Summary Report of Material Collated Regarding Practical Guidance to Implementing Rights-Based Approaches, Human Rights Analyses for Poverty Reduction and Human Rights Benchmarks from Development Actors and other Relevant Communities

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For DFID
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Executive Summary

This report brings together material collated from development organisations and other relevant communities in four key areas: i) practical guidance on rights-based approaches, including case studies and checklists; ii) analytical tools which feature human rights for understanding the causes and characteristics of poverty; iii) human rights impact assessment; and iv) human rights indicators to measure development progress.

The methodology adopted has involved interviewing, by phone and e-mail, a range of staff and programme implementers from various development organisations at headquarter and field level, complemented by a brief review of documentation. The focus has been to identify material of ‘practical’ use to field staff; in particular material that incorporates gender and social exclusion. Included in the report is feedback from development staff as to how useful the material has been and recommendations on what type of material and training they would benefit from.

The report is divided into four sections directly relating to the four key areas addressed. For each document included, a brief background is provided. This explains the purpose of the document, how it is applied in practice and by whom.

Key Findings

Due to the different contexts in which they are working, development organisations vary in their approach to human rights and the human rights-based approach to development (HRBA). The existing guidelines, tools of analysis and indicators reflect these particular contexts and stances. Some organisations prefer to use tools and methodologies that focus on issues such as ‘global governance’ and ‘social accountability’ - although not explicitly human rights based these strongly reflect and include key human rights principles.

Many bi-lateral development organisations recognise the potential contribution of rights-based approaches and have formulated policy that reflects this. All, however, are at the initial stages. Like DFID, they are just beginning to explore ways in which to implement their rights-based policy and have not yet developed their own tools. Keen interest was expressed by many of the development agencies interviewed in the results of this survey and any further steps taken by DFID. DANIDA, NZAid, Norad, SIDA and OECD are all interested in collaborating with DFID in developing and sharing guidance material and practical tools for their staff in this area.

A few basic tools for human rights analyses of poverty have been developed and are being used in the field. These tools have helped build the capacity of staff to focus on the relationship between the right-holders and duty-bearers in their poverty alleviation work. In regards to gender and social exclusion, most development organisations have separated these areas from human rights and have produced specific tools for each area.

Human rights impact assessment is an area that an increasing number of donor agencies are looking into. Yet few have gone as far as developing the tools to do so. Initiatives are currently being developed and pilot tested. Almost no work has been done on the use of human rights indicators in development projects, especially when it comes to actual data sources. And no donor governments are yet using human rights indicators as a premise on
which to engage in dialogue with recipient governments, although a number, such as DANIDA, are exploring ways of doing this. Before human rights indicators can be used at this level, a conceptual and methodological approach to human rights indicators needs to be developed. OHCHR is beginning to work on this in the context of treaty body monitoring of state compliance.

There is broad agreement, from both the Donor and NGO community, that a lot more work needs to be done at a practical level in all of the four key areas looked at.
I. Practical Guidelines

Bi-lateral donors have yet to develop their own guidelines for implementing a RBA. Those that have adopted this approach, for example CIDA, most commonly use tools from HURIST (UNDP / OHCHR Human Rights Strengthening programme). When interviewed almost all responded that they were keen to see more guidelines developed. UN agencies, in particular UNICEF and UNDP (through the HURIST programme), and NGOs are in the lead with developing guidelines and tools for rights-based programming (RBP).

A RBA has a particular pre-occupation with individuals and groups who are vulnerable, marginalized, disadvantaged or socially excluded. Guidance tools developed in this area, therefore, place a strong focus on gender and social exclusion.

Many of the guidelines included in this report are still at the ‘pilot’ stage. There is a general consensus that more detailed and sector specific guidelines are needed as well as case studies that represent best practice. Below is a summary of the key recommendations from development staff on practical guidance for implementing a RBA.

Recommendations from development staff on practical guidance on rights based approaches:

1) *Issue- and sector-specific* guidelines are more useful than general RBA guidelines (e.g. RBA to education; to HIV/AIDS; to water etc).
2) An *integrated* approach to human rights mainstreaming is needed: staff want a *single* tool that includes gender, social exclusion etc.
3) More *follow up* work is needed to sustain and apply rights in practice. Simply providing training designed to introduce staff to the RBA and its implications, and then leaving people to get on with developing programmes from a RBA, is not sufficient.
4) It would be useful to integrate the RBA into a *model log frame*: this would help ensure a systematic and continuous application of the RBA.
5) It is not possible to ‘programme’ by just using human rights principles. This can easily become very legalistic and dogmatic. Three steps are required to achieve the necessary capacities amongst staff and partners to deliver effective rights programming:
   a) The development of *tools and resources*
   b) The provision of *training*
   c) *Follow-up* mentoring and support. SCUK recognised the benefit of more opportunities for practice exchange and dialogue. UN country offices have also called for lessons learned, with agencies being able to learn from those that have more experience with the RBA.
6) Unless there are clear incentives to integrate a RBA, even those staff willing will not do so. Staff performance appraisals, for example, should reflect RBA.
7) Better *co-ordination* across portfolios is needed: strong linkages across projects would bring great value.
8) A suggestion was for agencies to establish a *standing RBA team*, including staff involved in governance, gender, conflict resolution or other key area. The team would work together on an ongoing basis to mainstream human rights in the programme. To do this effectively, staff would need sufficient resources and formal recognition of their roles.
A. UN Agencies

Agency: UNDP/OHCHR: HURIST

1. UNDP Poverty Reduction and Human Rights: A Practice Note, June 2003

**Background:** The Practice Note explains what a rights approach to poverty means. It outlines a framework for human rights integration into poverty reduction and provides practical steps to guide UNDP programming. The paper is kept generic so that it can be applied to a range of countries and programmes.

**Useful points to highlight [adapt for public doc to avoid impression of “judging” others’ work]**
- The paper looks at the theoretical issues related to the RBA.
- Most relevant for guidance is Chapter. 5, (ps. 9-11). This section outlines the principle means by which human rights will be introduced into programming.

