



Learning Review on the Rights perspectives in DMCDD

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Content

Summary	1
Introduction and Purpose of the review	3
1. Methodology	4
1.1 Applied methodology	5
1.2 Limitations	6
2. Brief about the rights based approach applied in the review	6
3. The rights perspective and RBA: Knowledge and Attitude	8
4. Human Rights and RBA: Practice	10
4.1 Context understanding.....	13
4.2 Non-discrimination	15
4.3 Participation	17
4.4. Empowerment.....	20
4.5 Accountability.....	25
5. Reflections and recommendations form the consultant	28
5.1 Recommendations.....	32
6. Response and Acknowledgement from the Reference Group	34
Annex 1: ToR for the Learning Review on Rights perspectives in DMCDD	- 1 -
Annex 2: Guide to the Learning Review on the Rights Perspective in DMCDD.....	- 4 -
Annex 3: The Danish reference group.....	10
Annex 4: RBA Screening Tool.....	11

Summary

The Danish Mission Council Development Department (DMCDD) is an umbrella organization for Danish churches and church based organizations partnering with other churches and NGO's in developing countries.

The member organizations and their partners represent the diverse Danish and global church environment. Thus, there is no uniform approach, strategy or understanding of how to work with human rights. A learning review conducted in 2014 sheds light on the extent to which the member organisations and their partners are applying a rights perspective, and how it is expressed and voiced through their faith based work.

The review has been conducted among a broad selection of partner organizations in Africa, Asia and Central America and with an active involvement of the DMCDD secretariat and a number of member organizations. Among the major findings are the following:

- DMCDD member organizations and partners are generally found to be knowledgeable about basic human rights standards and are applying a rights perspective in the development work supported by DMCDD in the form of a rights-oriented selection of development issues.
- Partners are predominantly positive towards the rights based approach (RBA). A few partners are currently applying the approach deliberately and systematically, others are using RBA inspired components more occasionally and sporadic, while others again are using a theological language to address poverty and social injustice. There is thus a potential for the RBA to be further developed.
- Member organizations and partners acknowledge that there is a certain correspondence between the human rights and Christian values and principles, but some reflect critically on the human rights agenda. Parts of the Human Rights agenda are by *some* (members as well as partners) considered an expression of secular values which are in contrast to certain moral issues and the spiritual habitus of the church. Others express concerns that a strong human rights agenda will put at risk the position of the churches, particularly minority churches, if operating in vulnerable political situations.

The positive attitude towards the RBA indicates, however, that most of the partners are able to navigate and distinguish between the practice-oriented rights *approach* and the more valued-based human rights *agenda*.

The learning review has applied a RBA that focus on 5 human rights principles which are considered essential for ensuring justice and dignity for each individual. These principles are contextual understanding, non-discrimination, participation, empowerment and accountability. Among the essential lessons learned are the following:

- DMCDDs member organizations and partners are firmly entrenched in the local communities and have an elaborate knowledge and understanding about the local context, including the norms and practices that

obstruct or threaten the respect, protection and fulfilment of rights. This contextual knowledge and understanding is considered a major advantage for those who seek an appropriate confrontation with harmful customary law/practice, without creating a legalistic individualistic paradigm and without destroying valuable practices, structures and systems.

- Partners operating in contexts characterized by unrest/autocracy/instability are often forced to apply a silent and risk-minimizing approach to human rights, by using a language other than the language of rights and/or possibly addressing a limited cluster of rights (i.e. socio-economic rights). However, it is important that the churches and church based organizations remain observant, strategic and proactive in their operations; that they use the local contextual knowledge to detect important human rights issues which are less controversial and therefore possible to lift even against an authoritarian/repressive state.
- The attitude of partners is largely non-discriminative, but many partners (equal to development organizations in general) lack a strategic approach to non-discrimination in practice; i.e. conscious and deliberate actions *not* to exclude, belittle or reproduce stereotypes and unequal power relations, and allow for de facto inclusion of the most vulnerable and marginalized segments of the population.
- Partners acknowledge that the rights-holders should be agents in charge of their own development. However, participation, as a principle, remains a challenge and it is interpreted and implemented in many different ways; from *taking part* in an activity to be the *driving force* in development. Participation must take into account the individual rights-holders life situation (his/her abilities and opportunities) and ensure that those with the least power are adequately empowered to participate actively and meaningfully. Participation thereby becomes a key motivational factor for lasting social change.
- The majority of partners are deliberately working with empowerment; particularly empowerment of self-help groups to take action to improve the life situation of the members. The relatively consistent focus on group empowerment and mobilization is in excellent agreement with DMCCDD's policies and strategies which emphasizes organizational capacity building/development of civil society.

Many partners continue to have a strong traditional diaconical identity delivering services to people in need. However, Diakonia is more than alleviating immediate needs. Poverty, injustice and discrimination are expressions of unequal and unjust power structures. In recognition of this, the partners should aim to empower a critical mass of rights-holders and lift its prophetic voice, in order to challenge the underlying oppressive power structures and claim for justice and equality for all.

- Accountability closely linked to empowerment, i.e. the ability to hold duty-bearers to account. In many cultures outside Europe there is a strong traditional acceptance of authoritarian and hierarchical systems and leaders are commonly met with a high level of respect. A number of organizations are consequently reluctant to embark on a confrontational approach towards formal duty-bearers.

However, rights based programs and projects must examine how duty-bearers, in particular the state, meet their obligation to respect, protect and fulfill the rights of the rights-holders. In some contexts it may be necessary to apply a more persuasive approach, by focusing on building the capability of duty-bearers to comply with their obligations or a less visible approach by entering into strategic advocacy alliances with other likeminded organizations. In yet other cases the church or church based organizations have to step in to compensate for the state's lack of ability (or willingness) to provide services for its citizens. In such cases it is important to be determined only to provide strategic services.

In terms of internal accountability systems, partners mainly emphasize upwards accountability towards DMCCD member organizations and other partners/donors as well as government entities, while inwards and downwards accountability towards key stakeholders (rights-holders and duty-bearers) remains an area for further development.

Introduction and Purpose of the review

This report presents findings and reflections made in connection with the learning review on the rights perspectives in the Danish Mission Council Development Department (DMCCD).

The current Danish Development Policy 'The Right to a Better Life' (2012) emphasises the rights based approach (RBA) as the base for all support to development. The policy reflects a significant international paradigm shift from addressing human rights as a component within development work to addressing development work within a framework of RBA. As this policy informs the Danish Civil Society Policy, much recent focus among civil society practitioners has been on exploring and operationalising the RBA.

“Human rights are both a means and an end in our development cooperation. This entails that human rights should inform both the results to be achieved and the process to achieve them”

*A Right to a Better Life, Strategy for Danish Development Cooperation,
Ministry of Foreign Affairs 2012*

The learning review was initiated by DMCCD primo 2014 for the purpose of exploring the *extent to which the member organisations and their partners are applying a rights perspective and if so, how it is expressed and voiced through their faith based work.*

DMCCD itself does not have a policy or strategy on human rights. The aim of the review is consequently not to test the application of any specific policy or strategy, but to gather information which can provide insight into how the rights based framework is perceived and applied (intentionally or unintentionally) by various churches and church based organizations.

Furthermore, the review should contribute to mutual learning and inspiration and to develop methods and tools to enhance the quality of the advice and technical assistance offered by DMCCD to member organizations and partners.

According to the ToR (annex 1) the review is based on the assumptions that:

- a) The rights perspective is already present in much of the work supported by DMCDD or has the potential to be developed¹.
- b) The integration of a rights perspective in development work (including the values on participation, accountability, non-discrimination and transparency) foster better and long-term sustainable results and corresponds well with Christian principles.
- c) The majority of members and partners of DMCDD are supportive of the RBA framework.

The review has been conducted in close cooperation between DMCDD, member organizations, partners in the global South and the external consultant. Consequently, lessons learnt and best practices should hopefully contribute to inspire and enhance the hands-on development work as well as the dialogue within DMCDD member organisations concerning their own work in Denmark.

1. Methodology

The review is designed to examine and document *if* and *how* a sample of partner organisations/projects are applying a rights perspective by integrating and addressing human rights issues and using a rights based approach in their diaconical and/or development work.

The underlying data derives from a desk review of project documents and a field visits conducted in South, South East and Central Asia, East Africa and Central America (see country specific list below).

The organizations and the projects included in the review have been selected on the basis of interest and on the basis of planned monitoring trips in DMCDD. The selected organizations do not as such represent an entirely representative sample of DMCDD member organizations and partners, but the review has to the extent possible attempted to involve organizations of different nature, size and experience. Consequently, some organizations are professional and experienced church based development organizations, others are churches with small-scale development activities and limited experiences, and yet others are in-between the two positions.

Country	DMCDD member organizations	Partner organization	Case
Bangladesh	The Leprosy Mission - Denmark	The Leprosy Mission International in Bangladesh (TLMiB)	Rights and self-mobilization of persons disabled by leprosy
	Operation Mobilisation	Human Resources Development Project (HRDP)	Adult literacy and primary education for drop-out children
Burundi	The Baptist Church in Denmark	Dutebarane	Voluntary savings and loans

¹ DMCDD does not have a policy on human rights, but the Advocacy Policy (launched in 2009) provides some advice on how to integrate rights.

