Final report

How to ensure effective popular participation in development projects?

An illustration through the operationalisation of the human rights-based approach

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Contents

Executive summary

In 2018, the French government undertook to align its development programmes and projects with a human rights-based approach (HRBA). In 2019, it adopted its Human Rights and Development Strategy, and is now developing a multiannual action plan. This study is designed to inform the formulation of its action plan by focusing on the issues and implications of one of the key principles of the HRBA: participation. For decades, development cooperation actors have recognised popular participation in development actions as a key principle due to its capacity to drive effectiveness and sustainability. The HRBA takes up this principle, focusing in particular on the quality of the participatory processes and considering project 'beneficiaries' as players and fully-fledged partners. It reaches beyond making popular participation instrumental in the development project to make it as much an end in itself as a means to realise human rights. The ultimate goal is the institutionalisation of participatory processes in existing country mechanisms and institutional and governance frameworks. The HRBA brings a normative dimension to participation. Although the international human rights standards do not define methods for participation, they do identify the prerequisites and minimum standards for participation to be considered as effective. In practice, participation should play a role as an element of government accountability to citizens and a factor for the empowerment of vulnerable populations. It should enable the voice and interests of the most vulnerable to be heard and addressed, and enable them to hold decision-makers to account and actively participate in development processes and their governance.

This study focuses on the **methods and tools used by multilateral and bilateral development cooperation agencies** (Danish, English, European Union, Finnish, German, Norwegian, Swedish, Swiss, United Nations Population Fund (UNPFA) and United Nations Development Programme (UNDP)), **especially on those that are the most promising for the French development cooperation action plan** in view of the HRBA strategy that it has defined. The study was conducted based on a scientific and practical literature review, a comparative analysis of the methods and tools used by the development cooperation agencies at macro level, and a discussion of the results and analyses with the main agencies of French development cooperation.

It presents and explains **three major HRBA operationalisation approaches** that guide and determine the methods used by the development cooperation agencies studied:

- **The normative approach**, based on the respect and fulfilment of the standards contained in the international human rights treaties. This approach places the emphasis on leveraging human rights defence organisations, the media, human rights defenders, etc., since participation is closely associated with increasing government accountability. Supporting these players' actions helps develop more effective legal and institutional mechanisms and measures, providing a predictable and transparent framework for public affairs and holding leaders to account.

- **The empowerment approach**, based on the dignity of vulnerable and discriminated individuals and groups. This approach directly targets vulnerable persons, since participation is closely associated with the empowerment of these people to enable them to become actors of their own development. Actions work on developing critical consciousness, active citizenship and a capacity to act and commit.

- **The pragmatic approach**, based on improving project effectiveness. This approach places the emphasis on securing uptake by key populations to conduct the actions. Their participation by means of consultative processes strengthens the credibility, legitimacy, relevance, effectiveness and efficiency of the development programmes and projects. Participation here is more a means than an end in itself.

None of these approaches defines standard participatory methods. Each participatory approach relates to specific contexts and goals. However, they do provide information on the objectives of the HRBA and the types of priority actions funded to guide the definition of the strategies and programmes and projects supported and/or implemented.

These three approaches are complementary: the normative approach puts in place the institutional conditions conducive to the participation of vulnerable populations in the decisions that concern them. The empowerment approach makes this participation active, free and meaningful. The pragmatic approach addresses the challenge of programme and project effectiveness.

A comparative analysis of these approaches **identifies key pointers to improve the operationalisation of participation in the HRBA**, including:

- Clarifying the normative foundation of the principle of participation;

- Merging normative and empowerment approaches into one comprehensive strategy;

- Developing strategies and programmes that interface and integrate the economic and political forms of citizen action;

- Envisaging popular participation as a long-term process;

- Systematically considering and analysing power relations and asymmetries;

- Clarifying the purposes of the changes to be made at strategic and operational levels;

- Honing the understanding of 'vulnerable populations';

- Lifting obstacles to participation by working on different types of obstacles and scales;

- Systematically incorporating the institutionalisation of participatory processes as an end in itself;

- Scaling up the participation of social institutions (religious, customary and cultural actors) in the fulfilment of human rights;

- Supporting the collaboration and networking of different types of actors;

- Transcending a technical vision of capacity-building to build citizens' capacities.

The study also highlights **four main HRBA integration approaches**, which impact on the type and nature of the tools produced and disseminated by the development cooperation agency:

- **Holistic integration**, which influences and feeds into all the mechanisms and tools based on which the international organisations take their action;

- **Instrumental integration**, which prioritises the production of operational tools for the programmes and projects;

- **Normative integration**, which prioritises the production of a set of normative principles for the strategic frameworks and goals;

- **Programmatic implementation**, which targets the launch of specific human rights projects and the integration of human rights components into programmes and projects.

A comparative analysis of the integration approaches and associated methods and tools developed highlights **five main challenges to be taken up**:

- Create an overarching framework defining a clear strategic horizon shared by all players;

- Combine different types of strategic, operational and

managerial tools to effectively operationalise the HRBA and the principle of participation;

- Set up impact measurement and capitalisation systems at the level of development cooperation and its different agencies;

- The need to tie in the HRBA and the principle of participation with the other cross-cutting issues;

- The importance of producing simple tools on good practices.

A comparison of the methods and tools **identifies good practices and limitations of the methods and tools** already used by certain multilateral and bilateral development cooperation agencies to promote participation in project appraisal and implementation.

In terms of strategic methods and tools, good practices are identified

- Clearly defining the principle of participation and its implications in the strategic steering papers and general policy documents to develop a common definition of and common policy framework for the principle of participation right from the adoption of the HRBA;

- Rolling out the HRBA and the principle of participation in sector and regional strategies to define the issues specific to the given context or sector;

- Establishing mechanisms and spaces to ensure effective consideration of the populations' voices in the formulation of strategies;

- Multiannual ring-fencing of programming and funding commitments to set strategies in a long-term frame, thereby strengthening the participation of programme and project partners (through increased visibility) and the outcomes of the participatory approaches implemented (since strengthening participation implies complex changes);

- Setting up dedicated funding tools with due diligence to ensure that the most vulnerable are really targeted by the programmes and projects;

- Revising the role and funding tools of the civil society organisations (CSOs) to achieve the goals of the HRBA, particularly representation of the voices and interests of the most vulnerable, their empowerment, increasing government accountability, and transitioning them from a role of service provider to a role of strategic partner;

- Developing strategic partnerships with research players to test innovative strategies that link rights with development, integrate rights into the field of social justice, contextualise citizenship and democratic governance issues, develop participatory human rights-based empowerment strategies,

and develop monitoring and evaluation methods geared to monitoring social and political change.

In terms of operational methods and tools, good practices are identified as follow:

• Establishing cross-cutting methods and tools in the analysis phase to guide staff in the identification of vulnerable populations and their constraints in order to inform the definition of the strategic and programming agendas;

• Formalising a holistic framework for participation, combined with methods and tools, applicable to the different stages of the programme and project management cycle, defining minimum standards at the different stages to make participation and inclusion effective;

• Revising funding management procedures at the different stages (appraisal, contracting, monitoring and evaluation) to integrate the HRBA and the principle of participation. This revision can range from the inclusion of specific questions at the appraisal stage to more structural changes.

• Revising risk management procedures to curb adverse impacts on human rights and the populations' right to participate. Participation can become one of the central components of this analysis;

• Revising evaluation procedures to integrate the HRBA, and especially the principle of participation, by defining standards/methods to ensure inclusion of the HRBA and the principle of participation in the evaluative questions and the participation of the populations at the different evaluation stages;

• Setting up knowledge management processes to inform the operationalisation of participatory processes and the HRBA by capitalising on actions taken, identifying learnings, and sharing and identifying the reproducibility of these experiences.

Lastly, in terms of managerial methods and tools, good practices are identified as follow:

• Developing an overarching strategy to build staff HRBA capacities, geared to the targets' particularities and the development cooperation agency's internal organisation in keeping with its levels of decentralisation;

• Diversifying training mechanisms and tools, both theoretical and operational (training, training in action, exchange of experiences, practice analysis, coaching, provision of resources, return on experience, capitalisation, etc.);

• Building both collective and individual responsibility for HRBA integration, with a clear definition of roles and responsibilities and provision for tutoring and/or mentoring mechanisms;

• Integrating the HRBA and participation into job targets and annual assessments to incentivise staff to take up the HRBA;

• Developing HRBA guides and handbooks to help the understanding of the conceptual and operational aspects of the HRBA, in both its specific and related dimensions;

• Producing outline briefs on key HRBA implications and questions for priority sectors and regions;

• Setting up approaches to encourage capitalisation on experiences and the dissemination of their learnings in short, accessible formats.

The main **limitations observed from the experiences are as follow:**

• Confusion, at strategic and programming level, between projects that have adopted an HRBA and projects originating from sector-based human rights strategies. These two human rights integration methods have different premises and implications, particularly as regards participatory approaches;

• Partial integration of the HRBA into sector and country strategies resulting in a limited operationalisation of the HRBA and the principle of participation, which is not understood as a change in terms of human rights;

• Rare institutionalisation of the concrete implications of the principle of participation by the populations at the different stages of the programme and project management cycle;

• Integration of the HRBA and the principle of participation in grant management manuals often restricted to the appraisal stage and reduced to a list of general questions that do not always reflect the implications and objectives of participation defined in the strategy papers;

• Poor operationalisation of the strategic commitments made;

• Difficulties with evaluating the impact of the participatory processes, especially in terms of individual empowerment, and with developing shareable methods and tools for this;

• Skills to conduct and monitor participatory processes still limited and poorly defined in the organisations.

To conclude, in order to promote the integration of the principle of participation into its HRBA strategy, **French development cooperation would benefit from launching in-depth thinking with its agencies on the advisability of:**

• Developing strategic steering documents on participation;

• Adapting the HRBA and the principle of participation by key agency priority sectors and regions;

• Integrating specific due diligence into agencies' identification, monitoring, evaluation and risk management procedures, combined with operational guides;

• Developing methods and tools to facilitate the identification of vulnerable populations in the analysis phase and appropriate related participatory strategies;

• Setting up dedicated funding streams for CSOs within long cycles to build sustainable close partnerships with strategic CSOs for the French Development Cooperation (CSOs play a central role in building up the free and meaningful participation of the most vulnerable and in ensuring popular representation in the processes);

• Scaling up the role of evaluation and learnings and good practice dissemination mechanisms;

• Working on agencies' in-house organisation by means of thinking on building HRBA skills and functions targeting participation challenges, and by developing training and support tools and cycles at different organisation levels (exchange-of-practices cycles, theoretical training, tutoring/mentoring system, etc.);

• Formalising partnerships with research to: test innovative initiatives and methodologies combining participation, empowerment and accountability; develop evaluation processes to measure the empowerment of vulnerable persons and government accountability; capitalise on and disseminate knowledge and learnings; support staff training; and inform strategic thinking.

Introduction

1. Informing french development cooperation strategic thinking

In the conclusions of the Interministerial Committee for International Cooperation and Development (CICID) on 8 February 2018, the French government undertook to develop a Human Rights and Development Strategy to align French development cooperation with a human-rights based approach (HRBA). This commitment followed the adoption of the new European Consensus on Development in June 2017, which established the "rights-based approach to development cooperation, encompassing all human rights" among the principles and values guiding the EU and its Member States in their development action (European Union, 2018). This strategy is also designed to meet agencies' democratic governance policy framing needs, the bilateral operational responsibility for which was transferred to the Agence Française de Développement (AFD) in 2016. The French approach to 'democratic governance' regards governance as a decision-making and implementing process within which stakeholder participation is key to the promotion of the rule of law and the protection and defence of individual freedoms (French Ministry for Europe and Foreign Affairs, 2010).

The strategy was developed by a two-step process. The first step drafted a strategic steering document adopted in 2019. The second step defined a multiannual action plan detailing the tools, timeframe and performance indicators required to implement the commitments made by France.

One of the HRBA's principles, shared by all the stakeholders who have mainstreamed this approach and upheld by the French approach, is popular participation. Participation in the HRBA is both a means and a goal (OHCHR, 2006). In order to develop its practices to meet its commitments, the French Ministry for Europe and Foreign Affairs (MEAE) commissioned a study to examine the beneficiary inclusion and participation mechanisms used by multilateral and bilateral development cooperation agencies already applying an HRBA and to identify good practices.

This study is designed to **inform the multiannual action plan regarding the principle of participation contained in the HRBA**. Its brief is more specifically to:

• Define the role and place of popular participation in the development cooperation agencies' HRBA integration approaches;

• Document the practices (tools and methods) used by the development cooperation agencies that have adopted an HRBA to operationalise the principle of participation;

• Analyse the challenges, learnings and good practices;

• Make recommendations to inform the multiannual action plan for the implementation of the French Human Rights and Development Strategy's popular participation track.

2. Background and issues

2.1 Human rights and development

The link between human rights and development was first recognised by the international community with the adoption of the United Nations Charter in 1945, setting the stage for peacebuilding. This link was reaffirmed at the first International Conference on Human Rights held in Tehran in 1968.

However, rights and development were regarded as separate fields until the 1990s (Cornwall and Nyamu-Musembi, 2004; Uvin, 2004). During the Cold War, human rights were politicised, dividing states between those that prioritised civil and political rights and those that focused on economic, social and cultural rights (ESCRs),[1] with the UN Human Rights Committee referring

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1. The right to work (freely chosen or accepted, to fair and equal pay for work of equal value, to leisure and the reasonable limitation of working hours, and to safe and healthy working conditions), the right to form and join trade unions, the right to strike, the right to an adequate standard of living (including food, adequate housing, water and clothing); the right to social security and social protection; the right to family protection and assistance (including the right to marriage by free consent, to maternity and paternity protection, and to protection of children from economic and social exploitation), the right to health (including access to health facilities, goods and services, the right to healthy occupational and environmental conditions, the right to protection against epidemic diseases, and rights relevant to sexual and reproductive health), the right to education (including the right to free and compulsory primary education and to secondary and higher education available for all, progressively made free of charge; and the liberty of parents to choose schools for their children), and cultural rights (including the right to participate in cultural life and to share in and benefit from scientific advancement, and protection of authors' rights).

essentially to civil and political rights[2] (Donnelly, 1988). At the time, economic, social and cultural rights were associated with communism (Cornwall and Nyamu-Musembi, 2004; Hamm, 2001). And the development field was dominated by economic theories (Sano, 2000).

The 1993 Vienna World Conference on Human Rights reaffirmed the indivisibility and interdependence of human rights as well as the links between human rights and development (UN, 1994). The connection between rights and development was made by the UN organisations, which incorporated human rights into their approaches and actions (UNICEF, 1998; UNDP, 1998), and by human rights defence non-governmental organisations (NGOs), which gradually included economic and social issues in their actions (Cornwall and Nyamu-Musembi, 2004). These two fields were recognised as sharing common ideals of justice and dignity, and a shared interest in regulating power and promoting participation (OHCHR, 2004; Sano, 2000).

There were five main reasons for this connection:

• The end of the Cold War, conducive to a growing consensus on the importance of ESCRs;

• The failure of the structural adjustment programmes, ascribed in particular to a lack of government accountability;

• The Amartya Sen-inspired broadening of the concept of poverty, no longer defined as a lack of access to goods, but as the absence of capabilities to realise certain basic freedoms for minimal human dignity (OHCHR, 2004);

• The emergence of the human development concept;

• Institutional changes at the United Nations (UN), driving the inclusion of human rights as a cross-cutting theme (UN, 1997).

2.2 Emergence of the HRBA in development cooperation policies

Integration of human rights into the bilateral and multilateral development cooperation agencies' policies and actions has been variable: implicit work on human rights; specific human rights projects; human rights dialogue assistance; incorporation of human rights via sector points of entry; and the HRBA. The human rights-based approach is regarded as the most accomplished form of integration of the human rights concept into development cooperation

and assistance policies (OECD/WB, 2016; Piron and O'Neil, 2005; Uvin, 2004).

Development cooperation agencies and practitioners rarely differentiate between "integration of human rights" and the HRBA, even though some experts point up their differences in approach and method. Whereas in the integration of human rights, actions often focus on delivering on specific rights (the rights of children, women, persons with disabilities, indigenous peoples, etc.), the HRBA analyses the context to determine the areas in which progress with human rights is needed (Piron and O'Neil, 2005; OECD/WB, 2013; D'Hollander, Marx and Wouters, 2014). It takes a more holistic view of the integration of human rights into cooperation and development actions based on a theory of change guided by rights (D'Hollander, Marx and Wouters, 2014).

A key aim of the HRBA is the "de-linking of human rights from conditionality, for the priorities for assistance to be set within the human rights obligations of governments, and for an emphasis on genuine and meaningful participation," (Frankovits, 2006). The resulting actions place the emphasis on the integration of rights as much in the objectives and outcomes as in the means and processes of change to be promoted. They are guided as much by the standards contained in the treaties as by the main principles that govern them (Miller and Redhead, 2019): universality and inalienability; indivisibility; interdependence and inter-relatedness; non-discrimination and equality; participation and inclusion; and the accountability of all duty-bearers and the rule of law (UN, 2003). Although the integration of each of these principles differs across development cooperation agencies and adopted strategies, they all focus on the principles of non-discrimination and participation (Broberg and Sano, 2017).

2.3 The principle of 'participation' in the HRBA

The concept of participation is nothing new in the development field. In the second half of the 20th century, both academic and civil society studies reviewed this concept in depth, bestowing a transformative social and political role on it. Many authors regarded it as a way of repoliticising the concept of participation, and development in general (Darrow and Tomas, 2005; Cornwall and Nyamu-Musembi, 2004; Uvin, 2004; VeneKlasen, Miller, Clark and Reilly, 2004; Sano, 2000; Gaventa and Valderrama 1999). However, the aid institutions' operationalisation of this concept was more managerial than transformative (Cantelli, 2013; Calvès, 2009; Cornwall, 2008; Cornwall, 2006), since the institutions dissociated participation as a

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2. The right to legal status, the right to a public hearing, the right to equality before the law, the right to be presumed innocent, the right to a fair trial, the prohibition of arbitrary detention, the right to liberty of movement, the right to own property, the right to marry and found a family, the right to a nationality, the right to a private life, freedom of thought and religion, freedom of assembly and association, freedom of opinion and expression, the right to take part in the conduct of public affairs and equal access to public service, the right to vote and to be elected, and prohibition on slavery and servitude.

means of rights advocacy and fulfilment from participation as a means of project and programme implementation.

In practice, there is no one way of integrating the HRBA (OECD/WB, 2016; Piron and O'Neil, 2005). Integration methods vary depending on the, "thematic focus, disciplinary bias, agency profile, and the external political, social, and cultural environment," (Darrow and Tomas, 2005). Some authors refer to a "broad umbrella concept of RBAs" (Miller, 2010). And indeed, the international rules give no concrete instructions as to how to operationalise human rights, but define general standards for consideration (OHCHR, 2006). HRBA principles are operationalised differently depending on the integration methods used.

