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Visualizing International Law: The Pedagogy of the 'Human Rights ThemeMaps'

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Summary

This is a description of a web-based tool, Human Rights ThemeMaps, which seeks to visualise, as a minimum, the formal commitments of states to the various substantive and procedural aspects of international human rights law. ThemeMaps uses interactive maps and graphs to display such information in a revealing and pedagogic way.

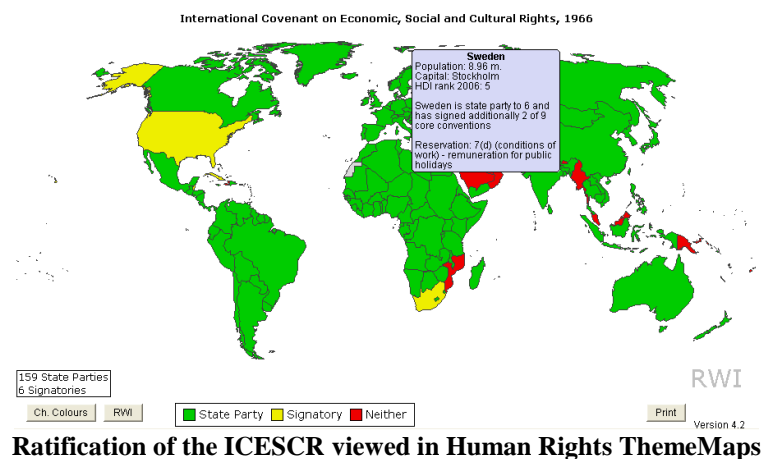
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Introduction

One of my first teachers in international human rights law was Katarina Tomaševski,¹ an extremely engaging and inspiring teacher. Her black-and-white ‘transparencies’ would fly across the overhead projector depicting vividly on the wall in front of us “this, that, and the other” of human rights law, her body language added greatly to this visual impression. Cartoons, graphs, tables, comparative overviews, 'what have you', complemented by her favorite expression carried the contents and thinking into our memories: the politicisation of rights already apparent at the adoption of the UDHR; development of human rights treaties; shortcomings of the World Bank; the overly bureaucratic system of many international organizations; the utterly slow pace of monitoring mechanisms; the comparative advantages of the respective regional systems; the lack of true commitment of states; and the deficiencies in the case-law of courts and monitoring bodies; yet the promising developments in some areas that should guide us students in our further pursuits. This and so much more was handed over to us with passion and grace, using visuals to ensure absorption by multiple senses. Drawing on the visual sense in teaching, advocacy, and research is important but often neglected.

Since the adoption of the UDHR in 1948, international human rights law has come a long way and so too technological developments. There remains lots of potential in improving learning tools. This is a description of an effort, inspired by Katarina Tomaševski, to offer international human rights law in a more accessible format, using colors, comparative charts, and maps to more vividly depict and contrast elements of international human rights law. Even though print is far from the appropriate medium (a web journal, but still), I will proceed in three brief steps: discussing the pedagogical idea, explaining functional aspects, and elaborating on challenges of what I have called the Human Rights ThemeMaps (available at <www.rwi.lu.se/tm/ThemeMaps.html>).



Pedagogy

We learn, understand, and are stimulated to new ideas in many different ways. It used to be that we were bored with illegible hand writing on blackboards, later whiteboards. Life moved on to dusty screens, dim lights (when they weren't broken all together), and poorly designed black-and-white transparencies. With Powerpoint and similar tools, these aspects of learning have improved. Still, design and contents is not automatic and how often have we not

¹ 1953-2006; Professor of International Law and International Relations at the Faculty of Law, Lund University (1998-2005); UN Special Rapporteur on the Right to Education (1998-2004).

reviewed, or even been forced with lack of time to compromise on the update or composition of, our own Powerpoints? To be sure, good visual aids are not a panacea but they are often a very useful supplement that can add a lot to an already engaging, vivid, and insightful presentation.

Some of the very basics required when studying human rights from an international law perspective relate to treaties, signatures, ratifications, accessions, acceptance of monitoring mechanisms, et cetera. This information is nowadays readily available online almost instantaneously. The way it is commonly presented, however, is far from accessible – with an alphabetical list of countries and their position difficult to determine in relation to the relevant heading. This information, when viewed in a handy format, enabling comparative perspectives, global and regional views, actually says a lot about states' commitments to international obligations.

A great first step to view, contrast, and analyse a state's human rights promises is to view its ratifications and reservations to substantive provisions and to contrast its acceptance of not only the substance but also procedures – the international monitoring of the compliance by the state with the substance of the treaty. I sought a tool that could do this, ideally at the instant desired for the audience, as discussions and questions would drift during a presentation/lecture. The visualisation of states' promises in this regard, something that – like a snapshot – could provide the facts to a discussion was something I had a need for in facilitating the learning of students and practitioners alike. It would have to be a dynamic tool, not a static visual aid. After a few years of occasional efforts to solve this, at the beginning of 2007 we (RWI) were able to launch a web-based tool that represents at least a first few steps towards what I would like to see.

