDED

In the face of the current climate characterized by the progressive erosion of the rule of law and an increasing lack of compliance with the most basic human rights standards around the world, knowledgeable and skilled justice professionals can play a fundamental role in reversing the slide in democracy.

All the actors of the judiciary chain have a role and responsibility in the way human rights are protected in their countries. Judges and prosecutors both have a vital mission in protecting individuals against abuses through the affirmation of their rights and freedoms. With judges and prosecutors, lawyers are one of the pillars upon which human rights and the rule of law rest. In protecting the rights of their clients and in promoting the cause of justice, lawyers are required to uphold human rights and fundamental freedoms recognized by national and international law.

Though justice professionals are not always familiar with the human rights standards and jurisprudence. Law faculties and professional associations of lawyers do not usually offer appropriate education. Similarly, adequate training of prospective judges and prosecutors before they take up their posts as well as in-service training on human rights jurisprudence are not guaranteed.

FIBGAR is currently coordinating the European project [*Pioneering Anti-SLAPP Training for Freedom of Expression-PATFox*](#) which aims to provide a unique contribution to tackle strategic lawsuits against public participation (SLAPPs) by designing implementing and updating the Europe's first anti-SLAPP curriculum, and upskilling European lawyers in 11 EU member states (Spain, Germany, Malta, Bulgaria, Hungary, Croatia, Romania, Slovakia, Cyprus, Poland and Slovenia)¹.

At its mid-way point, PATFox trained over 180 lawyers across 11 EU member states in anti-SLAPP techniques, equipping them with the knowledge, skills and network they need to defend their clients - journalists, activists and other human rights defenders - against abusive litigation. During the implementation of the project, all 11 partners detected the need for increased awareness and education about human rights case law among European legal practitioners. In particular, lawyers attending PATFox training have put in evidence that judges, prosecutors and lawyers in their countries are not often aware and know how to refer to European and international human rights protection mechanisms.

However, the best way to safeguard human rights is to embed them into the domestic laws, practices and culture of states and support justice professionals as they adapt to a fast-growing body of international law.

Therefore, adequate training of all justice actors is necessary to ensure that all fundamental rights are effectively protected and incorporated into every-day judicial decision-making and the interpretation of laws at the domestic level, without resorting to regional courts.

Human rights education is a life-long journey, which should begin in law schools and continue throughout the whole professional life of an individual. Law societies have an important role to play in empowering individuals and communities to assert their rights vis-à-vis the state, and to build more just and equitable justice systems. On the other hand, the appropriate training of the judges and prosecutors partakes in its independence and its efficiency.

In conclusion, it is essential that judges, prosecutors and lawyers, but also future practitioners receive detailed, in-depth, and effective human rights education, enabling them to apply such standards in concrete situations and keep up to date with the ever-evolving standards and case law.

FOCUS AREA RECOMMENDED

Nowadays, fundamental freedoms are increasingly under pressure. SLAPPs represent one of the serious threats designed to chill the speech of those who are speaking out and restrict public debate.

¹ Pioneering anti-SLAPP Training for Freedom of Expression (PATFox), a 2- years project (February 2022-February 2024), co-funded by the European Commission (project number 101051559). More information is available on the website at www.antislapp.eu



The current climate, therefore, requires to strengthen the role of judges, prosecutors, lawyers, and representatives of judicial training institutes in promoting freedom of expression standards, including freedom of the press, and access to information.

CONCLUSIONS

We therefore recommend the Office of the High Commissioner for Human Rights (OHCHR) to promote capacity building and legal human rights training for judges, prosecutors and lawyers in the framework of the fifth phase of the World Programme.

Human rights training of justice actors cannot guarantee that human rights will be effectively protected at the national level. However, it can contribute to the long-term prevention of human rights abuses and violent conflicts, the promotion of equality and sustainable development, and the enhancement of participation in decision-making processes within a democratic system. In conclusion, it is crucial to comply with the Sustainable Development Goals, and especially to achieve SDG 16 on Peace, Justice and Strong Institutions.

FIBGAR consent to the publication of the submission on OHCHR website.

Contact details contacto@fibgar.org