Nevertheless, there is a consensus regarding the importance of interconnecting the HRBA principles. For example, the principle of participation as an operational concept is linked to the principles of empowerment and accountability (Darrow and Tomas, 2005). Popular participation needs to be a factor of inclusion. It is therefore inextricably linked with the principle of non-discrimination (McMurry, 2019). Consequently, all HRBA studies address participation together with a broader-based analysis of the other principles of this approach and its implications. None of the development cooperation agencies studied has conducted a specific study or assessment of the implementation of the principle of participation, with the exception of the Norwegian development cooperation agency, which has conducted a study on the subject albeit without relating it to HRBA operationalisation efforts (NORAD, 2013).

However, all the experts agree that participation under the HRBA goes beyond the implementation of projects involving participatory processes. It is regarded as a real "process of fostering critical consciousness and decision making as the basis for active citizenship;" (Darrow and Tomas, 2005), an undertaking in its own right. Participation is both a means of advocacy for all rights and a source of legitimacy for public action, which prompts some authors to say that it is the, "right of rights" (Waldron, 1998). The point here is not solely to ensure, "that the populations receiving assistance and local civil society organisations participate in designing and conducting the projects that it finances," (MEAE, 2019) but to make more profound social changes.

3. Focus on the experiences of other development cooperation agencies

This study focuses on how multilateral and bilateral development cooperation agencies take on board these issues in their policies and strategic thinking. The study did not have the means to specifically examine their

operationalisation in actual development projects. The choice was therefore made to analyse development cooperation agencies that have long since adopted a HRBA and are representative of the diversity of approaches: the German development cooperation agency (GIZ), the Norwegian development cooperation agency (NORAD), the Swedish development cooperation agency (SIDA), the Swiss agency for development and cooperation (SDC), the Finnish development cooperation agency (Formin), UNDP and UNFPA. This entailed:

• A documentary analysis (research, grey literature, documents produced by the development cooperation agencies);

• Interviews with people working in human rights and/or governance departments at these organisations' headquarters.

The analysis and interviews produced:

• An analytical framework on the key challenges and questions raised by the uptake of these approaches by the development cooperation agencies;

• Summaries of each cooperation agency studied, highlighting and analysing the visions, methods and tools promoted and used by the agencies studied to operationalise the participation concept in their development cooperation policy.

The analyses and learnings were then presented to and discussed at a workshop with MEAE representatives and agencies (AFD, Expertise France (French international technical cooperation agency), Canal France International (media development cooperation agency) and Justice Coopération Internationale public interest group (GIP-JCI)), which identified recommendations for France and its agencies for optimal integration of the HRBA's principle of participation.

This report covers the key elements of the analyses and recommendations produced by this study. It is structured in three main parts:

• The first part takes a historical angle to propose a theoretical framing of the principle of participation in terms of its goals, its related concepts and its normative basis;

• The second part analyses the different HRBA operationalisation approaches taken by the development cooperation agencies and their impacts on the principle of participation;

• The third part identifies good practices in terms of the methods and tools used by the development cooperation agencies that have adopted an HRBA, and which have enabled them to operationalise the principle of participation in their actions.

Part 1
Theoretical framing of the key points of the participation concept

1. Evolution of the concept of participation in development

Participation is not a new concept in development. It has been called in turn 'beneficiary participation', 'community participation', 'stakeholder participation', 'user/consumer participation' and 'citizen participation' (Cornwall, 2006).

In the 1970s, many UN reports, studies and programmes included the principle of participation as a key element of their actions. Participation was defined as, "(a) contributing to the development effort (b) sharing equitably in the benefits derived there from and (c) decision-making in respect of setting goals, formulating policies and planning and implementing economic and social development programs," (Midgley, 1988).

The importance placed on participation by the aid institutions (bilateral and multilateral development cooperation agencies) needs to be analysed in the light of the revival of the principle of participation in civil society in the 1960s-1970s. The emergence of the 'new social movements' in the United States, Latin American, Europe and Asia profoundly challenged the role of participatory processes and how they were put into practice. Civil society actors took up this notion to speak out against and challenge inequalities in the balance of power and, more broadly, defend a political voice for dominated groups. They were part of a collective movement to transform the individual, social and political spheres using bottom-up approaches (Cantelli, 2013). This movement challenged the dominant ideologies, advocated changes to the ways resources were accessed and controlled, and called for a transformation of institutions and structures (family, state, the market, education and the media) (Calvès, 2009). These approaches were theorised and re-appropriated under the term of 'empowerment'. Its operationalisation therefore took more of a managerial approach to managing poverty and inequalities than a transformative,

civil-based approach (Calvès, 2009; Cornwall, 2008; Bacqué and Biewener, 2013). The participatory processes promoted were top-down and organised by the states and/or aid institutions, with populations merely invited to participate. Participation was just one means among others to improve the effectiveness and efficiency of development policies and programmes (Cornwall, 2008; Cornwall, 2006). Empowerment strategies were based on individually enabling poor individuals to find the means to break out of situations of poverty, leaving aside the collective transformative approach to the individual, social and political spheres (Calvès, 2009).

In the 1980s-1990s and following the structural adjustment plans, participatory approaches became guided more by economic than social and political goals and issues. They were seen, "as ways of 'participating' people in activities that were formerly the responsibility of the state, and shifting to them the burdens associated with delivery," (Cornwall, 2008). In this environment, the aid institutions assigned an important service delivery and access role to civil society, seen as more cost-effective and capable of reaching the poor who were beyond the reach of the markets (Fowler, 1988).

The late 1990s saw the return of the state and the re-emergence of the aid paradigm based on the concept of 'good governance', tied in with the notion of democracy. Research, such as the studies conducted by Habermas, Rawls and Foucault, questioned the bases and ways of exercising democracy in contemporary societies. This research described citizen participation and inclusion as ways of building and sustaining the legitimacy of a public intervention and, more broadly, the links between the rule of law, democracy and human rights.

Three main purposes gradually shaped up for participation: social, democratic and managerial (Bacqué, Sintomer, 2001). The normative dimension of the HRBA would in turn take issue with and stipulate them.

2. Particularities of the HRBA's concept of participation

The HRBA places human rights at the centre of all development actions: they have to be at the heart of the problems to be solved and actions must aim to deliver on these rights. These rights are defined in the international and regional human rights texts and honed by decisions and case law made by international and regional human rights defence and protection bodies and courts. Participation here therefore needs to be considered in connection with international human rights standards.

The standards do not provide methods to conduct participatory processes. However, they do **outline prerequisites and minimum standards** (Darrow and Tomas, 2005). As with all the other founding principles of the HRBA (with the exception of empowerment), the principle of participation cross-cuts all the major international human rights texts. The International Covenant on Civil and Political Rights (ICCPR) guarantees citizens the right to take part in the conduct of public affairs, directly or through freely chosen representatives (Art. 25). The UN Human Rights Committee[3] states that the conduct of public affairs is to be understood in the broad sense, relating to the exercise of legislative, executive and administrative power, but that this does not mean that it grants an "'unconditional right' of any directly affected group, large or small, to choose the precise modalities of participation," (Darrow and Tomas, 2005). The UN Convention on the Rights of the Child assures to the child the right to express his or her views freely in all matters affecting the child (Art. 12). The UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) ensures women the right to participate on equal terms with men in political, public and cultural life, including the right of rural women to take part in development planning (Art. 7, 8, 11 & 14). The International Convention on the Elimination of All Forms of Racial Discrimination reaffirms the right to take part in political and public affairs on an equal footing. The UN Declaration on the Right to Development recognises the right to participate, stating explicitly that national development policies must be formulated on the basis of "active, free and meaningful participation". This participation requirement is based on the fact that, "The human person is the central subject of the development process," and that "popular participation [...] is an important factor in development and in the full realisation of all human rights," (Art. 1, 2 & 8). The "active, free and meaningful" criterion in the UN Declaration on the Right to Development provides binding guidance on the operational parameters for participation in countries where the normative nature of this declaration has been recognised (Darrow and Tomas, 2005).

In addition to these specific provisions, the right to participate is conditioned by the realisation of a certain number of related rights:

• Rights to the freedom of expression, opinion and conscience guaranteed by the ICCPR (McMurry, 2019);

• The right to freedom of association and to form unions, the right of self-determination, and the right to enjoy cultural rights, but also the right to vote and to be elected as defined in the ICCPR and/or the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Darrow and Tomas, 2005);

• The principle of non-discrimination contained in the main international charters and conventions on human rights (McMurry, 2019);

• The right to education, included in particular in the ICESCR (Darrow and Tomas, 2005; Sano, 2000).
The right to participate is a reciprocal right, entailing duties and responsibilities. Its content is dense. Its operational transcription differs depending on each context. Its implementation is subject to the states' ratification of the international human rights texts containing the abovementioned provisions. Nevertheless, the majority of the states have ratified these texts (173 states are party to the ICCPR, 170 states to the ICESCR, 189 states to CEDAW, 196 states to the UN Convention on the Rights of the Child, and 182 states to the International Convention on the Elimination of All Forms of Racial Discrimination). In the event of a state not having ratified one of the abovementioned texts, the programmes and projects have the possibility to support advocacy to encourage the state to ratify them.

Development actions based on a context analysis are supposed to lift obstacles to the realisation of these rights. There are various possible points of entry for this, depending on the context:

• Registration of births, marriages and deaths;

• The potential for a state's citizens to express their opinions and influence decisions in everyday life;

• Access to information for informed participation;

• Existence of a grievance mechanism and access to justice;

• Development and exercise of active citizenship;

• Ability to form associations;

• Creation of new channels and mechanisms to enable participation in development and/or public affairs;

• Capacity building for people to participate in public affairs;

• Advocacy for the ratification of human rights texts, etc.

In addition to guiding the objectives and ultimate goal of the development actions, human rights standards **guide all the**

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3. The UN Human Rights Committee is a body of independent experts that monitors implementation of the ICCPR by its State Parties.

stages in the implementation of the development actions: prior assessment and analysis; planning and design; implementation and delivery, and monitoring and evaluation. The human rights principles provide the foundation on which all processes are to be operationalised. These principles are: universality and inalienability; indivisibility; interdependence and inter-relatedness; non-discrimination and equality; participation and inclusion; and accountability and the rule of law. They strengthen and deepen the situation analysis in order to advance the realisation of human rights, steering the design of programmes and projects, guiding the way they are conducted, influencing the choice of monitoring indicators, etc. (Miller and Redhead, 2019). With respect to participation, the HRBA "argues that any process of change that is being promoted through development assistance ought to be 'participatory, accountable, and transparent, with equity in decision-making and sharing of the fruits or outcome of the process'," (Uvin, 2007). For the principle of participation, they must be centred around the people whose rights are being violated (Miller and Redhead, 2019). This means:

• Identifying obstacles to the participation of vulnerable groups;

• Acting on the identified obstacles, whether structural or individual (people's capabilities to participate);

• Adapting the processes to people's capabilities;

• Setting up participatory processes that reach beyond mere consultation (Darrow and Tomas, 2005);

• Providing all relevant information to those concerned;

• Meeting all the costs that participation may cause (Uvin, 2007);

• Guaranteeing the inclusiveness and transparency of the participatory processes (Darrow and Tomas, 2005).

Participation is regarded as effective if it has a real capacity to influence the programmes and policies (Darrow and Tomas, 2005). It cannot be restricted to instrumental participation, but must give people the opportunity to really influence and take part in decisions. The point is to create "active citizens" (Cornwall, 2004), in particular by building people's capacities to analyse their situation and find the means to improve it (Molyneux and Lazar, 2003). **This effectively gives participation two key dimensions in the HRBA:**

• Participation, as a process to lay claim to all rights, is a "right of rights".[4] Accordingly, participatory processes play a role in calling duty-bearers to account (states, business, etc.). So the operationalisation of the principle of participation is closely linked to accountability (Darrow and Tomas, 2005).

• Participation implies supporting the empowerment of the people, i.e. whereby each individual or group acquires the capacity to think and act freely, make decisions and realise their potential as fully fledged, equal members of society, and to actively participate in matters relating to their livelihoods and the defence of their rights (Broberg and Sano, 2017; Cornwall and Nyamu-Musembi, 2004). This aspect of participation implies challenging discrimination and power imbalances, which leads many authors to say that one of the purposes of the HRBA is to challenge and transform power relations (Broberg and Sano, 2018; Crawford and Andreassen, 2015; Vandenhole and Gready, 2014; Piron, 2005; VeneKlasen, Miller, Clark and Reilly, 2004; Uvin, 2004; Eyben, 2003; Sano, 2000). In this way, the HRBA constitutes a way to repoliticise the concept of participation in development (VeneKlasen, Miller, Clark and Reilly, 2004; Eyben, 2003).

3. Indivisibility and interdependence of the principle of participation

3.1 Participation, democratic governance and citizenship

Given that the notion of governance is central to the HRBA and ties in with the concept of participation, it is hardly surprising to find that many development cooperation agencies have operationalised the HRBA in governance programmes. Nevertheless, this operationalisation has been marked by a change in the concept and role of governance (improving management, changing social relations and spreading democracy), with significant implications for the place and role of popular participation in the supported processes.

In public action, **the concept of governance emerged in response to crises of the welfare state**[5] (Castel, 2003; Rosenvallon, 1981). Its emergence is related to a challenge

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4. Expression taken from Jeremy Waldron (1998). This idea was developed by Nicholas McMurry (2017; 2018; 2019).

5. The concept of the 'welfare state' followed the concept of the 'modern state'. The modern state is based on the theory of the general will and the idea that it is possible to rationally achieve the common good. The state's legitimacy to govern is based on the sovereignty of the people. The state acts on behalf of the people and its decisions reflect the public interest. Its main features are the separation of powers, the rule of the majority and the rule of rights. Human rights are an essential element of this. They enable citizens to see themselves as politically equal and independent. The people are perceived as a naturally uniform entity. The law, due to its general, abstract nature, keeps citizens equal before power. This concept of the state is based on the idea of normative rationality: the law is in the hands of the legislator; it is defined by its formalism; and the institutions and mechanisms put in place ensure its actual implementation. The concept of the welfare state appeared at the end of the 19th century when social relations were becoming more complex and asymmetric and social rights were emerging. The people are perceived as full of social tensions and conflicts. This makes it hard to define what the general will covers. The law gradually becomes a tool of the social forces. The rationality of the law is now justified by two dimensions: its technical dimension and the emergence of social movements. Elections are no longer a system of elite selection, but a way to hold up a mirror to society by forming parties (Olivier, 2014; Pitseys, 2010).

to the traditional forms of government in terms of their capacities to work in the public interest, unify and represent everyone's interests. Its roots are found in different kinds of crises (political, economic, environmental and social) no longer able to be settled by the political parties and social movements (Olivier, 2014; Pitseys, 2010).

The notion of governance was introduced into the aid discourses by the international financial institutions in the 1990s. It found expression in the reform of developing countries' institutions to improve their effectiveness, marked by a reduction in the role of the state. This concept of governance had its limitations, especially in terms of effectiveness, impact on poverty reduction, ownership and social impacts (Bellina, Magro and Villemeur, 2008).

Thinking on aid effectiveness led to a rehabilitation of public action, marked by a return of the state. Governance then became about the proper functioning of institutions based on the establishment of standards and institutions that provided a predictable and transparent framework for public affairs and held leaders to account. It promoted the rule of law, good administration, government accountability, transparency and participation by non-governmental players, especially private business and civil society (Bellina, Magro and Villemeur, 2008). Civil society shifted from acting as a counterbalance to the public authority to a role of mediator between state, market and citizens, with varying implications depending on the importance placed on social justice and the market (Pitseys, 2010). The emphasis was primarily on improving the management of the administrations and on considerations of greater efficiency in the exercise of power (Pitseys, 2010).

Driven by studies on democracy and democratic legitimacy, and the limitations encountered with operationalising standardised, managerial governance models, the concept evolved to become associated with the quality of public institutions' actions in the social arena and then gradually with the development of new government techniques supportive of a more consensual, pluralist way of formulating standards. The governance narrative morphed from a dynamic of representation into a dynamic of political inclusion via the involvement of stakeholders in decision-making and the formulation of standards. It was based on deliberative or participatory theories of democracy. In this context, human rights were key as they set the rules whereby citizens agreed to participate (Hausermann, 1997).

These developments were encapsulated in **the 'democratic governance' concept**, which established the importance of differentiating between approaches depending on the context, shifting from management-centric rationales with the introduction of more citizen-based approaches, and working on a long-term basis. Governance was then associated with the notions of partnership, dialogue,

legitimacy and process (Bellina, Magro and Villemeur, 2008). Civil society became an integral part of political representation and the decision-making process aimed at reforging trust between the state and its citizens. The challenge was to reinvent the practices. Participation in governance bodies reshaped the question of representation and, by extension, legitimacy (Duchastel, 2005), as it did the question of accessibility and transparency (Pitseys, 2010).

Governance has gradually become "more a way of conceiving public action than a specific mechanism" (Pitseys, 2010), aimed at strengthening the social contract between the state and its citizens. It situates power in an arena of exchange at the junction of the economic, public and associative spheres (Pitseys, 2010). Production of the standard transcends the legal sphere in order to propose more operational and more democratic decisions. It builds on social science theories and analytical methods to meet the challenges of balancing environmental, social and ecological risks (Pitseys, 2010). Participatory processes play a key role in this normative democratisation undertaking by:

• Building the legitimacy of the decision and its implementation by setting up dialogue processes and citizen watch actions;

• Guaranteeing the definition of collective projects in the public interest;

• Supporting the gearing of processes to local realities;

• Factoring in all the pillars of sustainable human development;

• Promoting learning and exercise of citizenship;

• Actively working on social cohesion and regulation.

3.2 Participation, inclusion and non-discrimination

Human rights recognise the importance of balancing the rights of individuals and groups to guarantee equality for all by addressing the root causes of direct and indirect discrimination. Equality in the HRBA is not restricted to formal equality, but takes the shape of seeking solutions geared to the characteristics of the different individuals and groups. This is called substantive equality and it refers to the notion of equity. Human rights therefore promote work on power asymmetries by identifying discrimination and taking appropriate action. This can be done by programmes taking a specific approach (only discriminated persons are concerned by the action), an integrated approach (specific actions designed for discriminated persons in a cross-cutting programme and integrated into the programmes) or an inclusive approach (discriminated persons' particularities are taken into

consideration and the programme is adapted to their needs and expectations).

Participation in the HRBA needs to be analysed and operationalised in conjunction with the principles of non-discrimination and inclusion. It needs to be able to level the playing field in terms of access to the participatory process and to be a factor of representativeness, enabling the voice and interests of the poor and/or discriminated persons to be heard and addressed.

3.3 Participation, empowerment and ability to act

Empowerment and participation are two inextricably linked dimensions of the HRBA. Empowerment enables individuals to participate in policies and programmes in a free and meaningful manner, while participation empowers individuals and groups by transforming the power imbalances and discrimination that are part of the root causes of poverty (OHCHR, 2006). Participation in the HRBA is therefore as much an end in itself as a means of measuring people's empowerment (Darrow and Tomas, 2005).

