



The A.D.Sakharov Armenian Human Rights Centre

Organizing monitoring works
Methodological manual

Introduction

This manual is dedicated to organizing monitoring works of the regional offices of Sakharov Centre: 5 special institutions for people with disabilities and nursing homes in Shirak region; 5 LSG bodies in Gegharkunik region and 5 public schools in Syunik region. The monitoring of the mentioned social-administrative institutions is implemented in the scope of the project «Increasing civil activity of the population and local structures of the civil society through promoting democratic public processes and expanding human rights activities in the region» (grant № 16634, grantor- OSF-Armenia).

The methodological manual, first of all, is intended for the employees of Sakharov Centre who implement the project assignments, but also can be useful for the local CSSs the functions of which are to implement public control over observance of human rights and public interests.

1. Monitoring as one of the components of activities on protecting public interests

Recently the concept «monitoring» has come into vogue. It is used for implying various types of studies, tests, information gathering, analyses and other similar activities. In the traditional sense monitoring is long-term observation of a regular or a periodical process. Studies and other actions mentioned above can be implemented once in the social sphere and also be called monitoring.

1.1. What is monitoring?

In our case monitoring is a regular, systemic study of a certain fragment of social reality conducted by a given scheme.

The choice of action targets and monitoring themes is usually preceded by the creation of an idea of a particular fragment of the social reality, which, for some reason, the public is interested in. This idea of the organization, which implements monitoring, is created on the basis of the data received from the press, received complaints, reports published by the supervisory bodies, or any other available sources of information of varying degrees of reliability.

Monitoring has different functions:

- *Cognitive function.* In this case monitoring allows receiving documented data about the extent of violation of human rights and public interests.
- *Auxiliary function.* In this case monitoring promotes gathering actual materials which confirm violations of human rights and public interests in wider aspect.
- *Preventive function.* In this case monitoring results allow constantly affecting state structures which are responsible for violation of human rights and public interests. In this case the term «monitoring» is substituted by the concept of «observation».

In essence, monitoring should serve as an objective base for improving social reality, and not simply describing and diagnosing.

Conscientiously gathered and objective information received in the result of the monitoring, should be the basis of the complex planning of actions for improving the situation.

1.2. Types of actions for protecting public interests

The measures taken by non-governmental organizations aimed at closer adherence to protection of human rights and public interests without applying violence can be divided into 3 groups: legal, public and informative-educational.

- *Legal actions.* Extrajudicial and judicial processes aimed at reviewing interpretation of the current law for eliminating a norm from the legal system which does not correspond to the interests of protecting human rights and public interests. This category also includes actions on disseminating legal culture, legal knowledge and international norms in the society.
- *Public influence.* The essence of these actions is in using different forms of organized, often collective influence on state, public and private bodies which implement corresponding public functions by the way of civil actions widely using the potential of local and central mass media. In the given direction identification of potential allies and opponents has crucial significance: precise identification of certain actual requirements; clarifying on whom it depends the actual adoption of a decision on satisfying actual requirements; developing policy of the organizing informative actions and choice of forms of direct influence.

- *Informative-educational influence.* A particular form of protecting public interests and human rights is organizing systems of forming civil active members of society aimed at achieving reaction and participating in the decision of the given issue by more influential part of the society. The main goal of these actions is increasing the level of moral criteria of the society in the whole providing public intransigence towards the usual stereotypes in the studied sphere. It's important to show the public at large that even a minor victory in the sphere of protection of human rights and public interests is a big step towards formation of civil active individuals.

1.3. Monitoring as a tool for changes

One of the main rules of conducting social research (monitoring) is adherence to public order.

Studies, conducted in the frames of the monitoring, have a particular goal-changing the situation and not simply describing it.

Results of the monitoring are an initial point for further actions which should bring changes in the studies situation.

However, in some cases monitoring by itself becomes not only a method of perceiving the reality, but a mechanism of changes as well. In such cases monitoring oversteps the limits of observation and becomes an action for protecting public interests.

Monitoring must be conducted objectively and professionally and make accurate conclusions on the basis of its data.

1.4. The concept of monitoring and the strategy of actions on protecting public interests

As already mentioned, monitoring is not end in itself, but a part of a wide range of actions directed to the change of the situation.

The concept of monitoring depends on how its results are supposed to be used, i.e. what actions are planned (legal, public or informative-educational).