	The Baptist Church in Denmark	Union des Eglises Baptistes du Burundi	Formal and informal (life skills) education of orphans and vulnerable children
Kenya	International Aid Services	Free Pentecostal Fellowship in Kenya (FPFK)	Sexual and Gender Based Violence & Women Crisis Centre
	DMCDD	Organization of African Instituted Churches (OAIC)/CORAT	Capacity building on advocacy
Nicaragua	International Aid Services	Verbo	Formal and informal life-skills education of orphans and other vulnerable children
Philippines	VIVA Denmark	Philippines Children Ministry Network (PCMN)	Youth advocates for child rights
Sri Lanka	Assist	LEADS	Child sexual abuse
	Danish European Mission	Alliance Development Trust (ADT) of National Christian Evangelical Alliance of Sri Lanka (NCEASL)	Livelihood and community development
Tanzania	PULS	Help to Self Help projects (HSH)	Female genital mutilation
	Moravian Church Denmark	Moravian Church Tanzania	Community based primary health care
Central Asia	Danish European Mission	Anonymous ²	Human Trafficking
Uganda	DMCDD	PACANET	HIV/AIDS and network building

The review has not sought for comparable cases or specific human rights issues, but included a diverse selection of **contexts** (geographically and politically), **projects** (large scale, small scale, pilot projects, etc.), **issues** (child rights, rights of people with disability, human trafficking, literacy, etc.) and **target groups** (people with disability, vulnerable children, illiterate women, etc.).

From this complex sample of cases the review aims to extract information of **Knowledge, Attitude and Practices** with regard to human rights and the RBA among DMCDD member organizations and their partners, with a prime focus on the practical application at partner/project level.

1.1 Applied methodology

A large quantity of data has been gathered through an action oriented research process involving DMCDD, member organizations, their partners and likeminded organizations. Data has been collected based on a set of methodological guidelines and a number of complementary methods and tools designed specifically for the review (Annex 2).

A sampling of the questions included in the questionnaires developed for the review is based on questions from an evaluation carried out by the Swedish Mission Council (SMC) in 2011. The aim is to be able to make some comparisons between findings³.

² The name is known to the consultant and the reference group.

³ Evaluation of SMC's work with the human rights perspective and gender equality, 2009-2011 - Analysis and conclusions from 11 case studies, by Annica Holmberg and Annika Nilsson, NIDS Development Services, August 2011

Initial data was gathered during a pilot review in East Africa (Burundi, Uganda and Kenya) in May - June 2014 and subsequently during a larger review process from September - December 2014.

The pilot review was followed by a workshop in August, while the autumn review was followed by two debriefing meetings in November and December where findings were presented and discussed within a reference group consisting of DMCDD-staff and representatives of the member organizations involved in the data collection (Annex 3).

The draft review report and in particular its reflections and conclusions have been discussed by the reference group during final reflection workshops in February 2015 were also common recommendations for the way forward for DMCDD was developed.

The pilot review revealed that some partners were better able to discuss Knowledge, Attitude and Practice in regard to the human rights if introduced to the background and the content of the RBA. Consequently, a part of the review has been conducted as an informal RBA-training.

1.2 Limitations

The review exercise is challenged by the absence of consistent or globally defined concepts in regard to the application of a human rights perspective, and by the fact that DMCDD does not have its own strategy for human rights and a RBA to the development work supported by the umbrella.

Furthermore, the review methodology and tools have not been applied consistently since field visits have been conducted by different individuals with limited supervision. In some cases the methodological guidelines have been followed systematically, while in other cases time (or other restricting factors) has narrowed the use of the guidelines and tools. Consequently, not all organizations have provided data on all issues⁴.

Finally, the informants who have provided information about individual cases represent different levels in the organizations; some statements are thus fully consistent with the organization's views and experiences, while other statements are expressions of either project-specific or even individual views and experiences.

2. Brief about the rights based approach applied in the review

The Rights Based Approach is, as the name suggests, an approach that can be interpreted and applied slightly differently depending on the implementing organization and / or context. However, all rights based strategies - without exception - recognize the equality of all human beings and the common obligation to promote development and justice among all people sharing the same fundamental human rights; i.e. the right to a life in dignity, to equality, to justice, to material and social well-being, etc.

⁴ Three organizations have not been taken through the RBA assessment format, and some organizations have only filled part of the format. Consequently, the statistical figures are based on between 9 - 11 organizations.

The motivation for engaging in development work should, according to the RBA, not be a charitable wish to cater for people's needs, but an ethical obligation derived from the notion that the cause of human suffering is the denial of rights⁵. The RBA applied and introduced in this learning review is consequently based on an overall strategic orientation that:

- Identifies structural root causes of poverty, injustice and discrimination and finds ways to overcome these by creating fundamental structural changes
- Recognizes the UN standards and links development activities to relevant international/national legal frameworks
- Identifies the **rights-holders** and their entitlements and corresponding **duty-bearers** and their obligations

According to the Christian value basis of DMCCD, the UN Human Rights Charter and Conventions are viewed as relevant tools in the development work to promote and restore the God given human dignity (see DMCCD values 2013), but as an umbrella DMCCD does not have a common policy or strategy for addressing rights within a rights based framework.

At a practical/operational level the review has chosen to apply the following five **RBA principles**⁶, which together with the above strategic orientation provides the framework for analyzing the extent to which member organisations and their partners are applying a rights perspective:

- **Context understanding;** analyzing and understanding the human rights situation and the structural root causes of rights violations and abuses; i.e. the political and economic structures, the social patterns and cultural practices that exclude and discriminate against certain groups in society and cause human rights violations or abuses.
- **Non-discrimination;** giving priority and support, principally and in practice, to the most marginalized and vulnerable in society and the groups most affected by rights violations and abuses regardless of gender, age, ethnicity, religion, etc.
- **Participation;** engaging rights-holders actively and meaningfully in the design, monitoring and evaluation of activities that impact their lives.
- **Empowerment;** building the social, political, legal and economic capacity of rights-holders to address those with rights obligations (duty-bearers) and to claim their rights and access remedies for violations or abuses.

⁵ This notion resembles a mainstream RBA, while a Christian diaconal interpretation would be that the cause of human suffering is the broken relationship between God and man.

⁶ There exists no consolidated list of human rights principles, but the principles applied by different organizations are generally relatively consistent and refer to the same ethical motivation of ensuring justice and dignity for each individual. The list of principles applied by the review is largely inspired by the PANEL principles of: Participation, Accountability, Non-discrimination, Empowerment and Legality/Linkage to human rights standards. The linkage to human rights standards have though been lifted to an overall strategic level, while the context understanding is added as a principle due the vital role it plays in understanding the current human rights situation and the root causes of rights violations and abuses.

- **Accountability (1)**; operating in an inclusive and transparent manner that ensures downwards, inwards and upwards accountability; **Accountability (2)**; identifying the relevant duty-bearer and working towards a situation where these duty-bearers have the will and capacity to enforce the human rights standards, and where there exists mechanisms for holding them to account if rights are being violated.

A focus on rights does not override the attention to duties and obligations. Rights-holders are thus obliged to respect the rights of others and must practice a rights-based approach in their daily life by, for example, practicing non-discrimination of others, promoting the participation of all members of the community, and by respecting their obligations as citizens and/or members. Anyone who has a right automatically has an obligation to respect the same rights of others. RBA is not only a legal framework but also a moral/ethic framework that should guide not only relationships between the state and its citizens but also relationships between citizens and groups.

Intertwined with the RBA is the concept of advocacy. The review defines advocacy as *“strategic initiatives aimed at positively and permanently enhancing political, economic, cultural or social conditions and practices with the goal of improving the living conditions for poor and marginalized people (rights-holders), by the means of influencing political decision-makers and citizens (formal and moral duty-bearers) at different levels of society; nationally and internationally”*⁷.

The following two chapters (chapter 3 and 4) will provide insights into the **knowledge** and **attitude** towards the rights perspective and the RBA, and the extent to which a RBA is currently being **practiced** (intentionally or unintentionally) among DMCCD member organizations and their partners. The chapters aim to identify lessons learned and promising practices which can potentially inspire a further application of a RBA.

The review makes a conceptual distinction between the **rights perspective**, which also embraces the broader, value-based human rights agenda⁸, and the **RBA**, which represents a practical and methodological approach to development.

3. The rights perspective and RBA: Knowledge and Attitude

Assumption(s): 1) The rights perspective is already present in much of the work supported by DMCCD or has the potential to be developed, and 2) The majority of members and partners of DMCCD are supportive of the RBA framework.

⁷ The definition is inspired by the definition applied in the discussion paper: “Challenges and Dilemmas in Monitoring Advocacy” www.fagligtfokus.ngoforum.dk/images/FagligtFokus/Dokumenter/2014/FF_Discussion_Paper6_on_Monitoring_Advocacy.pdf

⁸ Value-based in the sense that it opens for moral and/or political motivated discussions of particular human rights and the entire human rights paradigm.

An overall examination of the content and purpose of the projects included in the review clearly shows that human rights issues (such as human trafficking, the right to education, child protection, inclusion of people with disability etc.) feature prominently among the problems addressed by the DMCCD supported projects.