In the HRBA, empowerment largely covers the concept of agency. People's capacities to 'choose-decide-act' (self-respect, critical consciousness and skills) are built up to influence the change. This is a means of emancipation where it is associated with a dynamic of building awareness and political thinking (Chaillou and Mullenheim, 2018). It refers to, "principles, such as the capacity of individuals and communities to take action to ensure their well-being and their right to participate in decisions that concern them, which have guided research on and social interventions for the marginalised and poor in the United States for decades," (Calvès, 2009). These capacities are of three orders: 'power to', 'power with' and 'power over'.

Participation is both a means and an end with respect to building these capacities: it is a means to acquire new skills, move a situation forward, etc. It is an end since action and voice are in themselves a victory over the feeling of impotence (Chaillou and Mullenheim, 2018). As an empowering process, participation sets out to change the social relations of exploitation and oppression in political terms, and not just in terms of the power to act, since dominated groups' inability to 'have the power to' is the consequence of their domination and not the cause. The role of the group and solidarity bonds is therefore vital to forge solidarity networks and thereby combat the oppression that perpetuates the violation of rights (VeneKlasen, Miller, Clark and Reilly, 2004; Calvès, 2009).

Part 2

Focus on the approaches promoted by the development cooperation agencies

1. The main HRBA operationalisation strategies adopted by the development cooperation agencies

The reasons underlying the adoption of an HRBA may be intrinsic and/or instrumental. Among the intrinsic reasons, development cooperation agencies may adopt an HRBA because they recognise that they are bound by legal obligations in international law with respect to conducting their development actions (OECD/WB, 2016; Piron and O'Neil, 2005). Nevertheless, not all states recognise these legal obligations, and this situation has been harshly criticised (Uvin, 2004 and 2007; Cornwall and Nyamu-Musembi, 2004). Development cooperation agencies may also choose to adopt an HRBA to advance the concept of human dignity (OECD/WB, 2016; Piron and O'Neil, 2005). Lastly, states may adopt an HRBA to meet the sustainable development goals or take a multidimensional approach to poverty. Among the instrumental reasons, the HRBA can be a way to improve development outcomes (OECD/WB, 2016; Piron and O'Neil, 2005).

Many development cooperation agencies have operationalised the HRBA in **programmes and projects on governance, the rule of law and/or democracy** (OECD/WB, 2016).

The main reasons are as follow:

• The HRBA brings a central focus back on the state and defines specific, objective obligations for states based on the content of human rights (Darrow and Tomas, 2005);

• Knowledge of human rights by individuals and groups gives them new means for action, defence and constraint with respect to the states, which are bound to account for these obligations (D'Hollander, Marx and Wouters, 2014; Ferguson, 1999; Hausermann, 1998);

• Through this dialogue between rights-holders and duty-bearers, the HRBA creates a platform to demand and increase accountability (Darrow and Tomas, 2005);

• Setting up democratic institutions is considered a precondition for the realisation of human rights (OECD/WB, 2016).

Initially, programmes and projects prioritised support for the development of more effective legal and institutional instruments and mechanisms, providing a predictable, transparent framework for the conduct of public affairs and holding leaders to account (Pitseys, 2011). In practice, actions focused on building states' capacities to set up accessible, transparent institutions; building civil society's capacities to demand more accountability, less repression and better service performance from the state; support for legal and institutional reforms; support for rights defenders and the media, support to set up watch and monitoring mechanisms, support for popular participation in 'invited spaces', etc.

Deliberative or participatory theories of democracy were gradually incorporated into these programmes. Democratic governance made legitimacy, trust and transparency in institutional and legal decisions and processes of fundamental importance in the programmes and projects. The links were tightened between law and the social sphere to advance a structural change in relations between the state and society in order to "strengthen the social contract" (Pitseys, 2010; Piron, 2005). In practice, programmes and projects were to include new activities: institutionalisation of citizen participation; introduction of new mechanisms to effectively redistribute 'power to the people' by means of long-term participatory processes; political socialisation by means of understanding the issues and challenges of public action; rights awareness and education, etc.

Alongside these programmes, some development cooperation agencies operationalised the HRBA in approaches promoting **more social than legalist justice** for programmes focusing on dignity for people and vulnerable

groups and equity and promoting multidimensional poverty approaches. "Whereas this does not exclude the use of human rights legal tools and norms, it does introduce a different starting point (local struggles, not international norms), a different prioritisation (processes rather than outcomes) and a different end-goal (change in power relations rather than the implementation of international standards)," (Vandenhole and Gready, 2014). In this context, rights are not only dynamic instruments to leverage dissidence and collective action in support of political, economic and social reforms, but are also instruments intended to ramp up the individual and community empowerment processes (Huyghebaert and Alpha, 2011). The programmes and projects sought to change the relations between stakeholders at all levels based on a comprehensive understanding of the inclusion dynamics. The purpose of the HRBA was to give political, social and economic power to individuals and groups to enable everyone to take care of their own interests (D'Hollander, Marx and Wouters, 2014).

The programmes and projects focused on supporting the emergence of new rights at local level, without a systematic link with the international level; rights awareness and education; promoting a local-level understanding of human rights; capacity building with a view to the empowerment of vulnerable populations via community-based organisations; supporting participatory spaces created by the individuals and groups; supporting livelihoods for vulnerable people and groups to provide the minimal conditions to enable people to live decently, etc.

These different approaches reflect the two main functions of rights: "to facilitate access to a range of legal norms and enforcement mechanisms" and "to serve as a [...] mobilising force" (Alston, *in* Piron, 2005).

The HRBA was then integrated in numerous sectors such as health, natural resource conservation, food security and education, which facilitated the simultaneous use of these two approaches in one and the same programme.

Despite the different approaches, **a certain number of points can be identified that are common to all the HRBAs**:

• Fulfilment of human rights that is not restricted to the application of the human rights legal framework *stricto sensu*. (D'Hollander, Marx and Wouters, 2014). This means placing an emphasis on rights awareness and discussions on rights (Gauri and Gloppen, 2012), on the idea of making rights real in political and social processes, and not just before the courts (Gready, 2008).

• Recognition of the political dimension of the HRBA, whereby human rights are subject to social and political power struggles and are operationalised in different political, cultural, social and institutional contexts (Crawford and Andreassen, 2015; Vandenhole and Gready, 2014; Hickey and Mitlin, 2009; Piron, 2005; Darrow and Tomas, 2005; Uvin, 2004; Cornwall and Nyamu-Musembi, 2004; Jonsson, 2003).

• The need to work both with the duty-bearers to build their capacities to respect, protect and fulfil human rights and to account for their actions; and with the rights-holders to build their civic capacities and give them empowerment possibilities (Cornwall and Nyamu-Musembi, 2004).

• A redefinition of the problems to be solved and the objectives in the light of human rights, with the explicit goal of delivering on the principles of human rights (participation, accountability, transparency, universality, non-discrimination, etc.) and the values conveyed by human rights (liberty, equality, solidarity, tolerance, shared responsibility, equity, democracy and human dignity), with or without an explicit connection with binding legal standards (Darrow and Tomas, 2005).

• The premise that the major causes of poverty are discrimination and power inequalities (OHCHR, 2006) and that they need to be acted on by documenting them and assisting excluded and marginalised individuals and groups. Human rights offer a normative, analytical framework to do this by, "setting objective limits on the phenomenon of elite capture, providing essential minimal human guarantees for the benefit of those suffering the consequences," (Darrow and Tomas, 2005).

• A shift from a service provision approach to a model of capacity building and defence of interests (OECD/WB, 2016; Mandel, 2005; Uvin, 2004). The state is encouraged to fulfil its duties and meet the needs of the populations. The populations' capacities are built to enable them to assert their rights, think and act freely, and take part in decisions as active citizens.

• The fundamental importance of the principles of participation, non-discrimination, accountability and inclusion (OHCHR, 2004) at all stages of the programming cycle. Participation must be meaningful, informed and exempt from any sanctions or threats. Accountability calls for a fair procedure and effective redress mechanisms in the event of human rights violations (Broberg and Sano, 2018).

2. Approaches to participation in the HRBA

The three approaches discussed below are not mutually exclusive, but typify the main trends found today in development cooperation policies.

2.1 The normative approach

In this approach, **participation refers essentially to**:

• A fundamental human right to defend and advance;

• Leveraging human rights defence organisations, the media and human rights defenders;

- Strengthening organisations representing the voiceless, their legitimacy and their leadership;

- Building organisations' capacities to handle power at macro level (from local to international level);

- Engaging in political processes and public policies regarding participation, defence of interests, electoral policy, etc.

Participation here is closely associated with the opportunity for populations to have and use a legal and institutional framework based on the respect, protection and fulfilment of human rights. Normative approaches place the emphasis on a certain number of actors: CSOs specialised in human rights, the media and the human rights institutions which, through their human rights remit or function, play a key role in strengthening the institutional and legal framework with respect to international standards.

The programmes conducted can cover a wide range of activities (citizen watch, advocacy, dissemination of information, information campaign on rights, legal education, etc.) structured around three main goals:

- Scale up **the adoption and implementation of public policies**, standards and institutional practices to protect, respect and fulfil human rights (economic and social rights

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BOX 1

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The german development cooperation agency: supporting the legal and institutional frameworks and knowledge of the international human rights standards

The German development cooperation agency defines the HRBA as, ""the systematic integration of human rights obligations, standards, interpretations and principles" into development policy. Funding concentrates on the measures that contribute to the implementation of the rights enshrined in the human rights treaties. This includes:

- Providing support to state institutions as duty-bearers;

- Empowering rights-holders and civil society at local and regional level;

- Institutional capacity-building;

- Raising awareness of human rights.

The actions supported are:

- **Education, information and lobbying activities on human rights standards and principles**, with a focus on state actors and human rights defence groups;

- **Support for organisations, institutions and human rights defenders** who advocate for state transparency and accountability;

- **Support for legal and institutional frameworks** for effective state regulation and oversight of corporate activity with a focus on human rights compliance.

To increase their positive impact on human rights, **the projects and programmes target in particular**:

- **Capacity-building for public institutions to fulfil their obligations** to account for their actions to the population (for example by enacting charters on the rights of patients and duties of health service providers);

- **Scaling up CSOs** so that they can demand respect for human rights and oversee government policies (for example by promoting community-based media such as citizen radio stations);

- **Increasing empowerment and rights education**, in particular for vulnerable and discriminated persons (for example by including human rights education in teaching and teacher training courses);

- **Promoting participation**, in particular for discriminated groups and organisations defending their interests (especially children and young people, women, persons with disabilities, ethnic minorities, indigenous peoples and sexual minorities), for example by adhering to the principle of free, prior and informed consent with respect to infrastructure works that encroach on indigenous people's land or hinders their access to natural resources;

- **Supporting public institutions so that they can better conduct their oversight and regulatory functions** (for example by promoting groups of water users in poor regions, which systematically assess the availability, quality and accessibility of safe drinking water where it is supplied by private players);

- **Improving complaints and control mechanisms for the population** to make them accessible to particularly disadvantaged social groups (for example by setting up easily accessible low-threshold complaints mechanisms).

Source: BMZ (2011)

actions work to mainstream and ensure compliance with the criteria of availability, accessibility, acceptability and adaptability on an equal footing in access to services such as water, healthcare and education);

• Strengthen **dialogue mechanisms between the state and civil society**, and the inclusion of citizens in governance (decision-making space);

• Improve **the populations' knowledge and understanding of their rights** and the institutional and legal framework. In this approach, vulnerable populations are indirect or direct beneficiaries of the programmes and activities. Their interests and concerns are represented by national or international organisations that speak and act on their behalf to secure them a better life (VeneKlasen, Miller, Clark and Reilly, 2004).

This approach bears **three main risks in terms of popular participation**:

• The messages and demands are developed without the active participation of the vulnerable populations, creating a disconnect with the problems of the vulnerable populations who do not identify with the messages. Ultimately, they gain few benefits from this action;[6]

• The vulnerable populations are reduced to the status of informant to build the advocacy programmes and information campaigns;

• Scale-up of citizen participation is restricted to CSOs specialised in human rights.

This approach also tends to consider popular participation solely through the lens of the formal legal and institutional framework (such as the legal complaint and redress mechanisms). Although the development of the legal and institutional framework protects rights by, "formally enshrining them as State norms, making them binding nationally, and providing a framework for their domestic enforcement," it does not systematically guarantee that practices will evolve (Fraser, 2019).

2.2   The empowerment approach

In this approach, **participation refers essentially to**:

• A process for the definition of strategies for action with, by and for the populations based on the expression of their needs and concerns;

• Dynamic, interactive participatory education and training methods based on the voices and views of vulnerable persons to enable them to make their voices heard in the long run;

• The development of intervention models designed to increase alternative forms of power by embedding vulnerable groups' problems in solutions that use and promote rights;

• Building dynamic learning processes where individuals and communities are associated as protagonists with decision-making to foster the development of agency, including building self-respect, solidarity links, the will to act and a better understanding of the mechanisms and power relations that drive exclusion;

• Support for protest initiatives designed to build critical consciousness and a will to translate popular struggles in political terms;

• Capacity-building for individuals and communities to manage power at micro level (personal, community and organisational).

This approach, based on the reality of people's lives and constraints, focuses on actions that develop critical consciousness, active citizenship and a capacity to act and commit. It entails aligning the efforts made to access rights with people's needs and daily struggles. In this approach, rights are not always the starting point either because their abstract nature prevents people from associating them with their everyday issues or because vulnerable persons are often not aware that they have rights.

This approach involves **two main risks as regards popular participation**:

• Reduction of the impact of the HRBA, in particular the normative force of rights. "Programming methodologies grounded on human rights principles or values alone risk obscuring the relevance and value of concrete human rights standards and obligations, subjugating a human rights-based approach to more readily contestable rhetoric," (Darrow and Tomas, 2005; Sano, 2000);

• A disconnect with states' actual capacities to respond to the interests and concerns of the populations supported. Additional work with states on their capacities and support for dialogue between the state and civil society remain essential activities.

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6. See, for example, the work by Françoise Guillemaut (2006, 2007), Mathidle Darley (2006) and Louise Toupin (2006) who discuss in depth the disconnect between the 'woman as victim' narratives espoused by Western European countries' public policies and abolitionist NGOs regarding the phenomenon of the globalisation of prostitution and the motivations and dynamics found among Eastern European women who take pathways into prostitution, resulting in the ineffectiveness of information campaigns on human trafficking and prostitution in the countries of origin.

BOX 2

The swedish development cooperation agency: supporting the empowerment of vulnerable persons and groups

The **point of departure for Swedish aid is the needs and conditions of individual people living in poverty and under oppression**, not those of states or governments. Swedish aid consequently seeks to contribute towards long-term, concrete results for individual people living in poverty and under oppression. The Swedish development cooperation agency sees this goal as standing a better chance of achievement by working on democracy and human rights. The Swedish development cooperation agency speaks about "the perspective of poor people" and the "rights perspective". This approach conveys **particular 'values' to development cooperation by making the individual central**. It also increases the effectiveness of the development cooperation agency's actions by helping to identify people who are victims of discrimination and power structures that affect the lives of the poor. This approach makes for a better understanding of the living conditions of the poor.

The Swedish development cooperation agency's approach focused on democracy and human rights refers to:

• A **common core of values** based on the international human rights conventions;

• A **clear distribution of responsibilities based on states' duties and individuals' rights**;

• A **process in which participation is a fundamental principle**;

• A **holistic vision of individuals' problems and potential**, as well as society's power relations and power structures, which form the framework within which individuals act alone or as a group;

• An **analytical tool** for facilitate the identification of target groups, their issues, and the power relations and structures.

The Swedish government regards respect for human rights and the right to live a free life as crucial to achieving socially, economically and environmentally sustainable development. Its multidimensional approach to poverty encompasses not only a shortage of material assets but also a lack of power and influence over one's own situation, choices and safety and over respect for human rights. It conceives poverty as multidimensional, as the combined result of the deficiencies and limitations experienced by people who have fallen into poverty, deficiencies which are founded in an inequitable and gender unequal distribution of power, resources and opportunities.

Source: Government of Sweden, 2013; Government of Sweden, 2016a; SIDA, 2001.

2.3   The pragmatic approach

In this approach, **participation refers essentially to**:

• Having better information for more effective and efficient programmes;

• Securing the key populations' ownership of the actions taken;

• Strengthening the credibility, legitimacy, relevance, effectiveness and efficiency of the development programmes/projects by means of consultative processes.

This approach considers that the current aid architecture imposes new requirements in terms of the beneficiary states' accountability. In this context, speaking in terms of rights is a way to increase the accountability of government organisations to their citizens and consequently increase the probability that the policy measures will really be implemented. This approach also extends the notion of responsibility for rights to non-state players (businesses, but also the international community, donors and intergovernmental organisations) and underscores states' extraterritorial responsibilities. Nevertheless, it does risk restricting the HRBA to an instrumental logic by failing to take into account the different changes induced by the HRBA.

In this type of approach, participation focuses essentially on the 'how' to the detriment of the 'why', 'with whom' and 'in what' to have the populations participate. It is typically implemented by a managerial approach to popular participation. There is little or no account taken of the normative value of the processes. Participation is perceived here as a means rather than an end in itself.

The world bank's strategy: an instrumental logic to minimise the risks and maximise the impacts

The World Bank's strategy is based on **environmental and social standards that it requires of borrowing states** in the projects and programmes that it finances. These standards are designed to **support borrowers in their goal to reduce poverty and increase prosperity** in a sustainable manner for the benefit of the environment and their citizens. The standards support the achievement of good international practice relating to environmental and social sustainability, the fulfilment of borrowers' national and international environmental and social obligations, and the enhancement of non-discrimination, transparency, participation, accountability and governance.

Social development and social inclusion form the core of the environmental and social standards. Inclusion is defined as "empowering all people to participate in, and benefit from, the development process." In practical terms, inclusion is achieved through:

• Policies to promote equality and non-discrimination by improving the access of all people to services (education, health, social protection, infrastructure, affordable energy, employment, financial services and productive assets);

• Actions for women, children and persons with disabilities.

At project level, these standards form part of a dual operational logic:

• Avoid or mitigate negative impacts on persons and the environment,

• Maximise 'development gains'.

This dual concern is can be seen at work in standards to:

• **Limit or mitigate adverse impacts to people** and the environment;

• Conserve and rehabilitate biodiversity and natural habitats, and promote the efficient and equitable use of natural resources and ecosystem services;

• Analyse project impacts on climate change at the different stages of the programming cycle (selection, siting, planning, technical design, implementation, etc.);

• Promote worker and community health and safety;

• **Analyse and put in place strategies to counter discrimination** toward project-affected individuals or communities, giving particular consideration to indigenous peoples, minority groups, and those who are disadvantaged or vulnerable;

• **Maximise stakeholder engagement through enhanced participation and accountability** aimed at having an open dialogue with all those who have an interest in a project's outcomes by means of **public consultation, timely and full access to information, and responsive grievance mechanisms**.

Source: World Bank (2017).

