Human Rights Based Approach to Research

Purpose and framework

The purpose of this brief is to provide guidance to staff on how to apply a human rights based approach to research cooperation. It also includes some useful references.

A human rights based approach takes its staring point in the values and principles underpinning the UN human rights conventions; non-discrimination, participation, accountability and transparency. Applying a human rights based approach can help in addressing power imbalances within and between institutions and programs, ensure transparent, inclusive and ethical research processes, enhance good governance of research institutions and promote research programs of particular relevance to men and women living in poverty, under oppression or subjected to discrimination.

Most donors have developed methods and guidelines for practical application of HRBA. In Sweden the interpretation of a HRBA has been elaborated in the Policy for Global Development (PGD) and the government's Aid Policy Framework (section 3.2.2.).

Applying a human rights based approach entails

- Assessing how the initiative will further the realisation of human rights as laid down in the UN Human Rights Conventions and how it will ensure to do no harm

- Planning and monitoring how the values and principles underpinning these UN Conventions (non-discrimination, participation, accountability and transparency) are applied in the programme design and processes

- Empowering men, women, girls and boys (with hope, assertiveness, knowledge, skills, tools, communication channels, legal mechanisms etc.) to enable them to address their situation and claim their rights individually and collectively

- Developing capacities of those who have power and formal obligations to protect, respect and fulfil human rights obligations

The United Nations has established a website called the 'Practitioners Portal on HRBA' — www.hrbaportal.org — which brings together a number of HRBA projects from different countries and sectors with the aim of mainstreaming information and understanding about HRBA. Although the information is aimed at United Nations practitioners, the website has a number of HRBA project examples and research studies from areas including disability rights, health, the environment, poverty and education.

Research at Sida

The Swedish research contributions are guided by the Strategy for research cooperation and research within development cooperation 2015-2021. It has a clear pro-poor and human right focus and aims at addressing the power and knowledge imbalance between high and low income countries.

The overarching goal for research cooperation financed by Sweden is to strengthen and develop high quality scientific research of relevance for the fight against poverty and sustainable development, with a primarily focus on low and middle income countries and regions. To achieve this goal, Sida focusses on the following areas:

- Research capacity development in low income countries and regions
- Global, regional and national research of relevance to low income countries and regions
- Research that, through innovation, can contribute to poverty reduction and sustainable development
- The Swedish Research Council (Vetenskapsrådet) focusses on:
- Swedish research of relevance for the fight against poverty and sustainable development in low income countries

Gender equality and gender perspectives are important aspects of all Swedish support to research and research institutions.

Another cornerstone in research cooperation is the realisation that the right to education, teaching and research can only be fully enjoyed in an atmosphere of academic freedom and autonomy for institutions of higher education and that the open communication of findings, hypotheses and opinions lies at the very heart of higher education and provides the strongest guarantee of the accuracy and objectivity of scholarship and research.

In research cooperation, a human rights based approach could be applied in relation to the expected results of the research itself (content), in relation to the supported institutions (governance) and in relation to the process leading to support to research programs and their execution. Applying a human rights based approach will help ensuring effectiveness and relevance of supported initiatives.

Applying a HRBA in research initiatives

The questions below may guide staff to further improve the preparation, assessment and monitoring of initiatives and ensure that human rights are enhanced, respected and protected both in programme design and processes. First there are questions related to human rights instruments (L) and to empowerment and capacity development (E), followed by specific questions related to the four human rights principles of non-discrimination (N), transparency (T), participation (P) and accountability (A).

Linking to human rights instruments to inform dialogue and programming (L)

UN human rights instruments can be used to guide and justify interventions. They can also be used to hold governments and their institutions accountable to their commitments. There are a number of conventions relevant to research and to research processes. The most important are:

The Convention on Social, Economic and Cultural Rights, which prescribes that "*higher education should be made equally accessible to all on the basis of capacity*". This means that higher education and research should be available in sufficient quantity and quality, accessible to everyone without discrimination, acceptable and adaptable to the changing society and to the diverse needs of students (e.g. male, female, minorities, poor students, LGBTI students and students with disabilities).