Interviews with leading representatives and core project staff in the organizations involved in the review indicate that the majority of partners in the global South are well aware of the human rights, basic human rights standards and national laws, and to varying degrees the RBA. The general presence of a rights perspective does however not cover a general positive and accommodating attitude towards the entire rights agenda. Some partners, particularly East African partners, express a strong skepticism towards parts of the rights agenda which they consider being Western-driven, legalistic, individualistic, secular and dominated by minority rights⁹. These partners therefore expressed explicit limits to which rights they are willing to work with.

The director of the Lutheran World Federation¹⁰ in Uganda, Jesse Kamstra, has provided the following external analysis of the human rights environment in Uganda (and Africa in general):

“The Global North has its own cultures which have undergone decades of secularization to arrive at its current rights agenda. If the same agenda is being pushed here in East Africa which is a completely different culture we risk forcing a top down approach to realizing rights that does not include the participation of local communities. These communities may have different priorities for their human rights struggles.”

An Adventist pastor connected to the church network Dutebarane in Burundi states the following: *“If there are human rights issues that clash with the biblical notion of right and wrong, we don’t address these issues as church leaders”*. A more specific analysis is made by the interim leader of PACANET in Uganda who says: *“There are some contradictions between a rights approach and the scripture. According to the bible, for example, parents must discipline their children to avoid them choosing a wrong way. The church is consequently in general pro-physical discipline. This is now being challenged by a rights approach saying that teachers and parents cannot cane children, and that children can sue their parents if they do so. We have been overwhelmed by the issue of rights”*. According to the interim leader of PACANET there is a need to transform the concept and perception of rights (as for example minority-rights) so that it fits a church context. The message of rights should be “packaged” in a non-confrontational manner and be linked closely to messages of duties, which are easier for the church to accept and integrate, as it involves responsibility and can be merged with compassion.

It is fair to say that the above reflections are representative not only of churches and church based organizations. In a number of countries particularly in Africa, there is a *general* skepticism, which arises out of a

⁹ A number of partners expressed a general distrust and contempt towards so-called "human rights activists" and their struggle for minority rights (particular sexual minority rights).

¹⁰ The Lutheran World Federation is not associated with DMCCD, but the Director of the Uganda office provided his personal opinion on human rights in practice.

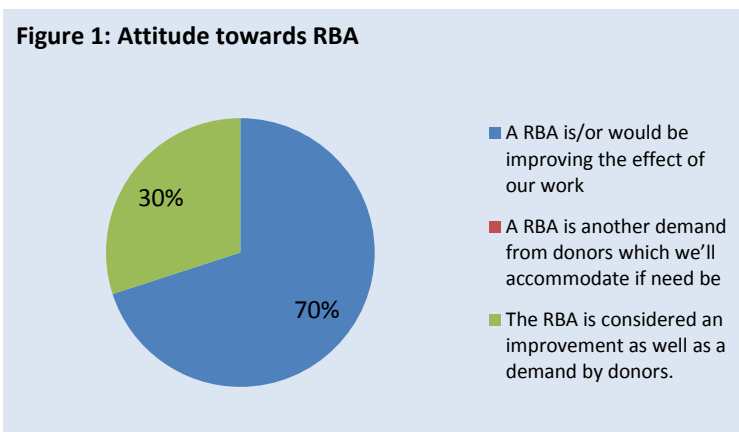
certain moral disagreement with particular human rights paragraphs (and secular Western influence) rooted in religion as well as traditional cultural values.

On the other hand, there are also many partners who emphasize the close relationship and compliance between human rights and Christianity (Christian values such as human integrity, dignity and respect). The project leader of TLMIB community program in Bangladesh puts it as follows: *“As Christians, we may use different words, but the meaning is the same. We serve all people. We include excluded and marginalized people”*. On a similar note the General Secretary of NCEASL in Sri Lanka explains: *“When we teach a Christian audience, we will start the teaching with a biblical perspective, e.g. that we are created as human beings by God, which is the starting point for working with rights... Evangelical churches have spoken most about “religious freedom”. I think we, as a church, need to be speaking on all rights”*.

The human rights perspective is no stranger to the churches and the church based organizations. However, shifting focus from the “salvation of individuals” (spiritually and materially) to the “rights of individuals”; and the integration of a right’s agenda in vulnerable political situations are mentioned as two particular challenges for the church partners in the global south.

Asked directly about their attitude towards the RBA seven (7) out of ten (10) partners reply that they consider the RBA to be improving their work, while three (3) out of ten (10) express that they are split between considering RBA as an improvement to their work and a request from donors which they will comply with.

The Leprosy Mission in Bangladesh is among the latter organizations, which are split between considering RBA as an improvement and a demand from donors. The project design is in full compliance with RBA, but the research manager explains; *“The project would probably have looked the same if we had never heard about the RBA. It was developed based on the organization’s own values”*. The quote confirms that the rights based approach does not differ significantly from the faith based development practice. The recognizability between previous practice and the RBA, together with a curiosity and desire to learn more, are considered to be the key reasons for the partner’s predominantly positive attitude towards the RBA.

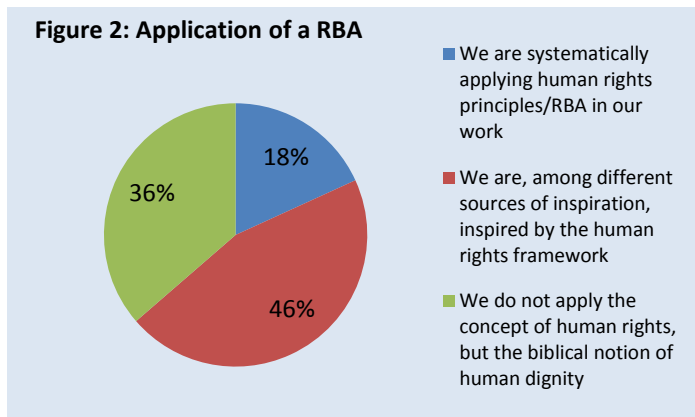


4. Human Rights and RBA: Practice

Assumption: The integration of a rights perspective in development work (including the values of participation, accountability, non-discrimination and transparency) foster better and long-term sustainable results and corresponds well with Christian principles.

The review shows that DMCCDD member organizations and their partners apply a variety of strategies and approaches to their work, which are consistent with their conviction of how best (strategically and practically) to contribute to a positive development, their scope of action within the given context, and their professional development capacity.

Asked about their leading approach to development work only two (2) out of eleven (11) partners indicate that they apply a rights based approach systematically¹¹. Five (5) out of eleven (11) express that they, among different sources of inspiration, are inspired by a human rights framework; while four (4) out of eleven (11) say that they don't use the concept of human rights, but the biblical notion of human dignity (see figure 2). Some partners are thus applying the approach deliberately, others are using RBA inspired components only occasionally and sporadic, while others again are using a theological language to address social injustice.



The development work supported by DMCCDD appears, to varying degrees, to be characterized by a demand driven (or needs based) approach. Board members for Verbo in Nicaragua explain their approach as follows: *“We meet the needs of the children who come to the home and focus on rights later on. It is not that we don't care about rights, but if a child is hungry, we must give him/her something to eat; not because of the right to food, but because we are Christians”*.

The rights perspective is (as mentioned in chapter 3.1) however visible and articulated in the most of development issues and problems addressed by the DMCCDD supported development projects; and some organizations, such as the Human Resources Development Project in Bangladesh, are well articulated about their rights approach: *“We are promoting women's rights, for example through adult literacy... We also promote children's rights, for example by fighting child labour... We are mostly working with human rights in an indirect way, through empowerment, but we are saying that these are UN rights and UN goals, to motivate people”*.

A number of partners¹² oppose to the dichotomy between the “needs” and “rights” approaches, since rights violations and abuses are believed to arise from unfulfilled needs. This view is unquestionable; what in turn can be questioned is how the church and the church based organizations respond to a situation where needs are unfulfilled: by a charity approach, fulfilling the immediate needs, or by a more strategic long-term approach

¹¹ Philippines Christian Ministry Network indicates that it is systematically applying human rights principles /RBA in its work, but adds: *“We apply the human rights approach but also the biblical view of human dignity”*.

¹² Amongst these LEADS, Sri Lanka and the Moravian Church Tanzania

trying to change the structural root causes of problems and empower “rights-holders” to actively claim their rights?

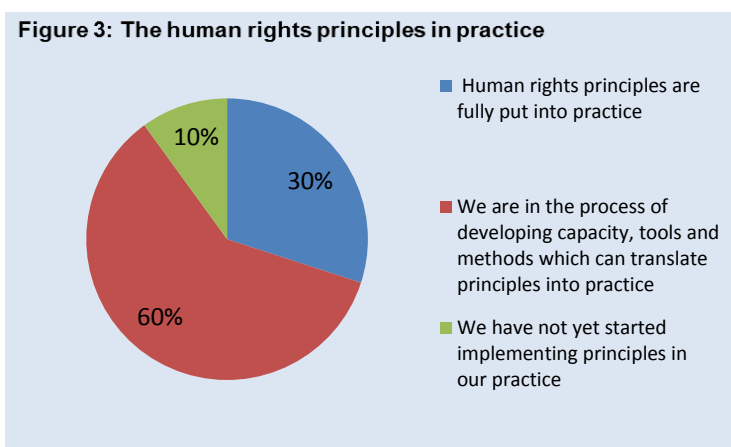
A majority of partners, seven (7) out of ten (10), indicate that they are satisfied with the level and manner in which they address human rights in their current practice. One partner, the Leprosy Mission Int. Bangladesh, felt unable to give a “yes” / “no” answer; instead the program leader explains: *“Human rights issues are addressed in the CBR projects, but other projects are not highlighting human rights issues. One of our country strategies is to “promote an environment that enables people affected by leprosy to exercise their rights”, but we may not practice it systematically”*. The quote is considered to cover the reality among many development actors including DMCCDs member organizations and their partners, in the sense that parts of the project work are human rights oriented, but the organizations are for various reasons (e.g. lack of human capacity; lack of RBA tools and methodologies; skepticism towards the human rights agenda or unfavorable political contexts) not applying a strategic and systematic RBA.

