



A Human Rights Based Approach to Denmark's Development Cooperation

GUIDANCE AND INSPIRATION FOR POLICY DIALOGUE AND PROGRAMMING

This is a document intended for use in the Ministry of Foreign Affairs of Denmark. The document will be updated and revised on an on-going basis. The latest version is available on the Ministry of Foreign Affairs Intranet. **5 February 2013**

Contents

1	Preamble	2
2	Introduction	4
3	Defining a Human Rights Based Approach to Development	6
4	Policy Dialogue	19
5	Analysis	27
6	Formulation	33
7	Monitoring Progress and Evaluating Results	44
8	Resources and Links	46

1

Preamble

In May 2012, the Danish Parliament unanimously endorsed the new strategy for Denmark's development cooperation, "The Right to a Better Life". The strategy is both bold and ambitious. It has two equally important and interdependent aims: to reduce poverty while at the same time assisting people in realising their right to a better life. And it rests on the fundamental belief that respect for human rights will also serve as a powerful means of redistribution. Because securing economic, social and political rights would ensure that prosperity, power and influence is distributed more broadly.

In order to achieve this, Denmark will employ a **Human Rights Based Approach to development**. This Guidance Note is designed to assist you in that task. "The Right to a Better Life" underlines that United Nations human rights conventions, standards, norms and instruments should serve as the compass that guides our political dialogue, concrete development interventions and partnerships. Human rights are not just part of our own core values, they are a powerful driver of change, exactly because they are based on international commitments that we share with our partners. The Guidance Note outlines our approach: to work with our partners, building on our long-standing cooperation, to define the particular areas for improvement that are realistic, feasible and relevant in the specific context.

Policy dialogue should be informed by the HRBA and all development interventions must be based on a solid analysis of the human rights situation, including the four HRBA principles, non-discrimination, participation and inclusion, transparency and accountability. Based on this analysis, we will identify particular areas where Denmark can contribute and make a difference. While flexibility and pragmatism will be key-words, this Guidance Note gives practical advice on how to ensure consistent application of the four HRBA principles. The principles uphold the indivisibility of human rights. We personally find the Vienna Declaration and Programme of Action (1993) which establishes that "human rights are universal, indivisible and interdependent and interrelated" very inspiring. The Vienna Declaration also states that "while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms".

A Human Rights Based Approach to development means that human rights standards define the desirable outcome, and human rights principles ensure the legitimacy of the process. In that sense, a HRBA offers both ends and means to our policy and development efforts. We trust

that this Guidance Note will illustrate that point and see the Note as a crucial tool for partners and MFA staff at home and abroad in their endeavours to reach our aims.

Charlotte Slente

Ambassador, Under-Secretary
for Global Development and
Cooperation

Thomas Winkler

Ambassador, Under- Secretary
for Legal Affairs

2

Introduction

As outlined in the Strategy for Denmark’s Development Cooperation, “The Right to a Better Life”, Denmark will apply a Human Rights Based Approach to development cooperation (HRBA).

Human rights also feature prominently in the International Development Cooperation Act which states that *‘the objective of Denmark’s development cooperation is to combat poverty and promote human rights, democracy, sustainable development, peace and stability in conformity with the United Nations Charter, the Universal Declaration of Human Rights, and United Nations conventions on human rights’*.

The purpose of this Guidance Note is to serve as inspiration and guidance for the implementation of HRBA. It explains the core concepts of a HRBA and how it is put into practice in policy dialogue with partners and in programming of Danish development cooperation.

The objective of Denmark’s development cooperation is to combat poverty and promote human rights, democracy, sustainable development, peace and stability in conformity with the United Nations Charter, the Universal Declaration of Human Rights, and United Nations conventions on human rights.

The Danish International Development Cooperation Act

The core thrust of the HRBA Guidance Note is that HRBA should be rolled out in a pragmatic and realistic way that takes the local context into account and is anchored in thorough analysis.

HRBA is to be applied to all aid instruments. Thematically, HRBA is relevant to each of the four strategic priority areas of the strategy for Denmark’s Development Cooperation, i.e. Human Rights and Democracy; Green Growth; Social Progress; and Stability and Protection.

The key target group for the Guidance Note is colleagues in the Danish Ministry of Foreign Affairs. It is especially directed at those colleagues in Copenhagen and at representations responsible for conducting policy dialogue and programming related to Danish Development Cooperation. In addition, the Note is targeted at colleagues responsible for defining Denmark’s human rights policies – in Copenhagen and at our multilateral representations. A core thrust of the HRBA is to ensure a closer link between our normative international human rights work and our development cooperation.

The Note may also be useful to external partners and to consultants involved in the preparation, formulation, monitoring and evaluation of Danish development cooperation.

The Note is organised in the following way: *Section 2* defines Denmark's approach to HRBA and *Section 3* outlines key principles for policy dialogue in bilateral and multilateral cooperation. The following sections are arranged according to the DANIDA Programme Management Cycle: *Section 4* concerns the preparatory phase and focuses on the HRBA analysis. *Section 5* provides guidance on formulation and design of interventions, whereas *Section 6* outlines requirements in terms of monitoring and evaluation. Further inspiration is available in *Section 7* in terms of links and suggested reading.

The Guidance Note will be updated and revised on an on-going basis. The most recent version will be available on the Aid Management Guidelines site as well as on the MFA HRBA Portal.

The Guidance Note is accompanied by a HRBA Screening Note. The HRBA Screening Note captures the core elements of HRBA by posing a number of questions. The intention of the screening note is to provide an inspirational checklist for colleagues applying HRBA in general, but the note is, at the same time, a mandatory part of the DANIDA Programme Cycle. Colleagues should reflect upon and respond to the questions posed when concept notes are presented to the Programme Committee, and the note should be updated or elaborated for appraisal and when presented for financing. The Screening Note lists the key questions that should be considered throughout the DANIDA Programme Cycle and reflected in key documents.

Specific guidance on rolling out HRBA will be further detailed and contextualised in forthcoming revisions of the various guidelines for Danish development cooperation including Guidelines on Programme Management, Budget Support Guidelines, Guidelines for Development of Policy Papers for Denmark's Relations with Priority Countries, Guidelines for DANIDA Business, Guidelines for Management of Danish Multilateral Development Cooperation etc.

In parallel to the revision of guidelines, HRBA will also be rolled out through development of various competence development activities, and through guidance and exchange of experiences between involved departments, embassies and representations. A number of case-studies, describing the application of HRBA in MFA policy dialogue and development programmes, are included in the Guidance Note. A full-length version of the case-studies is available on the MFA Intranet HRBA [Portal](#) (accessible for MFA-staff only).

3

Defining a Human Rights Based Approach to Development

3.1 A new perspective in Danish Development Cooperation

A HRBA, as an international concept, has been operationalised over the last decade. The most general reference point for a HRBA is the UN Common Understanding on “The Human Rights Based Approach to Development Cooperation” from 2003, on which UN tools and approaches are based.

Denmark’s approach is informed by the UN Common Understanding but also takes into account the numerous lessons learned by multi- and bilateral agencies from implementing a HRBA in practice. In addition to various UN organisations, programmes and funds, bilateral donors such as Sweden and Germany, to name but a few, have shared their experiences with Denmark.

There is no single approach to a HRBA. Denmark’s particular approach to a HRBA will balance pragmatism and realism with the integration of four principles; non-discrimination, participation & inclusion, transparency, and accountability.

The starting point will always be country-specific and based on thorough political economy and human rights analysis, needs, local context and respect for human rights.

A HRBA entails that 1) the goal of development cooperation will seek to realize human rights as well as poverty alleviation, 2) the process of development cooperation should be guided by human rights standards and principles, and 3) there should be a focus on rights-holders and duty-bearers and their capacities to claim and fulfil obligations related to human rights.

As indicated above, in a HRBA a distinction is made between rights-holders and their entitlements and duty-bearers and their obligations. The aspiration is to strengthen both the capacities of rights-holders to make their claims and of duty-bearers to meet their obligations.

DEFINING AND EXEMPLIFYING RIGHTS-HOLDERS AND DUTY-BEARERS

Rights-holders: Given the universal nature of human rights, every individual is a rights-holder and entitled to the same rights without distinction based on race, colour, sex, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status, such as sexual orientation and marriage status. Every rights-holder has the responsibility to respect the rights of others. Rights-holders must have the capacity to: (i) exercise rights; (ii) formulate claims and hold duty-bearers accountable; and (iii) seek redress.

Duty-bearers: Are primarily state actors. This includes all the organs of the state such as parliaments, ministries, local authorities, judges and justice authorities, police, teachers or extension workers. All these are legal duty-bearers. A HRBA focuses on the capacity of the state at all levels to meet its duties to respect, protect and fulfil human rights.

Although states are the principal duty-bearer, there are other non-state entities that have responsibilities to respect, protect and fulfil human rights. Some literature refers to these non-state entities as moral duty-bearers. These can include community organizations, aid agencies, multilateral donors and private sector organizations etc. Religious leaders or elders can be seen as duty-bearers in certain situations such as for instance having a responsibility to protect the rights of children and thus speak out against violation of children's rights in their communities.

The core thrust of Denmark's approach to HRBA is that human rights are both a means and an end in our development cooperation. This entails that human rights should inform both the results to be achieved and the process to achieve them. Human rights principles; non-discrimination, participation & inclusion, transparency, and accountability, provide the framework for the design and implementation of development activities. Furthermore, human rights standards help to define the results pursued.

