**GLOSSARY OF VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS LAW AND INTERNATIONAL HUMAN RIGHTS LAW**

18 Oct-10

## 1. Life and personal integrity

Including prohibition of unlawful killings, enforced disappearances, access to life saving medical treatment, torture, cruel, inhuman or degrading treatment or punishment, sexual violence, and threat to physical or mental integrity.

* 1. **Life**

1.1.1 Extrajudicial, arbitrary or summary execution or other unlawful killing

1.1.2 Attempted extrajudicial, arbitrary or summary execution or other unlawful killing

1.1.3 Enforced disappearance

1.1.4 Threat or imposition of the death penalty

1.1.5 Death threats

1.1.6 Access to life-saving drugs and life-saving medical care

1.1.7 Other violations of the right to life

* 1. **Physical and mental integrity**

1.2.1 Torture or cruel, inhuman or degrading treatment or punishment

1.2.2 Excessive or disproportionate use of force

1.2.3 Harmful traditional practices

1.2.4 Rape

1.2.5 Sexual violence and assault (including attempted rape)

1.2.6 Forced pregnancy, forced abortion, forced sterilisation

1.2.7 Threats to physical or mental integrity

1.2.8 Inadequate measures to prevent domestic violence

1.2.9 Other violations of physical and mental integrity

**2. Liberty and detention**

Including safeguards for persons deprived of liberty, prohibition of arbitrary arrest and detention, slavery, trafficking

**2.1 Liberty**

2.1.1 Slavery and similar practices

2.1.2 Trafficking

2.1.3 Forced labour

2.1.4 Threats to liberty

2.1.5 Forced institutionalisation

2.1.6 Other violations of the right to liberty

**2.2 Detention**

2.2.1 Arbitrary arrest or detention

2.2.2 Administrative or preventative detention

2.2.3 Promptly informed of reasons for arrest and charges if any

2.2.4 Right to challenge the legality of detention

2.2.5 Access to the outside world (family, media etc)

2.2.6 Access to legal counsel

2.2.7 Access to consular officials

2.2.8 Other violations of rights related to detention

**2.3 Conditions of detention**

2.3.1 Inhuman or degrading treatment in detention

2.3.2 Registration of detainees

2.3.3 Segregation of pre-trial detainees from convicts

2.3.4 Segregation of sexes

2.3.5 Adequate and reasonable accommodation in detention

2.3.6 Adequate food in detention

2.3.7 Adequate medical services in detention

2.3.8 Disproportionate or health threatening disciplinary measures

2.3.9 Unfair procedure in determining disciplinary punishment

2.3.10 Unjustified use of restraints

2.3.11 Unjustified strip and cavity searches

2.3.12 Threats and harassment

2.3.13 Access to information on HIV/AIDS and other STDs in detention

2.3.14 Services for prisoners with children

2.3.15 Right to maintain religious life in detention

2.3.16 Appropriate work in detention

2.3.17 Access to educational, cultural and informational material in detention

2.3.18 Political participation while in detention

2.3.19 Rehabilitation and reform

2.3.20 Complaints system for detained persons

2.2.21 Other violations of human rights in detention

**3. Access to justice, fair trial, effective remedies, accountability and impunity**

Including fair trial, rights of victims, access to effective remedies and reparation