Functions

For a long time I tried to find a tool that presented ratifications, et cetera of treaties, or at least a program that easily could produce that data for me, but I was not successful. After testing several available programs I came to the conclusion that they were either too complex (being able to show the flow of rivers and geological details of mountains) or overly simplistic, not allowing for what I required to be the basics.

The World Bank Institute (www.worldbank.org/wbi) has a tool that enables, for instance, the status of the rule of law in the countries of the world to be viewed on a colour coded world map. The Institute was kind enough to share their Java programming for this map and a friend was kind – and indeed skilled – enough to adapt and develop the programming to my ever-changing and growing desires! The basic idea was to depict in 'traffic light colours' parties to treaties in green, those that had signed in yellow and those that had done neither in red. As aspirations grew and technical solutions were found, we have been able to develop the ThemeMaps to include not only state parties to global and regional human rights treaties, memberships of various international organizations, and jurisdictions of international courts, but also acceptance and application of monitoring mechanisms, the existence and contents of reservations to treaties, regional data on the number of state parties, and the existence and status of national human rights institutions.

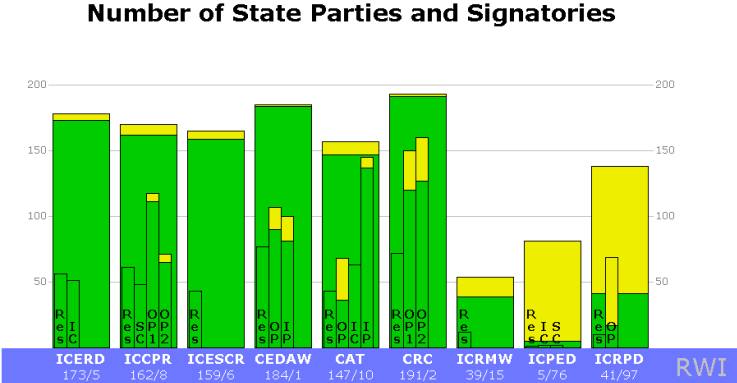
The web-based format has also allowed for overviews of a state's international commitments, links to national pages with further data, and general details on conventions, organisations,

and jurisdictions. Zooming in on the world map is also possible for a closer look at, for instance, a region. Basically, the site consists of a menu with, at present, six drop-down menus in the map-mode and additionally two sets of comparative graphs.



The main menu with drop-down lists, et cetera

Computers with Java installed – and almost all have – can run the Java application on the site, choose a convention, optional protocol, organisation, et cetera, and choose to have the status visualized on the world map or by way of graphs. In the map-mode, buttons, or by drawing a box with the cursor, enable the user to zoom in. It is also possible to pan, using the cursor. Graph 1 provides an overview of the ratification status of the nine UN core human rights conventions

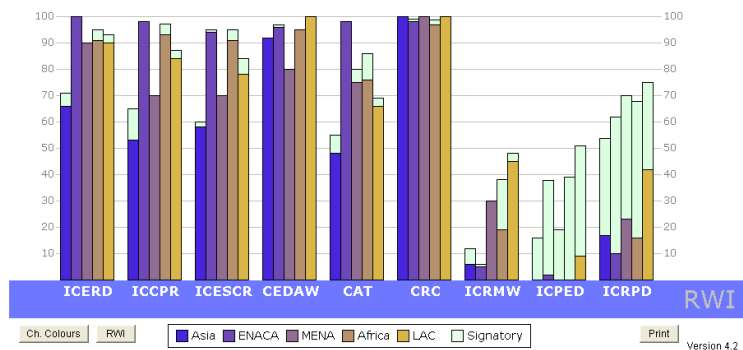


Ratification status of the nine UN core conventions (Graph 1)

In the graph above (Graph 1) the smaller columns within the larger, correspond to the number of states that have made reservations (Res) to that particular treaty; the number that have accepted either an individual complaints procedure (IC), inter-state complaints (SC), or inquiry procedures; and the number that have optioned for protocols, accepting further substantial or procedural obligations. The number of signatures (the yellow parts of the columns) also show the process that more recent conventions is in, where ratifications (or accession, et cetera) for many are yet to be made.

Graph 2 (below) provides an overview of the same conventions but grouped by region, as distinguished by the United Nations (the Office of the High Commissioner for Human Rights, see www.ohchr.org), showing possible patterns in the ratifications.