2. The UN Common Understanding on the Human Rights Based-Approach, Stamford Workshop, May 2003

**Background:** the UN Common Understanding on the Human Rights Based Approach is the key document within the UN system for Rights-Based Programming (RBP). It serves as the main framework for developing and refining methodology and tools for all the different phases of RPB. It is to be used by all development practitioners within the UN.

**Useful as guidelines?**
- Development practitioners have found it useful as it provides conceptual clarity and coherence on the RBA.
- Development practitioners have found the distinction given between RBP and good programming practice useful.


**Background:** The HRBA review is intended to help reorient existing UNDP activities and the design of new programmes to a rights-based approach. The Common Understanding is the key component of the reviews, which have been undertaken in 12 countries so far on a pilot basis. The guidelines include a HRBA checklist: see no. 4 below.

**Useful as guidelines?**
- The most relevant chapter is: “Applying the HRBA”: (ps.13- 21). This section provides a guide on how to implement a HRBA for each different phase of
UNDP programming: from preparing the CCA to Result Oriented Management.

- The basic ingredients needed for successful rights-based programming are identified.
- A good example of how the review is put into practice can be found in the UNDP Mission Report: *Human Rights-Based Review of the UNDP Philippines Country Programme*, May 2003

4. **UNDP: HRBA checklist, June 2003**

**Background:** The checklist provides a framework for analysis of country programmes from a rights-based perspective, as well as a methodology for implementing a HRBA. The Checklist addresses five sets of questions relating to country context, excluded and vulnerable groups, stakeholder capacity, programme process and programme outcome.

**Useful as guidelines?**

- Interviewees noted that the causal analysis highlighted in the HRBA Checklist helps to identify the strategic issues facing a country and orient development activities to address those issues.

N.B. A proposal for an amended HRBA checklist has been developed by Andre Frankovits following a HURIST HRBA review to Rwanda in December 2004. “It responds to the almost universal call from programme staff for greater detail about what the HRBA entails”.

Both this checklist and the above address gender and socially excluded groups under the “Excluded and vulnerable groups” cluster.

5. **UNDP, Integrating Human Rights into Energy and Environment Programming, a Practice Note. (Draft), 2004**

**Background:** The Practice Note is aimed at UNDP practitioners working in the energy and environment field. It explores the linkages between human rights and the environment and energy sector and goes on to provide guidance on how to integrate human rights into these programmes. Both the practical and theoretical issues related to adopting a RBA are addressed.

The Practice Note comprises 3 principle sections on (i) Human rights approaches to Energy and Environment; (ii) Practical Experience with Integrating Human Rights into Development Programming; and (iii) Survey of Rights Dimensions in UNDP Programming.

**Useful as guidelines?**

- Section, (ii), D: “Integrating Rights into Programming” provides a comprehensive guide, within the framework of the UN Common
Understanding, to integrating human rights into energy and environment programmes.

- Gender, and social exclusion are specifically addressed in ps.25-27.
- Case studies of programmes that represent best practices of RBP are provided in part (iii) of the Practice Note.
- A checklist specific to this sector is included in the Annex
- This is a draft paper - it has not yet been piloted

6. HURIST: A Strategy for Promoting a Human Rights Based Development in Uganda, 2002

Background: The paper presents ideas and proposals towards a strategy for the promotion of Rights Based Design (RBD) by the Uganda Human Rights Commission and its partners. The objective of the paper is to assist those engaged in development planning to appreciate the linkages between human rights and human development.

Content: The first section provides background to the issue of human rights in development. The second section defines what RBD involves. The third section proposes some key elements of a strategy for the Ugandan Human Rights Commission and its partners to promote RBD in Uganda. In the fourth section some implementation arrangements are suggested and in the last section the steps forward are outlined.

Useful as guidelines?

- The methodology and strategies proposed are very detailed. Concrete suggestions and steps forward are given.
- A comprehensive analysis of right-holders, duty-bearers and their roles is provided, (ps.8-10)
- A concise set of guidelines to RBD and Implementation is provided in Annex 2, (ps.26-31). It deals with self-assessments by duty bearers, the development of minimum standards and targets, and the development of methodologies, particularly process methodologies such as participation.
- The paper is still in draft format.

Agency: UNDP


Background: The two documents are written in a workshop format for UN staff in the Philippines. They include various interactive activities and exercises to teach staff how to programme from a human rights perspective.

Useful as guidelines?
Document 1: Module I and II provide an overview of human rights principles and the RBA. Module III (ps. 71-110) examines what in practice the RBA brings to development programming at all the different stages of the programme cycle.

- Gender and equality are focused on at each stage.
- RBP tools are included, e.g. ‘how to conduct a human rights analysis of a problem’, (p.81).

Document 2: Reference paper no. 9: Step Guide, RBA to programming, provides a comprehensive guide to RBP: from situation analysis through to evaluation.

Agency: OHCHR


**Background:** The objective of the document is to provide practitioners involved in the design and implementation of poverty reduction strategies (PRS) with operational guidelines for the adoption of a human rights approach to poverty reduction. The draft guidelines analyse the human rights relevant in poverty reduction and propose indicators for measuring specific rights. It is hoped that the guidelines will be used not only by States, but also by other actors working in the field of poverty eradication.

**Content:** The Guidelines are divided into three sections. Section I sets out the basic principles of a human rights approach that should inform the process of formulating a poverty reduction strategy. Section II sets out the human rights approach to determining the content of a poverty reduction strategy. It identifies, for each of the rights relevant to poverty reduction, (e.g. the right to food, health and education), a set of indicators and targets, as well as major elements of a strategy for realizing that right. Section III explains how the human rights approach can guide the monitoring and accountability aspects of poverty reduction strategies.

**Useful as guidelines?**

- Section II is considered very useful. It presents nine specific human rights (both civil and political (CP) rights, and economic, social and cultural (ESC) rights)). These rights are then analysed, with useful references to specific paragraphs in covenants, conventions, declarations and General Comments, together with suggested targets and indicators.
- Although the guidelines have not yet been pilot tested, they have helped inform the World Bank in the development of a methodology for “Social Impact”. They have also provided guidance to UNDP in its poverty reduction policy.
- These guidelines are not guidelines for RBP as they have not been revised to incorporate the UN Common Understanding.
- This is a draft only- has not yet been pilot tested.