The concept of monitoring and selection of methods for its conducting depends on the theme of the study. In our case it is:

- Observance of a certain law in certain geographical region of the Republic (for example in a marz or a small town). Freedom of speech, personal privacy, etc. can serve as a

concrete law. In such cases the task is to choose a region for conducting the monitoring. Following the level of observance of human rights in several regions will give quite accurate results for the whole republic.

- Observance of the rights of people in institutions of closed or special types (police departments, investigation insulators, hospitals, psychiatric clinics, nursing homes and other institutions where people turn up to be together on voluntary or compulsory basis). While conducting such a monitoring it's important to understand that it's reasonable to observe the rights of all people in the mentioned institutions who are related to the given institution, and not only people who are kept in them (prisoners, patients, disabled people, orphans, etc.). It's worth taking this strategy as very often the rights of employees of those institutions may be violated as well and, secondly, it will be easier to conduct a monitoring if the employees of the given institution understand that protection of their rights is also included in the prerogative of the observation.
- Observance of the rights of a group of people who have been in long-term contact with state institutions (schoolchildren, patients, people receiving social benefits, etc.).
- Observance of the rights of people by different institutions and LSG bodies. The subject of the observation in this case is the functioning of an institution in the whole and not separate procedures.
- The influence of a certain law on observance of human rights. Such type of monitoring, as a rule, is conducted after some time of the entering of a law into force aimed at having an opportunity to describe its action from the point of view of human rights protection.
- Compliance of statutes adopted by the National Assembly, Government and also by LSG bodies with the Constitution or international standards. The lower is the rank of the analyzed acts; the more valuable is the analysis, as the violation of standards is more frequently observed in legal acts of lower rank.

This list doesn't exhaust potentialities of the studies in the frames of the monitoring.

1.5. Strategy for choosing the goal of monitoring

The planning of actions on protection of human rights and public interests begins with the selection of a goal-with the determination of what exactly to change in the given sphere of the activities of governmental bodies for providing observance of human rights.

Striving for systemic changes of a law or the practice of its applying should be characteristic for human rights NGOs.

For attaining its goal a human rights NGO uses legal, public and informative-educational influence (action) separately or in different combinations.

The methods applied by human rights NGOs-legal, public and informative-educational actions for protecting public interests, should lead to pressure on state structures and formation of civil active members of the society. However, these actions can't lead to the change of stereotypes in the society. It can be achieved only through hard work requiring entirely other methods and skills.

While developing a strategy for monitoring it's necessary to take into account the factor of collaboration with other NGOs for whom the goal of the given monitoring can be intermediate in the course of the realization of their own mission.

In their striving for the same goal the united structures of civil society (NGOs in our case) use completely different means. Thus, for example, some will try raising emotional reaction of the society, others provide materials for judicial and extrajudicial trial and the others lobby various aspects of public interests in legislative acts. Such collaboration is an example of effective and complex solution of a problem.

NGOs, which instead of complementing and strengthening each other, are at enmity and compete with each other, cause dislike and mistrust in the society. State structures, which fight for their status quo in the system of governing the country, make use of it.

While determining the goal of the monitoring it's necessary from the very beginning to determine private intermediate-operative goals which can help in achieving the strategic goal.

The choice of the strategic goal, as a rule, is preceded by the phase of provisional diagnosis of the situation.

After defining the provisional diagnosis of the situation, operative goals and methods of their attainment are selected. The provisional diagnosis of the situation is formed through studying comparatively easily accessible information which characterizes the current

condition of the monitoring object. This analysis of the information is not a monitoring yet. In the given phase it's necessary to define the sources of information about the monitoring object. The source can be:

