

The application and effects of a Human Rights Based Approach in Swedish development cooperation

What works well, less well, and why?

The evaluation finds that the Human Rights Based Approach (HRBA) has contributed to clarifying and strengthening support to and protection of human rights in Swedish development cooperation. The evaluation finds that the HRBA and its principles form a basis for long-term support to actors working for the development of open societies. It points to a number of results related to human rights and the application of the HRBA such as increased knowledge, increased participation, institutional reform etc. The evaluation also notes challenges with the application and that it varies depending on individual knowledge and understanding and that it is not based on a comprehensive, general or institutionalised understanding.

A Human Rights Based Approach (HRBA) means that human rights and democracy are considered fundamental to development. It is a normative approach and method which implies that human rights standards and principles guide all development – goals as well as means to achieve them. The point of departure is international human rights law which lays down legal obligations that states are bound to respect, promote, protect and fulfil. Development cooperation contributes to the development of the capacities (empowerment) of 'duty bearers' to meet their obligations and/or of 'rights holders' to claim their rights.

The objective of the evaluation was to evaluate how the HRBA is applied by Sida and its cooperation partners during the period 2010 to 2019 and to what extent the approach has contributed to increased respect and improved protection of and fulfilment of human rights, including gender equality. The evaluation focused on four of Sida's cooperation countries: Albania, Cambodia, Colombia and Kenya.

Data was collected from May 2019 to May 2020 and based on interviews, group discussions and document review. In observing the application of a HRBA in the four case study countries, the report presents findings from the evaluation and provides recommendations on what Sida can do to develop and sharpen its application of the approach. However, as the evaluation is case based, findings are not necessarily generalisable to all countries where Sida works, particularly as the human rights context may be very different in each country.

Although there is common understanding that a HRBA aims at putting advancement of human rights at the centre of development cooperation the evaluation finds that there is often no clear distinction made – whether by Sida, Embassies of Sweden or cooperation partners in-country – between applying the framework and method of a HRBA in development cooperation and realisation of human rights in more general terms. The evaluation also finds that an important effect of the application of a HRBA is that it has strengthened and clarified Sweden's commitment

to promoting and protecting human rights through international development cooperation. The application of the HRBA, including the principles of this approach (accountability, non-discrimination, participation, openness and transparency) has been the basis for principled, long-term support to actors who share the goal of promoting development towards a more open rather than authoritarian society.

Application of a Human Rights Based Approach in practice

The evaluation finds that Sida's application of the HRBA is embedded – that is, it underpins Sida's overall strategy and rationale for development cooperation. It is central to all programming rather than a separate area of attention. However, there are differences in how it is applied in practice, depending on the orientation of the individual, organisation or intervention concerned, and the specific context.

Evaluation respondents felt that the priority should be to focus on identifying opportunities to support efforts to address the power imbalances between rights-holders and duty-bearers. With the exception of some human rights groups, Sida staff and cooperation partners made limited use of the frameworks, recommendations and considerations of international human rights bodies and mechanisms.

Where Sida staff and co-operation partners in-country were particularly effective in applying a HRBA, this was rooted in an understanding of the socio-political context and reflected the adaptive capacity of Sida. That means being able to adapt practices and programming to locally grounded choices about what is possible in protecting and realising human rights. It requires staff with very strong knowledge of the country context, technical and political knowledge, investment in long-term relationships, and flexibility, as well as having the political skills to navigate existing opportunity structures and context-specific constraints.

While Sida was widely perceived as 'walking the talk' when it comes to applying the HRBA in its ways of working with cooperation partners, the HRBA is applied differently according to individuals' skills and knowledge rather than agency-wide capacities and understanding of the HRBA.

Alignment with national policy frameworks

The evaluation finds that the four country cases are similar in that they all have a formal political framework for promoting and protecting human rights and maintaining dialogue on the issue. Sweden's strategy of supporting national development policies and applying a HRBA is generally accepted by national governments, and the approach and interventions are aligned with national development strategies and plans.

However, in all four countries, there is varied and often limited political buy-in to either support the realisation of human rights commitments, or to apply a HRBA by duty-bearers. This means there is a considerable and sometimes wide gap between a government's official commitment to human rights and the extent to which they actually realise and protect those rights in practice.

Impact of a Human Rights Based Approach

The evaluation concludes that assessing the effects of a HRBA is closely linked with assessing whether programmes achieve their intended goals or results. Yet, results frameworks usually make no mention of HRBA processes, nor are they picked up in follow-up and reporting. Stark realities of shrinking political or civic spaces, ongoing levels of armed conflict and human rights abuses, and deep (and intersecting) inequalities mean that progress is mostly non-linear and multi-level, with some groups experiencing reversals and backlash.