Agency: UNICEF

Background: The Guidelines were the result of an organisation-wide consultation, and represented one of the first efforts among UN agencies to reorient country level programming towards a human rights approach. They are aimed at UNICEF programming staff. They form the basis for UNICEF’s work to promote HRBAP, and have been complimented by various other documents.

Useful as guidelines?

- UNICEF staff have used the Guidelines. They have found them useful for orienting their programmes to a RBA.

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Background: The paper provides an introduction to the RBA and the key principles related to children and women’s rights. It goes on to illustrate the implications of the RBA for programming and suggest a methodology for rights-based programming. CEDAW and the CRC provide the framework for these guidelines.

Useful as guidelines?

- The chapter dealing with the specific implications for programming assessment, analysis, strategy development and actions is particularly useful (Part II. B)
- Useful as an illustration of how the rights-based approach relates to gender and promotes the situation of women.

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Background: “The purpose of the report is to provide a comprehensive, state-of-the-art assessment and analysis of human rights approaches to development and human rights-based approaches to programming (HRBAP) as these concepts have evolved in Unicef and other agencies and organisations over the last few years. The report should be of use to Unicef in the preparation of a new Executive Directive (EXD), as well as for updating the Programme Policy and Procedures (PPP) Manual, preparing Programme Guidelines (including guidelines for CCA/UNDAF and PRSPs), and improving training material”.

Useful as guidelines?

- At the core of the report, (Chpt. 3) is a step-by-step method that describes how a human rights approach can be used in programming. The steps lead to the identification of capacity gaps, which become the focus for development programming. This method has already been applied in many Unicef Country Programmes of Cooperation.
- Gender and Social exclusion are specifically addressed in the paper: the HRBA and its relevance to Gender is looked at ( p. 111); and under the heading of “Cultural Rights and Rights of Minorities and Indigenous People”, social exclusion is addressed ( ps. 112-117).
Chapter 12, section 3: Monitoring and Evaluation of met Duties of Duty-Bearers1 and section 4: Monitoring and Evaluation of Capacity Gaps, of the paper proposes a methodology for monitoring and evaluating the impact of programmes from a HRBA. Examples are given for the right to food, health and care and corresponding indicators are proposed.

Chapter 13 provides useful recommendations for how to ensure effective implementation of the HRBA into all of UNICEF’s work.

Draft only: unofficial report to UNICEF, New York.

4. CHECKLISTS: How to Assess the Human Rights-Based Approach to Programming in UNICEF’s Work, Joachim Theis, February 2005

**Background:** The checklists aim to make the HRBAP operational and to assist Senior Leaders and Programme Staff with rights-based analysis, programme design, reviews and assessments, while taking into account performance programme. They incorporate human rights general principles and specific child rights principles. They provide questions to enable senior staff, planning and programme officers to ensure that a HRBAP informs their work and to assess how effective the HRBA is at the various stages of the programme cycle. The questions are written in a way that provides ideas for action

**Useful as guidelines?**
- The checklists are designed to be used within the UN technical programming process
- The focus is on being ‘practically useful’ to staff
- A comprehensive set of checklists are provided for all stages of programming
- This is a draft only and has not yet been piloted

**B. Non-Governmental Organisations**

**Organisation:** CARE

1. Care Human Rights Initiative: Basic introduction to human rights and rights-based programming

**Background:** The basic training manual on the CARE rights-based approach is both a guide and an information source, providing actual cases and experiences from within the organisation.

**Useful as guidelines?**
- In a recent evaluation, it was described as an excellent programming tool, orientated to group learning, with clear objectives2.
- The manual represents recognition of the need for an overarching consistency throughout the organisation in the way it approaches RBA, while also valuing the

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opportunity for country programmes to retain some autonomy in the way they create strategies for implementation.  

- The manual is in workshop format and much of the material explains how to carry out a workshop.

### 2. Some building blocks and questions for strategy formulation for Rights initiatives, CARE Bangladesh, 2004

- A basic tool for guiding staff in adopting a rights-based approach to their work
- A set of guiding questions for rights-based programming is provided: the human rights analysis section is particularly strong.

**Organisation: Save the Children**

#### a) Promoting rights-based approaches: experiences and ideas from Asia and the Pacific, Joachim Theis, Save the Children Sweden, 2004

**Background:** In this publication, Save the Children Sweden presents a number of articles on how a rights-based approach can be applied in some areas of practical work. The book is a collection of experiences in promoting rights-based approaches among NGOs and partner organisations in Asia and the Pacific between 2000 and 2004. The book has been written primarily for staff working for NGOs and their partners, UN agencies, donors and governments. Readers are encouraged to choose the specific chapters that are most relevant to their work. The book is a comprehensive guide to the RBA and “uses the language of development practitioners rather than that of human rights lawyers and activists”.

**Useful as guidelines?**

- Part Four: Searching for Innovative Tools presents experiences with tools for analysis, planning, monitoring and evaluation of rights-based programmes. Practical examples from SCUK, CARE and Oxfam are included. Ideas for rights-based indicators are also suggested.
- Although the focus is mostly on Child Programming, much of the information can be adapted for other practice areas
- SC’s ‘5 dimensions of change’ are presented: these are used by SC instead of human rights indicators: a possible alternative to using human right indicators?

#### b) Child Rights Programming: How to Apply a Rights-Based Approach in Programming, Save the Children Alliance, 2002

**Background:** The handbook presents the key features of child rights programming. It demonstrates how the Convention on the Rights of the Child can be used as the basis in the programming cycle and as a tool for advocacy and change. The handbook presents a ‘simple’ approach to implementing CRP. It is not a comprehensive guide to programming but a reference book that introduces the basic elements to CRP. It is meant to serve as background material at training workshops on child rights programming.

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3 Ibid
The main purpose of the handbook is:
_ To provide information about rights-based approaches to development.
_ To provide an understanding of what Child Rights Programming (CRP) means and why Save the Children believes that it is a valid way forward.
_ To demonstrate how these principles of CRP might be applied to individual programmes.
_ To provide guidance about how to take these ideas forward with individual organisations.
_ To signpost directions for further information, promotion and skills sharing in developing CRPs.