- Human rights as a means essentially entails that Danish Development Cooperation will be strengthened by integrating the four principles of non-discrimination, participation & inclusion, transparency and accountability - from initial analyses to final evaluation. These principles are further defined and elaborated below.
- Human rights as an end implies that Danish development cooperation will be informed by international human rights standards. These universally agreed standards are defined by the UN Charter, the UN Declaration, the two International Covenants and numerous other treaties, bodies and instruments as further defined below.

- The four human rights principles will guide all development cooperation and programming in all sectors and phases of the programming process.

THE OBLIGATION OF STATES: RESPECT, PROTECT AND FULFIL

States have three levels of obligation: to respect, protect and fulfill every right.

- To respect a right means refraining from interfering with the enjoyment of the right.
- To protect the right means enacting laws that create mechanisms to prevent violation of the right by state authorities or by non-state actors. This protection is to be granted equally to all. The obligation to protect requires measures by the State to ensure that third parties (individuals, armed groups, enterprises, etc.) do not deprive right-holders of their access to their right.
- To fulfill the right means to take active steps to put in place institutions and procedures, including the allocation of resources to enable people to enjoy the right.

When development is based on international human rights standards, it provides a strengthened platform for political dialogue, advocacy and social mobilization, since programming goals are based on universally agreed principles, national and international commitments and legal frameworks that underline the accountability of duty-bearers.

A HRBA aims to empower people to exercise their rights and reduces risks of setbacks in the development agenda. By application of the four principles we will ensure that our efforts empower the disadvantaged people to influence decisions and access resources that determine their quality of life.

All rights require funds and capacities to be fulfilled. Applying a HRBA means working with all human rights and taking into account the immediate obligation of states to respect human rights as well as their obligation to ensure progressive realization to protect and fulfil these rights.

Historically, progressive realization comes from the obligation of States under the Covenant on Economic, Social and Cultural Rights. However, The [Vienna Declaration and Programme of Action](#) (1993) emphasizes that all human rights are of equal importance and the general theory of respect, protect and fulfill refers to all human rights.

Progressive realization is now applied to States' obligation to *protect* and *fulfill* all human rights, and the obligation to *respect* human rights is immediate for both economic, social, cultural, and political and civil rights.

The obligation to *protect* and *fulfill* human rights requires positive measures by States and is therefore, in practice, subject to progressive realization. Such positive measures apply to civil

and political rights (building courts, recruiting and training police officers, investigating arbitrary killings, conducting free and fair elections etc.) and to economic, social and cultural rights (building schools and hospitals, recruiting teachers and doctors, providing equal access to food, shelter, work, social security etc.).

PROGRESSIVE REALIZATION OF RIGHTS

The value of progressive realization has two strategic implications. Firstly, it allows for a time dimension in the fulfillment of human rights, and secondly it allows for setting priorities between different human rights. States may therefore in practice fulfill human rights progressively as long as they;

- Take concrete steps to the ‘maximum of their available resources’ – States must demonstrate that every effort has been made to use all resources at their disposal to achieve minimum essential levels of each right (the principle of due diligence).
- Monitor progress – systems must be established to ensure that progress, or lack thereof, can be measured. To the extent that realization of human rights is dependent on expansion of resources, the state must immediately develop and implement a time-bound plan of action as well as indicators and benchmarks to assess fulfillment of goals.
- Avoid retrogression – while allocating resources to realization of certain rights, the level of realization of the remaining rights must be upheld. Any deliberately retrogressive measures will require the most careful consideration and need to be fully justified.
- Prevent discrimination – progress must be achieved for the entire population as equally as possible. States must prohibit discrimination in, for instance, access to health care, education, justice, elections and work.
- Respect ‘minimum core obligations’ - the International Human Rights system has certain ‘core obligations’ which requires the State to ensure with immediate effect certain minimum levels of enjoyment of various rights.

A HRBA is not a tool for overall prioritization as fundamentally all rights are equal. But there will still be a need to set priorities and apply flexible solutions to the many challenges faced by our partners. In reality, the enjoyment of all human rights is interlinked, for example, it is often harder for individuals who cannot read and write to find work, to take part in political activity or to exercise their freedom of expression. Another example is that strengthening the right to education and health often includes strengthening democratic processes to empower people to participate in decision making/demanding influence and strengthening various legal instruments such as complaint mechanisms and various legal accountability measures. The key is therefore to identify the binding constraint(s) on the fulfilment of human rights in the specific context, and set priorities accordingly. Therefore, in some places focus will be on e.g. freedom of expression and association, and in others on the right to food, health, education, decent work and for the collective and individual rights of indigenous peoples.

Finally, it should be emphasised that a HBRA does not entail a complete change in the implementation of Danish development assistance. A lot of the work we already do will

continue and the various HRBA principles are already well reflected in many of our strategic documents, for example the Civil Society Strategy. Moreover, Denmark's experience with the mainstreaming of gender and human rights is highly relevant to a HRBA. Similarly, we have years of experience with building the capacity of duty-bearers at local and central level through public sector management programmes, sector programmes, and decentralisation programmes. This work will continue. We also have relevant experience to offer in terms of multilateral/bilateral synergy, focus on the most marginalized, on integration of work on political/civil rights, and strengthening local accountability mechanisms such as water user boards, parent-teacher associations etc. As this Note will explain, such activities are squarely within the domain of a HRBA.

3.2 The four principles of a HRBA in Danish development cooperation

As an essential part of HRBA, Denmark's development cooperation will be strengthened by consistently applying the principles of non-discrimination, participation & inclusion, transparency, and accountability.

The principles are derived from international human rights treaties. We will apply them in policy dialogue and in all steps of the programme cycle. However, all do not need to be integrated to the same extent in specific interventions. What is important is to consider them and include specific interventions in programmes to promote them where feasible. As an example, we should always ex-ante consider the situation of poor and marginalised groups, yet recognising that direct support to such groups will not be a default modality. Similarly, it may not always be relevant to explicitly promote transparency through specific intervention, but again, the aspect of transparency must be considered throughout. While some aspects of the programming may be "neutral" in terms of some of the principles, consideration shall always be given to the notion of "do no harm". I.e. while the programming may be neutral, it should still be assessed if the programming, even with a choice of non-intervention, is directly or indirectly doing harm to the intended beneficiaries.

A HRBA must also guide all development cooperation and programming in all sectors and phases of the programming process.

The principles can be summarised in the following way.

1. Non-discrimination: A fundamental principle in the human rights obligations of states is that of non-discrimination. All persons are equal and should have equal access to public services and opportunities, to security and justice. Key is the empowerment of the poor and marginalised to fight for their rights as active individuals. It entails a special

focus on promoting vulnerable groups rights and equal access to decision-making, resources and opportunities.

2. Participation and inclusion: Active, free and meaningful participation is both a means and an end in itself. Denmark will support people in the exercise of their freedom of expression, assembly and association and in asserting these rights by creating opportunities to ensure active meaningful participation as well as local ownership in development processes.

3. Transparency: Access to information and freedom of expression are integral elements in the Human Rights Based Approach. We will work to ensure that all people have access to free and independent information, so that those in power can be held accountable for their policies and priorities. We will also work for the implementation of the principle of sharing of public information by state and public institutions both in relation to the free and independent media and the general public.

4. Accountability: The state is responsible for respecting, protecting and fulfilling human rights – and should be held accountable. The realisation of human rights requires that state formation and governance are based on the principles of rule of law as well as democratic and inclusive legislative processes. It also requires government authorities with the will and ability to respond to demands for human rights from rights holders.

The application of the four principles is the foundation for empowerment. Without application all four principles there can be no meaningful empowerment of the most vulnerable.

Special attention must be afforded to rolling out HRBA in fragile states. Often a substantial and general absence of human rights and development is an underlying cause of conflict and fragility. At the same time, conflict and fragility makes it very difficult to address these fundamental challenges. It can be useful to define more clearly what the roots of fragility are. Is it e.g. due to the absence of credible authority (Somalia), absence of service provision i.e. following a crisis, natural or otherwise (Haiti) or due to lack of government legitimacy, e.g. military rule/non-democratic rule (Burma, Zimbabwe). Any initiatives in a fragile context must also take into consideration that the initiative is likely to shift balances in power and resources, which can have substantial consequences for communities and the dynamics of a conflict.

Using the four principles of HRBA can be a useful tool in identifying the most important constraints on the rights of the individual. Taking, for instance, non-discrimination with regard

to distribution of resources as a point of departure may lead to an analysis providing information and findings that demonstrate serious inequalities in society, which together with other factors may trigger conflict. Support may include improved service delivery through various channels e.g. multilateral organisations, CSO's etc. Also, participation in decision making processes may in itself empower people in a manner that can divert tendencies for violent conflict and instead lead to constructive contributions and solutions to societal challenges and sustainable peace. Accountability and transparency will be crucial in developing trust in an authority that can act as catalyst for further development.

The application of the principles is further elaborated in the following sections.

3.3 HRBA and Poverty Orientation

Rolling out HRBA in Denmark's development cooperation is expected to strengthen the poverty orientation. Poverty is often defined one-dimensionally in economic terms. Among LDC countries, this often means that the poor are simply defined as people living with an income below 1.25 USD per person per day. However, there is a growing recognition that poverty has more dimensions than mere economic needs, and that an effort to reduce poverty will have to address complex notions of inequality, exploitation and discrimination. A HRBA offers this multidimensional perspective on poverty in a comprehensive, systematic and operational way.