2.4 Comparative analysis of operationalisation approaches

APPROACHES	FIELDS OF ACTION	STRENGTHS	WEAKNESSES	CONCEPTION OF PARTICIPATION
Normative	• Support to develop the legal and institutional framework • Government obligations • Rights-holders' capacity to act to increase the accountability of the state	• Based on the legal/legitimate framework • Builds the state's capacities to fulfil its obligations	• Abstract and state-centric • Top-down approach • No consideration of the interconnection of the systems of rights • Concentrates on fulfilling civil and political rights	• Participation associated essentially with political spaces • Transformative participation of the political space via the visibility of CSOs, media, etc. • 'Representative' participation (represented by human rights CSOs and the media) • Need to question the choice of partnerships • 'Technical' participation • Considers popular participation through the lens of the legal and institutional framework • Assumes that the populations have the possibility to take legal action and file complaints
Empowerment	• Citizens' demands and voice • Change to social and political relations via changes to behaviour and practices that perpetuate inequalities	• Overall understanding of inclusion dynamics • Participative and empowering • Rights regarded as catalysts for change • Works explicitly on changing relations • Change incentivising approach	• Disconnect with government capacities • Legal nature of human rights can be spread out	• Participation associated essentially with social spaces • Transformative participation of the individual (means to increase the individual's choices, capacities to act, etc.), resulting in impacts on the social and political spheres • Direct participation of vulnerable populations • Need to develop strategic partnerships to reach the most vulnerable • Need to develop methods and tools to support individual participation
Pragmatic	• Mutual responsibility (including private players) • Increase in probability that the policy measures will be implemented	• Opts for 'realism'	• Limited to the principles contained in 'good programming' approaches • Does not effect 'fundamental change' • Loss of the 'political' dimension	• Participation associated essentially with the political spaces • Participation is not an end, but a means (to improve good governance, etc.) • Top-down participation with an instrumental purpose • Participation not accompanied by capacity-building measures

3. Pointers to improve participation in the HRBAS promoted by the development cooperation agencies

A number of learnings can be drawn to improve the operationalisation of participation in the HRBAs promoted by the development cooperation agencies:

• **Merge the normative and empowerment approaches into one comprehensive strategy.** Where the normative approaches act on the participation environment by putting in place legal and institutional frameworks to enable participation by vulnerable populations in the decisions that concern them, the empowerment approaches give them the means to make this participation active, free and meaningful. The operationalisation of these approaches might call for separate programmes and projects to be put in place, but these two approaches should be combined in a single strategy, which will work on capacity building for community-based organisations, capacity building for public institutions and support for civil society actor advocacy. The merger of these approaches will be facilitated by building strategic partnerships between human rights defence organisations and development players.

• **Develop strategies and programmes that connect and integrate the economic and political forms of citizen action.** The programmes and projects should be grounded in a broad vision of rights, tied in with local justice, equity and social change issues. Individuals and communities take up combats when they consider that the strategies meet urgent and/or everyday needs (Darrow and Tomas, 2005; Piron, 2005; VeneKlasen, Miller, Clark and Reilly, 2004).

• **Clarify the normative foundation of the principle of participation.** The HRBA has the particularity of integrating a rights analysis into a broader understanding and assessment of the problems. The standards on which it is based and the types of rights that it targets influence the forms to be given to participation, its targets and its deliverables. These standards need to be made clear in the strategies to guide the issues that the funded actions are intended to meet.

• **Conceive popular participation as a long-term process.** Participation in the HRBA is a process that is built over the long term. Vulnerable and excluded populations' effective access to their rights extends beyond reform timeframes and entails profound social changes that take time.

• **Systematically take into account and analyse power relations and asymmetries.** It is vital to be able to address the structural causes of the marginalisation of certain groups to first analyse their determinants. Power asymmetries are often rooted in a society's history. Some are visible, but others remain invisible without a thorough understanding of the economic, political, cultural and social relations and identities that underpin them. Anthropological and political science analytical frameworks can help reveal and document them. They hone the targeting of the types of rights involved, the spheres in which to act, the support needs, etc.

• **Clarify the purposes of the changes to be made at the strategic and operational levels.** The HRBA can have different goals (normative, ethical, etc.) with very different operational implications for participation (self-determination, protest or co-decision tool). Clarification of the aims of the targeted changes does more to guide the forms of participation to be adopted and the actors to bring on board.

• **Lift the obstacles to participation.** Obstacles to participatory processes targeting the most vulnerable can be varied, ranging from structural (political, legal, institutional and socioeconomic) to individual and collective (marginalised individuals and groups' actual capacity to act). Real popular participation calls for work simultaneously on the obstacles associated with the different natures and scales of intervention, and on the structures and processes.[7]

• **Work on institutionalising participatory processes and making them an end in themselves.** Participation is not just a means. It is also and above all an end. The institutionalisation of participatory processes in a given society's workings and structure can be delivered on by effective access to legal action or the guaranteed representation of vulnerable groups in the decision-making spaces. More often than not, it is achieved through legislation, but also through support in different areas (including economic and social) to make the practices effective.

• **Scale up the participation of social institutions (religious, customary and cultural actors) in the fulfilment of human rights.** In many settings, legislation often fails to be enforced, particularly when it contradicts cultural practices or standards. It is therefore vital for a standard to take into account cultural particularities. Social institutions and customary standards can increase support for human rights due to their legitimacy in a community; their capacity to harness and channel resources; their capacity to make or show rights to be culturally compatible; and their capacity to foster respect for the rules. The participation of social institutions in the dissemination and promotion of practices respectful of human rights

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7. See Sepúlveda Carmona M. and Donald K. (2014) for an example of an analysis of the obstacles to an HRBA.

promotes bottom-up change based on local practices and dynamics. This implies the identification and documentation of pre-existing local practices as a starting point for the advocacy of interpretations compliant with human rights. While these approaches remain within the framework of international law, they avoid legalism and state centralism in the operationalisation of human rights as well as the rejection of human rights that might be regarded as foreign impositions (Fraser, 2019).

• **Hone the understanding of 'vulnerable populations'.** Programmes and projects need to transcend the tendency to see vulnerable populations as homogeneous to understand how their vulnerability is generally constructed in the light of multiple factors (power relations and economic, social, political, environmental, security and cultural dimensions). Thinking on values and identities forms a starting point to develop more inclusive groups (VeneKlasen, Miller, Clark and Reilly, 2004). Key steps in this are understanding the motivations to participate and matching participatory processes with people's capacities and resources.

• **Support actor collaboration and networking.** Collaboration between the CSOs, the private sector and the public sector should foster the promotion of participation by vulnerable persons in public and private sector organisations and foster support for civil society dialogue platforms to raise their potential for collaboration with the private and public sectors.

• **Transcend a technical visions of capacity-building to build citizens' capacities.** Capacity-building needs to go further than technical skills to include building critical consciousness and a capacity and will to act, which will include: knowledge and understanding of the legal instruments and mechanisms; self-respect and the feeling of legitimacy as a stakeholder in the decision-making processes; the capacity to face up to and handle conflict; building resource access and control capacities; building capacities to organise collectively, developing leadership; the transparency of the processes, putting in place participatory processes in the CSOs; engagement with state institutions and businesses and the related resources; analysis of the power relations and the underlying causes of a problem.

Part 3

Focus on the methods and tools used in support of the HRBA integration approaches

This last part presents the mechanisms and tools put in place by the development cooperation agencies that have adopted an HRBA to integrate and support the implementation of the principle of participation in their development cooperation strategies. Following a review of the general integration trends, it details the learnings drawn from the experience of the development cooperation agencies studied in terms of strategic, operational and management tools. It also makes recommendations for the French development cooperation.

1. The main features of HRBA integration

1.1 Four HRBA integration approaches

The development cooperation agencies studied use four HRBA integration approaches.[8] These approaches condition the types of tools produced and used, as they determine the place and role assigned to the HRBA in development cooperation.

• **Holistic integration**, which influences and feeds into all the mechanisms and tools based on which the international organisations take their action (strategy papers, financial instruments and their conditionalities, programmes, dialogue with governments and implementing partners, etc.). The HRBA becomes the underlying justification for the interventions. It assumes quite a high level of maturity and internal ownership of the concept of participation as well as the creation of a real participation culture. It entails aligning sector, geographic and partnership strategies with the HRBA angle. It uses strategic, operational and managerial tools that institutionalise the approach throughout the organisation of the development cooperation agency and each of its

constituent actors/agencies. It extends to putting in place knowledge management and production systems to capitalise on practices and feed into the overall strategic steering and steering by each of the agencies.

• **Instrumental integration**, which prioritises the production of operational tools for the programmes and projects (evaluation grid, list of indicators and checks, etc.). Without a well-defined strategic framework or common operational benchmarks to assist each operation, the instruments can contribute to the eventual institutionalisation of the approaches, but cannot do so alone.

• **Normative integration**, which prioritises the production of a set of normative principles for the strategic frameworks and goals (strategic policy paper and budget programming) to guide how development is conducted. These principles are not necessarily replicated in generic grant management tools. Implementation of HRBA in programmes and projects is not obligatory and there is no specific operational toolbox for it in the development cooperation agencies' organisation. It can give rise to specific programmes and projects, but they are not systematic or coordinated at the level of the development cooperation agency and its implementing agencies.

• **Programmatic implementation**, which targets putting in place specific human rights projects or integrating human rights components into programmes and projects. Here, human rights are therefore more a component of the actions than a structural approach to the actions taken.

1.2 Five main challenges to be taken up

The comparative analysis of the trajectories of the development cooperation agencies studied brings to light five main challenges to be taken up to integrate the HRBA and operationalise the principle of participation:

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8. Based on the classification developed by Cornwall and Nyamu-Musembi (2004).

• **Create an overall framework defining a clear strategic horizon shared by all the actors**. This framework needs to be defined collectively by all the actors concerned by implementation. It is not limited to standardised tools and mechanisms to be applied in all contexts, but formulates a shared vision of the issues and purposes of participation in states' development cooperation policies. These are frameworks that are often developed within dialogues and processes that can involve external partners, including civil society. They are meant to shape the goals, the target audience, the forms and scales of action, the types of partnership to be forged, and geographic coverage.

• **Combine different types of strategic, operational and managerial tools**. Experience has shown that the formulation of a strategic framework, even shared and developed collectively, is not enough to guarantee the operationalisation of the HRBA and its principle of participation. A certain number of strategic, operational and managerial methods and tools need to be put in place to effectively operationalise participation and the HRBA in general. And where it is vital to put in place operational procedures and guidelines across the entire production cycle, it is equally important to have staff support and capacity building mechanisms to firmly secure capacities and underpin the understanding and implementation of the necessarily concise operational tools. The complementarity of the implementation of these tools serves to overcome institutional resistance, meet service support needs and ground the operationalisation of the HRBA and the principle of participation in learning.

• **Put in place impact measurement and capitalisation at the level of development cooperation and its different agencies.** It is rare to find an in-depth measurement of the impact of a development cooperation policy in terms of the HRBA, the concept of participation and its actual effects on the capacity of the marginalised groups and populations to take part in decisions that concern them in an active, free and meaningful manner. At best, the development cooperation include measurements of government accountability. However, identification of the effects of participatory processes on the empowerment of vulnerable populations remains partial and there are no shared tools to conduct this task at the level of all development cooperation agencies.

• **Tie in the HRBA and the principle of participation with the other cross-cutting issues.** The HRBA is often just one of the many cross-cutting approaches to be integrated into and implemented by the programmes and projects. It is therefore vital for the tools developed to be defined in connection with, if not as part of the methods and tools common to all these approaches. The methods and tools must remain general and provide guidance and guidelines.

• **Produce simple tools on good practices.** All the development cooperation agencies stress the importance of producing simple tools to make the HRBA and the principle of participation understandable and concrete.

Ideally, these tools should be developed based on a need expressed by the development cooperation agency's staff. In any event, it is important not to complicate the HRBA with a theoretical approach, but to use practical cases and regular feedback to make the approach familiar.

2. Methods and strategic tools

2.1 Advances and good practices

Define a structural framework for participation in the strategy papers

The experiences of the development cooperation agencies studied show that defining the principle of participation in their strategy papers and frameworks facilitates:

• The development of a common definition of the concept of participation in the development cooperation agency (participation as a right, participation as a means, participation as an end in itself, etc.);

• The establishment of a common policy framework to facilitate its replication in more sectoral and geographic strategies;

• Dialogue with national counterparts and national and international partners to the funded programmes and projects, by making participation compulsory for their formulation and implementation.

This definition establishes a structural framework and clarifies the development cooperation agency's vision (purposes, targets and approaches). The clearer and more qualified the vision, the clearer the changes expected both for the staff in charge of appraising and monitoring funds and projects and the partners in charge of their implementation, irrespective of the sector in which they work.

The following boxes present a brief outline of the institutional framing employed by the development cooperation agencies.

BOX 4

The swiss development coooperation agency's general strategic framing of the principle of participation

The Swiss development cooperation agency's response to inequalities is first and foremost institutional. Participation is defined hand in hand with empowerment as, "empower[ing] people to participate fully in decision-making processes that affect their lives – and to build[ing] the capacity of state institutions to meet their obligations." The HRBA strategy papers (SDC, 2019; SDC, 2006) state that:

• The empowerment of vulnerable rights-holders and their active, free and meaningful participation in development processes must **ensure that no one is left behind**. Education programmes are an important part of empowering vulnerable rights-holders. Key to empowerment is human rights-based and civic education.

• SDC pays **specific attention to root causes, discriminatory norms and practices** that exclude people on the basis of their sex and gender.

• **Vulnerable groups are at the centre of SDC's interventions.** Vulnerability to human rights violation can be multi-faceted and shifting and can involve multiple layers of

vulnerability. Invariably, it means exclusion from power and commonly poverty.

• **Groups and individuals that are vulnerable in human rights terms cannot be defined solely by that vulnerability.** They can also be positive drivers of societal change, economic growth, empowerment, etc.

• The HRBA focus on process, **participation and accountability means governance and the HRBA are closely connected**.

• Human beings (not only citizens) are **"holders" of human rights**, individually and in certain contexts as groups. Thus, the HRBA addresses them not just as beneficiaries of development assistance, but as **recipients of services that are theirs – as of right**.

• They **must (as of right) be aware and empowered to advocate for respect, protection and fulfilment of their rights**. Enhancing this capacity, through empowered participation in development, is intrinsic to the HRBA.

• **Civil society actors, faith and community-based organisations, human rights defenders and media are key representatives of rights-holders.** Central in this regard are awareness raising, education and defence of rights; advocacy; supporting individuals and vulnerable groups in accessing justice, in participating in decision-making processes, and in holding duty-bearers accountable.

Further reading: SDC (2019, 2006).

BOX 5

UNDP's strategic framing of the principle of participation

UNDP adopted social and environmental standards in 2014 (UNDP, 2014). These standards integrate human rights in a cross-cutting way. On the subject of the principle of participation, these standards state that:

• UNDP programmes and projects **empower** individuals and groups, **particularly the most marginalized, to realise their rights and to ensure that they fully participate throughout UNDP's programming cycle**.

• UNDP programmes and projects will ensure that both women and men are **able to participate meaningfully and equitably**, have **equitable access to programme and project resources**, and **receive comparable social and economic benefits**.

• **Specific provisions** guarantee the **equal participation of women and men**, respect for the free, informed consent of **indigenous peoples**, and the right to **cultural participation**.

• UNDP is committed to ensuring **meaningful, effective and informed participation of stakeholders** in the formulation and implementation of its programmes and projects. Stakeholder engagement is an ongoing process that may involve: stakeholder analysis and planning, disclosure and dissemination of information, consultation and meaningful participation, dispute resolution and grievance redress, ongoing reporting to affected communities and stakeholders, and inclusion of stakeholders in monitoring and evaluation. Stakeholder analysis and engagement will be conducted in a gender-responsive, culturally sensitive, non-discriminatory and inclusive manner, ensuring that potentially affected vulnerable and marginalized groups are identified and provided opportunities to participate.

• Meaningful, effective and informed stakeholder engagement and participation will be undertaken that will seek to **build and maintain over time a constructive relationship with stakeholders**, with the purpose of avoiding or mitigating any potential risks in a timely manner. The scale and frequency of the engagement will reflect the nature of the activity, the magnitude of potential risks and adverse impacts, and concerns raised by affected communities.

• **Meaningful, effective and informed consultation processes** in UNDP programmes and projects will seek to identify priorities of stakeholders and will provide them with opportunities to express their views at all points in the programme and/or project decision-making process on matters that affect them and allows the programme and/or project teams to consider and respond to them. Topics the stakeholders will be able to express their views on will include:

programme and/or project goals and strategies; social and environmental risks and impacts; proposed mitigation measures; sharing of development benefits and opportunities; and implementation issues.

• **The characteristics of meaningful, effective and informed consultation processes** are: free of manipulation; gender and age-inclusive and responsive; culturally appropriate; based on prior and timely disclosure of accessible, understandable, relevant and adequate information; initiated early in the programme and/or project design process, continued iteratively throughout the programme and project life cycle, and adjusted as risks and impacts arise; addresses social and environmental risks and adverse impacts, and the proposed measures and actions to address these; seeks to empower stakeholders, particularly marginalized groups; and consistency with the States' duties and obligations.

• **Stakeholder engagement plans** will be developed for all programmes and projects.

• **Grievance and response mechanisms** will be put in place: possibility for stakeholders who may be adversely affected by a UNDP Project to communicate their concerns about the social and environmental performance of the project; availability, when necessary, of an effective project-level grievance mechanism; and availability of a stakeholder response mechanism. These mechanisms are free, transparent, culturally appropriate and rights-compatible. They will address grievances through dialogue.

• **Information disclosure mechanisms** will be provided to help affected communities and other stakeholders understand the opportunities, risks and impacts of the proposed activities. Engagement plans, screening reports, project documentation, all social and environmental assessment and monitoring reports, and management plans will be disclosed, available and accessible.

• For projects with potentially significant risks and impacts, UNDP will ensure that periodic reports describing progress with implementation of project management and action plans, and the consultation process or grievance mechanism are provided to the affected communities. Any material changes or additions to the mitigation measures or actions plans will be communicated to affected communities.

• **Monitoring activities should involve direct participation of affected stakeholders**, in particular for projects with potentially significant adverse risks and impacts. Monitoring activities should use participatory tools that include target group narratives, especially women's narratives

Further reading: UNDP (2014).

BOX 6

The swedish development cooperation agency's general strategic framing of the principle of participation

The Swedish development cooperation agency's HRBA is based on the principle of the equal rights and equal value of all people. It implies that **people are rendered visible and placed at the centre of development cooperation**. The series of general policy frameworks (Government of Sweden, 2003; Government of Sweden, 2013; Government of Sweden, 2016a) state that:

- **The point of departure for Swedish aid is the needs and conditions of individual people living in poverty and under oppression**, not those of states or governments. Swedish aid seeks to contribute towards long-term, concrete results for individual people living in poverty and under oppression.

- **Participation is a cornerstone of democracy and a prerequisite for strengthening the empowerment of the poor** to enable them to improve their lives.

- **Everyone must have the chance to participate, have a voice and be respected** in efforts to eradicate poverty, regardless of their social position, gender, gender identity or expression, age, disability, ethnicity, religion or other belief, or sexual orientation. A starting point is to strengthen participation in democratic political processes.

- As the roots of poverty are often based on power imbalances, it is important to **strengthen the participation of poor individuals in political, economic and social affairs** and hence **enable the poor themselves and their legitimate representatives to take an active part in decision-making**. This often involves **shifting the balance of power** between the government and the people and between individuals themselves to eventually bring about a more inclusive and egalitarian society.