Useful as guidelines?
- There are five sections in this handbook: section 1 and 2 deal with the conceptual and theoretical issues of human rights and the CRP, and Section 3: Child Rights Programming; The Principles; and Section 4: Child Rights Programming in Practice, are the most practically relevant.
- A number of programming tools are provided. These include:
  - A set of questions to be asked at each stage of programming; they are based around the four main principles of CRP\(^4\), and act as a checklist, or filter to make the necessary adjustment to programmes, (p.36-38)
  - A framework for Child Rights Situation Analysis (p.67).
  - Two diagrams which programme staff have found particularly useful: the ‘3 pillars’ of child rights programming, (p. 33) and a triangle representing the ‘four general principles’ that are the foundations of CRP (p. 23 in the new edition).
- The handbook is considered very useful and it has been used often in training. However, its use is not universal, and the extent to which it is used varies across countries.
- Social exclusion is integrated into the guidelines under the principle of Non-Discrimination. But, gender is seen as a separate issue. A separate tool: “Save the Children Gender Guidelines” has been developed to integrate gender into programming cycle.

N.B. The handbook has now been revised.
- In the revised handbook, a section on child rights analysis is included, p.37.
- There are strengthened sections on participation, non-discrimination, monitoring and evaluation, and impact assessment.
- Three useful diagrams for CRP that will be included in this revised handbook, can be found in the document: SCUK-tools for RBP

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\(^4\) These principles are: non-discrimination, participation, best interest of the child and survival and development.
**Background:** This resource focuses on the application of a CRP perspective to strategic planning. It is structured around eight characteristics identified as core to CRP. They are linked to the planning, implementation, monitoring and evaluation stages of programming. The aim of the paper is to lay down a *practical* CRP framework for planning; providing technical advice rather than explaining the theory and principles of CRP.

**Useful as guidelines?**
- Various tools for programming are provided; these include tools for analysis of problems from a human rights perspective.
- When people are planning a programme of work or even the country programme's direction/strategy they can choose some of the tools, for example run workshops with staff and think through the issues to be addressed.

**C. Case Studies**

**UN Agencies**


**Background:** The HRBA review of UNDP programmes in Sri-Lanka aims to provide concrete, achievable short- and mid-term outcomes over abstract analysis and ambitious long-term goals.

The evaluation component of the report is divided into two sections: 1) individual assessments and recommendations of the key clusters and programme areas: poverty, environment, governance, conflict. 2) a more general examination of selected cross-cutting concerns, both programmatic and administrative. This last part of the report provides concrete steps and strategies that should be used to promote human rights in development in Sri-Lanka and to strengthen a HRBA in UNDP Sri Lanka.


- Cited by UNDP as a good example of rights-based programming and of how this approach has made a difference.


**Background:** The study is a ‘desk’ review of over a dozen CCA (Common Country Assessment) /UNDAFs (UN Development Assistant Framework) prepared for 2004. It identifies good practices, trends and progress on incorporating the RBA into the CCA/UNDAFs since an initial review in 2003. The paper aims to provide concrete and clear examples of a “good” CCA or UNDAF that illustrate how to apply the RBA. The UN common understanding provides the framework for this analysis.
Useful points to highlight [as above] The recommendations for enhancing the RBA in the CCA/UNDAFs, clearly illustrates what a human rights approach to the analysis and planning stage of programmes entails, (ps.4-10)

A proposed “Methodology” for creating a RBA CCA/UNDAF is provided,( p. 11).

HURIST Lessons Learnt


Background: Both these case studies are part of a HURIST project to support a HRBA Lessons Learnt Project (LLP) in the Asia-Pacific region in collaboration with the OHCHR Asia/Pacific Office, UNDP SURF and a number of sponsoring agencies (UNICEF Regional Office for Asia/Pacific, UNESCO, SIDA and OXFAM).

Useful:

- The reports clearly identify the ways in which the projects have changed to become more rights-based.
- A clear and comprehensive analysis of how these projects are rights-based is provided, going through every phase of the programme cycle.
- The UNICEF example illustrates how the RBA places a strong emphasis on gender and social exclusion
- The value added and challenges of rights-based programming is included.


This case study is part of an effort to document the diverse experiences of UNICEF country programmes in the application of the rights approach. The study focuses on how, over the last decade, the country programme in Peru has integrated human rights using Peru’s ratification of the CRC in 1990 as the point of departure.

Among the key areas examined in this paper are the ways in which the country Programme concentrates on eliminating the disparities and overcoming the barriers that cause exclusion. It shows how the country programme’s central purpose is now directed toward promoting all human rights for all children and fostering a culture based on rights as a means to improve the lives of Peruvian children and adolescents.

- Particularly relevant for social exclusion and gender.
- Clearly shows how human rights principles are applied and the change of perspective and direction to programming this brings
5. Consolidation and Review of the Main Findings and Lessons Learned of the Case Studies on Operationalizing HRBAP in UNICEF, Joachim Theis, 2004

This report reviews 35 case studies about UNICEF’s experiences with the operationalization of the Human Rights-Based Approach to Programming (HRBAP). It aims to identify good practices, common entry points, successful strategies, and challenges in the practical application of the HRBAP.

- Through the reviewing process a good idea of effective strategies to implement the HRBAP is given; in particular, how to challenge issues of power is addressed in the review.
- Gender mainstreaming and marginalized groups are addressed in part IV C.
- A HRBAP checklist is included: it is set out according to the four main PPPM categories: operations framework, programme preparation, programme implementation and management, and monitoring and evaluation.

Bi-Lateral Development Organisations


Background: This assessment memo proposes Sida support for a programme intended to build capacity in the road sector in Kenya while implementing a rehabilitation and maintenance programme in 11 out of 12 districts in Nyanza Province in Kenya.

- SIDA considers this project as one of the best examples of an integrated HRBA
- The paper is a good example of how an infrastructure project implemented using a RBA addresses the underlying causes of poverty
- There is an interesting discussion on integrating the principles of non-discrimination, accountability, transparency, participation and best of interest of the child in the project on p.21

Non-Governmental Organisations


Background: this case study illustrates how Rights-Based Programming impacts the monitoring and evaluation phase of programming, presenting a practical plan for M & E. The programme focuses on changing the power relations between right-holders and duty-bearers in order to improve the way that services are delivered by government bodies to poor communities in Malawi.