From a human rights perspective, human rights violations are both a consequence of and a reason for poverty. However, every human rights deprivation is not necessarily linked to poverty. An authoritarian regime can for instance deprive relatively affluent people of their freedom of expression. From a human rights perspective, poverty therefore still concerns people's lack of power, economic resources or concerns human rights deprivations that are caused by economic constraints. However, such powerlessness and constraints are not limited to material resources and personal income. Poverty also includes the inability to influence and access public and social goods and communally managed services, the inability to exert political influence, the lack of physical integrity etc. In that sense, a human rights perspective on poverty entails a comprehensive focus on a person's freedom or opportunity to achieve well-being.

Consequently, a poor person is not just economically deprived, but someone who is disempowered and excluded and has limited capabilities to take control of her or his life. Lack of material resources are part of the picture, but may often be a symptom. A HRBA strive to assess and address the root causes of poverty.

The basic freedoms and opportunities to achieve well-being, and the capabilities to do so, are fundamental to ensure minimal human dignity. A HRBA emphasizes that all people have a fundamental rights to these freedoms and opportunities. Poverty should therefore be understood as the non-fulfilment of a person's right to a range to basic capabilities. Again,

poverty is not simply understood in terms of economic capabilities, but includes the complex and corresponding failure of political, socio-cultural, human and protective-security capabilities.

1. Economic capabilities cover the abilities to have and use assets to pursue sustainable livelihoods, to provide income to finance consumption and savings.
2. Human capabilities cover the health, education, nutrition, clean water and shelter, necessary to engage effectively in one's society, not only to make a living, but also to be a part of the wider society.
3. Political capabilities cover voice and authority to influence public policies and political priorities, and be adequately represented within one's community at local and national levels.
4. Socio-cultural capabilities cover abilities to participate and be included as a valued member within social and cultural relationships, networks and activities.
5. Protective-security capabilities cover all the issues that help to lessen vulnerability, such as protection from threats and violence to person and property (including violations from the state) and the ability to withstand economic shocks.

Capabilities and human rights are thus highly complementary. A focus on enhancing poor people's capabilities will empower them to gain more control over decisions and resources that determine the quality of life and the deep structural inequalities that inhibit this. Human rights offer the framework, standards and principles to do this.

In sum, a HRBA offers a more adequate response to poverty by working not only with resources but also with capabilities and the root causes of deprivation. The influential World Bank study 'Voices of the Poor' (1999) strongly advocated for this focus on capabilities. A HRBA is one way to take up this challenge, but the approach also has distinct features that concretely add value to poverty reduction efforts, including:

- A HRBA directly and comprehensively targets the empowerment of the poor across the range of capabilities listed above and explicitly concerns the distribution of power and resources to enhance equality and equity.
- A HRBA draws on the human rights community as an active player in the analysis, planning, design and monitoring of poverty reduction efforts.
- A HRBA emphasizes law and standards as a crucial accountability measure for the enhancement of poor people's capabilities. At the operational level, it is therefore a

defining feature of a HRBA that legally formulated rights (non-discrimination, access to information, the right to participate in public affairs etc.) inform development efforts.

- A HRBA offers a defining emphasis on duty-bearers' responsibility to respect, protect and fulfil the human rights of the poor, the poor's entitlements and power to claim their rights, and the capacity of duty-bearers to meet their obligations.

“The challenge for development professionals and for policy and practice is to find ways to weaken the web of powerlessness and to enhance the capabilities of poor men and women so that they can take more control of their lives”

World development Report 1999

3.4 Human rights as a goal – international human rights standards

As stated, Danish development cooperation will be informed by international human rights standards.

We will in development cooperation consider the full range of human rights, whether they are civil, political, economic, social or cultural. International human rights as defined by conventions, standards, norms and instruments - notably the UN Charter (1945), the Universal Declaration of Human Rights (1948) and what is usually referred to as the nine core Human Rights conventions (see below).

THE NINE CORE HUMAN RIGHTS CONVENTIONS

1. The International Convention on the Elimination of All Forms of Racial Discrimination (1965)
2. The International Covenant on Civil and Political Rights (1966)
3. The International Covenant on Economic, Social and Cultural Rights (1966)
4. The Convention on the Elimination of All Forms of Discrimination against Women (1979)
5. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
6. The Convention on the Rights of the Child (1989)
7. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)
8. The International Convention for the Protection of All Persons from Enforced Disappearance (2006)
9. The Convention on the Rights of Persons with Disabilities (2006)

In addition to the nine core conventions, there are other conventions relevant to each of the four strategic priority areas in the strategy “Right to a better life”: Human rights and

Democracy; Green Growth; Social Progress; and Stability and Protection. These include, among others, various UN principles and guidelines such as Basic Principles for the Treatment of Prisoners, essential ILO conventions i.e. The Indigenous and Tribal Peoples Convention, 1989 (No. 169), UNESCO Conventions and Agreements as well as the Beijing Declaration and Platform for Action, the Programme of Action agreed to at the International Conference on Population and Development (ICPD) and the Declaration on the Rights of Indigenous Peoples.

NON-DEROGABLE RIGHTS

Certain human rights treaties envisage a system of derogations allowing states parties to adjust their obligations temporarily under the treaty in exceptional circumstances, i.e. in times of public emergency threatening the life of the nation. Examples of emergency situations include, but are not limited to, armed conflicts, civil and violent unrest, environmental and natural disasters, etc.

According to international human rights law, there are certain “non-derogable” rights that states always, under all circumstances, must adhere to. For instance, states can never derogate from the Covenant’s guarantees of the right to life; freedom from torture, cruel, inhuman or degrading treatment or punishment, and from medical or scientific experimentation without free consent; freedom from slavery or involuntary servitude; the right not to be imprisoned for contractual debt; the right not to be convicted or sentenced to a heavier penalty by virtue of retroactive criminal legislation; the right to recognition as a person before the law; and freedom of thought, conscience and religion.

These rights are not derogable under any conditions even for the asserted purpose of preserving the life of the nation.

As mentioned, some human rights are immediate whereas others are realised progressively. Many economic, social and cultural rights (such as the right to food) will often only be realised progressively and subject to the availability of the necessary resources and facilitating conditions. In other cases, particularly with regard to the civil and political human rights, e.g. freedom from torture, immediate realisation is called for.

Each convention has a committee of experts to monitor the implementation by State parties. State parties submit country reporting on compliance with the various instruments. The committee of experts issues recommendations and general comments on the implementation of the various treaties and conventions one example is the [General Comment no. 13](#) (1999) on ‘the Right to Education’ and Shadow Reports.

In addition, important monitoring systems have been established under UN Human Rights Council, notably:

1. Universal Periodic Review (review reports based on official reports of the states concerned, a compilation prepared by the Office of the High Commissioner for Human Rights and information provided by other relevant stakeholders). The UPR is complimented by Stakeholder Information/Submissions prepared by e.g. NGO's.
2. Special Procedures (Special Rapporteurs, Independent Experts or Working Groups) that are either thematic or country specific e.g. torture, education etc. Special Rapporteurs monitor human rights situations in countries and report to the General Assembly. Additionally Special Rapporteurs receive information on specific allegations of human rights violations and forward appeals to governments. For more information on special procedures, consult this [link](#).

An important distinction in the international framework is between individual and collective rights (rights recognised through membership of a group – such as rights of indigenous peoples).

In addition to international human rights conventions, important regional instruments exist in the Americas, Africa, Asia and in Europe (see below for a brief overview).

REGIONAL HUMAN RIGHTS INSTRUMENTS

Africa

Africa has a comprehensive regional human rights architecture and the African Commission on Human and Peoples Rights provides an overview of the most important instruments. Some are legally binding for states that have ratified the instruments others are not:

- African Charter on Human and People's Rights Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
- African Charter on Democracy, Elections and Governance
- Constitutive Act of the African Union
- Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights
- African Charter on the Rights and Welfare of the Child
- AU Convention Governing Specific Aspects of Refugee Problems in Africa
- In addition a number of instruments not listed by the African Commission on Human and Peoples Right, which can be referred to in policy dialogue or used as reference in programming:
- Declaration on the Decade of a Culture of the Rights of the Child in West Africa
- The Addis Ababa Document on Refugees and Forced Population Displacements in Africa
- The Addis Ababa Document on Refugees and Forced Population Displacements in Africa,
- Convention Governing the Specific Aspects of Refugee Problems in Africa
- Convention Governing the Specific Aspects of Refugee Problems in Africa
- The Dar es Salaam Declaration on Academic Freedom and Social Responsibility of Academics

- The Khartoum Declaration on Africa's Refugee Crisis
- OAU Convention for the Elimination of Mercenaries in Africa
- OAU Convention on the Prevention and Combating of Terrorism
- Protocol on the Control of Firearms, Ammunition and Other Related Materials in the Southern African Development Community (SADC) Region
- The New Partnership for Africa's Development
- African Youth Charter
- Finally, the Network of African Human Rights Institutions is an important stakeholder in setting the standards for NHRIs in Africa.

Asia

Contrary to Europe, Africa and the Americas, Asia does not have a regional inter-governmental system with a charter, treaties, commission, court or other formal mechanisms and ratified instruments to protect and promote human rights. However, at sub-regional level there are instruments and initiatives that can be referred to. The ASEAN Intergovernmental Commission for Human Rights (AICHR) is the most significant with its 10 member countries. Also, under the ASEAN, there is the ASEAN National Human Rights Institution (NHRI) Forum counting the four member country NHRI's in Indonesia, Malaysia, Thailand and the Philippines. ASEAN has for some years been working on an ASEAN Declaration for Human Rights that was approved and adopted in November 2012.