As referred to in section 2 the RBA must be based on an overall strategy that:

- identifies and works with structural root causes of poverty, injustice and discrimination;
- recognizes the UN standards and links development activities to relevant international legal framework; and
- identifies the rights-holders and their entitlements and corresponding duty-bearers and their obligations.

Furthermore the RBA should follow the five human rights principles of: context understanding, non-discrimination, empowerment, participation and accountability.

Asked about the correlation between the human rights principles and their current practices, the majority of partners, six (6) out of ten (10) indicate that they are in the process of developing capacity, tools and methods which can translate principles into practice, while three (3) organizations indicate that they find themselves so far in the capacity development process that they are close to a full implementation of the human rights principles. Only one (1) organization has not yet started the process.



The review finds that all partners recognize and apply the five principles to a greater or lesser extent, but not necessarily as part of a deliberate RBA as defined in section 2. The following is a brief review of how the five principles are incorporated into the practical development work.

4.1 Context understanding

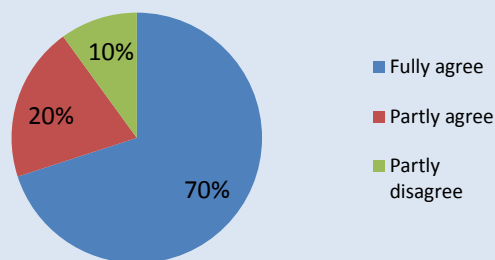
Definition: Contextual understanding implies an insight into the human rights situation and the structural root causes of rights violations and abuses; i.e. the political and economic structures, the social patterns and cultural practices that exclude and discriminate against certain groups in society and cause human rights violations or abuses.

A human rights perspective can and should be applied differently in different contexts. A successful application of a human rights perspective consequently requires a thorough and contemporary understanding of the wider context and the human rights situation. Such understanding entails an analysis of existing human rights violations and abuses and how the present laws, the political environment, the public institutions and systems, the civil society, the social norms and practices, etc. contribute to or counteract the respect, protection and fulfilment of the rights of citizens (rights-holders). It is the assumption that a detailed analysis of the context result in knowledge, not only about the underlying causes of existing human rights violations and abuses, but also about the formal and informal enabling factors that can contribute to eliminate these root causes and hence the violation and abuse itself.

According to a majority of the partners involved in the review, a context analysis is developed as part of project preparation (figure 4). However, the answers reveal no information about the methods applied and the robustness of the analysis.

The review has found that particularly two contextual factors; 1) the customary laws and practices, and 2) the political situation including the system of governance are vital for the partner's integration of a human rights perspective and their application of a RBA.

Figure 4: Underlying socio-economic, cultural and political structures are analyzed



With respect to the first factor, a number of partners and likeminded organizations stress that the human rights perspective has to be applied in a context sensitive manner partly to avoid harming valuable customary legal and social systems which keep communities together, and partly to avoid an unintended exclusion of individual rights-holders or a rejection of an intervention that aim to eliminate harmful traditional practices. The director of the Lutheran World Federation in Uganda provided the following example: *“If a girl in Uganda is raped, the clan is the injured party. The clan elders will go to the offending clan to claim compensation on behalf of the clan in order to restore justice. The same is the case in Burundi where there is a strong customary institution that maintains justice. If the violated girl instead choses to go the police (following the advice of an (I)NGO) to exercise her right within the modern justice system, the girl is defying the customary justice systems and is more likely to be expelled from the clan”.*

A similar example is found in Northern Tanzania where Female Genital Mutilation (FGM) is traditionally being performed by the Maasai's. The cultural justification for FGM is to ensure the survival of the tribe; by

circumcising the girl she will be transformed into a woman who can marry and have children. According to the traditionalists the tribe will be in danger of extinction if FGM is prohibited. The fight against FGM and for girls' reproductive health rights is consequently met with great resistance from traditional leaders and the Ngaribas, who perform the circumcision.

Promising practices:

In the example from Tanzania the harmful tradition of FGM is being justified by the survival of the tribe. PULS and its local partner Help to Self-help have therefore introduced an alternative to the traditional circumcision; a new symbolic rite-de-passage that helps girls to become women. As part of the project existing groups of Ngaribas (the elder women who traditionally have been performing the circumcision) are trained to conduct the symbolic rite-de-passage where young girls ready to become women are isolated for five days. During these five days they are taught about being a woman; the importance of good hygiene, how to cook healthy food, HIV/AIDS, birth control, and women and girls sexual and reproductive health rights. On the fifth day the girls are given a woman's dress and the family and community leaders arrive to greet the girls and give them presents.

By involving them, the Ngaribas remain with the power to conduct the rite-de-passage and they are given a special piece of meat as payment for their service. The new rite-de-passage is gradually being accepted by the larger Maasai community, not because they are told that the Tanzanian law prohibits circumcision, but because the project has found a suitable alternative to FGM and allows for a process of dialogue among men and women. It is for example acknowledged that the word of one woman doesn't carry enough weight to convince another woman to change practice; therefore the messages in regard to FGM are delivered to new women by a group of at least 10 women.

Some organizations distinguish between outright acts of rights violations and less infringing rights violations (entrenched in social/cultural norms and practices). Whereas the outright violations disrupt the rule of law and therefore have to be dealt with in a legal process, the less infringing violations can be handled more appropriately through a process of transformation. The general secretary of The Organization of African Instituted Churches (OAIC) explains as an example that customary law in Kenya prohibits women and girls to inherit land when their husband or parents die. OAIC is of the firm conviction that women are entitled to land, but the organization doesn't talk about land rights, instead it uses a biblical terminology and enters into a community dialogue with the aim to transform traditional gender roles and relations and thus the current inheritance practices. *"We need to educate the people on how to apply the rights; it is not a viable way to go if every girl takes her father/brother to court to claim their right to land"*, says the general secretary.

The other critical contextual factor to consider is the political situation, including the system of governance. With respect to this factor it is important to understand whether the political situation is characterized by peace/democracy/stability or unrest/autocracy/instability.

A number of partners operate in so called vulnerable situations with limited democracy, peace and stability, - situations where it is difficult to work openly with rights issues. One partner describes such a situation as follows: *"The environment regarding human rights is getting worse. The legal system has weakened and it is*

possible to get away with anything; killings, abductions, rapes, etc. happens without justice being upheld. ... Many work with rights, but do not phrase it as rights. In our program we write that we work to increase vocational skills - implicitly we know that we are responding to the right to employment. The Government said recently that the country has achieved all the Millennium Development Goals. As CBOs we know that this is not true, but if we advocate publicly or through our website and say that rights are not achieved, we will have a problem! Many rights interventions are taking place in the organization, but it has "a very silent nature". On grass root level we are achieving a lot of impact, but on Government level we don't see much impact yet".

The review shows that partners operating in countries with repressive states, in particularly states with a different majority religion than Christianity and limited freedom of religion, feel challenged and at risk when working with rights - particularly political rights. Consequently, churches and church based organizations present in vulnerable political situations often limit their field of work to social and economic rights to comply with a rigorous NGO legislation and avoid conflict with those in power.

On a more overall note, the vast majority of partners indicate that they 1) analyze the underlying socio-economic, cultural and political structures and relevant national and international laws, and 2) identify rights-holders and duty-bearers in regard to the problem/human rights issues addressed by their development work.

Lesson learned: Human rights abuse and violation that derives from customary practice or law can in some cases be effectively defied by a transformative (non-legalistic) process that changes attitude as well as social and legal practices. Furthermore, partners working in vulnerable situations can apply the five human rights principles of the RBA, without pursuing an explicit human rights agenda.

4.2 Non-discrimination

Definition: Giving priority and support, principally and in practice, to the most marginalized and vulnerable in society and to the groups most affected by rights violations and abuses regardless of gender, age, ethnicity, religion, etc.