**3.1 Access to justice and fair trial**

3.1.1 Access to judicial, administrative and other mechanisms

3.1.2 Trial by competent, independent and impartial tribunal

3.1.3 Public trial

3.1.4 Fair hearing

3.1.5 Legal counsel

3.1.6 Trial within reasonable time

3.1.7 Reasoned judgment

3.1.8 Right to appeal

3.1.9 Violation of rights of victims or witness during legal proceedings

3.1.10 Lack of appropriate safeguards for groups with specific needs in all legal and administrative proceedings

3.1.11 Other violations of access to justice and fair trial

**3.2 Additional fair trial guarantees with regard to criminal justice**

3.2.1 Brought promptly before a judge

3.2.2 Presumption of innocence

3.2.3 Defence counsel of choice/right to defend oneself

3.2.4 Legal aid where the interests of justice so require

3.1.5 Right to be present during trial

3.1.6 Adequate time and facilities to prepare the defence

3.1.7 Free assistance of interpreter

3.1.8 Right not to be compelled to testify against oneself or confess (self incrimination)

3.1.9 Double jeopardy (*ne bis in idem*)

3.1.10 Retroactive criminal law

3.1.11 Prosecution for an act or omission which does not constitute a criminal offence

3.1.12 Right to benefit from a lower penalty

3.1.13 Compensation for miscarriage of justice

3.1.14 Evidence obtained through torture or ill treatment

3.1.15 Right to seek commutation of sentence

3.1.16 Right to seek pardon from conviction

3.1.17 Alternative sentencing as provided by law

3.1.18 Other violations of fair trial guarantees with regard to criminal cases

**3.3 Effective remedies**

3.3.1 Reparation for harm suffered (compensation, restitution, rehabilitation)

3.3.2 Failure to investigate

3.3.3 Failure to prosecute

3.3.4 Granting of amnesty for human rights violations

3.3.5 Violation of the right to truth

3.3.6 Other violations of the right to effective remedy

**4. Religion, expression, information, assembly, association, participation, movement and residence**

Including freedom of opinion and expression, thought, conscience and religion, assembly and association, freedom of movement and residence; right to participate in public affairs and to vote

**4.1 Thought, conscience, belief and religion**

4.1.1 Right to hold, adopt or change a religion or belief

4.1.2 Right to manifest one’s religion or belief in teaching, practice, worship and observance

4.1.3 Conscientious objection

4.1.4 Other violations of the right to freedom of thought, conscience or religion

**4.2 Opinion and expression**

4.2.1 Interference with opinions held or expressed

4.2.2 Censorship

4.2.3 Prohibiting media from operating

4.2.4 Confiscation of media property

4.2.5 Equal access to media

4.2.6 Other violations of the right to opinion and expression

**4.3 Incitement**

4.3.1 War propaganda

4.3.2 Incitement to violence, hatred, or discrimination

4.3.3 Other violations related to incitement

**4.4 Information**

4.4.1 Access to information

4.4.2 Access to personal information and records

4.4.3 Availability of information in accessible formats (*See also Persons with disabilities)*

4.4.4 Other violations of the right to information

**4.5 Assembly**

4.5.1 Limitation or banning of assemblies/gatherings/public demonstrations

4.5.2 Other violations of the right to assembly

**4.6 Association**

4.6.1 Freely form and join in any civil society association/organisation

4.6.2 Closure or banning of association/organisation

4.6.3 Illegal search, raid or surveillance of association/organisation

4.6.4 Other violations of the right to association

**4.7 Participation**

4.7.1 Participation in public affairs and decision-making

4.7.2 Consultation with communities about policies which directly affect them

4.7.3 Stand for election

4.7.4 Participation in free and periodic elections

4.7.5 Vote (secrecy, transparency, education)

4.7.6 Participate in political, professional and social organizations

4.7.7 Other violations of the right to participation

**4.8 Movement and residence**

4.8.1 Freedom of movement

4.8.2 Choice of residence

4.8.3 Enter and leave one’s own country

4.8.4 Refusal to issue travel documents

4.8.5 Arbitrary deportation/exile

4.8.6 Forced displacement

4.8.7 Other violations of the right to freedom of movement and residence

**5. Privacy and property**

Including arbitrary or unlawful interference with privacy, family, home or correspondence, right to peacefully enjoy possessions, unlawful confiscation of property, protection of authors’ rights and intellectual property.

**5.1 Privacy**

5.1.1 Arbitrary or unlawful interference with privacy, family, home or correspondence

5.1.2 Protection of reputation

5.1.3 Other violations of the right to privacy

**5.2 Property**

5.2.1 Own property alone and in association with others

5.2.2 Arbitrary expropriation of property

5.2.3 Illegal confiscation, occupation or destruction of property

5.2.4 Unlawful refusal to grant legal title

5.2.5 Confiscation of land deeds or property documents

5.2.6 Unlawful refusal to access/obtain legal deeds

5.2.7 Access to communal land and other national resources

5.2.8 Access to credit and productive resources

5.2.9 Other violations of the right to property

**5.3 Author’s rights and intellectual property**

5.3.1 Protection of author’s/artist’s rights and intellectual property

5.3.2 Benefits of scientific progress and its applications

5.3.3 Other violations related to author’s rights and intellectual property

**6. Protection of and assistance to the family**

**6.1 Marriage and family**

6.1.1 Marriage without free and full consent

6.1.2 Prohibition of marriage

6.1.3 Prohibition of divorce

6.1.4 Failure to legally recognise cohabitation/de facto/civil unions

6.1.5 Equal rights and responsibilities of spouses in marriage

6.1.6 Equal rights to property in marriage

6.1.7 Family planning (free from coercion and interference)

6.1.8 Forced separation of children from parents

6.1.9 Custody, adoption and fostering

6.1.10 Other violations related to the protection of family and marriage

**7. Labour**

Including rights of workers (equal pay for equal work, safe and healthy working conditions, protection against unfair dismissals) and trade union rights (right to form and join trade unions, right to strike)