Latin America

The human right system in Latin America is well developed and is being applied more consistently than the corresponding African regional instruments. The key institutions are the Organization of American States, the Inter-American Commission of Human Rights and the Inter-American Court of Human Rights. The most notable regional instruments are:

- American Convention on Human Rights
- Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women
- Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities
- Inter-American Convention to Prevent and Punish Torture
- Protocol to the American Convention on Human Rights to Abolish the Death Penalty

Europe

Europe has a well-functioning human rights system organized within the Council of Europe. Another key institution in the European context is the European Court of Human Rights. The main instruments within the European system are:

- The Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols
- The European Social Charter
- The European Convention to Prevent and Combat all forms of Violence against Women
- The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and its Protocol
- The European Convention on the Exercise of Children's Rights
- The European Convention on Nationality
- The European Charter for Regional or Minority Languages
- The Framework Convention on the Protection of National Minorities

- The Council of Europe Convention on Action against Trafficking in Human Beings
- The Council of Europe Convention on Access to Official Documents

3.5 Rolling out HRBA

To sum up, a HRBA will be rolled out in Danish development cooperation by considering the four HRBA principles in policy dialogue, analysis, formulation, implementation and in M&E. We will be informed by international and regional human rights commitments when we formulate objectives for our policy dialogue and our development cooperation.

The point of departure is that a Human Rights Based Approach to development cooperation is a driver for positive change, particularly when it is based on local ownership, rooted in thorough analysis, and, not least, aligned to national priorities and systems.

A HRBA should be rolled out gradually. Existing programmes will continue and, as already highlighted, a considerable part of what we do is already in many aspects informed by HRBA.

4

Policy Dialogue

Policy dialogue with a broad range of partners defines the overall framework in which Denmark's development cooperation is conceived. HRBA will inform our policy dialogue in discussions regarding Danish support to multilateral organisations, to identification of focus areas for programme and sector support, over analysis, implementation, monitoring and evaluation. A strategic and focused policy dialogue is key to implementing the Human Rights Based Approach.

Recommendations generated through human rights instruments such as the UN treaty bodies and Special Procedures will inform our policy dialogue with partners at country level as well as with multilateral partners. The overall aim is to adopt a comprehensive approach in order to ensure coherence in our dialogue in various fora and with different partners.

In cases where regional instruments comply with international treaties and conventions, and possibly go beyond, we will use those as a point of departure for the dialogue. And in countries where governments do not share the human rights based agenda, there will be implications for the way in which we are able to cooperate. If developments in a country change for the worse, with systematic human rights violations, and if the possibility to change developments diminishes, Denmark is prepared to take action. There is no standard response in these situations. We will in each case carefully assess the implications this should have for how, and not least with whom, we will cooperate.

We will seek to forge a closer linkage between the normative work on human rights in international forums and development cooperation on the ground thereby also enhancing the synergy between our bilateral and multilateral interventions. The objective being to ensure that dialogue with partners at country level is based on the common framework for human rights norms and standards, and that dialogue with multilateral partners is informed by our country level experiences.

However, in our dialogue with partners, attention must be given to the fact that strengthening the link between the normative and the operational activities of United Nations entities can be perceived as controversial and is subject to frequent discussions in UN fora. The group of developing countries (G77) often question efforts to increase the UN's ability to monitor and report on the achievement of the international human rights norms and standards as part of the operational development activities. Such an approach is perceived as a way of imposing conditionality on international development cooperation and thus dictating the policies of developing countries. Therefore, fundamental development effectiveness principles like national ownership and leadership of development processes, together with alignment with

national development strategies and plans, must be crucial elements in the policy dialogue on HRBA.

The point of departure is that Denmark remains fully committed to working with and through partners' strategies and systems. The focus on specific human rights must not result in isolated programme or project activities, as the point of a HRBA is to ensure the holistic, systemic and integrated approach to addressing key human rights and development challenges. Policy dialogue is crucial to ensure equal commitment from all partners.

It is essential to align programmes with partner governments' human rights commitments as expressed in international treaties, national constitutions and legislation, for example development programming can be informed by findings and conclusions of the UPR reports and especially the state response to UPR recommendation, will provide guidance on where there might be ownership of and ownership in improving the human rights situation in the country.

4.1 Policy dialogue based on the four HRBA principles

Our policy dialogue with partners will also be informed by the four HRBA principles - as relevant and applicable to the specific local or organisational context.

- We will by means of an open and critical dialogue, in keeping with the principle of **non-discrimination**, increasingly turn the spotlight on ensuring equal opportunities for all, including marginalised groups, on the distribution and redistribution of resources in society and on the need for growth to become more sustainable and inclusive. These issues are particularly important in the dialogue connected to general budget support as well as in the dialogue on strategic focus within multilateral organisations.
- We will assess our partners on their ability to gradually and continuously bring about progress for the rights and equal opportunities of women and children – particularly girls – to realise their full potential, and thus their ability to contribute to the development of society.
- We will, in keeping with the principles of **participation and inclusion**, argue for a legal framework that allows for a strong and independent civil society as well as other aspects of ensuring that citizens are able to access information and influence government decisions affecting them.
- We will encourage our partners to be **open, accountable and transparent** about the utilisation of the resources they generate and spend. We will emphasise the importance of the right to information – all counterparts should respect principles of openness and transparency towards their constituencies and the public at large. In our own

administration we will increase transparency through increased access to information and a close dialogue with development partners.

4.2 Change through pragmatic and context-specific approach

Partnerships are vital for the implementation of HRBA. We will therefore continuously build and maintain strong partnerships and alliances with our priority countries, the EU, multilateral and regional development institutions, new and emerging development partners, the private sector and civil society.

The point of departure for a HRBA is that the universal human rights are indivisible, but it is important to avoid dogmatism. Implementing a Human Rights Based Approach does not mean that Denmark should be perceived as making ultimate demands on partners for the immediate realisation of all rights (please refer to box on Progressive Realization).

A HRBA can in some situations be perceived as controversial, i.e. human rights can be perceived as rooted in a particular cultural context (the West) or as a conditionality for aid. It can also be seen as controversial because the approach implies that development assistance and cooperation should be planned with a view to create and inspire change. A HRBA holds a transformative potential, and is at the core about the redistribution of power and control. Some partners may therefore at first feel uncomfortable with HRBA. It is thus paramount that the point of departure for our policy dialogue is the local context, and reflections on what is possible, relevant and feasible and how to make efficient use of windows of opportunity.

Sometimes an explicit approach will prove most productive, while at other times a more implicit approach will be more effective in the long run. While we will continuously raise critical issues in our political dialogue and push for improvement in implementing human rights standards, we will be pragmatic and sensitive to the local context. In order to ensure a focused and results-oriented approach we will push for rights deemed critical to the development efforts in the specific context.

All this means that considerable dialogue skills will be required from staff along with a good understanding of relevant international and regional human rights instruments and mechanisms. ‘Operational staff’ must be familiar with policies, strategies and decisions from multilateral fora that are relevant to the specific context in which they work, while staff at multilateral representations should be up to date with human rights developments at country-level.

4.3 Policy dialogue in partner countries

HRBA will, more than anything, have implications for our dialogue with governments in partner countries based on the principles of accountability (i.e. the state is responsible for respecting, protecting, and fulfilling human rights). In situations where the policy dialogue takes place in a joint forum (a joint donor group, EU article 8 dialogue etc.) it will be a Danish

priority to ensure that the HRBA is reflected in the position of the joint group. This implies that,

- The point of departure for dialogue with governments in partner countries will be an equal and mutually committing dialogue, based on national needs, the local context and on respect for human rights.
- Political sensitivity, attention to progressive realization of human rights and references to national laws and constitutions are important in order to establish common ground and trust between partners.
- The Universal Periodic Review (UPR) offers a unique possibility to base policy dialogue on international human rights norms as well as the country's own constitution and legal framework. We will actively seek to leverage relevant UPR recommendations accepted by the partner country. We will therefore also seek to contribute with constructive UPR recommendations to all partner countries and seek alignment between our cooperation on the ground and our UPR recommendations. Bilateral embassies will, in coordination with departments at HQ, participate in the Danish preparation of the UPRs.
- Since many of our multilateral partners have, themselves, adopted the HRBA, our dialogue with them will be based on sharing knowledge and experiences as well as exploring how Denmark can contribute to ensuring implementation and a clear human rights focus in their work.
- We will build alliances with international/regional organizations, relevant national state bodies and national civil society organizations to promote human rights in partner countries and, where relevant, to put pressure on other development actors. We will also demand transparency and accountability from CSOs themselves.
- Other actors also have a stake in whether or not human rights are respected. Private enterprises and investors, national and international, can help realise people's economic and social rights through their contribution to economic development, employment and investments.
- We will work to ensure and promote that private enterprises and investors respect human rights, take additional voluntary action to support human rights and assume responsibility for their potential adverse impact on human rights in accordance with the [United Nations Global Compact and the Guiding Principles on Business and Human Rights](#).

CASE: UNIVERSAL PERIODIC REVIEW – COMBINING HRBA AT POLICY AND PROGRAMMING LEVEL

In Nepal, the Universal Periodic Review (UPR) process provided a good opportunity for the Danish Embassy in Kathmandu to base policy dialogue on human rights norms and standards and to ensure a close linkage to development cooperation on the ground. In this way, the use of the UPR process strengthened convergence between high-level foreign policy efforts at the multilateral level and the bilateral engagement in Nepal.

The approach taken by the embassy was designed to avoid a situation where the UN reporting processes risked ending as a “naming and shaming” exercise with the Government of Nepal (GoN) on the one side and the international community and civil society on the other side. This kind of “them and us” approach has a tendency to further tension and conflict rather than opening up possibilities for partnership around achievement of common goals. The Danish engagement in the UPR process in Nepal sought to formulate ways in which a common ground for improvements on key human right areas could be developed. The process was initiated before the formal UPR process in Geneva.