Core Conventions by Regions



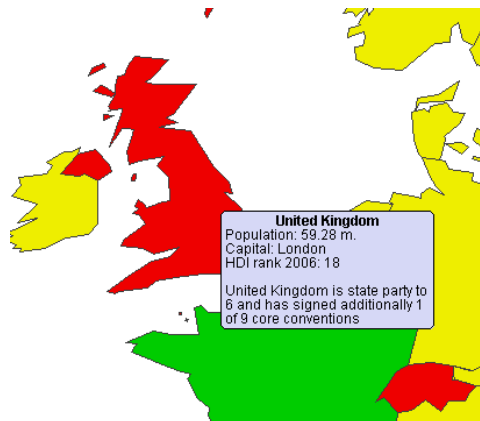
Ratification status of the nine UN core conventions by region (Graph 2)

In the map-mode and for Graph 1, it is also possible to change the colour-scheme with a button, from the traffic light-set to a shade of blue. This is for general visual reasons but also to accommodate those who have problems viewing ‘traffic light’ colours, where green and red often are the most problematic. A text box elaborates briefly on conventions, et cetera, including the number of state parties and signatories. In addition to the regular screen dump, the view in ThemeMaps can also be printed using a special button. A button labelled RWI offers some data on activities of the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, the host of the site.



The text box and choices in the lower section

By pointing at a country, some basic information is provided, and if that country is a state party with reservations to the treaty, this is indicated with details of the nature of the reservation (see e.g. the very first picture above)



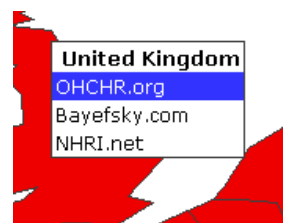
Country information (ICPED)

By right-clicking on a country, more details are given on which of the nine core conventions has been signed and ratified.



Detailed country information (ICRPD)

By left-clicking on a country, a choice of two to four links appear (if followed, these would open up in new windows). For all countries, the respective country sites of the UN Office of the High Commissioner for Human Rights and that available from Bayefsky.com is included. Additionally, if the country in question has a national human rights institution (NHRI) that is member of the international network supported by the UN (NHRI.net), a link to the national page of the network is also included. For Asia-Pacific countries, a fourth link is available if the state is member of the Asia-Pacific Forum for NHRIs. In the map-mode, the status of the NHRIs can also be indicated with a colour code.



Links available (ICRMW)

Updates are made regularly with approximately a monthly interval through a manual update of the database from which the application is run.

Challenges

The technical restraints of the database and the application itself are certainly challenging but given time and money, these are basically all possible to overcome. The potential development of the ThemeMaps is great. The pedagogical and legal challenges are more cumbersome. What is depicted with the present format of ThemeMaps is basically formal commitments to international human rights law. Various indexes are available that indicate actual human rights compliance of states, also at times using maps and the like. Problems with these include, certainly, the often very subjective element of ranking states, based on surveys, reports, number of reported cases, et cetera. Moving from the formal acceptance of conventions to the actual reality of human rights in a given state is difficult to achieve with a maintained effort of objectivity.

ThemeMaps include the reservations pertaining to human rights treaties. Typically, reservations (as well as declarations, understandings, et cetera) are negative from a human rights perspective, restricting the application of certain substantial or procedural provisions to the state in question. Some reservations are clearly quite contrary to the object and purpose of a treaty, making, for instance, general claims that undermine the very intention of a treaty, for example stipulating against gender equality or stating that provisions are only applicable as long as they are not contrary to national law or custom. Other reservations, however, could be considered to be rather reasonable. ThemeMaps at present only show the existence of reservations. A system that could make visible the nuances of the nature of different reservations would be desirable but would then require some form of subjective interpretation of the types of reservations. This is a great challenge.

Another example of a problem with maps showing formal commitment is the state borders. How, for instance, should the Republic of China (Taiwan) properly be coloured, when it is the Peoples Republic of China that is the state allowed to ratify the UN human rights treaties? (Taiwan is not recognised as an independent state and is not a separate member state of the United Nations.) In ThemeMaps, Taiwan has been coloured the same way as mainland China, but the coverage of the obligations and indeed the international monitoring is in practice largely limited to the mainland. There is hardly an ideal way of showing this geographically. An effort to visually present information like this reveals a number of challenges.

Nevertheless, the benefits of the ThemeMaps are many - being able to refer to overviews, comparative information, and other details with a visual tool in a class room setting. Moreover the tool is also a useful reference accompanied by self-study questions, in advocacy, or as an entry point for research. Over the decades, international human rights law has developed and become increasingly detailed and complex, The preambular paragraphs of the UDHR talks about striving “by teaching and education to promote respect for these rights and freedoms”. The Human Rights ThemeMaps is a small contribution to the greater understanding of the rights originally set out in the UDHR.