Also Article 27 in the Declaration of Human Rights is relevant to research: "*Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits*".

Key issues to monitor and analyse when assessing support for research interventions are:

- Is the research of relevance to women, men, girls and boys living in poverty/under oppression? Is it relevant to human rights fulfilment? If not, what is the justification for selection of research topics that have no clear relevance to persons living in poverty or to human rights improvements?

- Will the research contribute to academic freedom, freedom of expression and autonomy of the research institution?

- Will the global disparity in knowledge production been addressed? Are the power imbalances within and between research institutions mentioned and minimised?

- Do the partner institutions have a governance system that respects the human rights principles and values?

- How will results be communicated and used for enhancement of human rights (e.g. health, education, livelihoods etc.) as stated in article 27?

- Is the research carried out in line with human rights principles (see chapter below) and international ethical guidelines?

Ethical guidelines for higher education institutions can be downloaded from the website of International Association of Universities http://www.iau-aiu.net/content/ethics-higher-education. UNESCO has a collection of documents related to ethics and science and technology at http://en.unesco.org/themes/ethics-science-and-technology. International ethical guidelines can also be downloaded from the web site http://icmr.nic.in/human_ethics.htm

Empowerment and capacity development (E)

An important key element in a human rights based approach is the focus on empowerment and capacity development of rights holders and duty bearers. Key issues to discuss when assessing support for research interventions are:

- To what extent will the research empower/build capacity of decision makers and people of power and help them better fulfil their duties in line with international commitments and human rights principles

- To what extent will the research provide evidence based tools that empower people living in poverty/under oppression and enhance their abilities to work for sustainable development, poverty reduction and human rights fulfilment?

- Is there a follow up how the increased capacity of researchers can contribute to human rights outcomes in the long term?

- Are deliberate measures taken to communicate the research results to stakeholders that can use it the research in their work to fight poverty and promote sustainable development?

Micaya near La Paz in Bolivia has around 2,000 varieties of potatoes, many rich in antioxidants and other beneficial substances. The University of La Paz conducts research on how production is improved - all in collaboration with the population in the villages. Photo: Leonidas Aretakis

Non-discrimination (N)

Non-discrimination is about being aware that even in the small group of university students and staff, there may be discrimination due to for example ethnicity, gender, age, kinship and disability. It's about removing barriers and taking affirmative or other targeted actions to ensure inclusion of underrepresented groups. While it may appear as if selection is made only on merit and competence, this is often not the full truth. Taking non-discrimination seriously can be about affirmative action for female students, ethnic minorities, socially disadvantaged students, and students/researchers with disabilities (including persons living with HIV/AIDS). It can also be about creating and implementing policies and practices that prevent discrimination of people from these groups, as well as challenging homophobic attitudes, religious intolerance, ethnic discrimination, or harmful traditional practices. Targeted actions can be taken in line with the specific needs of underrepresented groups to increase their competitiveness. The research can also bring evidence of the conditions of these groups, and contribute to recommended action.

Irrespectively of the research area, Sida should consider support to researchers and research institutions that are concerned with inclusive and participatory methods as well as transparent research policies. This has bearing on the principle of non-discrimination and challenge unequal power structures both within the research community and society at large. Their methods for making their results accessible and useful to marginalised people and poor communities are of equal interest.

So far Sida has mainly been concerned with gender equality. Sida could broaden its perspective on non-discrimination to include other underrepresented groups. The following issues could be raised in the dialogue:

- Are there non-discrimination polices for staff and students (e.g. gender, disability, LGBT, HIV/AIDS)? Are these policies applied?

- Are there affirmative or other targeted actions to ensure that underrepresented groups such as women, ethnic minorities, persons with disabilities etc. get a fair chance to compete for research grants/fellowships/academic positions etc.? What measures are taken?

- Is it possible to make a disaggregated analysis of the beneficiaries of scholarships, grants, promotions and support according to gender, ethnicity, social background and disability (sometimes impossible due to legal restrictions)? This could be a way of making discrimination visible and provides a basis for action at various levels.