Lessons Learned

Focused on UPR as a “process”, i.e. not an “event”, that could be utilized as a platform for dialogue between the government, international stakeholders, the national human rights institution and CSOs. The case shows that multilateral human rights processes can constitute effective windows of opportunity for local human rights dialogues and cooperation.

Bringing together duty-bearers and rights-holders in a dialogue strengthened aimed at strengthening the realization of human rights.

Proactively used opportunities in the local political environment, including Denmark’s role as president of the EU, donor lead on Human Rights and a history of non-partisanship during the civil war.

Focused on engaging the GoN before the launch of the UPR report and the process in Geneva in order to avoid that GoN developed fixed positions that were difficult to influence.

Combined political dialogue and deployment of technical aid instruments by identifying gaps in the ability of the duty bearer to respect, protect and fulfil rights on the one hand and offering support to address those gaps on the other hand.

Dialogue approach with GoN stressed equal dignity, respect and partnership rather than a “naming and shaming” approach. This strengthened the partnership and paved the way for continued cooperation when the UPR reporting in Geneva was over.

Focused on a limited number of the most important human rights issues rather than asking GoN to address all issues at once. This was done through a capacity gap analysis of the strengths and weaknesses of duty-bearers and an assessment of in which areas GoN would most likely be able to build capacity or introduce improvements in human rights.

Developed a joint strategy between the MFA at country level, in Copenhagen and Geneva, ensuring a clear understanding among all actors on how to cooperate in the UPR process.

A full-length version of the case-study is available on the MFA HRBA [Portal](#) (accessible for MFA-staff only).

4.4 Dialogue at the multilateral level

In 2003, the **United Nations** adopted the '[Common Understanding on the Human Rights Based Approach to Development](#)', which stipulates that all programmes of development cooperation, policies and technical assistance should further the realisation of human rights and should, in turn, be guided by the Universal Declaration of Human Rights. Since 2009, a UN Development Group's Human Rights Mainstreaming Mechanism has been in place to further elaborate and coordinate the mainstreaming of a Human Rights Based Approach in the UN's development work, including through strengthening capacity and developing specific tools. While significant progress has been made in mainstreaming a HRBA across the UN system, significant challenges remain, particularly at country level. A number of reports point to the fact that this is due to capacity constraints, lack of funding or prioritisation.

We will work with the United Nations to ensure that recommendations from international human rights mechanisms are translated into action at the national level. We will place issues of redistribution and rights in social sectors higher on the agenda in multilateral fora, and an important element of the dialogue both at country-level and in multilateral fora will be to seek alliances with other likeminded donors, who also follow a HRBA in their development cooperation and with developing countries that pursue a progressive human rights agenda and thus look favourably at applying a HRBA (especially many Latin American countries). Where Denmark has the role as lead donor, the role should be used to promote the approach and build alliances, also including new donors and development partners. This means that,

- Denmark will utilize UN monitoring mechanisms, such as special rapporteurs and UPRs in its dialogue.
- In the dialogue with the **UN's funds and programmes** we will address how they implement and reflect a HRBA in their activities, including monitoring of progress in developing strategic approaches and relevant instruments.
- As part of the on-going dialogue with UN development partners we will identify concrete areas of cooperation on HRBA. As a first step we will emphasise the need for strengthening the human rights capacity of the resident coordinator system and of promoting the four essential principles of non-discrimination, participation and inclusion, transparency and accountability as point of departure for new strategic plans.

- The **EU** will constitute a particularly important forum for the advancement of human rights – at the international level and in our partner countries (HoMs).
- As a follow-up to EU’s Strategic Framework and Action Plan on Human Rights and Democracy adopted in June 2012 and in close cooperation with the EUSR on Human Rights, we will actively contribute to a HRBA in EU’s development Cooperation as well as in EU-led policy dialogue with Partner Countries.
- In dialogue with the **World Bank** and the **regional development banks**, we will encourage the integration of a human rights perspective and introduce a HRBA as a Danish priority. In order to generate evidence and build a momentum, we will continue to identify human rights and HRBA studies and pilot activities within the World Bank group.
- In addition to the regular, structured, dialogue with key multilateral partners (the UN-system, the EU and the World Bank) the HRBA principles and possible areas of cooperation will be addressed in forums such as the Council of Europe, the OECD, the OSCE as well as with other development partners including civil society partners.

CASE: EMPLOYING AN IMPLICIT APPROACH TO PROMOTING HUMAN RIGHTS IN THE WORLD BANK

The UN and the international financial system are cornerstones in the promotion of development and human rights. Denmark actively seeks to strengthen multilateral organizations’ efforts to work with human rights, but in the World Bank Group (WB) promoting a HRBA is a challenge, since some members see human rights as contrary to the Bank’s mandate. However, the WB also represents a significant potential for implementing human rights in development, and the Ministry of Foreign Affairs has successfully pursued windows of opportunity to apply a HRBA in the Danish-WB partnership.

Lessons Learned

In an institutional environment where explicit commitment to human rights is a challenge, a human rights perspective can be advanced through a bottom-up approach. Step by step, the building of “the business case” for human rights as means for good development has sensitized the WB to use elements of a HRBA in practice and expand its applicability from key themes such as gender and social accountability.

By working strategically with human rights principles, the MFA – in cooperation with like-minded countries - has been able to encourage the WB to advance human rights in a language that is central to the Bank’s own agendas: non-discrimination is central to gender; participation is central to safeguard mechanisms; transparency is central to openness and efficiency; accountability is central to redress and service delivery etc.

Human rights are not an explicit part of the WB’s corporate scorecard, but the MFA has lobbied for the inclusion of proxy indicators on gender, transparency and accountability in the Bank’s own indicator system.

Earmarked funding is being phased out, but the investment in the ‘Nordic Trust Fund’, which has been a

catalyst for human rights enhancement in the WB has been of great importance for influencing the mind-set of the institution, building evidence for the human rights perspective and enabling progressive actors in the WB to pursue innovative, human rights-oriented projects.

A full-length version of the case-study is available on the MFA HRBA [Portal](#) (accessible for MFA-staff only).

5

Analysis

A HRBA influences analysis in support programmes by turning the spotlight on the rights of individuals instead of their needs. The rights are found in international human rights standards and principles as well as partners' commitment and compliance to these. In operational terms, the assessment should be based on questions derived from the four principles in section 3.2, and on an assessment of rights-holders and duty-bearers and their capacities to claim and exercise their rights effectively or fulfil their human rights obligations. The assessment should to the extent possible draw on existing assessments, analyses and data, including from EU, UN, UPR, and national entities, such as analyses from national human rights institutions (NHRIs).

Before outlining the key themes in the human rights assessment a few process issues are worth highlighting. It is important to note that the programme intervention will not necessarily address every single issue addressed in the analysis. To supplement the human rights assessment of duty-bearer's realization of human rights to core human rights standards, a political economy analysis should be used to unbundle the incentives and capacity of duty-bearers as well as rights holders (please refer to [AMG political stakeholder analysis tool](#)).

The assessment should be integrated in the following documents:

- Priority Country Policy Papers
- Sector/ thematic analyses / feasibility analyses informing design of specific interventions such as sector programme support
- Program documents underpinning support interventions

In keeping with the principle of transparency and participation, assessment should be consultative and to the extent possible, shared with those concerned, and according to the principle of non-discrimination, special effort should be made to include the voices of the most disadvantaged groups. It should also be guided by [the DAC GOVNET's good practice principles for governance assessments](#).

Again, more specific guidance will be included in the relevant guidelines for the various instruments (e.g. DANIDA's Guidelines for Programme Management). The type of analysis carried out when preparing core support to multilateral institutions or government counterparts in partner countries will necessarily vary depending on specific contexts and the capacity of the partner.

The next section will identify the key questions related to the human rights assessment and to each of the four principles listed below.

5.1 Human rights assessment

The human rights assessment will be undertaken as an integral part of the programme preparation process and will consist of using several tools, such as the political economy analysis, gender tool box, HRBA screening note etc.

The purpose of the human rights assessment is to identify key international human rights standards relevant to the focus area (e.g. in the specific area of programme support interventions) and assess their application at national and local level (including domesticated to- and integrated in constitutional frameworks and national law). This implies that a distinction is made between rights in principle/at the normative level and rights in practice (see box below). Rights in principle / at the normative level include the human rights standards and principles, treaty bodies etc. that the country has signed up to. Human rights in practice include the actual enforcement/implementation of human rights standards and conventions.

EXAMPLE: A HUMAN RIGHTS ASSESSMENT FOR A CLEAN WATER PROGRAMME

Indicators for access to clean water programme

Human rights in principle	<ul style="list-style-type: none"> • Country ratification of ICESCR, and/or appropriate regional human rights instruments • Significant reservations to ICESCR • Country ratification of relevant environmental Conventions, e.g. Aarhus Convention • Is the right to water enshrined in the Constitution or other national laws? • Constitutional articles on human rights related to water, the right to life, the right to health • Constitutional articles on procedural rights for citizens and NGOs to obtain • information, to participate in decision making and have access to courts • Formal and informal laws that indirectly affect people's access to water, e.g. property rights, legal status of women, customary land laws.
Human rights in practice	<ul style="list-style-type: none"> • Assessment and recommendations of Special Rapporteurs, e.g. the SR on the Right to Food and the SR on the Right to Health • State party reports to the Committee on Economic, Social and Cultural Rights, and the Committee's Concluding Observations • NGO/IGO and other narrative reports on access to clean water and the main obstacles to providing clean water to all • The latter should be compared to official statistics, NSO, municipality data (in most cases the 'duty-bearer' of providing water). • % of GDP invested in infrastructure dedicated to water and sanitation (Socio-economic and administrative statistics) • Proximity of source of clean water (Socio-economic and administrative statistics) • Households with access to water within 200 metres (Socio-economic and administrative statistics) • Quality of the water (Socio-economic and administrative statistics) • Infant mortality rates (Socio-economic and administrative statistics) • Prevalence of water-borne diseases in men, women, and children (Socio-economic and administrative statistics).