Useful?

- The case study not only provides a good example of RBP, but also demonstrates how indicators to measure human rights principles, such as participation and
empowerment, are used to monitor and evaluate the programme outcome and process.

- The programme emphasises social exclusion and gender throughout the process
- It illustrates how RBP changes the traditional DFID programming methodology; for example, the standard DFID Log Frame lay-out has to be changed to accommodate the RBA, (see p. 5).

### 2. Oxfam America’s Rights-Based Approach to Development: A case study of the right to education in Mali

- A clearly presented case study for understanding the different perspective that the RBA brings to the analysis and planning stage of programming.

### 3. CARE

Promoting Rights and Responsibilities newsletter

This is CARE’s in-house journal, which provides a forum for exchange and dialogue amongst staff on experiences in implementing RBA. It includes case studies of programmes implemented using a RBA.

Social Exclusion, Rights and Chronic Poverty in Bolivia

This project gathered information on the relations between poverty and social and civic exclusion, based on different conditions for access to legalisation of civil status. Social and political costs of civic exclusion are analysed, and how these increase the vulnerability of the poor, with implications for governance and democratic development.

The Story of RBA in CARE Sierra Leone:

This document seeks to demonstrate why a “rights-based approach” is a better way of conducting humanitarian endeavours. Intended to inform a wide audience, it tells how and why CARE Sierra Leone first considered making “rights” a strategic concern. It answers, through practical application, the common question “what is a “rights-based approach?” It seeks to explain why it works, and why using RBA is the right thing to do.

Useful points to highlight:

- Illustrates the added value of the RBA.
- Discusses challenges to implementing the RBA, including an interesting discussion on ‘marginalized groups’.
- Strong emphasis on women and social exclusion.
- A practical tool: checklist for staff on RBP is provided in the Annex.

### II. Human Rights Analysis of Poverty

Few development organisations have developed standard tools or methodologies for carrying out a human rights analysis of poverty; methodologies tend to be developed on an ad-hoc basis. The lack of tools available prompted a recent OHCHR/UNDP project in Bosnia and
Herzegovina to design and publish its own methodology and tools for carrying out a human rights analysis, based on its experience in this area.

From the existing tools available, a rights-based analysis of poverty seems to be one that focuses on transforming the power relations between the right-holders and duty-bearers. Consequently, the methods and tools developed have focused on identifying the right-holders and duty-bearers, analysing their strengths and weaknesses (capacity-gaps) and the relationship between them. On the basis of this analysis, interventions are planned. This basic form of analysis is applicable to a wide range of thematic sectors and can accommodate other approaches i.e. gender and social exclusion.

With respect to social exclusion and gender, organisations that have adopted a RBA emphasise the importance of assessing the extent of exclusion and vulnerability at the analysis stage of programming. This entails the use of thoroughly disaggregated data across all grounds of discrimination; ensuring that these groups are identified and that they are the focus of programmes.

At the end of this section I have included specific tools for social exclusion analysis.

A. Multi-Lateral Development Organisations

1. **Methodology and Tools for Human Rights-Based Assessment and Analysis?**
   **OHCHR/UNDP Rights-based Municipal Assessment and Planning Project, Bosnia and Herzegovina, 2005**

   **Background:** The objectives of this publication are twofold: (a) to serve as an immediate guide for the RMAP field teams conducting assessments, and (b) to share a tested and systematic methodology and tools for human rights-based assessment and analysis with other organisations wishing to implement such approaches, thus serving as a starting point for their own tool development.

   **Useful points to highlight:**
   - Tools included are “a framework for analysis of the situation of *marginal and vulnerable groups*”; and
   - “A Human Rights Based Analysis Chart”: this is a basic tool for analysing the relationship between the right-holder and duty-bearer. It is the only tool that was made available for this research project.
   - To be published shortly.

2. **UN Philippines: Rights-Based Approach to Development Programming: Training Manual, (July 2002).**

   **Background:** see p.10

   **Useful points to highlight:**
   - Module III, section 1, explains how to carry out analysis and assessment from a rights perspective. A case study is presented to illustrate this approach.
Gender is specifically integrated into this analysis.
Useful template for a human rights analysis can be found on p. 81

3. A Human Rights Based Approach to Programming, Urban Jonsson, June 2004

Background: A chapter in this book is dedicated to Human Rights Analysis. It includes useful tools for undertaking such an analysis.

Useful points to highlight:

- Chapter 8: A method for the application of HRBA. This includes Step 1: Causality Analysis, Step 2: Role or Pattern Analysis, Step 3: Analysis of Capacity Gaps: these are specific tools for analysing development issues from a human rights perspective.


Background: This is a handbook for promoting good governance in development co-operation in the EU. It identifies the principal issues that the EU should be looking at in development co-operation to ensure that programmes lead to good governance.

The handbook is a management tool: with a basic understanding of the issues, practitioners can go on to use the tool, which takes them through the next steps.

Useful?

- This handbook is designed as both an analysis tool and an impact assessment tool for programmes.
- However, it is primarily a handbook on analysis not on implementation.
- Two levels of analysis are presented:
  i) Horizontal Analysis- how to ensure that projects are “accountable, participatory, and promote equity”. This analysis is similar to a HR impact assessment.
  ii) Vertical Analysis- applicable to the countrywide context. Good Governance is divided into six clusters: human rights are one of these, (ps 47-57). This section closely relates to a human rights approach at the assessment and analysis stage of programming. Moreover, the guiding questions and pointers could also serve as indicators.
- The original idea was to turn this tool into a web-system: practitioners would have a logbook that accompanies analysis.
- There is a strong focus on gender and social exclusion throughout the handbook
- In co-operation with UNDP, the EC is testing the tool in Ethiopia. DANIDA is also proposing to pilot test the tool in countries where they have a long-term presence.

B. Bi-Lateral Development Organisations

**Background:** This guide is a working tool to assist Sida in carrying out the country analysis that should form the basis of Sweden’s country strategy. It aims to depict the area of democratic governance and human rights - it needs to be adapted to the reality of each region and country.