**7.1 Work and just conditions of work**

7.1.1 Exclusion from the labour market

7.1.2 Fair remuneration

7.1.3 Exploitation at work

7.1.4 Unlawful dismissal/deprivation of employment

7.1.5 Parental leave

7.1.6 Safe and healthy working conditions

7.1.7 Other violations related to work and just conditions of work

**7.2 Trade unions**

7.2.1 Form or join trade unions and participate in professional organizations

7.2.2 Failure to provide for collective bargaining

7.2.3 Denial of right to strike

7.2.4 Other violations of the right to join and form trade unions

**8. Adequate standard of living**

Including adequate housing, access to adequate food, access to safe-drinking water and sanitation, social security

**8.1 Housing and land**

8.1.1 Arbitrary or discriminatory exclusion from adequate housing

8.1.2 Denial of tenure security to particular groups

8.1.3 Forced evictions

8.1.4 Involuntary/illegal displacement/resettlement

8.1.5 Unequal inheritance rights

8.1.6 Denial of housing, land and property restitution

8.1.7 Other violations of the right to housing and land

**8.2 Food**

8.2.1 Arbitrary or discriminatory exclusion from access to adequate food

8.2.2 Destruction of food supplies

8.2.3 Destruction of food producing resources

8.2.4 Withholding food aid

8.2.5 Starvation

8.2.6 Other violations of the right to adequate food

**8.3 Safe-drinking water and sanitation**

8.3.1 Arbitrary or discriminatory exclusion from access to safe-drinking water and sanitation

8.3.2 Arbitrary water or sanitation disconnections

8.3.3 Illegal pollution of water resources

8.3.4 Denial of the minimum quantity of water needed to sustain life and health

8.3.5 Other violations of the right to safe drinking water and sanitation

**8.4 Social security**

8.4.1 Arbitrary exclusion from social security

8.4.2 Other violations of the right to social security

**9. Health**

Including equal access to health goods, services and facilities; sexual and reproductive health; access to essential drugs, health information and education; and prevention of disease

**9.1 Health**

9.1.1 Exclusion from medical services, facilities or treatment

9.1.2 Denial of goods and services for sexual and reproductive health

9.1.3 Denial of primary health care for children *(See also children)*

9.1.4 Forced medical treatment or medical experimentation

9.1.5 Failure to ensure disease prevention, treatment and control

9.1.6 Other violations of the right to health

**10. Education and culture**

Including right to education (including free and compulsory primary education) and rights in education (including equal opportunity in education, access to quality education consistent with human rights), and right to take part in cultural life and to enjoy the benefits of scientific progress

**10.1 Education**

10.1.1 Exclusion from or lack of access to free and compulsory primary education *(See also children)*

10.1.2 Arbitrary or discriminatory exclusion from secondary or university education (including technical and vocational)

10.1.3 Curriculum culturally acceptable and not incompatible with human rights principles

10.1.4 Free choice of education

10.1.5 Discriminatory segregation in education

10.1.6 Use of disciplinary practices inconsistent with human dignity *(See also violence against children)*

10.1.7 Other violations of the right to education

**10.2 Culture**

10.2.1 Restrictions on use of language or mother tongue

10.2.2 Restrictions on certain cultural practices (not in contradiction with other human rights)

10.2.3 Restrictions to participation in recreational activities, sports, creative activities and all aspects of cultural life

10.2.4 Other violations of the right to culture

**11. Identity and nationality**

Including right to name, nationality and registration at birth

**11.1 Nationality**

11.1.1 Citizenship

11.1.2 Preservation of nationality

11.1.2 Inequality in laws, policies, procedures for acquiring, changing or retaining nationality

11.1.3 Inequality of men and women with respect to children’s nationality

11.1.4 Other violations of the right to nationality

**11.2 Identity**

11.2.1 Registration at birth

11.2.2 Access to birth records

11.2.3 Right to a name

11.2.4 Right to preserve identity, including name

11.2.5 Other violations of the right to identity

**12. Group-specific violations**

Including violations specific to categories of victims where the rights extend beyond those applicable to all human beings, including those specific to children, refugees and internally displaced people, minorities, indigenous peoples, human rights defenders, migrants,