The evaluation finds that it is not possible to isolate the impact of a HRBA from other changes in the wider political and social context and that impact must be considered in terms of what can plausibly be claimed as ‘contribution’ in a given context. That said, evaluation respondents (as well as independent evaluations and Sida assessments) all identified a range of results related to the process of applying a HRBA and to the goal of advancing human rights norms and protecting human rights.

Rights-holders reported changes in awareness of human rights; improved capacities and skills in leveraging or advancing HRBA principles; increased access to and participation in decision-making processes; and enhanced ability to organise and work collectively. Effects of applying a HRBA included improved access to basic public services, protection of human rights, and voice and agency. Organisations and networks representing rights-holders reported changes in internal operating structures and management capacity, membership and representation.

Among duty-bearers, reported effects of applying a HRBA included changes in mindsets and attitudes, capacities, skills and behaviours, which in some cases led to changes in working practices and even institutional reform. This included the introduction of formal mechanisms and procedures which broadened participation, addressed discrimination, accountability, and openness and transparency. There were also policy and legal changes that contributed to change in human rights norms and deepening of human rights standards and commitments.

Co-operation partners’ perceptions of a Human Rights Based Approach

The evaluation finds that Sida is widely recognised as a strong proponent of human rights and particularly gender equality, and co-operation partners place strong value on Sweden’s consistent focus on international human rights standards, empowerment of rights-holders and accountability of duty-bearers, and targeting of vulnerable and disadvantaged groups.

Yet, the evaluation finds significant variation in how a HRBA is defined, understood and applied by different stakeholder groups, across all development cooperation programming and sectors. While Sida’s support has enabled cooperation partners to promote and protect human rights, there are (with the possible exception of gender equality) few indications that this support has led to changes in partners’ perceptions of a HRBA.

Collection and application of lessons learnt

The evaluation concludes that lessons on the HRBA are not systematically gathered by Sida, Embassies of Sweden or co-operation partners at strategy or sector level in the four case

countries. There are examples of lessons learnt and adaptations made at project level, though these are linked to achieving project results rather than the HRBA components. Country- and sector-specific contexts (as well as the influence of specific leaders within the same institution over time) can limit ability to learn lessons across institutions, issue areas, countries and time periods.

Recommendations

The evaluation concludes that if Sida wants to remain a global leader in championing human rights through the application of a HRBA, and avoid that it becomes a ‘box-ticking’ exercise, it will need to increase its investment in this role, in the short, medium and long term. Gains made during the past decade cannot be taken for granted. The evaluation recommends that Sida prioritises the following actions.

1. Invest in prioritising and understanding the HRBA and P.L.A.N.E.T.

Use the P.L.A.N.E.T.¹ considerations consistently as the overarching framework for Sida’s approach to applying a HRBA.

2. Adapt approaches to partnerships and contribution management

Maintain regular discussions to explore how Sida can ensure that the HRBA is integrated and promoted through all partnerships and in contribution management. At intervention and Embassy levels, hold explicit conversations about how Sida, the Embassies of Sweden and co-operation partners understand a HRBA and what they see as its specific implications for their work.

Incorporate triggers in Sida’s contribution management system to raise questions linked to the HRBA and P.L.A.N.E.T. at every stage (design, approval, implementation, follow-up, and documenting lessons learnt). At Embassy level, these triggers should feature at the start of any dialogue with co-operation partners.

3. Document experiences and lessons learnt

Revise Sida’s tools for monitoring application of the HRBA in the light of international resources on best practices on monitoring, evaluation and learning. Resources and toolboxes should give concrete examples of what a HRBA is (and what it is not).

¹ The P.L.A.N.E.T. checklist highlights key components to consider when applying a Human Rights Based Approach: Participation; Link to human rights systems; Accountability, Non-discrimination; Empowerment; Transparency.

4. Develop capacity for application of the HRBA

At Sida head office and Embassy level, continue investments in ongoing training and other activities in areas where Sida is perceived to be strong (championing human rights and gender equality, consultative approach, flexible ways of working, consideration of context). Invest in (and reward) training on flexible and adaptive ways of working in applying HRBA that are responsive to locally grounded agendas.

The evaluation was commissioned by Sida. It was carried out by an evaluation team from FCG Swedish Development AB between May 2019 and June 2020. The evaluation team included Henrik Alffram (team leader), Anne Buffardi, Pilar Domingo, Bente Topsøe-Jensen and Otto Nilsson Williams. The evaluation included field visits to Albania, Cambodia, Colombia and Kenya.