- What measures are taken to support women to complete studies and research, when pressured by family demands? Student and researchers living with HIV?

- What is the number and proportion (%-age) of women in decision making bodies?

- Is the research institution, library, documentation system, languages etc. accessible for students with disabilities?

- In what way does the research of the research institution bring out evidence that lead to recommendations on policy change in relation to non-discrimination and participation?

In the case of research on vulnerable populations in human rights-constrained environments, the research should consider the guidelines on best practices for conducting research with

LGBTI and MSM "Respect, Protect, Fulfill" jointly developed by UNDP, the Foundation for AIDS Research, IAVI and the Johns Hopkins Bloomberg School of Public Health.

Non-discrimination also applies to Sida and the partnering Swedish/international research institutions. The same questions should be directed to these parties.

Sweden has supported research institutions in Tanzania for more than 30 years. Here, Dr Donatha Tibuthwa is doing research on mushrooms s as an important nutrition resource. Photo: Edwin Mjwahusi

Transparency (T)

Transparency is about having clear policies and regulations, and making them known. This entails having clear rules and regulations around the application and granting processes as well as application requirements and selection processes of students, grantees, fellows and staff. Key questions to discuss are:

- Is decision making open and transparent?
- Is there an institutional set up which ensures that research grants and positions are advertised openly, that selection criteria and procedures are fair and transparent?

Transparency is also about making research findings known and used. This includes being open about research processes, methods and results so that they can be cross-checked by others. It is includes making research results understood and ultimately used by others. Researchers have a responsibility to disseminate and communicate their research findings to other researchers and to policy makers and activist who can use research results as evidence in policy making or advocacy. Applicants could be asked to comment on how they intend to communicate the results to make them open for critique and testing and useful for other academics/policy makers/activists.

Sida could also follow up on the methods for dissemination of research findings used by the collaborating research institutions.

- Are research results communicated in a way that is accessible to other researchers, policy makers and other potential users?
- Are research results communicated in a way that fosters usages of research outputs?
- In the case that research involves a specific target group/community, are the results communicated to them in a suitable way?

The importance of having stakeholder analyses and communication strategies that meet the needs of these stakeholders could be raised by Sida's in the dialogue with the research institutions. This could also be supplemented with support to capacity building in this area and to development of examples of easy accessible material and material that can be used in popular media such as the radio. These could be produced by the researchers themselves, but the skills of people who develop educational material or journalists could also be used.

Transparency also applies to Sida and the partnering Swedish/international research institutions. The same questions should be directed to these parties.

Participation (P)

Participation is about democratic participation of students and researchers in planning and decision making at the research institutions. In what way can they influence the priorities and decisions made by the coordinating/steering committees? Are representatives elected or appointed? Are gender, age, ethnicity and disability barriers considered and mitigated? Sida could ask questions regarding the policy and practices used by research institutions and other actors supported to ensure meaningful participation. Key questions to discuss are:

- How do different stakeholder groups participate and in decision making on research programs, and institutional strategy?
- At universities, are there fora for student participation/influence?
- Is the fora organised and functioning democratically?
- Are opinions expressed freely and respected by the management?

Participation is furthermore about the way the agenda is set, how the research is planned, conducted and with whom research results are interpreted and recommendations are formulated. The same facts can be interpreted differently depending on who you are and what experience you have. Recommendations may also differ for the same reason.

Sida could ask for reports from research departments on how quantitative and qualitative participatory methods are used when working with people and communities, how international ethical principles/guidelines are used such as informed consent and feed back to informants, respecting informants' right to privacy and anonymity etc. In order not to be exploitative in character, research on poor, sick and marginalised groups should always contribute to their empowerment – or at least provide feed-back on results in an accessible manner. It is important not to give false expectations.

In order to link theory to practice and promote interest and utilisation of research, scholars can also be encouraged to participate in exchanges or networks with potential interest groups. This could for example be:

- other researchers/research institutions in the field,
- a relevant government body,
- CSOs and civil society networks,
- a company with interest in the results,
- professionals/experts in a field.