- The following elements are regarded as **essential to ensure the participation of all: a participatory democratic culture** in which citizens are aware of their rights and are free to exercise them; the **right to free and independent information; decision-maker openness and transparency; the rule of law and good governance, education and access to information**, and a **division of power and responsibilities among democratic institutions**.

- Aid also has an important role to play in **promoting the possibility for individuals to participate in the economy by addressing the obstacles encountered by people living in poverty**: lack of access to good-quality education; lack of access to natural resources and nutritious food; lack of decent work; lack of social protection; work for the most part in the informal economy; lack of inclusion in local, national and international markets; and lack of research to free themselves from aid dependency.

- Swedish aid must specifically work to **strengthen women's political participation and influence**, education, women's economic empowerment and working conditions, and to **promote the organisation of young people and their meaningful participation in decision-making**.

- Sweden moreover promotes integrated water resources management that contributes to people in poverty and marginalised groups being able to participate and hold the authorities to account in planning, decision-making and implementation.

Further reading: Government of Sweden (2016a, 2013, 2003).

Mainstreaming participation and the HRBA in sector-based and regional strategies

The experience of the development cooperation agencies studied shows that it is essential to mainstream the principle of participation and the HRBA in sectoral and regional strategies if they are to be effectively integrated in the programmes and projects. This incorporation details the issues specific to the given context or sector. Mainstreaming is especially important for cooperation development agencies adopting a good governance approach, since the incorporation of the HRBA into sectors other than justice, the rule of law and democracy represents a real challenge for certain donor countries in the face of the weight of technical or financial visions in the formulation of priorities and concerns.
The following box outlines the strategic replication of the principle of participation in the Swiss development cooperation agency's water strategy.

The swiss development cooperation agency's water strategy

The Swiss Agency for Development and Cooperation's 2017-2020 water strategy fully integrates the HRBA. Its main objectives are hence to:

• Support the implementation of the human rights resolutions on water;

• Promote water diplomacy based on the global universal conventions on transboundary waters.

The strategy sets four priorities, including the principle of participation seen at work in:

• Support to organisations for advocacy for the recognition of a right to water in international bodies;

• Improving governance from local to international level, calling for particular attention to the needs and rights of the most vulnerable who have no or limited access to safe drinking water and sanitation or who risk not having sufficient access to safe drinking water in the future.

Further reading: SDC (2017).

Building the different strategic levels with the players concerned

The formulation of the different layers of strategic vision for participation and the HRBA has a greater chance of being relevant and effective if the development cooperation agency has associated all the stakeholders, whether internal (all the agencies in charge of funding and project appraisal and monitoring) or external (national project managers, implementing agencies, representatives of vulnerable groups, etc.).

Some development cooperation agencies have set up mechanisms and spaces to ensure that the populations' voices and interests are properly factored into the formulation of the strategic visions in order to incorporate their concerns and priorities into the goals and operating methods.

A long-term vision

Given that popular participation, especially by the most vulnerable, involves changes to societal models and choices in many settings, intervention strategies need to take a long-term vision. Some development cooperation agencies therefore secure funding for multiannual programming.

Setting up dialogue forums between the swedish cooperation and civil society

The Swedish International Development Cooperation Agency holds regular dialogue fora with civil society to improve the relevance of their policies, foster trust, improve accountability, help identify common ground for collaboration and promote opportunities for learning and exchange.

These dialogues are conducted by means of consultations organised as follows:

• The objectives of the consultations are defined;

• The CSOs are informed far enough upstream of the consultation and its objectives so that they can prepare for it;

• Follow-up is ensured by feedback to the CSOs;

• the impact of the CSOs' contribution is communicated to make the process credible and maintain CSO interest in participating in the consultations.

Further reading: SIDA (2019).

Example of swiss strategic programming

The Swiss development cooperation agency establishes its budget programming for four-year periods embedded in ten- to fifteen-year programming periods (OECD, 2019b). Target outcomes and changes, lead hypotheses, risks and implementing partners are detailed in strategy papers. Programme implementation is flexible enough at the country and project levels to adapt to evolving needs and focus on achieving long-term results.

Setting up dedicated funding tools with due diligence

Participation in the HRBA requires the most vulnerable to be direct or indirect targets of the programmes and projects. However, the experience of the development cooperation agencies shows that such participation is complicated to set up in many ways, including due to institutional resistance at different levels and the weakness of associative structures at making their voices heard. Some development cooperation agencies have therefore set up budget oversight and appropriation tools to ensure that vulnerable groups are effectively targeted by the aid. This guarantees a framework at institutional level that fosters work with these groups.

BOX 10

Dedicated funding streams to support the most vulnerable

In 2018, the Norwegian development cooperation agency created a budget line item to secure support to vulnerable groups. This line item targets in particular persons who are victims of modern slavery, persons with disabilities and persons at risk of infection by the human immunodeficiency virus (HIV) and AIDS.

Building strategic partnerships with csos based on funding tools geared to their particularities and constraints

The experience of the development cooperation agencies shows that CSOs are key actors in strengthening popular participation, especially by the most vulnerable. CSOs have developed the expertise and legitimacy to make the most vulnerable voices heard, work on building their capacity to influence strategic decisions, participate in their formulation, etc. For the development cooperation agencies that have adopted an HRBA, the CSOs have made the transition from a service provider role to strategic partners to achieve the goals and purposes of the HRBA (particularly representing the voices and interests of the most vulnerable, empowering them and increasing government accountability).[9] In certain contexts where government structures are weak and/or violate human rights, the majority of aid may channel through the CSOs.

Partnerships need to:
• Be geared to the type of organisation (international, regional, national or local) and the interests that the organisation represents;

• Reflect the diversity of the civil society actors: religious organisations, unions, business associations and cooperatives, community-based organisations, farmer associations, local sports groups, NGOs and international non-governmental organisations (INGOs), credit institutions, human rights defence organisations and human rights defenders, the media and networks.

Nevertheless, the development of strategic partnerships with the CSOs calls for a number of precautions, including:

• A good understanding of the context and the power relations between players, within the associative fabric in particular, to prevent creating competition;

• Forging a relationship of trust through long-term work;

• Building specific financial tools incorporating adapted procedures and management of the risks associated with the environment in which these organisations work;

• Integrating components to strengthen their structure, organisation and leadership;

• Interfacing the levels to ensure the representation of these actors, particularly in high-level bodies.

The development cooperation agencies set up different funding tools to support these plural actors:

• Programme partnership agreements with INGOs, which often include cascading funding to local CSOs. These funds tend to be concentrated among well-established INGOs capable of absorbing large sums.

• Support funds for local civil society to support capacity-building initiatives for vulnerable persons to understand and exercise their rights, support citizen watch initiatives, diversity collaborations with CSOs, build up the local associative fabric, build the capacities of Southern CSOs, etc.;

• CSO financing for programme and project implementation to ensure that vulnerable groups are adequately factored in;

• Core funding not allocated to local CSOs to support their initiatives and to specialised human rights NGOs.

To institutionally embed the changes in their partnership relations, some development cooperation agencies have published guidelines to clarify in-house and externally the bases of their partnership with civil society.

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9. For example, 26.6% of Norwegian bilateral official development assistance (ODA) channels through CSOs (OECD, 2019a) and 33.7% of Swiss bilateral ODA is channelled to or through CSOs (OECD, 2019b).

BOX 11

Gearing intervention mechanisms and principles to the csos

For SIDA, support to civil society is based on the fact that **a strong, independent civil society is an essential part of a democratic society, and is key to inclusive and sustainable development**. It is always essential to finance CSOs with respect for their initiatives, their independence and their role, and to avoid reducing them to service providers. The purpose of support is to build CSOs' capacities to contribute to sustainable development and poverty reduction, and to promote a CSO-enabling environment in developing countries. This is seen at work in support for organisational development, for capacity-building activities for rights-holders, for advocacy actions, for assistance to improve populations' living conditions, to scale up collaboration within civil society and between civil society and the other players, etc.

SIDA draws on **a range of intervention mechanisms and principles** to support civil societies:

- It **prefers direct grant-making to calls for proposals**, considering that calls for proposals risk supporting only already well-funded professional CSOs; that calls for proposals prompt CSOs to align with donor priorities; and that calls generate competition rather than cooperation. Calls for proposals are only favoured where the services of CSOs are sought to implement donor-defined programmes.

- It **disburses a large part of its bilateral aid through the intermediary of INGOs by means of multiannual framework agreements** with 15 Swedish INGOs to enable them to fund their own programme priorities in keeping with general guidelines established by SIDA (more than one framework agreement can be signed with one INGO depending on the strategic priorities concerned). These INGOs then provide support to a wide range of local and national organisations, small and large, by means of support funds and strategic partnerships.

- **Partners are selected once their suitability for the development cooperation agency's policies and strategies has been appraised**. CSOs must focus their actions on the development of opportunities for people living in poverty and under oppression to improve their living conditions and do so based on the perspectives of people living in poverty and a human rights based approach. SIDA regularly reviews the national context and updates the theory of change to ensure that support to CSOs remains relevant and effective.

- In addition, it provides **funds to local CSOs by developing flexible financing**. SIDA has put in place a number of initiatives to manage flexible funding:

  – The *Doing Development Differently* initiative, which uses rapid cycles of planning, action, reflection and revision and manages risks by making 'small bets', where activities with promise are pursued and others are dropped;

  – *Thinking and Working Politically*, which is a network launched by development cooperation agencies, practitioners and researchers in November 2013. This initiative, supported by SIDA, advocates for fundamental changes to the way development assis¬tance is conceived and implemented. The aim is to help better understand that polit¬ical factors are usually much more important in determin¬ing developmental impact than the scale of aid funding or the technical quality of programming. Political engagement is seen as an iterative and adaptive approach that is relevant programmatically, and for broader development policy objectives;

  – Core funding to smaller CSOs, traditional forms of civic association and new civic players.

Further reading: Government of Sweden (2016b), SIDA (2019.

BOX 12

Adopting guidelines to institutionalise partnership relations

In 2018, NORAD adopted guiding principles for CSOs to "translate into results" its "plans and visions". This guide:

- Defines NORAD's role for civil society: civil society plays a key role in monitoring and holding authorities accountable, in challenging power structures, setting the agenda and developing policy, and bringing people together around a common agenda to exert influence for a democratic society.

- Defines the objectives of NORAD's support to civil society: democratisation, poverty eradication, human rights and sustainable development.

- Defines what civil society represents within NORAD: as an arena where people come together to promote interests and needs on behalf of themselves and others, challenge power-holders, and influence political debates. Civil society includes formally registered organisations, informal grassroots organisations, and social movements.

- Identifies seven guiding principles to guide its partnerships with civil society: sustainability, inclusion, partnership, legitimacy, accountability, cost effectiveness and context sensitivity.

- Each of these principles is explicitly defined, with examples of action that NORAD may fund. Each principle concludes with NORAD's commitments to implement these principles.

• Participation is a cross-cutting element of these principles. Many examples of practices concern the HRBA principle of participation (such as open up spaces for voices that are not typically heard; bring the voices of people and their movements to the media and public sphere; advocate for free, prior and informed consent for indigenous populations; work and form alliances with representatives of marginalised and excluded groups on issues and programmes that affect their lives; focus on solving problems and achieving results that are locally relevant, and which have been defined and refined by local communities in an ongoing process; ensure that partners and populations have a place around the table when decisions that concern them are made; collect and share relevant information that supports informed decision-making; and base all initiatives on solid contextual analyses,

focusing on gender, power structures, inequality, discrimination and lack of inclusion).

• Many of NORAD's commitments also concern the principle of participation (such as take a broad and contextual view on legitimacy as an element of civil society partner identification; support a diverse and resilient civil society globally and within countries; challenge operating models that result in resources flowing to a small number of powerful actors; challenge organisations' governance structures and favour actors that promote an equal power balance within their own organisation and partnerships; and publish information regarding decision-making linked to grants and civil society initiatives supported by NORAD).

Further reading: NORAD (2018).

BOX 13

Guiding principles for SIDA's engagement with and support to civil society

In 2016, the Swedish government adopted a **strategy for support to civil society organisations** for the period 2016-2022 and, in 2019, SIDA published **guiding principles to assist SIDA staff to engage with and support civil society in more effective ways**. These guidelines address topics such as the overall design of civil society portfolios, selection of partners and funding modalities, methods to follow up support to CSOs and how to engage in donor-CSO dialogues. They intend to facilitate the planning, implementation and follow-up of Swedish development cooperation strategies within a context of shrinking civil society space.

The guidelines are subdivided into five guiding principles:

• SIDA should explore the various roles of civil society within their context;

• SIDA should strive to support civil society in its own right;

• SIDA should provide aid- and development-effective support to civil society partners;

• SIDA should support civil society partners' efforts to strengthen their own development effectiveness, including their transparency and accountability;

• SIDA should engage in continuous dialogue with civil society.

Each principle contains a part on why the principle is important and a part on how to put the principle into action based on good practices..

Illustration of the principle that "SIDA should strive to support civil society in its own right":

• Why this principle is important: Despite many donors' commitments to a vibrant and robust pluralistic and independent civil society in developing countries, most of them fund CSOs for them to produce donor-defined deliverables. Donors should strive to strike a balance between working towards their own policy goals and respecting the independent role of CSOs. In addition, Support is provided predominantly through donor country CSOs. SIDA wants to support civil society in its own right, that is, support a pluralistic and rights-based civil society as an objective in itself in addition to supporting individual CSOs with respect for their independence and right of initiative. Supporting civil society as an objective in itself is a requirement since a strong, independent civil society is an essential part of a democratic society, and is key to inclusive and sustainable development. Civil society can provide services and give a voice to people who are poor and marginalized. It can balance and monitor the powers of the public and private sectors. Support civil society with respect for its independence is a requirement since support to CSOs as service providers creates a plethora of consultancy-oriented CSOs bidding for projects with agendas set by donors. This can undermine the credibility of CSOs, reduce the scope of their mandates and make it difficult for CSOs to engage in longer-term planning.

• How to put this principle into action:

– Apply a strategic, overarching approach towards supporting the civil society sector systemically (for example, in the case of funding for individual organisations delivering sector-specific results, accompany this funding with funding to a programme with the broader objective to foster a pluralistic and human-rights based civil society);

– Support a variety of CSOs working with poverty eradication from a human rights-based approach. The

objective of promoting a vital and pluralistic society does not justify the funding of any civil society actor for any kind of activity. SIDA prioritises CSOs that focus on opportunities for people living in poverty and under oppression to improve their living conditions and do so based on the perspectives of people living in poverty and a human rights-based approach. SIDA provides support for both the CSO's activities and its organisational development.

– Coordinate with other donors for larger outreach: coordination encompasses support to all legitimate actors. These actors need to be defined on the basis of a power analysis.

Further reading: SIDA (2019).

Developing strategic partnerships with research players

Research players have a key role to play in testing innovative strategies that link rights with development, integrate rights into the field of social justice, contextualise the citizenship and democratic governance issues, develop participatory human rights-based empowerment strategies, and develop monitoring and evaluation methods geared to monitoring social and political change.

These partnerships serve to inform cooperation actors of strategic and operational issues, and in particular to:

• Feed into new strategies and interventions based on experience on the ground;

• Explore how to operationalise the participation and empowerment of the poor and the types of participatory processes to be put in place to increase government accountability;

• Develop new methodologies to be incorporated into the programmes.

The following boxes outline the partnerships that the UK's Department for International Development (DFID) has forged with research players to inform its strategies and operations with respect to the principles of participation and empowerment.

Innovative partnerships to explore the links between citizenship, participation and accountability

The participation and empowerment of the poor was one of DFID's major challenges for its operationalisation of the HRBA. The development cooperation agency **set up innovative research activities with a variety of research institutes. It drew on national programmes' experiences on the ground to inform new strategies and interventions** in areas prioritising the participation and empowerment of the poor: voice, participation and accountability; making budgets transparent and participatory; analysis of the relations between rights, poverty, growth and inequality; new participatory tools (participatory rights assessment methodologies), and research on human rights and citizenship to steer the future direction of the strategy and the programme.

From 2001 to 2005, DFIID sponsored the Institute of Development Studies' Development Research Centre on Citizenship, Participation and Accountability (£2.5 million). This partnership supported research into building new forms to citizenship to make rights real for vulnerable persons. The research focus was to understand vulnerable persons' perceptions of these issues and analyse suitable mechanisms to make their voices heard. The programmes combined research, capacity building, and the production and dissemination of research. They were conducted with research institutions worldwide working with teams of researchers, NGO networks and independent think tanks.

The programmes focused on:

• How vulnerable groups can use government, business and civil society accountability mechanisms to realise their rights;

• Representation in instituted participatory arenas;

• How citizens can influence and monitor knowledge on the science, thereby building their capacities to participate.

DFID funded the *Overseas Development Institute* to conduct a series of studies focusing on participation: *To Claim our Rights* (Moser and Norton, 2001); *What's Behind the Budget? Politics, Rights and Accountability in the Budget Process* (Norton and Elson, 2002).

Innovating with the development of participatory rights assessment methodologies

The Participatory Rights Assessment Methodologies (PRAMs) project was designed to **respond to the challenge of putting DFID's HRBA into practice**.

The PRAMs project aimed to **create the institutional change necessary to ensure participation, inclusion and the obligation for all human rights for all people**. The project was managed by the Centre for Development Studies at the University of Swansea. Phase I of the project was piloted in four countries (Malawi, Peru, Romania and Zambia). Phase II concentred on Malawi and Peru. The PRAMs project:

• Tested and adjusted measures based the strengths and weaknesses of the measures in place;

• Identified key elements to put the HRBA into practice in a participatory manner;

• Identified the value that the HRBA adds and the adjustments required to the programmes and projects, particularly from the point of view of the principle of participation;

• Developed guidelines and tools to be used across the board.

Further reading: Blackburn J., Brocklesby M A., Crawford S. and Holland J. (2005)..

Formalising a holistic framework for participation detailing the ways and means of putting participation into practice at different stages

Experience has shown that the actual ways of putting popular participation into practice at the different stages of the programmes and projects cover a wide range of different practices depending on the development cooperation agency's staff and implementing partners, to the detriment of the inclusion and effective participation of the populations. These differences are not always justified by a different context or intervention sector, but rather by the meaning and practical reach given to the principle of participation.
To remedy this situation and ensure that stakeholders can effectively participate at the different stages of the programme and project management cycle, the UNDP has defined an overarching framework for stakeholder participation in programmes and projects. This framework:

• Defines minimal criteria to ensure that populations effectively participate at the different stages of the programmes and projects;

• Qualifies "free and informed" participation at each stage.

2.2 Some limitations

A lack of clarity between the HRBA and human rights

The distinction between the HRBA and the integration of human rights via sector-based human rights strategies is often unclear. These two human rights integration methods have different premises and implications. Rights in sector-based human rights strategies are often concentrated on sub-groups of rights-holders (children, women, persons with disabilities, indigenous peoples, etc.). The human rights objectives are defined a priori. The HRBA, however, is based on an analysis of the context to determine the areas in which progress with human rights is needed (Piron and O'Neil, 2005; OECD/WB, 2013; D'Hollander, Marx and Wouters, 2014). It takes a more holistic view of the integration of human rights in development cooperation actions, based on a theory of change guided by rights (D'Hollander, Marx and Wouters, 2014). The focus on particular groups implies the risk of a tendency to see these groups as homogeneous without looking for the vulnerable individuals and communities within these categories. This then entails a risk of underpinning power imbalances within these groups, thereby restricting the participation of the most vulnerable (Crawford and Würth, 2007).