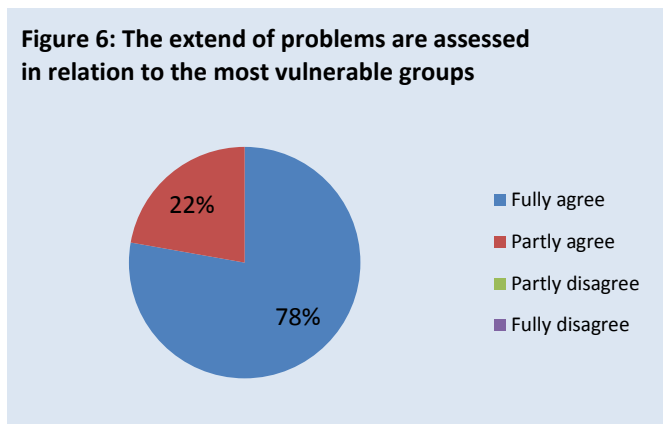
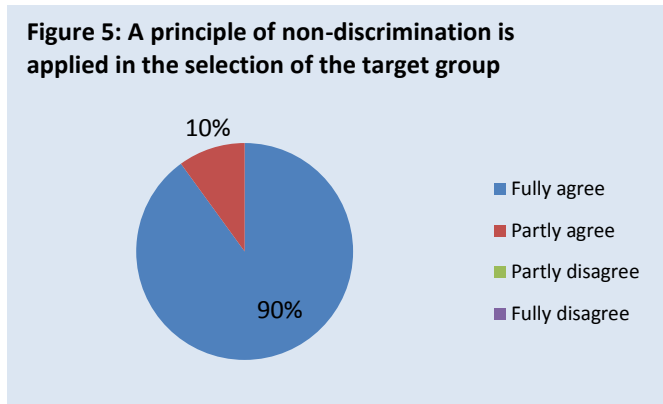
The principle of non-discrimination resembles traditional Christian values represented in Bible verses such as: "There is neither Jew nor Greek, there is neither slave nor free, there is no male and female, for you are all one in Christ Jesus" (Galatians 3:28) and "My brothers, show no partiality as you hold the faith in our Lord Jesus Christ, the Lord of glory. For if a man wearing a gold ring and fine clothing comes into your assembly, and a poor man in shabby clothing also comes in, and if you pay attention to the one who wears the fine clothing and say, "You sit here in a good place," while you say to the poor man, "You stand over there," or, "Sit down at my feet," have you not then made distinctions among yourselves and become judges with evil thoughts? Listen, my beloved brothers, has not God chosen those who are poor in the world to be rich in faith and heirs of the kingdom, which he has promised to those who love him?" (James 2:1-13).

The church has, through its traditional diaconal role (understood as its obligation to love and serve)¹³ a long standing tradition of providing service to the poor and disadvantaged in society.

This very obligation to love and serve people in need may be the reasons why nine (9) out of ten (10) partners indicate that they fully apply the principle of **non-discrimination** in the selection of target groups (figure 5) and that seven (7) out of nine (9) partners indicate that they analyze the extent of existing problems in relation to the most vulnerable groups in society (figure 6).

Thus, there is no indication that the principle of non-discrimination is disregarded in any of the reviewed projects. There are even examples of projects where the community is asked to validate the selected target group prior to project implementation¹⁴. However, these examples are few and the review finds that many partners, as the majority of development organizations in general, continue to select their target groups

rather arbitrary among the broader group of poor and needy (without a systematic eye for the groups of *most vulnerable/marginalized* people) or with a certain exclusivity (e.g. from a group of believers). The SMC evaluation concludes that *“particularly attention should be given to the cases where the organizations claim that they do not discriminate anyone and that everyone is included. Often they say so without having analyzed their own attitudes/behavior or the relations within the target group of rights holders. This should indeed be an early warning on lack of awareness how power relations are reproduced by all of us”*¹⁵. The conclusion is based on the experience that active non-discrimination requires conscious and deliberate action, both of individuals and organizations, since most discrimination and intolerance is a result of unaware behavior embedded in social/cultural norms and practices. Consequently, the strategic work against discrimination of any marginalized group of rights-holders (due to gender, age, ethnicity, sexual orientation, religion, disability or other) should be based on a power analysis; i.e. an analysis of the group as a whole in relation to other groups



¹³ This represents a traditional approach to the church’s diaconal role. It is recognized however that the concept of ‘diaconia’ has been defined differently over the recent years. DMCDD works with a definition of diaconia as “an expression of the relationship between Church, its surrounding society and all people in need” aiming to promote transformation, reconciliation and empowerment, addressing the basic reasons for poverty and repressive structures by raising a prophetic voice against injustice (advocacy).

¹⁴ The Free Pentecostal Fellowship in Kenya is practicing community validation of the target groups in some of its projects.

¹⁵ Evaluation of SMC’s work with the human rights perspective and gender equality (2011), p. 32

and people in power, and of sub-groups within the group of rights-holders. Without such an analysis organizations risk being blind to the various levels of discrimination and reproduction of unequal power relations within a given society, and will thus be unable to provide the special measures or develop the specific projects to support those that are more marginalized than others.

Promising practice: Community validation

The livelihood programs of ADT in Sri Lanka are built on the principle of empowering communities to take ownership of their own development. This entails mobilizing and capacity building community committees that are based on democratic values and representing their entire local community. These committees become gradually more and more involved in the running and deciding on project activities including the selection of target groups, including participation in programs to enhance income generation skills or to receive livelihood grants. The selection criteria are discussed in partnership between the local committees and ADT. In this way, the community plays an active role in ensuring that the selection of target groups is based on transparent and non-discriminatory criteria, which have not only been set by an external organization but by themselves.

Lesson learned: The traditional diaconical principle of unconditional love and service towards people in need is well in line with the principle of non-discrimination. However, most discrimination and intolerance is embedded in social/cultural norms and practices, and without a deliberate analysis of existing power relations individuals and organizations risk reproducing unequal and discriminatory patterns which continue to exclude the most vulnerable and marginalized groups.

4.3 Participation

Definition: Engaging rights-holders - actively and meaningfully - in the design, monitoring and evaluation of activities that impact their lives.

Participation can take on multiple forms and serve many different purposes, but proper participation is closely linked to empowerment and redistribution of power. Participation implies that the rights-holders are able to and provided with space to influence the development process, to voice their views and to propose solutions. Without a certain redistribution of power participation becomes an empty and frustrating process for those who hold the least power. Empowerment will consequently be a prerequisite for genuine participation in many cases.

Asked about their practices in regard to participation, the majority of partners answer that they fully or partly involve rights-holders in project design, monitoring and evaluation.

Figure 7: Rights-holders are actively involved in designing the project

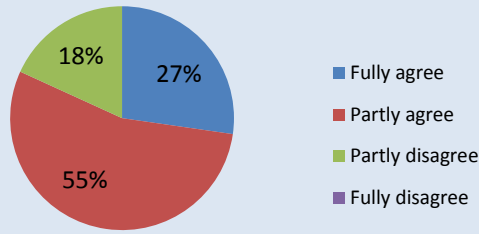
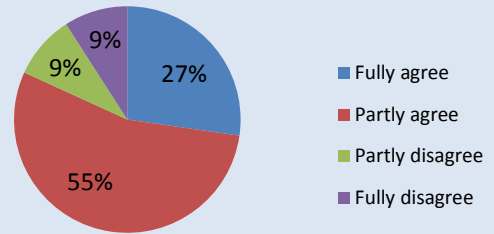
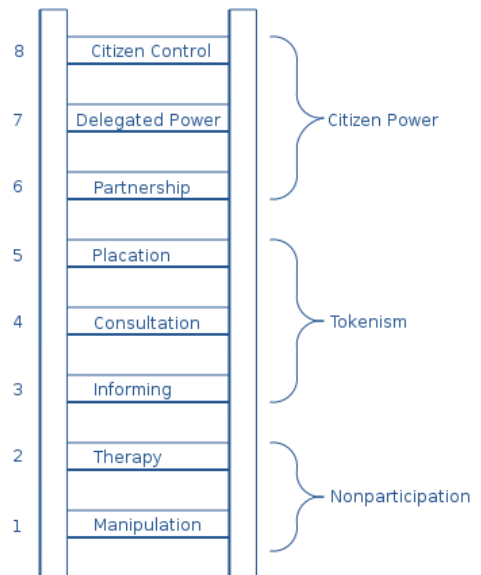


Figure 8: Rights-holders are participating actively and meaningfully in M&E



The review does not question the fact that the majority of partners consider themselves to be working deliberately with **participation** for example by inviting selected groups of rights-holders to join planning workshops and M&E sessions, and by involving the rights-holders during implementation of concrete development activities. Nonetheless, if the participating partners resemble the average development practitioners the large number of “partly agree”-responses (in figure 7 and 8) are likely to reflect good intentions, but a relatively sporadic and inefficient practice in regard to participation. The SMC evaluation of the Human Rights perspective and gender equality, deduces the following learning, *“Participation of rights-holders is embraced and valued by most projects, but often more to ensure effective implementation of projects rather than providing an opportunity to truly influence plans, project design and power relations within the project and the cooperation¹⁶”*.

Figure 9: Ladder of participation



¹⁶ Evaluation of SMC’s work with the human rights perspective and gender equality (2011), p. 3

A group of staff from the Sri Lankan NGO LEADS gives their participation practice an average score¹⁷, but indicates that they aim to improve their practice in the future by having their target groups of families and children participate in all relevant decisions. Participation is yet considered a challenge by LEADS due to a culture where children are not trained in decision-making and where the parents perceive themselves as helpless individuals who dependent on the mercy of others.

Participation must take into account the individual rights-holders life situation and his/her abilities and opportunities (e.g. age, gender and minority wise) and ensure that those with the least power are adequately empowered to participate actively and not the least meaningfully. To understand the complexity of participation it can be useful to consider the different levels of participation as a ladder where the successive steps describe the stages from “non-participation” towards full managerial power (figure 9¹⁸).