The purpose would be to engage them in research partnerships and/or in discussions on the implications of research results and how to take the issues further. Special funds could be set aside for collaborative research initiatives and networking efforts.

Meaningful participation and empowerment also applies to Sida and the partnering Swedish/international research institutions. The same questions should be directed to these parties. Regarding the equal participation in research design, implementation and ownership between researchers from various backgrounds and culture special care needs to be taken. Sida should ensure that an independent and accessible facilitation function is in place, which can assist researchers on issues of power imbalance.

Accountability (A)

Accountability is about the existence and implementation of good governance policies and regulations at the research institution, university or authority/agency supported. It is also about having well defined rights and obligations for students, researchers and staff and known and accessible complaints mechanisms. Sida support should strengthen the capacities of partners to implement policies that guarantee democratic practices, fair treatment and respect for human rights. Key guiding questions:

- Are there policies in place to monitor possible corruption and nepotism? Are there non-discrimination and sexual harassment policies?

- Is decision making democratic and transparent?

- Is the research institution sufficiently open about its staff recruitment, application procedures, granting system and review processes? Are these processes formally documented and available?

- Are there known and accessible complaints mechanisms for students, researchers and staff to turn to if policies are not followed?

- Is there clear division of responsibilities between the governing body and the research institution in terms of governance? Is this known by students/staff?

- What kind of policy or terms of reference is guiding the coordinating/steering committee that oversees the implementation of the Sida funded program?

Accountability is also about being effective in resource management by research institutions.

- Is an effective and transparent monitoring and evaluation framework in place?

- Is the financial control and auditing at the institution sufficient?

In addition, independent, objective knowledge is important to increase accountability, not only for the use of policy makers, but also to contest the same, by creating debate and provide knowledge and information to poor men, women and children who can use it to demand accountability of governments, companies and other stakeholders of power.

Accountability also applies to Sida and the partnering Swedish/international research institutions. The same questions on accountability are applicable also to these parties.

References – further reading

Strategy for research cooperation and research within development cooperation 2015-2021
http://www.regeringen.se/sb/d/1390/a/252995

STEPS Centre policy briefs: One of the main aims of the STEPS Centre is to ensure that environmental sustainability and making science and technology work for poor people become principal concerns for the people that make policy, http://steps-centre.org/ . The STEPS Centre is developing a new set of institutional designs, decision-making procedures, appraisal methods and analytical tools which enhance citizen engagement and environmental sustainability in uncertain environments. It also engages in the post 2015 framework and its implications: http://steps-centre.org/2013/blog/post-2015-policy-brief/. A new STEPS Centre/IDS policy briefing examines how science and politics must be engaged in a post-2015 framework in order to tackle the interlinked environmental and social justice challenges which the world faces.

Guidelines on best practices for conducting research with LGBTI and MSM "Respect, Protect, Fulfill" jointly developed by UNDP, the Foundation for AIDS Research, IAVI and the Johns Hopkins Bloomberg School of Public Health
http://amfar.org/uploadedFiles/_amfar.org/In_The_Community/Publications/MSMguidance2011.pdf

21st Century Research Collaboration Workshop (October 2008) Institute of Development Studies (IDS): How can funders organise research that is rigorous, more globally constructed, user-oriented, capacity enhancing and, ultimately, more influential?
http://www.ids.ac.uk/index.cfm?objectid=5C757CB6-5056-8171-7B27EABB37FEE1C7

Workshop report from '21st Century Research Collaboration Workshop' by Linda Waldman, IDS (pdf)
http://www.ids.ac.uk/download.cfm?downloadfile=5C7A8C7F-5056-8171-7B695D85FB3F6106&typename=dmFile&fieldname=filename

Working paper on politics and dilemmas of research citizenship and marginality (IDS 2007): Development Research Centre (DRC) on Citizenship, Participation and Accountability based at the Institute of Development Studies, University of Sussex. Working paper 288
http://www.ntd.co.uk/idsbookshop/details.asp?id=993