**12.1 Children**

12.1.1 Denial of right to be heard in matters affecting oneself

12.1.2 Prohibition of separation from parents

12.1.3 Non-recognition of lawful adoption

12.1.4 Freedom from violence, abuse and neglect (mental and physical)

12.1.5 Sexual exploitation, abuse and rape (including child pornography)

12.1.6 Abduction or sale

12.1.7 Minimum age for employment or minimum age too low

12.1.8 Minimum age in marriage/marriage of minor

12.1.9 Lack of minimum age of marriage or minimum age too low

12.1.10 Minimum age for medical treatment without parental consent

12.1.11 Child labour

12.1.12 Forced recruitment/conscription of children in armed forces

12.1.13 Detention as last resort and for shortest time possible

12.1.14 Segregation of children from adults in detention

12.1.15 Lack of minimum age of criminal responsibility or minimum age too low

12.1.16 Other violations of the rights of the child

**12.2 Refugees, asylum seekers and internally displaced people**

12.2.1 Non-refoulement

12.2.2 Seek asylum

12.2.3 Protection of unity or reunification of families

12.2.4 Voluntary return in safety and dignity

12.2.5 Property restitution

12.2.6 Other violations of the rights of refugees, asylum seekers and IDPs

**12.3 Minorities**

12.3.1 Protection of existence and identity of minorities

12.3.2 Right to participate in decision-making

12.3.3 Practice and develop culture, language, religion, traditions and customs

12.3.4 Learn mother tongue or have instructions in mother tongue

12.3.5 Other violations of the rights of minorities

**12.4 Indigenous peoples**

12.4.1 Self administration of land and natural resources

12.4.2 Right to dispose of natural wealth and resources

12.4.3 Hunting rights

12.4.4 Maintain customs, traditions, rules and legal systems

12.4.5 Internal self-determination

12.4.6 Right to distinct identity

12.4.7 Participation in decision-making processes

12.4.8 Consultation (to obtain free, prior and informed consent)

12.4.9 Culturally appropriate education and health services

12.4.10 Recognition of customary laws and decision making institutions

12.4.11 Ownership and possession of traditional lands

12.4.12 Recognition of land tenure systems

12.4.13 Access to ancestral lands and lands traditionally occupied or used

12.4.14 Access to natural resources, benefits and compensation

12.4.15 Conservation and protection of the environment and own means of subsistence

12.4.16 Other violations of the rights of indigenous peoples

**12.5 Migrant workers and members of their families**

12.5.1 Access to consular authorities in case of detention or expulsion

12.5.2 Separate immigration detention facilities

12.5.3 Unlawful confiscation or destruction of identity documents

12.5.4 Collective and arbitrary expulsion

12.5.5 Transfer of earnings and savings on leaving country of employment

12.5.6 Protection of family unity of migrants

12.5.7 Regulation of recruitment agencies

Other violations of the rights of migrant workers and members of their families

**12.6 Persons with disabilities**

12.6.1 Forced institutionalisation

12.6.2 Unavailability or denial of the use of Braille, sign language, augmentative, alternative and other means of communication in official interactions

12.6.3 Lack of availability of information in formats accessible to persons with disabilities

12.6.4 Existence of obstacles and barriers to accessibility of buildings and other facilities

12.6.5 Denial of reasonable adjustments for workers with disabilities

12.6.6 Denial of measures to accommodate and to support learners with disabilities or students with learning difficulties (inclusive education)

12.6.7 Other violations of the rights of persons with disabilities

**13 Inequality and discrimination**

Including prohibition of discrimination on prohibited grounds, in law and in practice; special protection of most vulnerable groups; temporary special measures to ensure de facto equality for men and women and for disadvantaged groups