Despite difficulties in practicing proper participation, the review has identified concrete examples where vulnerable rights-holders are taking active and meaningful part in changing their life situation. A fine example of such is found in Bangladesh where people disabled by leprosy are mobilized and organized in associations. Members of the Jaldhaka Association explain; *“We participated in making plans and setting goals for our association, and also some for the project. It was our idea to include literacy training”*. The project is characterized by a large sense of ownership among the rights-holders who have acquired power to facilitate training of religious leaders on disability rights, which is unusual in an authoritarian and hierarchical culture as the Bengali.

Case 1: Moving forward towards inclusion¹⁹

Altab Hossain is an old man, disabled by leprosy. He lives in Dormopal, Jaldhaka, in North-West Bangladesh. When he contracted leprosy he lost sensation in his feet and hands. He had claw fingers and an ulcer on his feet. Because of his disease, he was not allowed to enter the mosque or participate in any social activities, and he was not allowed to work with others. Altab Hossein received treatment from DBLM (Danish Bangladesh Leprosy Mission) hospital in Nilphamari. He is now cured from leprosy, but disabled as a result of the leprosy.

¹⁷ The staff filled the Human Rights Assessment Barometer (tool 3 in the Guide to the Learning Review, see annex 2) during a workshop in relation with the review.

¹⁸ The ladder was first published in 1969 as “A Ladder of Citizen Participation”, by Sherry R. Arnstein. The concept of “placation” (the 5 step on the ladder) may not be familiar all, but should be understood as a situation where rights-holders are being included (in a committee for example) but without real power to change anything.

¹⁹ The case story is written by Mette Schmidt, DMCDD.

Although cured, Altab had to live with the pain of rejection by his villagers and neighbours. He was not allowed to work with other people; therefore he started his own small rickshaw business, but because of the leprosy stigma, he had few passengers and was barely surviving.

But thanks to the advocacy efforts of the local association of persons with disability, Altab's situation dramatically improved.

As one of its activities the Jaldhaka association arranged an orientation for 25 local religious leaders and some teachers where the members presented the current laws regarding disability rights in Bangladesh such as education, health, employment opportunities, accessing government safety nets, as well as protection from violence, especially for disabled women. The association leaders explained how stigma and discrimination should be removed, and pointed out the many barriers persons with disability face, such as not being allowed to enter the mosque, church, or temple or not being allowed to work or participate in any social activities. During the meeting the religious leaders committed themselves to work with disabled persons. Also all participants declared that persons with disabilities are members of the community, just like anyone else.

After this meeting, Altab's life has changed. The Imam of his village passed on the information he received at the orientation to the people in his mosque. Now Altab is fully included in the community and can participate in any social activity. He now has enough passengers for his rickshaw to ensure a reasonable income.



Lessons learned: True and proper participation is difficult but essential for the rights-holders sense of ownership and influence. Furthermore, participation is considered a key motivational factor (driver) for lasting social change.

4.4. Empowerment

Definition: Building the social, political, legal and economic capacity of rights-holders to address those with rights obligations (duty bearers), claim their rights and access remedies for violations or abuses.

Empowerment is a multi-dimensional process that helps people gain control over their own lives and be in a position where they can claim their rights. The process of empowering people should consequently address social, political and legal power as well as economic power, in order to empower people to:

- analyze and understand their life situation and the rights that apply,
- set agendas and act on development issues and claim their rights,
- control resources and influence decision-making through advocacy, etc.

A RBA stresses the importance of empowering individual rights-holders and strengthening their organizations to take action to hold duty bearers accountable.

Asked about their practices in regard to empowerment the vast majority of partners, nine (9) out of eleven (11), reply that they provide rights-holders with support, tools and skills to claim their rights (figure 10), while close to half of the partners, five (5) out of eleven (11) organize the rights-holders decisively to claim their rights (figure 11).

Considering the various projects that are part of the review, **empowerment** is primarily relating to economic empowerment, through economic self-help groups, and social empowerment, through social self-help groups and individual life skills training or formal/informal education which enables the participants to manage their own lives and relate socially to others. There are only few examples of social mobilization around

human rights issues such as for example female genital mutilation and inclusion of people with disabilities, where the target group is empowered to address moral and formal duty-bearers and to some extent participate in a political process in order for example to enforce a certain law or obtain a certain service.

Figure 10: Rights holders are provided with support, tools and skills to claim their rights

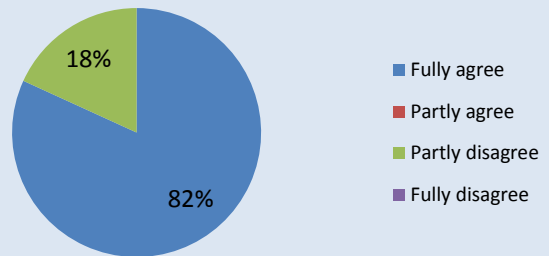
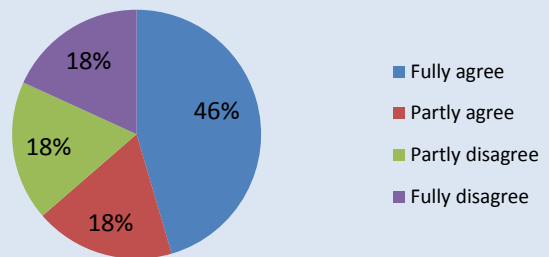


Figure 11: Rights-holders are organized to claim their rights



Promising practice: Identifying root causes and requiring these to be eliminated

Women in one of Nairobi’s informal settlements were experiencing rape and harassment during evening hours. OAIC identified a root cause to be the dark streets and alleys and launched an initiative to empower people to demand that the city council provides street lights. *“People are not seeking services because they don’t want to, but because they don’t know that they are entitled to services. If people are enlightened they are requesting services. People are in charge of their own development”,* says the general secretary of OAIC.

It is a general impression that it comes more naturally for the majority of churches and church based partners to work with socio-economic rights as compared to political and civil rights. Part of this can be explained by the church’s historical role as service provider, and part of it can be explained by the desire not to act confrontational towards those in power, particularly in the more vulnerable political situations. A partner from

Asia describes its maneuvering space as follows; *“We have opportunities to do advocacy for human rights. We can advocate for social and economic rights, but not political rights”.*

Case 2: A right to a decent standard of living

The 17 members of the local Voluntary Savings and Loan Association (VSLA) meet every week in a small building outside the capital of Bujumbura in Burundi.

The group has been formed by Dutebarana but manages its own activities. These activities consist mainly of a very systematic registration of savings for the individual members, equally systematic loan administration and provision of small scale social support to members and non-members in need.

The members of the group all belong to the Anglican Church. The criteria for membership are good behaviour, ability to save a minimum of 1.000 BIF a week, and minimum age of 20 years.

Each member in the group has an individual story to tell about increased economic autonomy as a

direct result of the savings and loans system; autonomy that is being carefully administrated to create better living conditions for the saver/borrower and his or her family.

The accountability towards the group has without doubt an indirect impact on how the individual loans are being utilized. Nor is there any doubt that the members, individually and as a group, feel empowered and experience greater dignity and status in society as a consequence of their improved economic position.

The fact that the members provide social funds to beneficiaries outside the group, show social responsibility towards non-members, but the traditional VSLA group cannot as such be considered inclusive and non-discriminatory, as the members have to vouch for each other, leaving the most vulnerable and marginalized members of community with a very limited chance of joining a group.

In turn the VSLA groups have an untapped potential to utilize the power and dignity gained in the group for the common good of members and non-members, if the groups are empowered politically to hold formal duty-bearers accountable for example in the form of local budget monitoring.



The effort to empower people targets to a large extent organized groups of rights-holders - either existing groups or groups established by project interventions (see figure 11, page 19).

In a self-assessment of project results a significant large number of partners, nine (9) out of eleven (11) indicate that organized groups - fully or in part - are taking action on self-help (figure 12), while eight (8) out of eleven

(11) partners indicate that organized groups are taking action on advocacy (figure 13). In general the level of organization is found to be relatively high as compared to the SMC evaluation²⁰.

Figure 12: Organized groups are taking action on self-help (DMR-U)

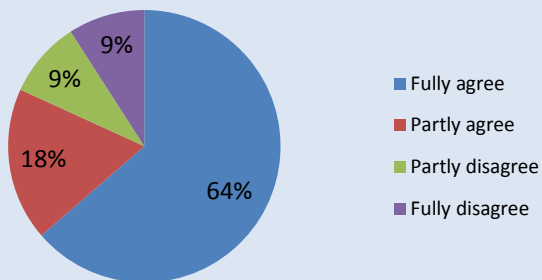
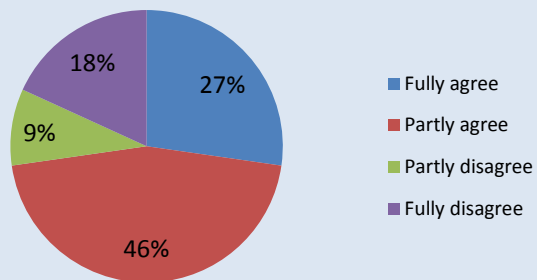


Figure 13: Organized groups are taking action on advocacy



For the last figure it is relevant to note that 40% “partly agree” that the project has resulted in groups taking action on advocacy, indicating that more efforts ideally must be put into enabling the rights-holders to strategically work with advocacy, particularly towards formal duty-bearers.