**Useful?**

- This questionnaire is useful to assess the overall human rights situation in the country. Human rights are covered in ps. 3-8.
- **Social Exclusion** and **Gender** are addressed in p.6.

**N.B.** Sida’s new Policy and Method Department (POM) is drafting new guiding documents on poverty analysis, both on country level and for projects and programmes. These analyse poverty from both a rights and gender perspective.

**C. Non-Governmental Organisations**

| I. Save the Children, Sweden: Promoting rights-based approaches: experiences and ideas from Asia and the Pacific, THEIS, Joachim, 2004 |

**Background:** The book dedicates a whole chapter to rights-based analysis: Part 4: *Searching for Innovative Tools: Rights Based Analysis and Planning*. This chapter is divided into three main parts. The first part provides an overview of some of the standard tools used in rights-based development work. It discusses some of the limitations of problem analysis, responsibility analysis and causal responsibility analysis. The second part explores new approaches to rights-based analysis and introduces a goal-based planning tool. The final part presents several other ways of simplifying rights-based analysis and planning.

**Useful?**

- This is an in-depth look at rights-based analysis: the many different tools used by development organisations (both for traditional and rights-based approaches) are critically reviewed and tips are given on how to make the best use of them.

| I. Save the Children Alliance Child Rights Programming: How to apply a Rights-Based Approaches in Programming, 2002 |

- **Section 4:** CRP, situation analysis, explains how to carry out a situation analysis from a rights perspective. The focus is on right-holders, duty bearers and their relationship.
- This section has been up-dated in the revised handbook.

**D. Tools for Social Exclusion analysis**

Few ‘social exclusion analysis’ tools seem to exist: development organisations that are focusing on social exclusion, such as the Inter-American Development Bank are mainstreaming this area through staff training with a focus on social exclusion, financial incentives (e.g. sponsoring studies in this area and documenting lessons learnt), and through in-house technical support to projects on a case-by-case basis, rather than through standard tools.
Most of the material collated in this area seems to address the theoretical issues rather than providing practically useful information for field staff working in this area.


**Background:** “This book aims, in the first place, to decipher the concept of social exclusion, which complements that of poverty and which is becoming one of the keys to understanding the economic and social situation of the world of today. The second objective is to describe ways of identifying exclusion, how to make it more visible and break through its opacity. The third objective is to provide a detailed overview of the whole range of actors and their initiatives: international institutions and networks, governments and public administrations, workers’ and employers’ organisations, community initiatives, etc. Finally, a distinction is made between different strategies that are intended to combat social exclusion. And a number of guiding principles are outlined. The publication includes numerous examples and experiences, as well as a solid bibliography. It also serves as a reference framework for the Centre for Informatic Apprenticeship and Resources in Social Inclusion (CIARIS) for local projects combating social exclusion throughout the world.”

**World Bank: Source book on Social Analysis**

**Background:** “This sourcebook on Social Analysis presents a conceptual framework for social analysis and describes how task teams can incorporate its principles into project design, implementation, and monitoring and evaluation. The sourcebook is not a policy statement and does not prescribe any mandatory requirements. Instead, it provides guidance on good practice to improve the quality and impact of social analysis by harnessing it to examine the social opportunities, constraints and likely impacts of Bank-supported operations, based on the lessons learned during the past five years. The sourcebook describes a systematic approach that places social analysis in the service of poverty reduction by focusing directly on equity and social sustainability to improve social development outcomes. It describes an approach that is open-ended in terms of social development outcomes and yet practical.

**Goals:** This sourcebook aims to provide a common conceptual framework and draw task teams toward a practical approach that identifies key social issues to be considered in project design and appraisal.”

**Useful?**

- Theoretical and practical
- Closely resembles a RBA

**III. Human Rights Impact Assessment**

There is a dearth of material on human rights impact assessment for development projects. Organisations interviewed observed that a key obstacle to evaluating the human rights impact of their work was the poor data collection systems. Consequently, some multi-laterals are working on improving existing monitoring and data systems so as to be able to better evaluate the impact of their programmes; for example the Inter-American Development Bank.
The most developed tool in this area is the Norad handbook.

A. Bi-Lateral Development Organisations

| **Norad: Norad guide on appraising human rights impacts of programmes, 2001** |

Norad’s position is that human rights should constitute an integral part of all development cooperation, as human rights provide a benchmark and a framework for policy dialogue relating to country strategies and programs, as well as in planning and implementing programs.

The handbook is a practical tool to make a pre-appraisal of Norad funded programmes. It guides practitioners in asking the relevant questions concerning human rights, implementing and monitoring them. It includes a simple scoring tool for assessing how a programme affects human rights, people’s awareness about their rights and whether or not it empowers people to claim their rights. The tool contains 10 questions only, which capture the key human rights concerns. The scores used in the checklist are suggestive only. Their main function is to rouse attention and awareness to trends and tendencies as regards human rights impact.

Useful?

- This is a practical and simple to use tool aimed at development staff with only basic knowledge of human rights.
- The key issue addressed is the ‘empowerment’ of programme beneficiaries

B. Non-Governmental Organisations


Background: This is an introduction to Human Rights Impact Assessment and a search for a more systematic approach to human rights analysis in the EU Med. Partnership– taking the human rights situation in Morocco as an example.

Useful?

- In Part B of the publication, the framework of Human Rights Impact Assessment (HRIA) is introduced. In the field of external relations, the purpose of HRIA is to enhance the effectiveness of external policy measures on the human rights situation in third countries and to prevent any negative effects. The HRIA is defined as a systematic process to ensure the integration of human rights aspects in decision-making throughout the policy formulation, implementation, checking and adapting process. The HRIA framework is an “8 step” process.
Background: This paper documents some of SC UK’s experience in developing a new framework for assessing the impact of its work. The framework or tool known as GIM: Global Impact Monitoring is based around “5 dimensions of Change” against which its work can be assessed. This system operates through the main principles of a rights-based approach – accountability, equity and participation, and facilitates analysis and comparison across all the work of the organisation. The process involves review meetings with stakeholders where groups of partners, children, adult community members, government officials, donors and NGOs review the performance of SCUK programmes, against the five dimensions of change.