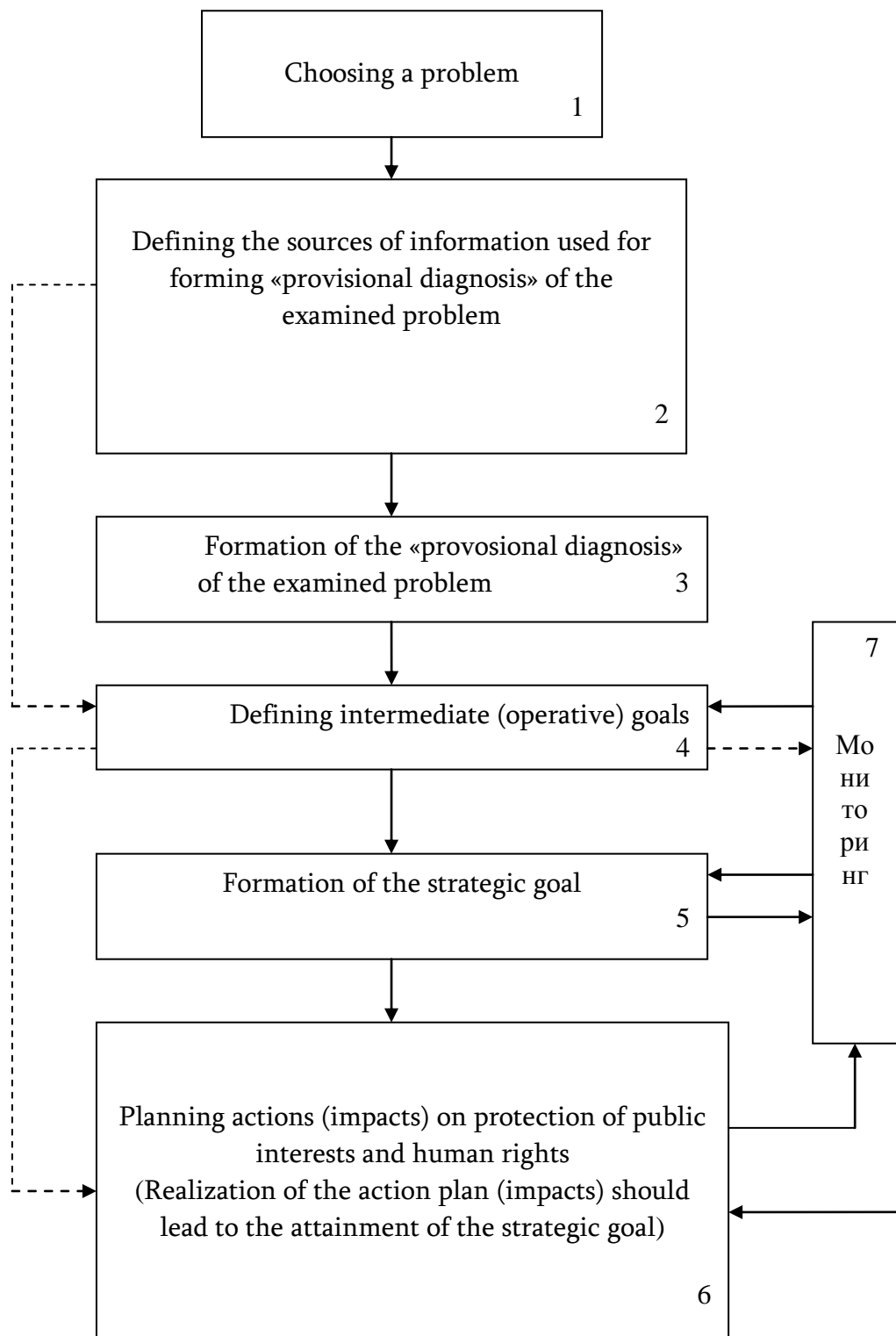
- Speeches in the press or on TV;
- Interviews with people who have come across with the mentioned problem because of their business and scientific interests;
- Studying complaints and suggestions on the examined problem;
- Defining the scope of legal norms which regulate the examined process;
- Analysis of the results of previous studies or control;
- Defining (revealing) intentions of legislative and executive branches of the authorities on further reforms of the examined problem;
- Defining the sources which characterize the state of affairs on the examined problem in foreign countries;
- Defining certain institutions (LSG bodies, schools, etc.) which must be examined in the period of monitoring implementation.

Provisional diagnosis will allow defining general information on the situation of human rights in the given sphere. Due to the obtained knowledge it will be possible to develop operative goals and fix the order of their attainment. The methods and technologies of network planning can help this process. However, in practice often after the phase of provisional diagnosis it becomes clear that for further analysis of the situation of the examined problem it's necessary to conduct a complex monitoring. And then monitoring becomes the first step of the strategy development.

Only on the basis of the monitoring results and the information obtained in the course of the study, we proceed to the development of the action plan on legal, public and informative-educational actions.