Promising practice: Turning parents and church members into moral duty bearers for children

After a short journey uphill from Bujumbura we arrived at a Baptist church where UEBC has established an association to support orphans and vulnerable children in the local community. At the church we met with members of the association which consists of children, their parents and caregivers and a number of active and trained church committee members.

According to the children the association provides them with school materials, school uniforms and health insurance cards, which enable them to attend school and reduce the costs of medical care. The project support is phased out gradually, but the means given to the children will be sustained by the surplus



²⁰ Similar questions were asked in the SMC evaluation, but with significant different outcome (SMC Evaluation p. 17). However, reservations should be made to the fact that different analytical methods have been applied in the two studies.

from the income generating activities carried out by the association. Currently the association owns two cows, 3 kiosks and a mill.

The role of the church committee members is to carry out home visits to the families involved in the project and to provide the children with an opportunity to play every Saturday. “Through playing we learn to love and help each other, and shy children become less shy”, explains one of the children. The children have also been introduced to the issue of children’s rights. “We have learnt that we have the right to play and to talk to our parents”, says another child.

Parents and caregivers have been actively included in the project. Not only have they received support from the association in the form of loans, they have also been introduced to the concept of rights, which has made them recognize that the relationship between parents and children grow if they talk to and listen to their children. “We talk together about how the day has progressed. When I ask him to help he respects me, we have no conflicts”, explains one of the parents.

The chair of the committee, who has been trained on children’s rights, says that he has realized that it is important for children to play, and to acknowledge that children have valid ideas that need to be respected. A boy sums up the changes in his life as follows: “I am going to school, I am playing with others and I am talking more freely with my parents”.

The review shows that empowerment, to a very large extent, is associated with mobilization of groups of rights-holders to take action on self-help, or as the promising practice below illustrates to act as moral duty-bearers towards weaker “rights-holders”; for example children.

It is certainly not uncommon for churches and church based organizations to provide opportunities for vulnerable children to attend school, but the above promising practice illustrates how a project with relatively limited efforts can transform traditional service delivery into a rights based practice. By empowering parents and church members jointly to respect, protect and fulfill some basic rights of children, this group of empowered rights-holders transforms into moral duty-bearers to a group of vulnerable children.

The review does not provide many examples of empowered rights-holders conducting strategic advocacy towards formal duty-bearers with the aim of changing laws or policies or increasing access to public services for a larger group of “rights-holders”. However, one concrete example from the Philippines has to be mentioned; namely the Philippines Children Ministry Network that has trained 100 youth advocates in carrying out campaigns against child sexual. The aim of the advocacy work is to urge caregivers, church congregations, community members (moral duty-bearers), and local police, teachers, community leaders, and government policy makers (formal duty-bearers) to create safe places for children.

Strategic advocacy towards formal duty-bearers requires legitimacy and power. Most churches and church based organizations have the required legitimacy by virtue of their experience and concrete efforts to combat poverty and they have the power of numbers by the virtue of a critical mass of rights-holders organized and empowered to claim their rights. Many churches and church based organizations can improve their efforts to engage this critical mass or rights-holders (and moral duty-bearers) in strategic advocacy towards formal duty-bearers.

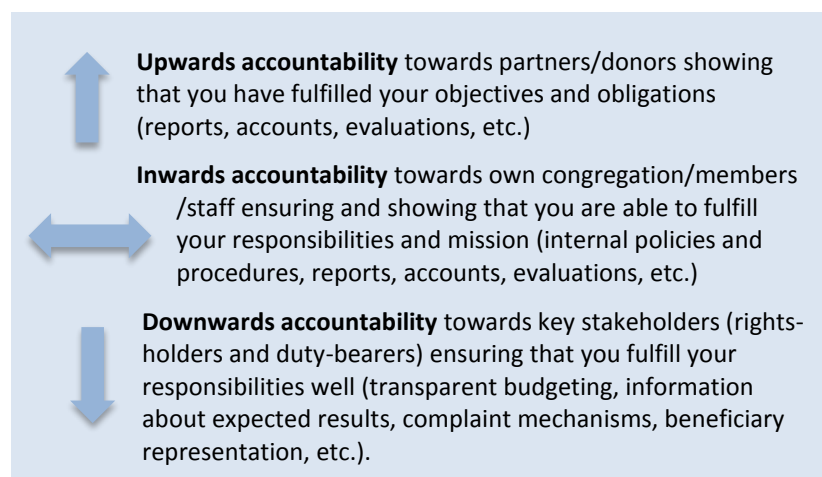
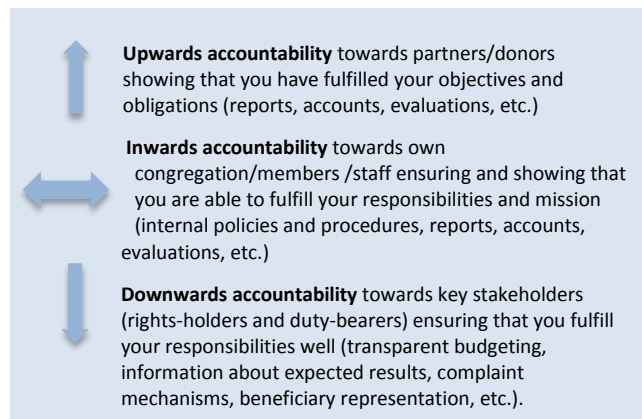
Lesson learned: A deliberate focus on group mobilization and group empowerment enables the individual rights-holder to become part of a critical mass which can - and should - approach duty-bearers with the legitimate claim for respect and protection of rights and for sustainable structural changes in public services and governance. If not self-help initiatives and service delivery are accompanied by and based upon, a deliberate effort to create structural changes these initiatives and services will remain fragile.

4.5 Accountability

Definition: (1) operating in an inclusive and transparent manner that ensures downwards, inwards and upwards accountability; (2) identifying the relevant duty-bearer and working towards a situation where these duty-bearers have the will and capacity to enforce the human rights standards, and where there exists mechanisms for holding them to account if rights are being violated.

The concept of accountability is considered to be well known and practiced by DMCCDs member organizations and partners, in particular when it comes to accountability in regard to entrusted funds within a partnership or donor relationship. One partner, Verbo in Nicaragua reflects on its accountability mechanisms as follows: *“The government gives us reports that we have to complete and we have done a good job in submitting all the paperwork necessary. In regards to projects we are accountable to the donors for how their money is spent. And on Sundays we talk to the congregation about how their tithes are used in paying of this building”.*

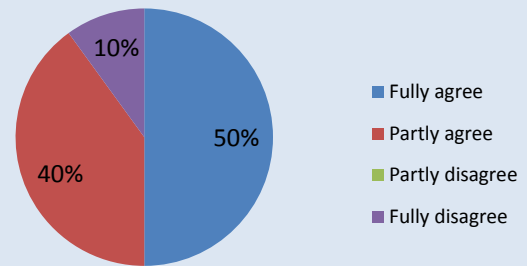
The quote reflects the efforts made by partners to establish upwards (and to some extent inwards) mechanisms of accountability. But accountability is more than a transparent management of funds and regular reports and accounts to partners, donors and one’s own congregation/membership base; it is also about downwards accountability towards the stakeholders (mainly rights-holders) by working in an open and responsible way that builds trust and respect.



Responses by partners indicate that a large majority, nine (9) out of ten (10), are fully or partly practicing downwards accountability by sharing project results and challenges with stakeholders and communities (figure 14), but the review reveals limited information on *how* this downwards accountability is actually practiced.

The practice of downwards accountability is, as described in the promising practice below, challenging. Consequently, when rights-holders involved in a literacy project in Bangladesh were asked if they would hold the project accountable if they didn't learn anything they all started to laugh. The question was obviously strange to them.

Figure 14: Project results and challenges are shared with stakeholders and communities



Promising practice: Implementing complaint-response mechanism

According to the Lutheran World Federation (LWF) in Uganda all development organizations should consider themselves duty-bearers who are obliged to be accountable to the people with whom they work.

As an organization the obligation of accountability can be fulfilled by presenting project budgets, conducting community validations of priorities and beneficiaries, and by setting up complaints and response mechanisms which can trace shortages and program failures by the project (staff).

Such a complaints and response mechanism is set up by LWF, who record all complaints in order to ensure that complaints are dealt with efficiently and effectively.

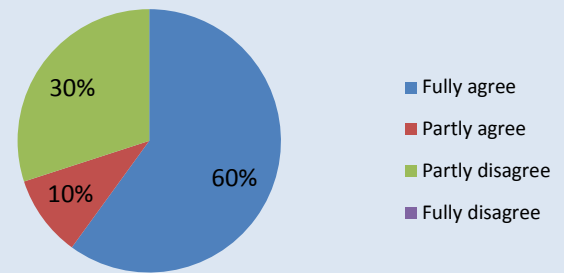
The beneficiaries of an agricultural program in Northern Uganda, for example, complained through the LWF's complaint-response mechanism that the seeds they were given did not provide the expected/promised yield. LWF investigated the case and found that a member of staff had made a deal with the supplier to supply low yielding seeds at a lower cost. The staff member was subsequently dismissed from his job.