BOX 16

UNDP's stakeholder engagement plan

UNDP has formalised a framework to define the objectives and ways and means of operationalising stakeholder participation. It is called the Stakeholder Engagement Plan.

This procedure is detailed in a handbook rounded out by an online toolkit containing stakeholder engagement tools.[10]

Stakeholders are persons, groups, or institutions with an interest in the project or the ability to influence the project outcomes, either positively or negatively. Stakeholders may be directly or indirectly affected by the project.

The objectives of stakeholder participation are to:

• Identify stakeholders' priorities and provide them with opportunities to express their views at all points in the programme and/or project decision-making process on matters that may affect them;

• Provide a feedback and monitoring mechanism to ensure the project is achieving its intended results, and identify potential unintended consequences;

• Learn from and incorporate local knowledge to improve project design in order to avoid and mitigate project-related risks and impacts;

• Allow the project teams to consider and respond to these views.

The topics on which stakeholders can express their views are:

• Programme and/or project goals and strategies;

• Social and environmental risks and impacts;

• Proposed mitigation measures;

• Sharing of development benefits and opportunities;

• And implementation issues.

The implementation methods are:

• Stakeholder consultation at the design phase (with disclosure of reports, etc.);

• Formalisation of a stakeholder analysis and planning plan at the formulation phase;

• Disclosure and dissemination of information throughout the project (screening reports, monitoring reports, etc.);

• Stakeholder involvement in monitoring and evaluation;

• Dispute resolution and grievance redress.

The consultation processes must possess the following characteristics:

• Free of external manipulation, interference, coercion, and intimidation;

• Gender and age-inclusive and responsive;

• Culturally appropriate and tailored to the language preferences and decision-making processes of each identified stakeholder group;

• Based on prior and timely disclosure of accessible, understandable, relevant and adequate information;

• Address social and environmental risks and adverse impacts, and the proposed measures and actions to address these;

• Seek to empower stakeholders, particularly marginalized groups;

• Enable the incorporation of all relevant views of affected people and other stakeholders into the decision-making processes.

Consultations must:

• Be initiated early in the design process;

• Continued throughout the project life cycle to reflect the nature of the activity, the magnitude of potential risks and adverse impacts, and concerns raised by affected communities.

Some examples of available tools:

• Mandate to plan and facilitate stakeholder engagement in a development project;

• Consultation process planning model;

• Stakeholder analysis and consultation plan;

• Engagement plan;

• Evaluation chart;

• Grievance mechanisms;

• Report summarising the consultation process.

Further reading: https://info.undp.org/sites/bpps/SES_Toolkit/default.aspx

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10. https://info.undp.org/sites/bpps/SES_Toolkit/default.aspx.

A principle of participation partially linked to human rights standards

Sector-based and country strategies partially take up the HRBA due to either a lack of understanding of its implications, a lack of expertise to be able to operationalise it or reluctance to integrate it. Development cooperation agencies that have conducted evaluations of the integration of the HRBA observe that although their agencies often partially integrate the HRBA, they incorporate the principles of participation and non-discrimination into their work. Nevertheless, without a structural framework, this integration is rarely conducted with reference to international human rights standards. For want of this normative framework, participation is not understood as a change in terms of human rights. This is ultimately tantamount to omitting the very essence of the HRBA: the empowering nature of human rights (Kenny, 2013).

Incomplete strategic frameworks in terms of the implications of the principle of participaton for the development cooperation agencies

Of all the development cooperation agencies studied, only UNDP has a structural framework applicable to the different stages of the programme and project management cycle that defines the minimal obligations for these programmes and projects to fulfil to be able to consider popular participation as effective. Yet participation in the HRBA applies as much externally in the actions supported and/or taken as in house. It implies a shift in-house processes towards greater accountability and transparency. In practice, this means that the aid bodies need to see to it that all relevant information is provided to the people concerned, in the local languages if necessary; that they do everything in their power to associate under-represented groups with the process; and that they cover all the costs that participation can entail, both for themselves and for the potential participants. Participation has a cost. Besides this cost and the organisational constraints, participation also implies a strict duty for the donor agencies to be transparent, to ensure that all the people concerned are informed (or have the possibility to be informed) of their objectives, evaluations, resources and constraints.

3. Operational methods and tools

3.1 Advances and good practices

Supporting the identification of vulnerable populations in the analysis phase

Participation in the HRBA necessarily needs to target and prioritise vulnerable populations. Some development cooperation agencies have developed standardised systems and tools to guide staff in the identification of these actors and the constraints and obstacles they face. These methods and tools identify the steps of the analysis, the key elements to be further developed, and the appropriate quantitative and qualitative tools, all with the flexibility required for each context/sector.

The purpose here is to produce knowledge to:

• Turn out a shared analysis to define strategies, programmes and projects based on the perspective of the vulnerable persons;

• Support the analysis of the developments and changes to be actioned;

• Facilitate the identification of indicators.

Experience has shown that the following elements need to be taken into account:

• Understand the causes of poverty and the drivers to address it from a human rights-based perspective;
• Identify the main risks for these actors;

• Analyse the barriers to participation and their underlying causes;

• Identify the existing forms of participation;
• Analyse the rights violated and the actors' capacities to enjoy/claim them;

• Link the different analytical scales to best specify vulnerability.

The two following examples illustrate two methods with marked differences in the way they are implemented.

BOX 17

The swedish development cooperation agency's "poverty toolbox"

In 2017, SIDA adopted the Poverty Toolbox to **map the causes and dynamics of poverty** at macro, meso and micro level based on a qualitative and quantitative analysis.

The objective of the analysis produced is to:

- **Provide a shared analysis** on which the programmes and projects will be based;

- Support the **analysis of the developments and changes** to be actioned;

- Contribute to better knowledge about how SIDA's operations affect people living in poverty;

- **Make better strategic and operational decisions** that reflect the perspective of people living in poverty.

Poverty is analysed in terms of four dimensions:
- Access to resources;
- Opportunities and choice;
- Power and voice;
- Human security.

The context is analysed across four areas:
- The economic and social context;
- The political and institutional context;
- The conflict/peaceful context;
- The environmental context.

Each context contains:
- A definition of the key notions;
- A definition of the sub-contexts;
- Examples of questions to ask (qualitative analysis);
- Links to databases for quantitative information.

The toolbox is rounded out by model report formats and specific guides (conducting and running workshops, etc.).
Further reading: SIDA (2018a).

BOX 18

UNDP's screening procedure

Screening is the first stage of UNDP's project cycle. This stage is conducted by a multidisciplinary team to:

- Analyse root causes of poverty and identify vulnerable persons based on the level of respect of their human rights;

- Analyse the rights-holders and duty-bearers;

- Analyse the capacity of duty-bearers (to realise rights) and rights-holders (to assert their rights).

This assessment serves to:

- Identify the stakeholders (including the populations) to be targeted and engage them in the design of the programme;

- Take into account the different stakeholders' constraints;

- Identify the possible courses of action based on the root causes and stakeholder capacities.

Further reading:

Formalising popular participation right from the design phase

Experience has shown that the initial phase is decisive for the operationalisation of the principle of popular participation. It shapes all the actions and conditions stakeholder ownership of the programmes and projects.
In this regard, the development cooperation agencies state that it is essential for their working relations with the populations to be based on trust. Without trust, populations, and especially vulnerable groups, will not speak freely. This would distort the context analysis and consequently the relevant actions to be taken. For the majority of the development cooperation agencies, this trust implies an in-depth understanding of the context and the interplay of stakeholders.[11]

UNDP has taken this work a step further with a specific stakeholder engagement plan. The Stakeholder Engagement Plan has to be developed with the populations. It formalises the programme or project's commitments to ensure active and informed participation by the populations at all the programming stages by identifying and detailing the characteristics of the actors concerned, how to conduct the participatory processes, etc. By requiring the definition of these elements right from the design phase and their inclusion in a detailed plan co-developed with the stakeholders, UNDP sets the relationship with the populations on a partnership footing, effectively elevating them above the standing of mere beneficiary.

Revising the appraisal procedures to analyse planned participatory approaches for programmes and projects

The majority of the development cooperation agencies have altered their grant management procedures to integrate the HRBA. This element's binding and standardised nature makes it a central component of HRBA operationalisation.

The financial appraisal step is essential in this regard. Some cooperation development agencies' approaches are limited to the introduction of specific questions on the HRBA, including questions on the integration of the principle of participation. Others have made more structural changes on top of the checklists to develop a broader analytical capacity. This analysis can concern both the narrative and financial parts of the programmes and projects.

Questions on the narrative part may cover the following:
• Analysis of relevance and effectiveness on obstacles to the realisation of the identified rights (including those associated with participation) and the relevance of the related activities;

• Analysis of the coherence, relevance and effectiveness of the theory of change on which the action is based, including the hypotheses underlying action and the expected changes in behaviour, attitudes and relations between individuals and communities considering the activities conducted and groups targeted;

BOX 19

Focus on UNDP's stakeholder engagement plan

UNDP's stakeholder engagement forms the subject of a specific plan that varies depending on the complexity of the project. This plan has to be drawn up on the basis of consultations with the stakeholders. **It must include at least the following elements:**

• The main categories and sub-categories of stakeholders;

• The nature of their interest in the project: potential benefits and impacts, or interests; positive and negative;

• Key characteristics (social situation, cultural factors, location, scale, organisational capacity and degree of influence, and vulnerability or social exclusion);

• How the project intends to engage with each of the different groups and the means to do so (information disclosure types and means, consultation types and means, etc.);

• The means of stakeholder participation in the steering mechanism (determined by the categorisation of the projects based on the social and environmental risks);

• The stakeholder response mechanisms.

Stakeholder engagement is considered as free and informed if the following information has been made available to them in formats and languages accessible to all:

• Stakeholder engagement plans and summary reports of stakeholder consultations;

• Social and environmental screening reports with project documentation;

• Draft social and environmental assessments, including any draft management plans;

• Final social and environmental assessments and associated management plans;

• Any required social and environmental monitoring reports.

This engagement plan is updated during the project based on changes to activities, the assessments produced, the concerns of the stakeholders or project teams, etc.

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11. See "Supporting the identification of vulnerable populations in the analysis phase" for examples of tools.

• Match of the capacity building processes with the target groups' concerns in terms of empowerment and improving the general environment to enable sustained participation by vulnerable individuals and communities;

• Analysis of the sustainability and level of ownership of the action based on an analysis of the stakeholders, their level of engagement, their roles in the different stages of the project, and their involvement in the design of the action;

• Analysis of the power relations and effective mainstreaming of the vulnerable groups;

• Analysis of the accompanying processes deployed for the vulnerable groups;

• Analysis of the inclusion of participatory process monitoring indicators and indicators on the impact of these processes (in terms of either empowerment or accountability).

Questions on the budgetary part are intended to assess whether the resources provided for are sufficient and suitable to enable effective popular participation. This takes the form of questions regarding the:

• Analysis of the human resources allocated to build the populations' capacities;

• Analysis of the financial resources earmarked for popular engagement (transport, sufficient expenses paid, meetings, etc.);

• Analysis of the financial resources earmarked for information accessibility and availability (translations, interpreters, etc.).

Other questions concern partner capacities, financial capacities and capacities in general to conduct a rights-based action, build the capacities of the stakeholders in the action, and align with the development cooperation strategies.

To ensure the sound integration of the HRBA and the principle of participation, this analysis may be conducted at two levels or identify players in the development cooperation agency able to assist with the analysis. At the Finnish development cooperation agency, for example, the review is conducted first by the geographical or sector unit and then by a quality assurance group. The dialogue between these two levels is identified as central to furthering learning and maintaining collective responsibility for the integration of the HRBA in the actions.

Revising the risk management handbooks to control the adverse impacts of programmes and projects on participation and human rights

Experience has shown that the programmes and projects can have unintentional, indiscriminate adverse impacts on populations' human rights and right to participate. Some development cooperation agencies have therefore defined standards built into their risk management process to:

Combining risk reduction with maximisation of the right to participate

In 2013, the German cooperation development agency adopted guidelines on incorporating human rights into its actions. These guidelines state that it is mandatory for all bilateral technical and financial cooperation programmes to, at an early stage, analyse:

• The risks and how they can be avoided;

• The programme or project's contribution to the implementation of human rights.

This analysis must be incorporated into the appraisals. The guidelines are organized in three parts:

• Identification of risk areas;

• Identification of general approaches to achieve a positive impact;

• Identification of risks and how to avoid them and ways to maximise rights by intervention sector.

• **Risk areas:** The right to participate is one of the four identified risk areas. The risks identified concern: participation in decision-making processes; the right of persons with disabilities to be involved in the drafting and planning of strategies, action plans and measures that affect them; and the principle of the free, prior and informed consent of indigenous peoples.

• **General approaches to maximise rights:** Six approaches are identified, two of which concern participation: empowerment and education on rights for people in vulnerable situations and those affected by discrimination; participation, in particular of groups affected by discrimination and their organisations (e.g. children and young people, women, persons with disabilities, ethnic minorities, indigenous peoples and sexual minorities), by applying human rights standards.

• **Analysis by intervention sector:** Participation cross-cuts the ten sectors identified. Each sector comprises at least one risk, one risk mitigation measure and one way to strengthen the right to participate.

Further reading: BMZ (2013).

- Assess the impact of actions on human rights;

- Define mitigation measures

- Define ways to further the realisation of human rights.

Participation may be one of the central components of this analysis. These standards should be defined on the basis of human rights standards.

Revising the grant monitoring procedures for greater flexibility and learning-based processes

Experience has shown that the operationalisation of participation in an HRBA calls for:

- Risk-taking implying monitoring changes and a capacity to adjust to changing contexts;

BOX 21

Switching from a results-based approach to a learning-based approach

SIDA recently transformed its approach to results-based management with the aim of achieving long-term, sustainable results. It now uses a **learning-based approach that focuses on adaptive programming** as opposed to quantitative measurement of results

- The agency uses **change-based approaches as a programming tool**, within which it contextually operationalises the long-term strategic goals. This approach is particularly relevant in fragile settings, which call for rapid adaptation to shifting risks.

- It has **ruled out a standard set of results indicators** for demonstrating the impact of strategies and programmes in favour of greater adaptability to specific challenges and stakeholder volition. Strategy teams and partners are allowed to choose the method they think works best, presenting results either qualitatively or quantitatively. The Swedish cooperation only requires that its staff and partners are able to demonstrate what they want to achieve in relation to strategy objectives, how they intend to achieve this and the progress they are making in delivery.

- SIDA is **focusing on learning and adaption**. It is encouraging more adaptive management of programming that uses results information to change programming in real time - on the basis of what is and what is not working.

- Greater flexibility by putting in place meaningful, informed participatory processes that bring with them the ability to develop programmes and projects based on the needs and/or concerns expressed by the populations.

The cooperation development agencies give their implementing partners greater flexibility so that they can meet these challenges. Activities, indicators and even expected changes can evolve during implementation, as long as these developments have been documented by a monitoring and evaluation mechanism. Implementing players are encouraged to set up monitoring and evaluation mechanisms to monitor changes to be able to steer and reorient project strategy.

Some development cooperation agencies have developed broader-based skills to build their capacity to monitor changes in order to strengthen their capabilities for dialogue with their implementing partners and iteratively inform their programming and their strategy.

Supporting the implementation of participatory approaches by identifying participatory methods

Participatory processes cannot be operationalised by standard methodologies. Nevertheless, the development cooperation agency can identify participatory methods associated with specific steps, for example, to guide collaborators and partners. The implementation of these methods will always need to be adapted to the programme or project's contexts and concerns.

BOX 22

Participatory data collection and analysis methods

The Office of the High Commissioner for Human Rights (OHCHR) identifies non-exhaustive participatory methods in its guidance note to human rights-based data collection and analysis. These methods steer guidance note users through the approaches to use to ensure effective popular participation.

- **Public meetings**, in locations that are easily accessible for vulnerable groups and with appropriate publicity and engagement to encourage participation;

- **Community visits**, which may incorporate public meetings, meetings with key stakeholders and representatives and discussions with community members;

- **Ongoing engagement and relationship-building with communities** to encourage participation, establish

dialogues and incorporate perspectives in data collection processes;

- **Including relevant CSOs in thematic or advisory boards or committees** convened by the data collector;

- **Creating advisory groups t**o facilitate regular engagement with vulnerable groups and frequent input on data collection processes;

- **Establishing focal points** within data collection organisations who are responsible for seeking information and perspectives from groups of interest;

- **Formal memoranda of understanding among organisations**, including between national statistical offices and human rights institutions, to facilitate information sharing and collaborative work.

- **Online consultation**s, with appropriate access provisions and publicity to ensure relevant groups are aware of the consultation process.

Further reading: OHCHR (2018).

Revising evaluation procedures to place participation at the heart of the evaluative approach

Experience has shown that the evaluation stage is essential. It serves to assess the achievement of the human rights outcomes and capitalise on and disseminate learnings. The HRBA, and particularly the principle of participation, make significant changes to the way the evaluation is conducted and the subjects evaluated. The HRBA implies an evaluation as much of the participatory and inclusive nature of the processes conducted during the programmes and projects as of the effects and sustainability of the participatory processes supported.

Some development cooperation agencies have therefore opted for a cross-cutting incorporation of the HRBA into their evaluation guide to specify, at each step of the way, how to integrate the HRBA and ensure the effective operationalisation of the principle of participation.

BOX 23

Cross-cutting integration of the hrba and participation in the evaluation guides

The Finnish development cooperation agency has incorporated the HRBA into its procedural manuals to identify the steps, means and the main criteria used to ascertain that integration is effective. The following elements are specific to the principles of participation:

- **The principle of "usefulness"** specifies, among others, that the users of the evaluation results[12] are consulted during programming and planning of evaluations; that stakeholders have an opportunity to participate throughout the evaluation process; and that the programming of the evaluations ensures that the results are available on time for decision-making.

- **The preparatory phase must identify who the stakeholders are**, their role in the intervention, the gains from their involvement in the evaluation, how important it is for them to be part of the evaluation process, at what stage of the evaluation they should be engaged, and in which ways and capacities stakeholders will participate.

- It **must also determine the evaluability of the human rights** based on how well human rights are integrated in programme design and implementation. In cases where human rights evaluability is weak, it is

important to describe the reasons for this, to enhance stakeholder participation, to seek partners and supplementary documents providing useful information, to analyse negative effects on particular stakeholders, and to highlight challenges related to human rights.

- **Use of the Development Assistance Committee (DAC) standard evaluation criteria must integrate human rights aspects, including the principle of participation.**

- **Questions and indicators must be formulated to evaluate human rights** at the different project stages and the project's effects. The formulation of these questions encompasses all human rights and does not focus specifically on participation. For example, are the objectives and achievements of the project/programme consistent with the needs, priorities and rights of the stakeholders? To what extent has the programme advanced key factors needed to be in place for the long-term realisation of human rights and gender equality? Is the intervention consistent with relevant international norms and standards?