Useful?

- Section 2 focuses on why development agencies are wrestling with the issue of impact assessment and some of the theoretical challenges they face;
- Section 3 covers the development of SC UK’s impact assessment framework, and its links to rights-based approaches to development;
- Section 4 documents lessons learned on both a theoretical and practical level.

IV. Human Rights Indicators

Human rights indicators can be used at two levels: i) Project level - to measure the progress of the development project in human rights terms; and ii) State level- to help treaty bodies in their assessment of State compliance to their obligations.

Very little work has been done at either level. At project level, some NGOs and UN agencies are beginning to use human rights indicators, but initiatives have mostly been on an ad-hoc basis. USAID has developed a handbook on human rights indicators, but this contains no data and is simply a guide for staff to help them develop their own individual performance indicators.

Whilst there are many initiatives (mostly from human rights NGOs) to create indicators to measure civil and political rights, there is a dearth of material on economic, social and cultural rights indicators. Moreover, administrative data on social, economic and cultural rights is available and can be reinterpreted so as to have more of a human rights focus. I have, therefore, included at the end of this section, a list of organisations that collect and disseminate development indicators.

Whilst at project level the indicators designed must be contextually relevant, there is scope for generalisation. A core set of indicators can be developed to provide a framework from which more contextually relevant indicators can then be designed.

At State level, bi-lateral or multi-lateral development organisations are not yet using human rights indicators as a premise from which to engage in dialogue and co-operation with States and/or to measure progress on poverty reduction. OHCHR is exploring the use of indicators to help Treaty Bodies monitor State compliance to their international obligations. It is hoping...
to develop a framework for such indicators in the future. DANIDA is also interested in the use of human rights indicators for its development work at both State and project level. It is currently developing a study on human rights indicators with the World Bank.

Overall, there lacks a conceptual framework in these initiatives that could be a good starting point for undertaking meaningful work in human rights indicators. In response to this absence, OHCHR and the Special Rapporteur on Health have designed a suggested ‘conceptual framework’ for identifying and designing suitable indicators to measure States’ compliance to their human rights obligations.

A. Background Documents

1. J. Hausserman and T. Landman., Map-Making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance, 2003

This Study provides a general assessment of all the different initiatives to create indicators to measure democracy, human rights and good governance.

➢ Part 2 of the publications analyses and evaluates the different approaches and methodological options to indicators. Chpt. 2.2 (ps.14-27) looks specifically at human rights indicators.

2. OHCHR, Rajeev Malhotra and Nicolas Fasel, Background paper prepared for the UN Expert Meeting on Human Rights Indicators, Turku, Finland, 2005:

a) Quantitative Human Rights Indicators - A survey of major initiatives

Background: This paper provides a good background to quantitative human rights indicators: it explains the key concepts and challenges involved in developing quantitative human rights indicators, and reviews the major attempts to do so.

➢ In the last part of the paper, a conceptual framework for human rights indicators is presented.
➢ At the Human Rights Indicator Meeting, OHCHR presented an:

b) Illustrative List of Indicators on the Right to Life, to Adequate Food and to Housing

Background: To illustrate their suggested conceptual framework for quantitative human rights indicators, three examples of rights were used: the right to life, food and housing. In the framework the quantitative indicators were clustered into three types: structural, process and outcome indicators. These reflect the principles of respect, protect and fulfil.

Useful?
➢ This is an interesting conceptual and methodological framework that could be a useful model in developing an adequate approach to human rights as indicators.
B. Multi-Lateral Development Organisations


**Background:** The guide is aimed at the non-specialist user. It is written in two parts: the first provides generic guidance for users of indicators, illustrated with specific examples from the governance arena. It takes the reader through four sections: 1. What is the problem? 2. How can we get data? 3. What data can we get? 4. How can we use the data?

The second part of the publication is a source guide, which takes the reader through some specifics about the currently available data sources, including a snapshot of their methodology, some example data, their contact information and the important assumptions underlying the particular source. The publication highlights the key facts that you need to know before using any indicator. These include the methodology of the indicator, the assumptions which underpin it, and what they imply for the use of the source.

**Useful?**

- A useful reference to different sources on governance indicators is provided, some of which specifically measure human rights, e.g. the Danish Institute for Human Rights’ *Human Rights Indicators* (ps. 54-55), or include human rights standards in their measurements, e.g. The World Bank Governance Indicators, (p.49)
- A useful training tool to guide practitioners in creating and using human rights indicators


**Background:** see p. 10

**Useful?**

- The guidelines provide a list of quantitative and qualitative “key targets and indicators” for civil, cultural, economic, political and social rights identified as being relevant to addressing poverty reduction.
- The approach adopted in this document could be a useful starting point for monitoring the realisation of human rights. It also highlights the possibility of using the available administrative data in undertaking human rights assessments. There is considerable scope to build on the list of indicators that has been identified in the document, particularly to address the broader concern of monitoring compliance with human rights treaties.


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5 Rajeev Malhotra and Nicolas Fasel, ‘Quantitative Human Rights Indicators - A survey of major initiatives’, Background paper prepared for the UN Expert Meeting on Human Rights Indicators, Turku, Finland, 2005
Background: The SR includes in this report to the General Assembly a list of qualitative and quantitative indicators to monitor the progressive realisation of the right to health and child survival, identifying right to health norms for each indicator.

Paper 1: Useful points to highlight
- Part II (paras. 5-37) of the paper proposes concepts and terminology for human rights indicators.
- Para. 8 explains the difference between a health indicator and a right to health indicator.
- Para. 12 explains why right to health indicators should not only reflect specific right to health norms, but should also relate to human rights principles, including non-discrimination and equality.

Paper 2: Useful points to highlight
- In part IV of the report (para. 59-84), the SR looks at how to monitor the State Party’s progress in realising the right to health (which is subject to progressive realisation).
- The report aims to provide a straightforward methodology for right to health indicators and benchmarks. Indicators are clustered into three levels: structural, process and outcome indicators. The framework can be applied for other human rights.
- Offers a useful methodology for creating human rights indicators.