Adapted from UNDP (2006) Indicators for Human Rights Based Approaches to Development in UNDP Programming (Oslo and New York: UNDP).

Focus throughout the analysis should be on trends and expectations of progress in critical areas rather than in absolute terms. Accordingly, the below sections do not seek to identify minimum

standards but rather to identify gaps and key challenges in realising human rights within the area in question.

The process of carrying out the assessment should comply with the four principles outlined below. The use of the four principles should revolve around the identification of the rights-holders and duty-bearers and their specific claims and obligations, respectively. Issues highlighted here are intended as a source of inspiration rather than a prescriptive list.

5.2 Non-discrimination

The key question for the assessment of this principle is: *Who is excluded and why it is so?*

To the extent possible, this implies the use of disaggregated data with particular focus on the role of women – but also analysing, where relevant and appropriate, the situation of other potentially disadvantaged groups such as children, indigenous peoples, the elderly, refugees, internally displaced people, stateless people, religious minorities, LGBT (Lesbian, Gay, Bisexual, Transgender) issues, people subject to caste discrimination and people with disabilities or affected by HIV/AIDS. Groups may be subject to different kinds of exclusion (based on income, social status, ethnicity etc.) – and some may be exposed to multiple discrimination. Moreover, the definition of excluded groups may vary from one culture to the other, as is the example with LBGT. The fact that an issue has been highlighted in the assessment does not automatically mean that it will be covered in the actual support intervention. However, the assessment must entail a reflection on the prioritization that has been carried out.

5.3 Participation and inclusion

The key questions for the assessment of participation and inclusion are: *What are the main barriers for participation and why do these exist?*

This will entail identification and assessment of barriers for participation and inclusion, based on political economy considerations (e.g. analysing stakeholders' incentives), focusing on the underlying power relations – formal as well as informal - and fundamental causes of discrimination and poverty. This should establish an understanding of why specific rights are not observed or met. Again, it is essential not only to focus on the legalistic issues (gaps in the legal framework) but also to identify various stakeholders' incentives and disincentives for participation and inclusion in the preparation of the programme. .

The capacity gaps of rights-holders to claim their rights and the capacity of duty-bearers to enable participation and inclusion should be highlighted in this part of the assessment.

5.4 Transparency

The key question to be examined within the principle of transparency is: *to which extent is information truly accessible to rights holders, including marginalised groups?* – where relevant it should

also be assessed whether information is available in other than official languages of the country in question.

The assessment will scrutinize steps taken by duty-bearers to make information available – looking at strengths and weaknesses, including barriers, in access to information – e.g. through use of ICT and/or more traditional channels of information such as radio/ TV.

5.5 Accountability

The key question here is: *Do effective accountability mechanisms exist?*

This question should be further unbundled into several steps:

- Identify and assess accountability mechanisms – horizontal (state institutions overseeing the actions of one another) and vertical (individuals overseeing the actions of the state). Assess their effectiveness (accessible, transparent and effective accountability institutions are called for). Are there rule of law and access to remedy – through formal as well as informal mechanism? Do these mechanisms respect human rights standards?
- Assess capacity of duty-bearers and assess specific obstacles that they face to exercise their obligations. For state entities, distinguish between respect (i.e. no interference in the exercise of the right), protect (i.e. prevent violations from third parties) and fulfil (i.e. provision of resources and outcomes of policies) for duty-bearers.
- Others, such as private sector agents, must always respect, but do not necessarily have responsibility to protect and fulfil. Here, an assessment of the capacity to meet duties and an assessment of specific obstacles that duty-bearers face to exercise their obligations is also warranted.

The second phase of the Danish green growth programme in Uganda, U-Growth II supports economic growth for rural Ugandans with an emphasis on low income and poor farmers. The programme recognises agriculture and the private sector as primary drivers of sustainable growth. It focuses directly on supporting agribusiness and, more generally, on improving the enabling environment for agriculture and the private sector.

To ensure that corporate and public sector responsibilities are integrated across the programme and not added as a “a separate appendix”, the Danish Embassy in Kampala has incorporated HRBA as fundamental to the design of the programme. Agribusiness and human rights are core aspects of U-Growth II with close references to both the UN Guiding Principles on Business and Human Rights (UNGPs) and the UN Global Compact (UNGC). The programme has a strong focus on identification of duty-bearers and rights-holders and capacity building of both sets of actors, and there are clear HRBA elements in the programme’s operational structures and procedures.

U-Growth is first and foremost about improving the performance of all levels of the private sector in the agricultural sector – from farmers to processors, traders and exporters and for HRBA, this will require that interventions are right-sized, according to the type, size and maturity of the enterprise being supported. The aBi Trust is a corporate and so it is also important that HRBA undertakings for them fulfil their need to generate revenues and operating profits and to remain attractive to investors.

Lessons Learned

Conducting a broad human rights assessment in a green growth programme ensures that the relevant right-holders and duty-bearers are identified, and that the particular roles and accountabilities of both private businesses and state actors under the programme are clarified.

Linking a programme clearly to the framework on human rights and business (such as the UN Guiding Principles on Business and Human Rights and the UN Global Compact) helps to ensure that human rights are integrated as core aspects rather than being an “appendix”.

In an economic growth programme it is critical to conduct a human rights assessment that addresses actual and potential impacts associated with private sector operations and investment in a given country.

To ensure that a HRBA informs the process of development it is important to integrate human rights into internal functions and procedures of the programme. The integration includes: assigning responsibilities and support structures; monitoring performance; communicating responsibilities and performance; and ensuring rights-holders’ participation, inclusion and access to grievance resolution.

A full-length version of the case-study is available on the MFA HRBA [Portal](#) (accessible for MFA-staff only).

6

Formulation

HRBA programming entails basically two components:

- The results (outcome) frameworks of our support interventions will be informed and inspired by international human rights standards (and their application at national level where relevant).
- Specific support elements designed to promote the four principles. This implies that opportunities for strengthening the application of the four principles should be explored. The context will guide specific application of HRBA at the programming stage. Outcomes may not always explicitly be informed by specific standards and it might not be possible to integrate all four principles in any given intervention.

There will be a specific dual focus on rights-holders and duty-bearers. Capacity assessments carried out during the design stage should give rise to strategies for addressing relevant gaps in both categories. A HRBA puts power relations at the centre stage and is also to some extent based on values. It can therefore lead to disagreements on the approach to implementation. Applying the four principles will be the basis for achieving empowerment for the most vulnerable.

6.1 Defining outcomes

International human rights standards and the work of the Treaty Bodies, Special Procedures and the Human Rights Council (UPR) should be the compass guiding our specific development interventions. E.g. the UPR, supplemented by stakeholder information/submissions by civil society partners might be helpful.

Consequently, we will, when defining objectives and results areas (outcome) take human rights standards (and the extent to which they are translated into national legislation) and principles into account. For example, by working for “inclusive education” we are consistent with the principle of non-discrimination and promoting the right to education as enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the general comment on the right to education.

Human rights standards and principles can act as drivers of change – provided that the partner has ownership and commitment – in these cases an explicit approach is warranted where specific reference is made to human rights commitments. In other cases, a more implicit

approach is warranted in which emphasis is primarily on the four principles and less on specific international human rights standards and commitments.

6.2 Key Support elements

A number of specific support elements can be included to promote each of the four principles. The issues suggested below should be seen as a source of inspiration rather than a mandatory list of issues to support. It is important that the formulation is guided by the assessment and analysis outlined in the previous section. This will ensure that the below list of issues is problem-oriented contrary to solution-oriented, i.e. where solutions are being prescribed before a thorough analysis has been conducted of the underlying problems faced by the partner. This will ensure that the real binding constraints are included in the formulation process.

6.2.1 Non-discrimination – empowering the disadvantaged

Support should to the extent possible target the most vulnerable groups among rights-holders. This can involve direct support through civil society or other duty-bearers, building capacity to fulfil their obligations.

The various entry-points for support might include:

- Support to capacity development to strengthen partners' ability for collection and analysis of disaggregated data to reflect distinct priorities for poor and excluded people.
- Reform of legal framework/administrative procedures in state and government institutions and addressing as a priority discrimination against excluded/marginalised groups.
- Promote sexual and reproductive health and rights, and the fight against HIV/AIDS, and ensure that the promotion of women's rights is included through direct and targeted actions, where appropriate.
- Capacity development of organisations that give voice to discriminated groups.
- Adopt, where relevant, special measures for inclusion of discriminated groups – e.g. scholarships and multi-language instruction in the case of education.
- Strengthen efforts for social protection, particularly for poor and vulnerable groups and emphasise the importance of well-targeted, effective and financially sustainable social safety nets, as well as more integrated national social and welfare policies. Support nationally anchored processes which aim at improving social security and inclusion of the poorest and most vulnerable groups.

- Political and financial support to UN special procedures and/or treaty bodies that promote the rights of discriminated groups – e.g. special rapporteurs.
- Address underlying discrimination and exclusion, which in a fragile context has the potential to limit the prospects for future conflict or tensions in society.