- **Beneficiaries need to be meaningfully involved in the discussions on the successes, issues and challenges of the programme's implementation.**

- Th**e methods of participation need to be tailored to the context and participants**

Further reading:

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12. Users of the evaluation results are the stakeholders for whom these results are intended. Depending on the evaluations, evaluators may be the development cooperation agency, the beneficiaries, the project management, etc. The determination of the end users of an evaluation is ultimately associated with the purposes of the evaluation: evaluate progress with an ongoing project, stimulate learning, improve performance during the implementing phase, or support the decision to continue.

To guide the integration of the HRBA in the evaluative questions, some development cooperation agencies have developed methods and tools for the integration of the HRBA, including the principle of participation, in the DAC criteria.

Integrating the principle of participation in the DAC evaluation criteria

In its guidance document, the United Nations Evaluation Group (UNEG) suggests integrating participation into the DAC evaluation criteria. It identifies the following main evaluation questions with respect to the different principles:

• **Effectiveness:** To what extent did the action institutionalise the participatory processes? To what extent were the processes that led to the results obtained aligned with the principle of participation?

• **Efficiency:** What results did the participatory and inclusive processes achieve in the short term? Did the allocation of resources take into account the need to prioritize the most marginalised individuals?

• **Sustainability:** How did the action advance an environment conducive to the participation of all (associated, depending on the situations, with institutional change, attitudinal and behavioural change, changes in stakeholder capacities, etc.)?

• **Impact:** What impact has the action had on the enjoyment of the right to participate (this can vary a great deal depending on the actions: empowerment, mechanisms put in place, CSO capacity building, extension of the right to vote, etc.)?

Further reading: UNEG (2011).

Experience has shown that active participation by populations in the programme and project evaluation processes is conditioned by stakeholders' actual possibilities for free, informed participation and by the purposes of the evaluation. Consequently, active participation by populations in the different stages of the evaluation is not always relevant. However, their consultation always is.

Population participation conditional on evaluation objectives

For SIDA, participation is conditioned by the users targeted by the results of the evaluation. Therefore, participation by the populations is not recommended for all the evaluations. **It depends on the intended use of the evaluation:**

• If the purpose of the evaluation is to help SIDA and its partners to assess progress with an ongoing project, stimulate learning or improve performance during the implementation phase of a project or programme, then a participatory process is advisable to enhance the utility of the evaluation.

• If the purpose of the evaluation is to serve as an input to the decision on whether a project shall receive continued funding or not, the partner should in most cases just be consulted, but not actively involved in shaping the evaluation process;

• In most cases, the partner should just be consulted, but not actively involved in shaping the evaluation process.

However, the **participation of intended users is a key element of the evaluative approaches**:

• They should normally be involved in defining the purpose, scope and objectives of the evaluation (this calls for adequate planning);

• They must be given the opportunity to comment on the findings, conclusions and recommendations (by means of a meeting between evaluators and intended users);

• To organise interaction between intended users, it is possible to appoint an evaluation steering group in charge of developing the Terms of Reference and reviewing reports;

• Communication and dissemination techniques need to be used depending on the intended users.

In all cases, **the evaluative questions need to be able to evaluate the participatory approaches implemented in the programmes and project**s:

• Have target groups participated in project planning, implementation and follow up?

• Has anyone been discriminated by the project through its implementation?

• Has the project been implemented in a transparent fashion?

• Are there accountability mechanisms in the project?

Further reading: SIDA (2018b).

Popular participation conditional on the extent of hrba integration

UNEG's guidance document on integrating human rights and gender equality in evaluations (UNEG, 2011) describes the steps and processes to integrate an HRBA in programme and project evaluations.

Participation by the populations is central to the approach. Participation is **conditioned by the participatory processes conducted by the project** (since these processes are bound to respect the principles of the HRBA, i.e. inclusive, non-discriminatory, etc.). Evaluation questions therefore differ depending on the level of human rights integration.

The handbook consequently defines **three levels of human rights integration, which determine the opportunities and prerequisites for including participatory processes in the evaluation and evaluating the processes implemented:**

• A high level of consideration of human rights enables the use of participatory mechanisms to ensure a highly participatory evaluation. The evaluation questions ask whether the aims of the participatory processes have been achieved in view of the objectives pursued by the consideration of human rights standards.

• A medium level of consideration of human rights calls for the individuals or groups left out of the initial stage to be identified to include them in the process and for particular attention to be paid to the analysis of the intervention's negative effects on certain groups by involving them in the formulation of the recommendations.

• A low level of consideration of human rights requires an exhaustive analysis of the stakeholders to be produced and close attention paid to the analysis of the negative effects by involving the groups concerned in the formulation of the recommendations.

The handbook then presents two tools to formalise participation by the populations:

• A list of questions to determine who should participate and in what ways;

• A stakeholder analysis matrix detailing how to populate and use it.

Further reading: UNEG (2011).

Seetting up knowledge management processes to inform the operationalisation of participatory processes and the HRBA

Experience has shown that the implementation of participatory approaches, such as those defined by the HRBA, is often fragmented due essentially to the complexity associated with the absence of concrete guidelines on how to support their implementation. Yet the development of standard participatory methods is out of the question. Standardisation would deprive people of the possibility to take part in the design and development of the projects and strip the methods of their much-needed adaptability to specific contexts and concerns. Nevertheless, knowledge management systems can be put in place to capitalise on and disseminate learnings, draw lessons from the implementation processes, identify whether an approach is reproducible, and map out concrete courses of action to operationalise participation. Moreover, these mechanisms make the experiences and learnings accessible to all the people working in the development cooperation agency. This experience sharing contributes to the development of a common culture around the principle of participation and, more broadly, the HRBA. Knowledge management systems need to be defined based on the development cooperation agency's internal organisation, the ratio of the weight of headquarters/field in decision-making, and the level of decentralisation.

Institutionalising knowledge management by setting up a dedicated team

In 2018, the Norwegian development cooperation agency set up a **Knowledge Bank** at NORAD to resolve its lack of a formal knowledge management approach, which had been holding back its learning and strategic steering possibilities.

The Knowledge Bank's mission is to **build the knowledge sharing and transfer capacities and skills of collaborators and partner countries** (partner countries' governmental institutions and civil society actors). It works with Norwegian government bodies with the relevant competencies for the target programmes.

Further reading: https://norad.no/en/front/the-knowledge-bank

3.2 Some limitations

A lack of definition of the principle of participation at the appraisal stage

The assessment of programme/project match to development cooperation strategies at the selection stage is decisive. Whereas the development cooperation agencies' strategy papers make the participation of vulnerable persons a key factor to build citizens' self-reliance and capacities, financial appraisal procedures are often restricted to a short list of questions that do not reflect these strategic objectives.

This creates a risk of restricting integration to a "do no harm" approach, if not failing to analyse the key dimensions of participation.

BOX 28

Outline of general questions at the initiative analysis/selection stage

Example of the Danish development cooperation agency
The Danish development cooperation agency's funding appraisal procedures provide for two questions regarding the principle of participation:
• Identify the obstacles to the participation, inclusion and empowerment of rights-holders;
• List the main elements of support included to promote participation and inclusion.

Source: Ministry of Foreign Affairs of Denmark (2018).

Example of the Finnish development cooperation agency
The Finnish development cooperation agency's appraisal procedures provide for three questions regarding the principle of participation:
• Do rights-holders participate in the decision-making processes for the intervention?
• Is there a gender balance in decision-making?
• Were the marginalised groups consulted during the planning process

Further reading: Ministry for Foreign Affairs of Finland (2018).

The guide produced by the UN Sustainable Development Group (UNSDG) outlines the key questions to be asked to determine whether participation is free and informed.

BOX 29

Outline of qualifying questions at the initiative analysis/selection stage

The UN Sustainable Development Group has developed a guide – Leaving No One Behind – for all UN agencies. The guide defines precise questions to effectively guide analysis at the initiative design and/or selection stage.

• Is there adequate civil society space in the country? Are the people in the most vulnerable and marginalized situations represented in civil society?

• Are there spaces for public participation in the decision-making process?

• Who is not participating?

• What are some obstacles and incentives for participation? Do groups in marginalized situations have access to information and the capacities to participate meaningfully and make specific proposals?

• What measures are in place to ensure safe space for participation and the protection of people and communities who participate and express their views?

• How is it possible to reach those who are not participating? How is it possible to address their constraints to participation?

• What capacities facilitate meaningful participation of the people being left furthest behind? How is it ensured that at least a representative number of people, including from particularly vulnerable groups, are actively and meaningfully involved?

• How is it ensured that people's inputs, including from groups in vulnerable situations, are considered in findings/decision/etc.?

• What measures can actors take to promote inclusive policymaking and programming?

• To what extent are the people and groups most likely to be left behind represented in national planning processes, as well as monitoring and follow-up?

• What are the opportunities in the economic, socio-cultural, civil-political environment for those left behind to be included?

• In humanitarian situations, consider how the crisis has changed the access and participation of groups traditionally known to be in vulnerable situations. Which other groups have been left behind in the crisis context?

• What is required to facilitate participation of persons with disabilities? For example, are meeting/workshop venues accessible (including the bathrooms)? Ask people with disabilities what accommodations they require and their preferred format for information. Is sign language interpretation required?
Further reading: UNSDG (2019).

Limited methods to measure the empowering effects of participation

The measurement of the effect or impact of the participatory processes on the capacity of the vulnerable populations and groups to participate in a free, active and meaningful manner in decisions that concern them, is often a blind spot in the development cooperation agencies studied. This is particularly true when it comes to evaluating the empowering effects of participation on vulnerable populations. No shared tools are in place for use by all development cooperation agencies to conduct this evaluation, which is seen as a challenge for most development cooperation agencies. Empowerment is context-specific and cannot be evaluated by standard performance indicators. Nevertheless, monitoring and evaluation systems must be inclusive, involving the individuals in the empowerment processes to guarantee the relevance of the data collected. This gives the development cooperation agencies a dual challenge: to define a monitoring and evaluation system capable of monitoring the empowering dimension and the changes, while finding methods that can aggregate these qualitative data in a suitable manner.

Some agencies, like the Swedish development cooperation agency, have conducted innovative, strategic studies on measuring empowerment.

BOX 30

Measuring empowerment: quantifying qualitative outcomes from people's own analysis

In 2010, SIDA conducted a study on measuring empowerment to quantify qualitative outcomes **from people's own analysis**. This study shows how empowerment outcomes and trends can be identified **by quantifying qualitative data** collected by means of participatory monitoring and evaluation. The methods presented are based on the experience of a social movement in Bangladesh. This movement monitors the results of its work based on indicators chosen by its members. This exercise has proved empowering in itself in that the local groups conduct the evaluation and prepare their action based on the results.

Further reading: Jupp, Ibn Ali and Barahona (2010).

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4. Methods and managerial tools

4.1 Advances and good practices

Different capacity-building geared to the roles of the targets and the development cooperation agency's internal organisation

Experience has shown that the operationalisation of the principle of participation calls for staff capacity-building in the HRBA, given the particularities of participation in the HRBA and its interconnections with the other HRBA principles. New capacities that need building concern:

• Knowledge and understanding of human rights;

• Capacity to take up these standards to analyse a context in terms of concrete cases;

• Capacity to analyse the immediate, underlying and fundamental causes of obstacles to strengthening human rights in order to target vulnerable persons and relevant types of action, but also to minimise the risks of vulnerability (the HRBA necessarily entails conflictual aspects due to its action on balances of power);

• Links between the HRBA, its sector and the development cooperation agency's other cross-cutting approaches.

This capacity-building needs to be part of a long-term HRBA integration strategy geared to the targets' particularities (training tailored to targets and short formats based on practices) and to the development cooperation agency's internal organisation in keeping with its levels of decentralisation. The first priority is to train senior civil servants to enable them to make the necessary changes in their departments and units.

Promoting learning through complementary capacity-building mechanisms to make the HRBA understandable and operational

Capacity-building needs to combine different mechanisms drawing on a range of learning processes: training, training in action, exchange of experiences, practice analysis, coaching, provision of resources, return on experience, capitalisation, etc. This diversity is a way of overcoming the conceptual complexity of the HRBA by rooting capacity-building processes in practice and player experience to make the HRBA and the principle of

participation understandable and operational. Consequently, training, although central, should not be the only capacity-building channel. Exchanges of practices in their various forms are key learning tools, which help forge a common culture around the HRBA and the principle of participation.

The following boxes spotlight initiatives that contributed to capacity-building for staff and/or implementing partners.

Setting up a cross-cutting programme on the HRBA and developing strategic partnerships for capacity-building

From 1999 to 2015, UNDP used the implementation of a cross-cutting programme (the HURIST programme) in partnership with OHCHR to integrate the HRBA into its actions. With this programme, **UNDP secured substantial resources** to test guidelines and methods, capitalise on and disseminate good practices, and formalise the systematic integration of the HRBA in its actions.

The purpose of the first phase of funding was to provide UNDP offices with the **funds and skills require**d to:

- Test the integration of the HRBAs into the programming;
- Conduct human rights activities;
- Capitalise on and develop methods and tools.

The second phase of funding was earmarked for the cross-cutting integration of the HRBA in all UNDP activities.

Following in the footsteps of UNDP, the German development cooperation agency developed a strategic partnership with the German Institute for Human Rights to scale up the integration of the HRBA. In this framework, it conducted programmes and projects, trained its teams, and capitalised on and disseminated good practices.

Fostering exchanges headquarters-field, headquarters-headquarters and field-field exchanges to base learning on sharing

Setting up a Swiss-style network of focal points with a platform for exchanges of experience

The Swiss development cooperation agency has formalised a network of all focal points (FCHRnet) to integrate the HRBA. This network works on the sound integration of conflict- and HRBA-sensitive approaches. It serves as an interface between strategies and programmes and projects to ensure effective HRBA integration. It is also tasked with assisting in-house understanding of the HRBA, for which it conducts HRBA information campaigns and develops partnerships with CSOs and research centres to promote the integration of the HRBA. It works with the other development cooperation agency networks (gender, poverty, etc.) on training and developing skills. The aim

here is to **further the emergence of a community of practices**. This network is made up of members from different departments and regions. It is hosted by the Middle East and North Africa - Development and Fragility, Conflict & Human Rights Division.

Its strength is in its meetings and an Intranet (CHRnet) that it has set up to:

- Facilitate exchanges on challenges encountered;
- Stimulate learning;
- Foster peer exchanges.

Setting up a UNDP-style Intranet

UNDP had an Intranet in place for many years for head office and country staff to communicate and exchange information on the HRBA, how to integrate it in practices, difficulties encountered, potential solutions, similar pilots set up, etc. This network **fostered horizontal exchanges between regions** in addition to vertical headquarters-field exchanges.

Innovation in the delivery of training

To combine training with training in action, some development cooperation agencies provide separate e-learning on basic elements and in-person learning to further develop certain aspects and focus on exchanges of practices and/or case studies. These ways of delivering training based on content combine training with training in action and assign time to exchange experiences on operational aspects. This has proved particularly useful given the little time available to development cooperation agency staff.

Some development cooperation agencies incorporate HRBA training into other training courses (conflict-sensitive approach, project management, context analysis, assessment of beneficiaries, etc.). In addition to time gains, this approach facilitates the links between the HRBA and the development cooperation agency's other sector-based or cross-cutting priorities. Nevertheless, this approach requires basic knowledge of the HRBA or additional capacity-building mechanisms to study the elements in more depth.

Making evaluation a learning tool

The Swiss development cooperation agency provides in its evaluation procedures conducted by external actors for active peer-to-peer participation by in-house staff. This contributes to learning and the dissemination of knowledge and experience between development cooperation agency partners. The evaluation is hence designed both as a results quality control tool and an in-house capacity-building tool.

Building capacities with exchanges of practices between development cooperation agency staff and implementing partners

Following the integration of the HRBA, the Finnish development cooperation agency held training courses and sector-based workshops on the HRBA open to civil society and consultants working in development. This move built the capacities of both development cooperation agency staff and implementing partners and enabled exchanges between these stakeholders to build a common culture around the HRBA.

Integrating the HRBA and participation into job targets and annual assessments

A development cooperation agency's institutional structure can make it hard to operationalise the HRBA. Such is the case when the people with good knowledge of the HRBA are on sector teams while the actual selection and implementation of the bilateral programmes and projects is conducted by regional departments. This institutional structures makes the regional department heads and regional consultants responsible for integrating the HRBA in their departments and keeping cross-cutting issues on the agenda. Consequently, it is important for cross-cutting objectives and the HRBA to be incorporated into their work. DFID has established a promising practice in this respect by including increasing gender equality in its senior civil servants' job targets and annual assessments with corresponding pay incentives.

Combining collective responsibility for integrating the HRBA with tutoring and mentoring mechanisms

Experience has shown that when an operational department (generally "human rights") is responsible for on-boarding and disseminating the HRBA, its operationalisation is limited. This responsibility should be collective and supported by complementary methods and tools (both managerial by means of skills building and operational by means of concrete or strategic guidelines with the definition of a clear mandate) as well as a clear distribution of roles and responsibilities. For example, the ministry plays a key role in the production and dissemination of appropriate strategic tools, while the agencies allocate the resources needed to operationalise these strategies. The majority of the development cooperation agencies have tutoring or mentoring systems in place with the in-house appointment of players, if not departments, to coach staff in their understanding of the HRBA, appraisal analysis, risk analysis, etc. These actors are essential in the early years of HRBA adoption. The people assigned this brief need to be HRBA experts. Partners with external consultants or structures specialised in the HRBA or human rights are useful resources when expertise is lacking in a development cooperation agency.

Putting together a joint mobile team to help staff integrate the HRBA

The SDC has a highly decentralised operational structure. All the agency offices seek appropriate institutional HRBA support to help them in their activities and give them thematic consistency and a better understanding of the HRBA.

To meet this needs, the development cooperation agency established a mobile team of internal and external consultants to be put together to conduct ad-hoc support missions on the ground (HRBA analysis, strategic consultancy, programme/project design and development of the monitoring system, training of staff and partners, etc.). Headquarters manage and coordinate the team.

Developing cross-cutting and specific guides on the hrba to make the HRBA and the principle of participation understandable and concrete

Development cooperation agency staff often find it hard to understand what the HRBA is and its operational implications, resulting in partial or mechanical implementation of the principle of participation. Consequently, adoption of the HRBA fails to produce the expected changes in terms of popular participation. It is therefore vital to help development cooperation agency staff and implementing partners to understand the conceptual and operational dimensions of the HRBA and the changes it implies.