**13.1 Equality**

13.1.1 Equal access to public service

13.1.2 Equal recognition as a person before the law and equal treatment before the law

13.1.3 Deprivation of legal capacity based on discriminatory grounds

13.1.4 Special measures for women, disadvantaged groups and persons with disabilities

13.1.5 Other violations of the right to equality

**13.2 Discrimination**

13.2.1 Discrimination based on sex

13.2.2 Discrimination based on race or colour

13.2.3 Discrimination based on language

13.2.4 Discrimination based on religion

13.2.5 Discrimination based on political or other opinion

13.2.6 Discrimination based on national, ethnic or social origin

13.2.7 Discrimination based on property

13.2.8 Discrimination based on birth

13.2.9 Discrimination based on disability

13.2.10 Discrimination based on marital status

13.2.11 Discrimination based on citizenship or residency status

13.2.12 Discrimination based on sexual orientation and gender identity

13.2.13 Discrimination based on other status

**14. Legislative and policy measures, corruption**

Includes corruption, retrogressive laws or policies, failure to take action (note: lack of effective remedies is also covered under ‘Access to justice, fair trial and effective remedies’)

**14.1 Legislative, policy and other measures**

14.1.1 Promulgation of law or policy which directly violates rights

14.1.2 Retrogressive legislation or policy measure

14.1.3 Non-implementation of laws

14.1.4 Non-implementation of court decisions/orders

14.1.5 Failure to monitor and undertake due-diligence

14.1.6 Failure to legislate to protect rights-holders

14.1.7 Failure to take administrative or other measures

14.1.8 Manifest failure to use available resources for the realisation of human rights

14.1.9 Other violations related to legislative, policy or other measures

**14.2 Corruption**

14.2.1 Violation/s caused by bribery or corruption

14.2.2 Diversion of resources through corrupt practices

14.2.3 Protection of whistleblowers and witnesses exposing corruption

14.2.4 Other violations related to corruption

**15. *International humanitarian law***

Most provisions of international humanitarian law are only applicable in times of armed conflict. A violation of an international humanitarian law provision may also constitute a violation of a human rights law provision, unless such a right is derogable and the state has derogated from the right following the prescribed procedure.

**15.1 Killing or injuring protected persons**

15.1.1 Wilful killing of civilians

15.1.2 Wilful killing of person who has surrendered or is otherwise *hors de combat*

15.1.3 Wilful causing of great suffering or serious injury to body or health

15.1.4 Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or other sexual violence

15.1.5 Wounding a person who has surrendered or is otherwise *hors de combat*

15.1.6 Torture and cruel, inhuman or degrading treatment (including scientific, medical or biological experiments and mutilation)

15.1.7 Other IHL violations related to killing or injuring of protected persons

**15.2 Liberty and personal integrity**

15.2.1 Hostage-taking

15.2.2 Unlawful confinement

15.2.3 Abduction

15.2.4 Enforced disappearance

15.2.5 Other IHL violations related to liberty or personal integrity

**15.3 Unlawful attacks and destruction**

15.3.1 Intentional attacks against civilians or civilian objects or protected sites (religious buildings, historical monuments, hospitals, schools, sites using the protected emblems)

15.3.2 Indiscriminate attacks against civilians or civilian objects (include indiscriminate aerial bombardment, widespread and severe damage to the natural environment)

15.3.3 Use of civilian buildings for military operations

15.3.4 Attacks against humanitarian, medical or peacekeeping personnel

15.3.5 Starvation of civilians and denial of humanitarian assistance (including restrictions on transport of food and medicines)

15.3.6 Destruction or appropriation of property (including pillaging, destruction of harvest)

15.3.7 Other IHL violations related to unlawful attacks or destruction

**15.4 Conscription of children**

15.4.1 Forced recruitment / conscription of children

15.4.2 Use of children in armed conflict

**15.5 Use of prohibited weapons**

15.5.1 Use of anti-personnel landmines

15.5.2 Use of other prohibited weapons (including poisoned weapons, asphyxiating or poisonous gases, expanding bullets)

**15.6 Deportation and population movements**

15.6.1 Unlawful deportation, transfer, forcible displacement of individuals or population

15.6.2 Transfer by Occupying Power of its own civilian population into occupied territory

15.6.3 Other IHL violations related to deportations and populations movements

**15.7 Fair trial, accountability and impunity**

15.7.1 Denial of fair trial rights (including review of legality of detention by competent body)

15.7.2 Imposition of death sentence or carrying out of execution without fair trial

15.7.3 Failure to hold accountable those responsible for breaches of IHL

15.7.4 Other IHL violations related to fair trial, accountability and impunity