4. OHCHR/UNDP Rights-based Municipal Assessment and Planning Project, Bosnia and Herzegovina: RMAP CHECKLIST 8:THE RIGHT TO EDUCATION, December 2004

Background: Before indicators for measuring human rights can be designed it is important to understand the scope and content of that human right. In setting contextually relevant indicators for the ‘RMAP’ project, OHCHR/UNDP first elaborated a checklist that detailed the scope of the right in question and then related this definition to the situation in BiH.

Useful?
- This is a useful example of a framework through which to elaborate contextually relevant indicators that can adequately measure all attributes of a right that is subject to progressive realisation.
- Similar checklists were designed to measure other rights: the list in full will be available in the “Methodology and Tools for Human Rights-based Assessment and Analysis?” from the RMAP project to be published shortly.


Background: This document contains 19 guidelines for working on the right to food. Guideline 17 addresses Monitoring, Indicators and Benchmarks, (p.22). A set of process, impact and outcome indicators are developed, relying on indicators already in use. Appropriate short, medium and long-term benchmarks are established. The guidelines are aimed at State parties to the Convention on Economic, Social and Cultural Rights.

Useful?
The guidelines outline a framework to support the progressive realisation of the right to adequate food in the context of national food security that could be helpful in outlining an approach to monitor the realisation of other human rights. A focus is placed on gender and vulnerable groups. A conceptual framework is proposed: a substantive dimension based on the “3 As” used by the Committee on ESCR: Adequacy, Availability, Accessibility of the right; and a legal dimension: respect, protect, fulfil.

C. Bi-Lateral Development Organisations


**Background:** The handbook was created to help programmers define useful and effective performance measures, or indicators, for their programmes. The handbook contains sample indicators as well as guidance on the creation and use of indicators. There are four sections: the rule of law, political processes (openness), civil society, and accountable and transparent government institutions.

**Useful?**
- The handbook includes definitions, best strategies, criteria for good indicators and tips on designing indicators.
- The handbook is aimed at USAID programmes that are directly related to the ‘Democracy’ area: it is not meant for programmes addressing poverty. The HR indicators listed are civil and political, not ESCR.

D. Non-Governmental Organisations and Human Rights Institutions


**Background:** *Circle of rights* contains materials on specific ESC rights, a rights-based approach, strategies and tools for ESC rights activism and suggested training methodologies for ESC rights training programmes. It is aimed at human rights activists, development workers, and other organisations addressing economic, social and cultural issues.

**Useful?**
- Section 6, Module 19 *Monitoring and assessing the enjoyment of ESC rights*, reviews strategies and tools that can be used to monitor and assess the enjoyment of ESC rights by individuals and groups. The complexity of ESC rights monitoring; investigation and documentation of ESC rights cases; development and use of ESC rights indicators and benchmarks; collection and interpretation of quantitative and qualitative data; budget analysis; and reports are covered.
- A good explanation into the specificity of human right indicators (as opposed to development indicators) for measuring economic, social and cultural issues.
- Organisations including the OSCE have found the manual helpful in their work.

This international network of NGOs, assess the implementation of international commitments on poverty eradication and gender equality in about 50 countries, using a large set of commonly used socio-economic statistics. This includes indicators on poverty, food and health and security, women’s reproductive health, water and sanitation, education, information science and technology, gender equity, public expenditure and development aid. Information on the status of ratification of principal human rights treaties and status of official country reports to the UN human rights treaty bodies are also reproduced. The indicators have been compiled primarily from information available with the specialised UN agencies and programmes and the World Bank. The indicators provided come with data.

E. Development Indicators as Human Rights Indicators

“In the absence of clear economic and social rights indicators, attention is being paid to using or adapting development indicators. The strength in using development indicators for human rights measurement lies in their regular availability, global coverage, ease of understanding and long time-series. The key weakness in using development indicators for human rights measurement is the serious question of their validity. For example, using literacy rates, educational attainment, gender breakdown in education, and investment in schools only demonstrates the state of education in a particular country not whether the right to freedom from discrimination in education is being upheld” 6

World Bank Development Index

- The World Bank (WB) collects and disseminates a wide range of socio-economic statistics that are predominantly derived from national statistical systems. Uses national and other international data sources.
- It also has a database with indicators for the Millennium Development Goals7. See http://www.developmentgoals.org/Data.htm
- This is especially helpful as it harvests data from all different agencies involved in collecting data: UNDP, UNESCO, UNICEF etc.

ILO: Gaps in Workers Rights

- This measures the status of workers rights by measuring numerically the gap between the real and the ideal world of basic workers’ rights with the help of the ratification, reporting, and supervisory process at the disposal of the ILO.
- The purpose of this initiative was to get more countries to ratify the different ILO conventions
- http://www.ilo.org/dyn/declaris/DECLARATIONWEB.INDEXPAGE

6 From T.Landman and J. Hausserman, “Map-Making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance Map Making Study,” 2003, p. 21
UNDP: Human Development Report

The Human Development Reports focus on human development advocacy using human development indicators and indices based on national level information. The statistical information in the global reports and more recently in the national reports prepared by many developing countries provides important databases of direct relevance to human right monitoring, particularly for economic, social and cultural rights.

- The reports have focused on issues of good governance, human rights and poverty
- The HDR 2000 discusses the relationship between human development and human rights, and identifies a number of issues and concerns that are important for developing an adequate approach to human rights monitoring.

http://hdr.undp.org/statistics/

UNESCO: institute of statistics

- The UNESCO Institute for Statistics (UIS) collects, processes and disseminates statistics on education, literacy, culture, communication, science and technology. UIS provides a wide range of statistics to support and monitor the progress towards the achievements of the international commitments on Education for All (EFA).
- This, and all the other international development agencies, harvest data from the countries: using existing data rather than collecting it themselves


UNICEF

- UNICEF has identified and developed in consultation with other UN organisations, statistical indicators on various areas including child survival and health, child nutrition, maternal health, water and sanitation etc.
- A new software platform – Devinfo - has been developed, incorporating, among other things, indicators relevant to the implementation and monitoring of Millennium Development Goals (MDGs).
- These indicators are of direct relevance for the monitoring of human rights, particularly in the context of the CRC

http://www.unicef.org/statistics/

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