The model diagram of the stages of study of the problem on the protection of human rights and public interests

Diagram № 1



This diagram shows that:

- While realizing the stage of defining the sources of information used for formation of the «provisional diagnosis» of the studied problem (Block 2), the variant of defining the

intermediate (operative) goals is possible (Block 4), and, moreover, abiding Block 5 (formation of the strategic goals) it's possible to proceed to the stage of planning actions (impacts) on protecting public interests and human rights (Block 6) by corresponding directions (legal, public and informative-educational impact).

- The analysis of the monitoring (Block 7) while realizing the works envisaged in Blocks 4 and 5, contributes to the process of forming operative goals and the strategic goal of the examined problem, and the analysis of the results of the monitoring while realizing the works envisaged in Block 6 will allow evaluating the degree of the effectiveness of the activities on protection of public interests and human rights.

And as a result we can confirm that monitoring isn't only a tool for studying a phenomenon in the sphere of protection of public interests and human rights, but it can serve as a tool for evaluating taken measures of public significance for affecting the phenomenon under study.

2. Monitoring

After defining the strategic goals of the actions, making a provisional diagnosis and choosing operative goals we can proceed to the planning of the monitoring.

2.1. Definition and the choice of the study

The character of the study depends on the choice of the operative goal (goals). It's necessary to define the sphere subjected to tracking aimed at obtaining information, facts and «cause», which provide attainment of the required operative goal.

The sphere, subjected to tracking, can be evaluated in different aspects, namely:

- legal;
- procedural;
- methodological;
- organizational;
- HR;
- informative;
- sanitary-hygienic;

- cultural-ethical;
- in other aspects.

The researcher (a person responsible for the implementation of a monitoring) himself defines the aspect (aspects) of the study which allows obtaining more general signs which characterize the studied phenomenon. The quality of the monitoring depends on the data objectivity and adequacy characterizing aspects of spheres which are subjected to tracking.

2.2. Choosing research tools

The group of the applied methods of the research is heterogeneous. Particularly methods of social studies, methods of comparative analysis, methods of investigating side factors indirectly characterizing the aspect of the research and other methods are used in the monitoring implementation.

Simultaneously with the application of various methods of the research, methods of data processing, which will be obtained in the course of the monitoring and the form (forms) of submitting results, are developed.

2.3. Preliminary planning and preparation of group composition on conducting monitoring.

Criteria for selection of groups for conducting monitoring depend on its character. One of the most important requirements for a member of the monitoring group is his/her professionalism. However, psychological and ethical qualities, as well as the ability to communicate, make decisions and work in the group are of great significance.

The process of preparing members of the group for conducting the monitoring is very important. It's worth teaching the group members to react to atypical situations arising during monitoring implementation. Each member of the group must understand the tasks and methods of the monitoring implementation in the whole, as well as the envisaged forms of data processing.

2.4. Conducting research

In the course of the research it's worth keeping to the following principles:

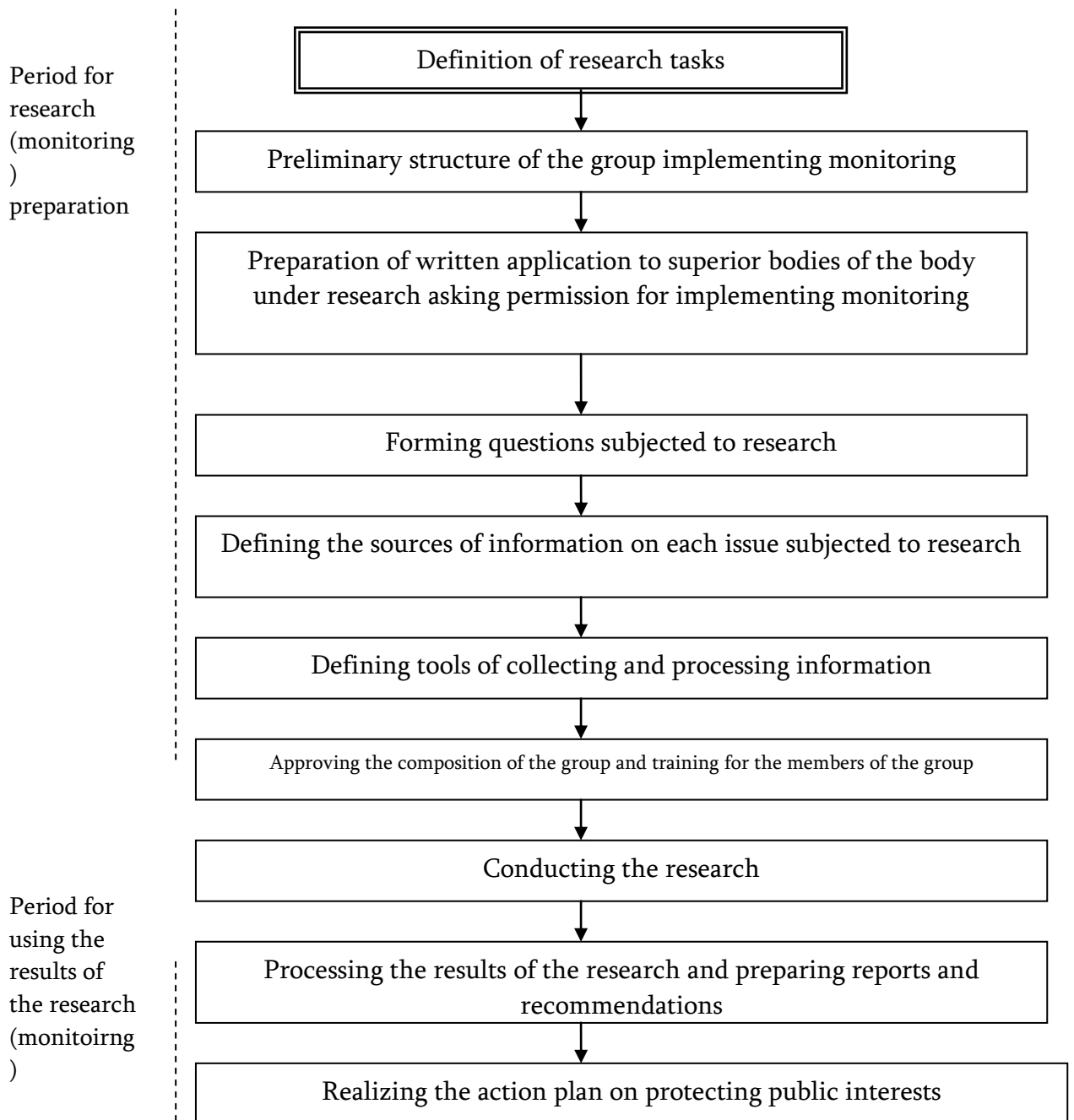
- carefully separate facts from suppositions;

- be as objective as possible;
- avoid emotional reactions on situations, not fit the forming image of the reality to predetermined stereotypes;
- not promise people to help in solution of private problems.

It's necessary to organize the works of the group in such a way that its members can consult with each other and provide mutual assistance.

3. Model diagram of monitoring implementation

Diagram № 2



3.1. Explanation of Diagram № 2

- The basis for formulating research tasks is the enumeration of operative goals revealed during detection of the monitoring spheres.
- While realizing the works envisaged in Block 2, namely the preparation of written applications to superior bodies under research, it's necessary to indicate the goal (goals) of the monitoring, the date (period) of its implementation and personal data of the people responsible for the implementation of the monitoring.
- While defining the sources of information on the corresponding issue of the research it's necessary to implement classification of the used information sources, namely written sources, including:
 - normative acts (main legal acts);
 - internal documentation of the studied institute (corresponding features, instructions, internal regulations and other resolutions);
 - documents prepared in the given institute (periodical articles, reports, expertises, etc.);
 - correspondence between citizens and administrative bodies;
 - citizens' complaints to superior bodies;
 - results of previous inspections;
 - information about the studied structure in mass media;
 - visual information (bulletin boards, etc.);
 - photos and image information;
 - standards and normative information regulating sanitary conditions of the institution under research.
- While defining the tools of collecting and proecessing information (Block 5) the research group must follow these criteria: visualization, accuracy and understanding of the received information. The research group must identify the means of data presentation (graphical, tabular, histogram, etc.), and also use indirect methods of assessment and data on exceptional cases (e.g. the relation of the weight of children in orphanages to their height complies with the norms; however, they suffer from undernutrition, i.e. from low caloric content of food).

- The realization of the action plan on protecting public interests (Block 9) must be implemented strictly in the frames of the current legislation through all available methods.