CASE: PROMOTING AND PROTECTING HEALTH RIGHTS IN KENYA

When the Danish Embassy in Nairobi was planning for the third phase of the Danish support programme to the Health Sector in Kenya, it was possible to consider all elements of the Human Rights Based Approach (HRBA). The new programme was developed in concordance with the Paris and Accra principles of Harmonisation and Alignment, and was designed to focus support on Kenya's efforts to implement a HRBA in the Health Sector. Therefore, it has clear links to human rights standards and laws and also draws from the right to health embedded in the Kenyan Constitution. Furthermore, the Danish Health Programme focuses on supporting activities that empower rights-holders to claim their right to health at local clinics and on the capacity-building of duty-bearers to uphold their obligations in relation to, for example, essential medicines. The programme also supports activities that promote the principles of participation by involving rights-holders and duty-bearers in planning and implementation processes and accountability by creating social accountability measures.

Lessons Learned

The Kenya case shows that there is no contradiction in using a human rights perspective within the framework of the Paris, Accra and Busan principles when planning for new health programmes.

The use of the human rights perspective allows for more focus on the right-holders. The assessment of the issues concerning the right-holders is key to identifying viable interventions in the health sector. Following the assessment, it is important to clearly define at which level the proposed activity will have most effect.

When dealing with sexual and reproductive health and rights, the use of the rights perspective can assist in identifying other important issues such as sexual violence. Working against sexual violence has the potential to increase gender equality, promote the rights of women and girls, and improve access to justice.

A full-length version of the case-study is available on the MFA HRBA [Portal](#) (accessible for MFA-staff only).

6.2.2 Participation and inclusion

Support elements to promote participation and inclusion entails paying special attention to creating and sustaining channels of participation for poor and disadvantaged people. Key considerations here include how rights holders, and in particular those excluded, can be empowered and active, free and meaningful participation and influence facilitated.

Some inspirational ideas include:

- Support to CSOs, chambers of commerce, private sector organisations, academia, media etc. with a focus on empowerment and capacity development.
- Also consider support for the free, prior and informed consent of indigenous peoples and other groups to interventions that affect their livelihoods (please see the [How to Note on Indigenous People](#)).
- Where intermediaries are used to channel support to civil society – increasingly being the case - capacity of intermediaries to promote a HRBA should be ensured. Information and communication technology can play a significant role in strengthening popular participation (please see the [DANIDA Study: Using ICT to Promote Governance](#)).
- Support to increased access to elected officials at all levels, electoral reforms and ensuring that government priorities are defined with due public participation.
- Support to credible and transparent processes for individuals and groups to have their issues heard can limit future conflict in a fragile context
- Support governments in the implementation of public consultation processes in key policy and reform areas related to programme interventions.
- Support to the efforts of parliaments to be more open to the public and to enhance processes such as public hearings and use of media to strengthen the ability of the population to monitor the proceedings.

CASE: WOMEN'S POLITICAL PARTICIPATION IN JORDAN

The project “Women’s Political Participation in Jordan” (WPPJ: 2009 – 2012) under the Danish Arab Partnership Programme was managed by KVINFO, the Danish Centre for Research and Information on Gender, Equality and Diversity. Partners included a large number of civil society organizations and local government institutions. The project strategy was based on a strong partnership approach and close cooperation between civil society organizations in Denmark and Jordan with the aim of ensuring local ownership, strengthening dialogue and breaking down stereotypes.

Significant elements of the context analysis, the programme design, the objectives and the programming process of WPPJ-project are based on a HRBA, since they are linked to human rights legal standards and principles of non-discrimination, participation, transparency and accountability, and since they have a focus on empowering rights-holders to hold duty bearers accountable and to some extent on capacity-building of duty-bearers to fulfil their obligations.

Lessons Learned

A HRBA requires that time and resources are devoted to create opportunities for meaningful participation, so that consultations between stakeholders and project owners are not used simply to legitimise pre-existing decisions. The WPPJ-project ensured a strong element of participation with regard to the programming process, which has led to a strong and fruitful partnership between actors involved.

In a HRBA to strengthening political participation, it is central to focus on building right-holders’ ability to monitor governments’ performance and service delivery and take collective action in their communities. The WPPJ-project did this by supporting the mobilization of women in local communities to take collective action claiming their rights by engaging female municipal council members in advocating for improvements in the constituency they represent.

A HRBA pays special attention to giving voice and power to poor and marginalized people. The WPPJ-project sought to build capacity of CSOs and NGOs in less developed areas and among population groups who are typically more exposed to poverty and human rights violations.

According to a HRBA, development cooperation should contribute to capacity building of duty-bearers to meet their obligations and/or rights-holders to claim their rights. The WPPJ-project was targeted at both set of actors, and moreover specifically targeted men as moral duty-bearers in a society that is based on strong patriarchal values.

A full-length version of the case-study is available on the MFA HRBA [Portal](#) (accessible for MFA-staff only).

6.2.3 Transparency

Transparency is paramount for ensuring the application of the other three principles. E.g. without transparency it is not possible to achieve accountability and participation will not be meaningful. Support to more open practices by all stakeholders as well as support to channels of communication is important, as is support to rights holders to receive and process the information. Support can therefore entail assisting governments to publish information, media

to appreciate, analyse and communicate information, and education to civil society and individuals on how to utilise the information provided.

Promoting transparency in programming means ensuring that clear rules and procedures are set up. This includes availability and direct accessibility to reliable and understandable information for all stakeholders, and timeliness of disclosure. It also means ensuring that information is disseminated during the implementation and that there is transparency with respect to decision-making processes within the intervention.

Specific support elements could include:

- Ensure that access to information is promoted through the interventions – partners such as governments, CSOs, UN etc. should also be encouraged to promote transparency and access to information – promoting transparent budgeting and planning processes is one possible way.
- In concrete terms, Denmark will increase support to free and diverse media and freedom of expression (for more information please refer to [DANIDAs “How to Note – Media and Freedom of Expression”](#)).
- Promotion of ‘access to information legislation’ such as “Freedom of Information Acts”. More than 80 countries have enacted some form of “Freedom of Information Act”, and the vast majority of these have been introduced in the past five or six years. Support could comprise assistance to legal drafting and implementation/enforcement aspects.
- Promoting information and communication technology (ICT) to increase access to information and knowledge.
- If relevant, support specific information campaigns.
- Ensure that relevant information is available to all stakeholders in accessible formats and languages.
- Support to reforms in government that would enable the population to access information on the use and priorities of resources in government.
- Support to increased transparency in a fragile context to ensure full transparency in resource allocation, also for support given outside the government systems.

6.2.4 Accountability

The focus under this HRBA principle is to enable duty-bearers to meet their obligations and create channels and capacity development strategies that can ensure that accountability can be demanded by rights holders.

Possible support elements related to accountability include:

- Developing a conducive legal and administrative framework for holding duty-bearers accountable. This could range from enshrinement in national laws for ministers to be held responsible for misuse of power, to citizens' legally embedded rights for seeking redress if not properly compensated in local land expropriation processes.
- Contribute to developing capacity in the public sector at central and local level. Assist states in strengthening their capacity to ensure that legislation, targets and national plans for fulfilment of human rights are enacted, so that quality public services, are made more accessible.
- Support to capacity development of rights holders to demand accountability. This could e.g. include support to vulnerable groups – often through intermediaries such as civil society organisations – to gain knowledge about opportunities for redress in administrative service delivery (obtainment of land owner certificates, notary services, business registration etc.).
- Build awareness about rights and responsibilities –educating people about their rights.
- Strengthening horizontal accountability mechanisms such as an independent judiciary/ access to remedy, strong parliaments and ombudsman institutions (for further details please refer to [Strategic Priorities for Human Rights and Democracy](#) and [Strategic Priorities for Support to Public Sector Management](#) and "[How to note: Parliamentary Strengthening](#)" and "[How to note: Justice Sector Reform](#)").
- Strengthening vertical accountability mechanisms such as:
 - Election processes
 - Transparency and social audits mechanisms such as public service charters or service delivery score cards
 - Entry points also include parent-teacher associations in schools and complaints/redress mechanisms in government line agencies
- Sometimes the best entry-point for promoting rights may be through informal institutions, e.g. informal justice mechanisms (see for instance "[How to note - Informal](#)

[Justice Systems](#)") and/or administrative complaint mechanisms. Exploring the opportunities for working with informal institutions is of paramount importance as informal accountability is sometimes more prominent than formal institutions, therefore formal institutions should not be considered the default mechanism. Emphasis should be on institutional functions (i.e. is effective accountability produced) as opposed to particular institutional forms of accountability (i.e. whether the country has an ombudsman institution or not).

- Importantly, accountability also applies to us and thereby the intermediaries we use: If people in our partner countries experiences adverse consequences of our development cooperation, they will be able to complain directly to Danish embassies through the [DANIDA Transparency Initiative](#).
- Support to transitional justice processes in a fragile context can increase accountability by bringing perpetrators of human rights violations to justice. Transitional justice includes both formal and informal processes and measures that aim to bring perpetrators to justice.

CASE: GOVERNANCE AND HUMAN RIGHTS IN AFGHANISTAN

A HRBA has offered a conceptual and operational framework for Danish support to Afghanistan, which systematically ensures a dual focus on rights-holders and duty-bearers. Consequently, the first medium term (two years) Programme for Good Governance, Democracy and Human Rights has become a more ambitious and balanced effort where the promotion of human rights and democratic and inclusive governance is seen as both a means and an end to peace and state-building in a heavily conflict-affected state.