To meet these challenges, most of the development cooperation agencies have developed a reference guide on the HRBA applicable to all the agency's intervention sectors and actors. This handbook stipulates the strategic steering documents and helps understand the necessarily succinct operational guidelines. More specifically, it:

• Defines the HRBA, its key concepts, the content of human rights, the principles of the HRBA, including the principle of participation, its links with the other development approaches, how it makes a difference, etc.;

• Details the implications of the HRBA in the development cooperation agency's work. This part may be presented in terms of the actions taken (bilateral or multilateral cooperation, policy dialogue, etc.), the types of actors funded (private sector, international organisation, CSO, etc.) or the priority intervention sectors. It should describe the main changes, where possible by the programme and project management cycle;

• Provides concrete tools (human rights impact evaluation, analysis of power relations, identification of duty-bearers, list of key questions at the different stages of the project cycle);

• Refers to internal and external conceptual and practical reference resources on the principle of participation. The following examples outline the content of the guides on the HRBA in relation to the principle of participation.

The principle of participation in the finnish development cooperation agency's HRBA guidance note

This guidance note:

• **Defines the principle of participation**, defined together with the principle of inclusion. Participation can only be meaningful if relevant information is available on time and in an accessible language and format (considering, for example, age, community, gender, disability, religion and culture).

• **Specifies the types of action:** Participation can only be meaningful if freedom of association and expression is guaranteed.

• **Details the impacts in terms of programming**. Programming processes must be participatory and inclusive. They must therefore be conducted through consultations and dialogue with government, donors, civil society and private sector representatives, both in the partner country and in Finland (including diaspora). Representatives of vulnerable and marginalised groups must be stakeholders n these processes. Development interventions need to "include analyses of the main barriers and their underlying causes for equal participation by different groups." Participation is seen both as a means and an end. Local stakeholders therefore need to participate both in the planning and implementation of interventions.

Further reading: Ministry for Foreign Affairs of Finland (2015).

BOX 38

The principle of participation in the austrian development cooperation agency's HRBA manual

This manual:

• **Defines the principle of participation,** defined together with the principle of empowerment. The poor are treated as actors of their development. They have the right to be involved in the fight against poverty, voice their needs and take part in implementing measures. Empowerment must ultimately lead to overcoming relations of dependency through the focus on rights inherent to each person and the accountability of the respective state (donor and partner countries).

• **Specifies the types of action for**: the participation of citizens in organising private and public life; the implementation of other human rights, directly links to participation; freedom of assembly, freedom of association, freedom of expression and the right to information; and the creation of an environment that facilitates the participation of the most vulnerable by supporting their empowerment to escape from the vicious circle of poverty and discrimination, to speak for themselves and articulate their own needs. This calls for access to information, capacity-building with respect to their rights, knowledge of government human rights commitments, and the identification of injustices.

Further reading: ADC (2010).

BOX 39

The principle of participation in the german development cooperation agency's HRBA guidance paper

This guidance paper:l:

• **Defines the principle of participation.**

• **Specifies the types of action to:**

– Create the necessary conditions, environment and space for meaningful and broad stakeholder participation in relevant processes at local, regional and national level. This is a key element of successful development cooperation;

– Supports structures, institutions, policies and legal frameworks that sustainably widen spaces for broad and meaningful participation and democratic engagement;

– Develop the skills of individuals and groups so that they can contribute to development and claim improvements in the fulfilment of their rights;

– Make monitoring and accountability mechanisms more accessible, particularly for disadvantaged individuals and population groups, tailoring them to their needs, and, where applicable, enhancing their direct participation in these processes.

• **Specifies the types of partnerships**: to operationalise the principle of participation, development programmes will have to work with a diverse set of local partner organisations, including advocacy CSOs, community-based organisations, national or local parliaments, trade unions, national human rights institutions, ombudspersons, and the media.

• **Specifies the implications for the programmes and projects**. The HRBA transforms participation from an option into a right, and connects it to accountability and non-discrimination. Participation entails a shift in focus, extending beyond consultation and engagement of stakeholders in the different phase of the programming cycle to take in strengthening and deepening civic and political participation.

Further reading: GIZ (2014).

The principle of participation in the norwegian development cooperation agency's HRBA handbook

This handbook:

- **Details the normative bases of the right to participate** and its implications for the development cooperation agency.

- **Specifies the types of action** : support democratic institutions as key elements to ensure the participation of all, directly or indirectly; civic education and building awareness to ensure meaningful and informed participation.

- **Specifies the implications for the programmes and projects**. Programmes must be planned and implemented in ways that enable people affected to express and claim their rights. The programmes shall promote participation in decision-making to enhance people's option of expressing

their views. The term «promote» means that the programme is made known to representatives of the people concerned, and that individuals are given the opportunity to influence decisions based on their knowledge about the programme. The degree of popular participation reflects the programme's success in terms of empowerment.

- **Specifies the role of the HRBA in development cooperation y**: The HRBA serves as a tool for assessing to what extent population groups that are directly affected by programmes have the option to articulate their interests and opinions. The extent of involvement of people in national and local decision-making and in the implementation of development programmes is a key component of the assessment.

- **Identifies a key question with respect to the participation to be integrated into programming**: Does the programme encourage or did it encourage participation in decision-making by the groups concerned?

Further reading: NORAD (2001).

In addition to these guides, the operationalisation of the HRBA and the principle of participation is steered by practical and contextualised benchmarks developed for the different intervention sectors. This facilitates the ownership of the strategic sector and regional papers. Some development cooperation agencies have, for example, rounded out their generic HRBA guides with sector-based outline briefs (SIDA, 2015a; BMZ, 2010; SDC, 2008a; SDC, 2008b). The summarised nature of these briefs is a key element for their uptake and use by all. A more in-depth understanding of the sector may subsequently be developed for the actors where needed.[13] It can also be interesting to produce briefs by intervention region, targeting categories of vulnerable stakeholders (persons with disabilities, LGBTI persons, etc.) often overlooked by the programmes and projects. This:

- Draws the attention of staff and partners to the importance of including these stakeholders;

- Facilitates their inclusion in the programmes and projects;

- Facilitates setting up specific actions (SIDA, 2015b; SIDA, 2015c).

The findings of the interviews and a comparative analysis of these briefs reveal that they need to:

- Operationally define participation in connection with the sector/region, grounded in human rights standards;

- Identify key questions concerning each HRBA principle, which are applicable to all the stages of the programme and project management cycle;

- Identify the main implications for the programmes and projects, including the implications of popular participation;

- Provide examples.

The following box illustrates how participation is presented in the Swedish development cooperation agency's thematic area briefs:

Demonstrating the difference made by the HRBA, in particular on participation, by capitalising on and disseminating successful experiences

Integration is facilitated by demonstrating how the HRBA makes a difference, taking examples of successful experiences. Some development cooperation agencies

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13. Some examples of guides detailed by intervention sector: GIZ, 2015; UNDP, 2010 and 2012; GIZ, ZFD and DIMR, 2011.

SIDA's thematic area briefs

The Swedish development cooperation agency has developed briefs of a dozen pages long each on integrating the HRBA into each of its priority intervention sectors. **Each brief contains information on the content of the rights, the main applicable international treaties; the implications of linking the sector to human rights commitments and obligations; and the key HRBA elements applied to a specific sector.** The principle of participation is qualified and contextualised for each sector.

Illustration of the principle of participation contained in the health brief.

Definition: International treaties state that women, men, girls and boys have a right to participate in decision-making that affects them. This includes the health staff at all levels as well as the users of the health services, who have a right to participate in decisions regarding their treatment. The socially prescribed expectations of women and girls as care givers impact on their possibilities of choices, economic independence, access to education and labour market, and personal health. Different forms of gender discrimination have a great impact on women's health. Everybody has a right to participation, but it is of particular importance that women and vulnerable and marginalised groups have the possibility to give their input on how to challenge discrimination related to e.g. age, gender, HIV and disability

(physical and mental) and have influence over the development of the health sector. Sweden could consider supporting relevant civil society groups to organise and be heard.

Key issues to monitor and analyse in assessing support for health interventions are:

• Are civil society organisations that represent marginalised groups (for example people living with HIV, patient organisations and disability organisations) invited as resources in programmes and policy development? Are they taking part in formal spaces of decision-making such as local health committees, consultative development councils and likewise?

• Are home-care providers recognised as stakeholders in health programmes and enabled to participate in the decision-making and monitoring of domestic and international HIV and AIDS programmes?

• Is the design of health education programmes considering the views and experiences of different user groups and local health workers, including traditional healers and religious leaders (who are often key stakeholders that need to be brought on board)?

• Do patients participate in designing their treatment plan and do they have access to a patient complaints mechanism?

Further reading: SIDA (2015a).

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have produced capitalisation factsheets on programmes and projects conducted, detailing the processes and impacts of HRBA integration in given intervention sectors (SDC, 2018a; SDC, 2018b; SDC, 2018c; GIZ, 2013). These factsheets are vehicles for sharing experiences and disseminating their learnings.

Here again, the development cooperation agencies have noted the importance of short formats to facilitate their

uptake and use. Where applicable, other methods and tools round out HRBA operationalisation (staff capacity-building measures and the establishment of HRBA focal points to assist staff seeking to examine points of operationalisation).

The following box outlines the *Promising Practices* project capitalisation factsheets produced by GIZ.

The german development cooperation agency's *promising practices*

GIZ has published a large number of capitalisation factsheets (4-5 pages) on programmes and projects that have integrated and operationalised an HRBA in a range of areas and contexts. These factsheets focus on the context, the integration of an HRBA, process and achievements, impact, challenges and lessons learned. They give examples of the implementation of the principle of participation, as it is defined by the German development cooperation agency, and the main challenges and lessons learned.

Example 1: In Kenya, strengthening civil society to further the participation and inclusion of the most vulnerable
This factsheet presents CSO capacity building (the Health NGO Network and the Gay and Lesbian Coalition) to enhance their capacity to advocate for the rights of marginalised groups to increase their participation in policymaking processes in the context of the sector-wide approach to health.

Example 2: In Guatemala, civil society capacity-building for a more efficient local administration
This factsheet presents the capacity-building for civil society representatives to participate in the local management of public affairs.

Further reading: GIZ (2013).

4.2   Some limitations

Lack of definition of the skills required to conduct and monitor participatory processes

None of the development cooperation agencies studies has identified key skills to be acquired to implement and monitor the programmes and projects from the point of view of participation and engagement with the most vulnerable. The skills mentioned in the evaluations and/or capitalisations concentrate essentially on the acquisition of human rights-related technical skills. Yet it is vital to develop the interpersonal and positional skills to "embody the HRBA" promoted by the development cooperation policy and the way the right to participate is implemented in the development cooperation agency and in stakeholder dialogue and exchanges.

Limited impact of focal points

Some of the development cooperation agencies studied have established focal points in their agencies and offices to support HRBA integration by assisting their colleagues and partners at the different programme and project (if not strategy) implementation stages. The establishment of focal points formally appoints resource persons in the development cooperation agency. However, experience has shown that results are limited when these focal points are not part of more structural approaches (such as the establishment of networks, an Intranet, etc.) and do not have the necessary resources (especially in terms of time and skills). There is a risk of the burden of responsibility for HRBA integration falling on the focal point. In addition, in the development cooperation agencies that have established focal points, they are often responsible for a number of cross-cutting strategies (gender and the HRBA, conflict-sensitive approach and the HRBA, etc.) that require distinct skills.

Conclusion

All the development cooperation agencies interviewed reported having problems with the operationalisation of the HRBA and the principle of participation. Participation is more than a methodology intended to improve project performance. Participation is a process designed to cultivate critical consciousness and decision-making as a basis for active citizenship. Building the individual, collective and organisational capacities to make participation by the most vulnerable effective is a long and costly process. In the programmes and projects, it calls for new capacities to be built (capacity for collective organisation, capacity for analysis and knowledge of the legal and institutional mechanisms, capacity to define and conduct advocacy, etc.), which implies taking actions upstream and/or simultaneously in a range of areas (education, economic empowerment, etc.).
The programmes and projects tend to put participation into practice with the sole involvement of CSOs, without working on the basic structuring of collective bodies representing the different vulnerable groups or on building their organisational and governance capacities to make them really inclusive and representative.
Given that CSOs are no more virtuous than other organisations, they need assistance with their structuring to prevent and address power imbalances due to the capture of interests and advantages by their elites.

When it comes to putting theory into practice, operational methods and tools are not enough to be able to understand and appreciate the structural changes to population participation induced by the HRBA.
This is especially true given that operational methods and tools are necessarily concise in view of the many other parameters to be taken into account. Rather than decision-making tools, they are first and foremost oversight tools. Equally essential strategic methods and tools clarify the HRBA implementation approaches. Among the development cooperation agencies studied, a lack of clear guidelines and strategic steering was often mentioned as placing a strong limitation on the integration of the HRBA into programmes and projects. Strategic agendas will differ depending on the approach chosen and will condition the operationalisation of the principle of participation. A normative approach will tend to focus on civil and political rights and guarantees by means of programmes and projects that support the freedom of expression, freedom of the press, access to information and freedom of association. An empowering approach will also focus on civil and political rights and guarantees,

but using different mechanisms such as structuring vulnerable persons into groups. Moreover, it will attach greater importance to economic, social and cultural rights, mainly by supporting economic empowerment and the defence of interests, cultural rights, the right to work, etc.

Another key aspect with respect to the integration of the HRBA as much into an in-house organisation as into the structuring of skills in international organisations is what is known as the managerial dimension. Experience has shown that the HRBA is dependent on a knock-on effect. Policies can be tempered at operational levels due mainly to the complexity of the HRBA and the lack of leadership. In addition, the better staff understand the HRBA and the difference it makes, the more concise the operational methods and tools can be and the more they can accommodate structural change.

Operationalisation of the HRBA and the principle of participation and its integration into the organisations therefore calls for the following:

1. Production and dissemination of three categories of methods and tools (strategic, operational and managerial) with different focuses and purposes, but which together contribute to the development of a common culture. This aspect is key since the operationalisation of the HRBA is more about developing professional practices and staff attitudes than standardising shared methods and tools. So the operationalisation of the HRBA and the principle of participation rests primarily on the institution's capacity to create a common culture based on a shared understanding of the principles of intervention and the possible ways of rolling out these principles through building capacities to analyse a situation that incorporates the human rights perspective. This entails:

• Strategic methods and tools that give a clear mandate to all development cooperation agency staff and stakeholders by defining the common strategic guidelines (political, budgetary and partnership) for the HRBA and therefore the principles of intervention for participation;

• Operational methods and tools that govern the decision-making processes (selection, implementation, and monitoring and evaluation) to support and implement programmes and projects consistent with the policies made;

• Managerial methods and tools that support and build staff capacities to assume their HRBA integration tasks (steering, coordination, implementation, evaluation, etc.) and take on board the strategic and operational guidelines put in place.

2. Gradual integration of the HRBA to ensure that each stage is understood and internalised by the development cooperation agency and its staff, and ultimately effects structural changes underpinned by the HRBA. These changes, like the methods and tools they entail, could therefore be defined on the basis of HRBA integration experience and its main thrusts. Most of the development cooperation agencies concentrate first on "do no harm" approaches before seeking to "maximise rights" in all their programmes and projects.

3. Clarification of the HRBA operationalisation approaches and integration approaches. Experience has shown that combining the three operationalisation approaches (normative, empowerment and pragmatic) and the four HRBA integration approaches (structural, normative, instrumental and programmatic) improves HRBA operationalisation.

In keeping with these three cross-cutting recommendations, **French development cooperation would benefit from launching in-depth thinking with its agencies on the advisability of**:

• Developing strategic steering documents on participation;

• Adapting the HRBA and the principle of participation by key agency priority sectors and regions (in strategy papers or outline briefs);

• Integrating specific due diligence into agencies' identification, monitoring, evaluation and risk management procedures, combined with operational guides;

• Developing methods and tools to facilitate the identification of vulnerable populations in the analysis phase and the identification of the relevant participatory methods to put in place;

• Setting up dedicated funding lines for CSOs within long cycles to build sustainable close partnerships with strategic CSOs;

• Scaling up the role of evaluation and the learnings and good practice dissemination mechanisms;

• Working on agencies' in-house organisation, with thinking on building skills and functions specific to the HRBA and targeting the challenges of participation, and the development of training and support tools and cycles at the different levels of the organisations (exchange-of-practices cycles, theoretical training, tutoring/mentoring system, etc.);

• Formalising partnerships with research to: test innovative initiatives and methodologies associating participation, empowerment and accountability; develop evaluation processes focused on measuring the empowerment of vulnerable persons and government accountability; capitalise on and disseminate knowledge and learnings; support staff training; and inform strategic thinking.

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Appendice
List of people interviewed

- Bertz Franziska, Planning Officer Human Rights, Division Governance and Conflict, GIZ

- Filmer-Wilsmon Emilie, Human Rights Adviser, UNFPA

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- Igland Skarpeteig Margot, Assistant Director, Department for Economic Development, Gender and Governance, Section for Human Rights, Governance and Fragility, NORAD

- Markkinen Tiina, Senior Adviser, Human Rights and the Rule of Law Department for Development Policy, Ministry for Foreign Affairs of Finland

- Rattray Sarah, Global Policy specialist for human rights, UNDP

- Roch Martin, Programme Officer Conflict & Human Rights, SDC

- Weibahr Birgitta, Lead Policy Specialist Human Rights and Democracy, Policy Support Unit, International Organisations and Policy Support, SIDA

Appendice
List of analyzed documents

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Acronyms and abbreviations

AFD	Agence Française de Développement
BMZ	Federal Ministry of Economic Cooperation and Development
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CICID	Interministerial Committee for International Cooperation and Development
CIEDEL	Centre International d'Études pour le Développement Local
CSO	Civil society organisation
DAC	Development Assistance Committee (OECD)
DFID	UK Department for International Development
ESCR	Economic, Social and Cultural Rights
GIZ	*Deutsche Gesellschaft für Internationale Zusammenarbeit* (German development cooperation agency)
GRET	Group For Research and Technology Exchanges
HIV	Human immunodeficiency virus
HRBA	Human rights-based approach
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
INGO	International non-governmental organisation
LGBTI	Lesbian, gay, bisexual, transgender and intersex
MEAE	French Ministry for Europe and Foreign Affairs

NGO	Non-governmental organisation
NORAD	Norwegian Agency for Development Cooperation
ODA	Official development assistance
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
PRAM	DFID's Participatory Rights Assessment Methodologies project
SDC	Swiss Agency for Development and Cooperation
SIDA	Swedish International Development Cooperation Agency
UN	United Nations
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNSDG	United Nations Sustainable Development Group

How to ensure effective popular participation in development projects?

Final report

How to ensure effective popular participation in development projects?

An illustration through the operationalisation of the human rights-based approach

Under its Human Rights and Development Strategy, France committed in 2019 to integrating a human rights-based approach to development in its international development cooperation policy. The participation of local populations is at the core of this approach. Commissioned by the Ministry for Europe and Foreign Affairs, this study formulates recommendations for strengthening participation of these populations in the process of drafting, implementing, monitoring and evaluation of development projects.

The study was particularly interested in the methods and tools used by multilateral and bilateral cooperation agencies to ensure the effective consideration of this principle, in a comparative approach, in order to identify good practices. A distinction emerged between three different, but complementary approaches to participation: a normative approach, focused on the respect and the realisation of norms enshrined in international human rights treaties; an empowerment approach, focused on vulnerable or discriminated individuals and groups; and a pragmatic approach, focused on improving the effectiveness of projects. The comparative analysis of these approaches identified key pointers to improve the operationalisation of participation in the human rights-based approach to development.