Lessons Learned

A HRBA has enabled a dual focus on the 'supply' and 'demand' side of governance, human rights and access to justice in Afghanistan. The Programme for Good Governance, Democracy and Human Rights identifies the relevant duty-bearers and rights-holders and includes interventions that are intended to empower people to become aware of and claim their rights, as well as building the capacity of state institutions and government actors to meet their corresponding duties. This is partly done by maintaining a balance between support to government institutions on the one hand, and support to civil society organisations, which can hold the government to account, on the other.

The HRBA strengthens the contextual and analytical argument for the engagement in fragile and conflict-affected states as it helps identifying excluded and vulnerable groups and may assist in revealing discriminatory practises and actual power relations in the society and local communities. It underpins the need for development assistance to be long-term oriented, creative, risk-willing and persistent in the effort to increase the political space and to identify the relevant partners with regards to both representatives of the duty-bearers and rights-holders. In this manner it also helps informing rationale for a constructive and continuous dialogue between international and national partners.

By applying the principles of non-discrimination, participation, transparency and accountability together, the

approach encourages an inclusive conversation about development where all key actors and stakeholders are invited to participate. This is particularly important in fragile and conflict affected states, where peace is not yet firmly grounded and the security situation is constantly challenged. The state apparatus and community structures are being built and reshaped and there is a heavy dependency on external assistance. One of the main challenges relates to high levels of unemployment and how to ensure job creation in a situation where the private sector is struggling to establish a minimum level of an enabling environment for economic activities. The HRBA helps in defining strategic priorities, programme design, what modalities to use and what partners to work with.

A full-length version of the case-study is available on the MFA HRBA [Portal](#) (accessible for MFA-staff only).

6.3 A renewed focus on capacity development

Capacity development has been cutting across all themes in the previous sections. Capacity development should focus on both duty-bearers and rights holders, and they should not be addressed separately. This does not necessarily mean that a programme should address both sets of actors, since this depends on the context, including what other donors do and the capacity gaps in the country concerned.

A HRBA does not imply a more direct role of DANIDA compared to what we have been used to, neither in the analysis nor in the formulation of support interventions. Rather the idea is that our support is to be designed with a view to enabling rights-holders to claim their human rights and duty-bearers to develop the capacity to fulfil their obligations. A focus on economic, political, socio-cultural, human and protective-security capabilities (please also refer to section 3.3 in this note) will all be important dimensions in capacity development. This means that our partners' situation will be the point of departure and we will contribute (as opposed to direct attribution and steering of the process) to developing the necessary capacity of the state and local institutions, as well as of civil society and among individuals.

Applying a HRBA provides the opportunity for identifying a clear framework of results – the human rights outcomes and human rights standards referred to in this section – capacity cannot be developed overnight. We will enter into long-term cooperation with our partners, focusing on tangible results.

Five principles constitute the backbone of the Danish approach to capacity development, as outlined in the [DANIDA Guiding Principles and Operational Steps on capacity development](#):

1. Apply a strategic perspective; this could imply working with a range of different instruments to promote human rights.
2. Start where the partners are, e.g. using vocabulary and language with which our partners are familiar.

3. Focus on tangible results, e.g. how can enhanced performance of an Ombudsman Institution contribute to better human rights outcomes.
4. Joint as default, relying on joint donor approaches to capacity development.
5. Recognize the dilemmas in capacity development, e.g. striving for results in human rights outcomes versus the limitations (that can even be counterproductive) of a whole-system overhaul in just 3-5 years.

6.4 HRBA and Aid Effectiveness

There are several entry-points for making the linkage between a HRBA and the Aid Effectiveness agenda in programme support, most of them already alluded to above. These include:

- Principles of aid effectiveness should be observed and efforts to address aspects of the four principles should be complimentary and aligned to partners' strategic frameworks and operational systems. The actual formulation process should be conducted in a participatory and transparent way where ownership is key.
- Ensure that the aid effectiveness agenda is focused on development results that are contributing to the realization of rights. This would include a move beyond a sheer focus on technical focus on strengthening financial management and also emphasize e.g. gender-sensitive budgeting and attention to marginalized groups in the budgeting process (e.g. by bringing together ministries of finance and social movements).
- Build democratic ownership on human rights standards and the four principles. In this sense, a HRBA can add value by moving away from a narrow donor-government accountability relationship by broadening the program support to a wider array of stakeholders working on both vertical and horizontal lines of accountability of duty-bearers and an appropriate balance of state and non-state actors.
- Incorporate human rights indicators/outcomes in results frameworks and strengthening the capacities of national statistical institutions to disaggregate data by gender, socio-economic and ethnic dimensions (further elaborated below).
- Using existing national, regional and international accountability processes, incl. parliaments, national human rights institutions and regional human rights courts to review donor and partner government action.
- Using HRBA in joint programming can be a challenge, as not all our traditional peers are applying a HRBA, and even those who do, may have a different terminology or

approach than Denmark. The ideal situation would be for donors to agree on a common approach in the specific intervention that is in line with the Danish HRBA. Joint HR assessment and analysis should also be pursued.

- Where a joint HRBA approach cannot be achieved, it is important that the rationale for joining the initiative has been assessed against the four principles of HRBA. I.e., while HRBA may not be explicitly applied in the formulation of the intervention, the priorities established by the human rights assessment at the national level should be addressed irrespectively. Thus the intervention will comply with an overall HRBA.
- Where the joint intervention does not explicitly utilise a HRBA, but where it has been assessed that the intervention addresses binding constraints on human rights, the intervention should be utilised as a platform for further dialogue on HRBA during the implementation of the intervention. Denmark should continue to pursue the interests of a HRBA with other donors and national partners involved to ensure that a HRBA is being considered, implicitly or explicitly in the implementation of the programmes.

7

Monitoring Progress and Evaluating Results

Integrating HRBA into monitoring and evaluation of Danish development cooperation essentially involves three core dimensions:

- Monitoring compliance with the four human principles (process-indicators)
- Assessing, where relevant, fulfilment of capacity gaps of rights holders and duty-bearers alike, and
- Where relevant, tracking achievement of human rights standards (outcome and impact level indicators).

Where available, the analysis and assessment carried out in preparation for the intervention should be used to define indicators and baseline. Thus, we will build on what already exists – including data from international and regional human rights monitoring systems – e.g. UPR processes - combined with nationally produced data, this may entail support to data collection in the programme.

We will to the extent possible draw on a range of indicators (triangulation) – including both qualitative and quantitative indicators. Proxy indicators will often be required.

7.1 Monitoring human rights principles

The results framework itself, and the related monitoring processes, should be transparent, accountable, participatory and ensure non-discrimination. We should, where relevant and feasible, make M&E reports available and use ICT to communicate the results of our work. We should encourage our partners to do the same.

Moreover, we will, to the extent possible, include disaggregated data to monitor the situation of marginalised groups.

Assessment of the scale of capacity gaps is important. It is important in this respect to use indicators and monitoring systems that are familiar to the partners, or can relatively easily be adopted by them. In order to ensure information that can be utilised in the partner systems.

As a general rule, we will focus on the ability to deliver outputs as a proxy for capacity. Moreover we will focus on defining tangible results, while realising that there will be progressive realization of human rights outcomes.

7.2 Tracking achievement of human rights standards (outcome)

Where international and/or regional human rights standards have directly informed the objectives of our interventions, indicators should be included to track the realisation of the relevant human rights.

In many cases, there will be emphasis on monitoring the progressive realisation of rights and maximum use of available resources. This is the case for example in social and productive sectors (right to food, water, education etc.).

It is imperative to distinguish between assessing rights in principle and rights in practice using multiple data sources such as treaties, constitutions, laws; events-based data; surveys; expert judgements (see [DFID Human Rights Assessment Note](#)). Baseline information on certain civil and political rights can be acquired through the V-Dem ([Varieties of Democracy](#)) project, which is a comprehensive monitoring tool under development with support from DANIDA, among others.

Proxy measures such as national socio-economic data and MDG data may also be used to track progress towards realization of economic and social rights.

Sources and data on human rights indicators include UPR reports (including shadow reports), reports from special rapporteurs, EU Human Rights Fact-sheets, reports from independent civil society organizations, reports from INGOs such as Human Rights Watch, IWGIA etc.

The HRBA portal will be populated with relevant material on indicator examples and tools that can be used to ensure monitoring and evaluation of the programmes using a HRBA.

8

Resources and Links

- [AMG political stakeholder analysis tool](#)
- [Common Understanding on the Human Rights Based Approach to Development'](#)
- [The DAC GOVNETs good practice principles for governance assessments.](#)
- [DANIDA HRBA Portal](#) (accessible for MFA-staff only)
- [DANIDA Study: Using ICT to Promote Governance](#)
- [DFID Human Rights Assessment Note](#)
- [General comment no. 13 on 'the Right to Education'](#)
- [Guide to Political Economy and Stakeholder Analysis at Sector Level](#)
- [Guiding Principles and Operational Steps on capacity development](#)
- [Guidelines for Programme Management](#)
- [Guidelines for Management of Danish Multilateral Development Cooperation](#)
- [Guidelines for the Provision of General Budget Support](#)
- [Guidelines for the development of policy papers for Denmark's relations with priority countries](#)
- [How-to-notes](#)
- [Special Procedures of the Human Rights Council](#)
- [Strategic priorities for democratisation and human rights for the benefit of the people](#)
- [Strategic Priorities for Support to Public Sector Management](#)
- [Strategy for Danish support to civil society in developing countries](#)
- [Strategy for Gender Equality in Danish Development Cooperation](#)
- [United Nations Global Compact and the Guiding Principles](#)
- [Varieties of democracy \(V-Dem\)](#)
- [Vienna Declaration and Programme of action](#)