The downward community accountability mechanism is costly and time-consuming, but it has proved to improve ownership as well as the results of LWF projects.

In addition to building mechanisms of upwards, inwards and downwards accountability; accountability is also about identifying duty-bearers and on one hand building their capacity to be accountable (i.e. their ability to enforce the human rights standards), and on the other hand hold them accountable if rights are being violated.

A large percentage of partners, six (6) out of ten (10) indicate that they are fully and actively providing duty-bearers with the knowledge and capacity that enables them to enforce existing rights (Figure 14). The review does not reveal if the duty-bearers in question are moral or formal duty-bearers. There is known to be capacity building of *formal* duty-bearers in the case of FPFK in Kenya, TLMiB in Bangladesh, LEADS in Sri Lanka and partner in Central Asia, but otherwise it is presumably most frequently *moral* duty-bearers who are involved.

Figur 14: Duty-bearers are provided with knowledge and capacity that enables them to enforce existing rights



In principle (and according to the RBA), the state is the most appropriate duty-bearer to provide just and sustainable protection and services to its citizens through public institutions and mechanisms of redistribution. However, in practical terms the idea of the state being the primary duty-bearer is too often an illusion reflecting a modern welfare thinking which has not yet gained full ground in the developing countries. According to OAIC the traditional (and current) African mechanism of redistribution is built on relatively poor individuals who come together to provide for people who have less: *“The majority of Africans have been born since the 1980’s, in a time where government services have been withdrawn from the people. The first line of responsibility towards people in need is thus the family and the community. Introducing the issue of rights is a process, and we have to consider moral duty bearers such as family, church, etc. who should be serving - not out of pity, but because we have the obligation to provide!”*

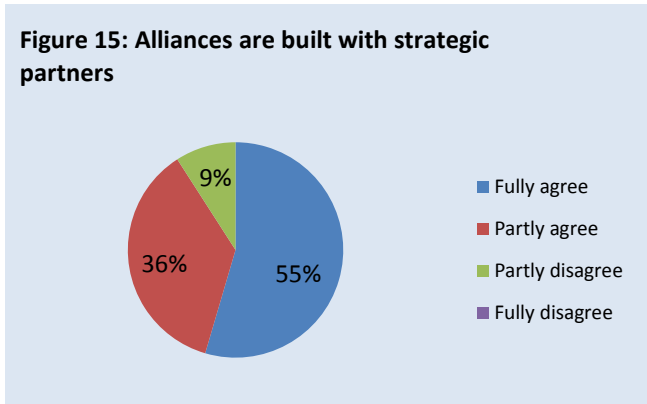
The same experience is expressed by Verbo in Nicaragua who states that *“we have to meet the needs of people because government institutions have failed to meet their needs (and rights)”*.

The reality in the majority of developing countries is far from ideal; protection and services are in many cases **not** provided by the formal duty-bearers (public authorities), leaving the immediate moral responsibility to churches and church based organizations among others. As discussed above (in section 4.4), the church and church based organizations have a vital role to play as moral duty-bearers. This role can be interpreted as a narrow obligation to provide services to people in need, or ideally as an obligation empower a critical mass of rights-holders to address misconduct and human rights violations and abuses, and to hold the formal duty-bearers to account if they are not providing the protection and services that people are entitled to.

Several partners express a certain hesitation/restraint in relation to addressing formal duty-bearers and holding them to account. For some partners this is due to a vulnerable political situation which restraints their possibilities for action. For others the human rights agenda is associated with an aggressive demand for rights and justice. A number of partners in East Africa expressed, as an example, skepticism against so-called “human rights activists”, who confront formal duty-bearers in public demonstrations and rallies.

However, some partner organizations recognize the need not to be submissive, but instead to start holding legal duty bearers accountable for their obligations to their citizens. This is for example expressed by OAIC who says that *“people should go from addressing the parliamentarians as “honorable” to calling them “representatives”*. Another Asian partner continues in the same spirit; *“We must present our project documents to the government, therefore, we prefer not to use the word duty-bearers. But [our country] would benefit from changing this attitude and holding the government responsible. We have to shout, if we want change. It may be a matter of time”*.

The review acknowledges that it may be difficult or even risky for a number of churches and church based organizations (and their target groups) to individually address and hold formal duty bearers to account. It is therefore considered an asset that the majority of partners (figure 15) indicate that they are engaging (fully or in part) in alliance building with strategic partners.



Lesson learned: Accountability is also about holding formal duty-bearers, particular the state, accountable for their obligation to respect, protect and fulfill the rights of the rights-holders. In some contexts it may be appropriate to focus on building the capability of duty-bearers to comply with their obligations or enter into strategic advocacy alliances with other likeminded organizations.

In terms of internal accountability systems, a complaint-response system may improve downwards accountability towards rights-holders involved in projects.

5. Reflections and recommendations form the consultant

DMCDD member organizations and partners acknowledge that there is a certain correspondence between the human rights and Christian values and principles, and the rights perspective is indeed found to be present in much of the development work supported by DMCDD. Member organizations and partners are generally found to be knowledgeable about basic human rights standards and they are to a large extent applying a rights perspective in the work supported by DMCDD in the form of a rights-oriented selection of development issues.

Furthermore, partners are found to be predominantly positive towards the RBA. A few partners are currently applying the approach deliberately and systematically, others are using RBA inspired components more occasionally and sporadic, while others again are using a theological language to address poverty and social injustice. There is thus a potential for the RBA to be further developed.

The global church environment is no uniform entity. The attitude and practices of church/church based organization in relation to human rights are influenced by the particular denomination to which it belongs and how the society in general relates to human rights. A number of member organizations and partners are thus

providing critical reflections on the human rights agenda. Parts of the Human Rights agenda are by *some* member organizations and partners considered an expression of secular values which are in contrast to certain moral issues and the spiritual habitus of the church. Others express concerns that a strong human rights agenda will put at risk the position of the church, particularly minority churches, if operating in vulnerable political situations.

The predominantly positive attitude towards the RBA indicates, however, that most of the partners are able to navigate and distinguish between the practice-oriented rights *approach* and the more valued-based human rights *agenda*.

The attitude towards RBA provides a potential for strategic and methodological rights-based development work. A foundation which can be further strengthened if DMCCDD contributes to building the capacity of partners²¹ and if DMCCDD as a faith-based umbrella organization finds an appropriate way to:

- “Packet” the valued-based human rights agenda with a focus on what unites the various members and their partners.
- “Unpack” the methodical rights based approach in respect of *rights* as well as *duties*, and in respect of the different partner’s ability to act within the given political context.

On an overall note, the RBA is considered:

- A powerful and strategic tool that can foster better and long-term sustainable development results - if applied systematically and wisely.
- A practical tool that can be applied by experienced as well as inexperienced DMCCDD member organizations and their partners; possibly without an articulated human rights agenda in the more instable contexts.

The following sub-sections provide some reflections on the rights perspective in the development work supported by DMCCDD; how the perspective is reflected, how the principles of the RBA are applied, and where the rights based development approach can potentially be developed.

Reflections on context understanding: The review shows that DMCCDDs member organizations and partners at large are firmly entrenched in the local communities and have an elaborate knowledge and understanding about the local context, including the norms and practices that obstruct or threaten the respect, protection and fulfilment of rights. This contextual knowledge and understanding is considered a major advantage for those who seek an appropriate confrontation with harmful customary law/practice, without creating a legalistic individualistic paradigm and without destroying valuable practices, structures and systems. In theory such an approach appears simple, but in practice it requires a professional management of a number of the basic principles in the RBA: i.e. understanding the **context** and the existing customary laws and practices and how they tally with national/international law; engaging people in a **participatory** manner to identify issues of

²¹ There is an indication that the positive attitude of some partners is based on a vague understanding of the actual content of a RBA; i.e. the theoretical framework and its implementation.

concern and relevance to them (e.g. reproductive health rights, property rights and inheritance rights) and **empowering** them to pursue the/these issue(s) by claiming that the duty-bearers fulfill their obligations.

The fact that DMCDD member organizations and partners have a solid local engagement based on thorough knowledge of the local context, should be seen as an asset (an authority and legitimacy) for engaging in strategic advocacy at national policy level, particularly in countries where the church and church based organizations have space and freedom to work with human rights. For the churches and church based organizations operating in countries with authoritarian governance systems it is evident that partners are well aware and reflective of the political situation and the limitations it imposes on their ability to work with human rights.

Churches and church based organizations operating in contexts characterized by unrest/autocracy/instability are often forced to apply a silent and risk-minimizing approach to human rights, by using a language other than the language of rights and/or possibly addressing a limited cluster of rights (i.e. socio-economic rights). However, it is important that the churches and church based organizations remain observant, strategic and proactive in their operations; that they use the local contextual knowledge to detect important human rights issues which are less controversial and therefore possible to lift even against an authoritarian/repressive state. Furthermore, it is important that the church and church based organizations contribute to opposing civil and political rights violations, including the shrinking space for civil society which is a consequence of rigorous NGO legislation in a number of countries worldwide. In claiming for civil and political rights the church can rarely succeed on its own, particularly in contexts where it constitutes a minority religion; it should consequently activate its strategic alliances and networks with likeminded civil society actors and progressive opinion makers.

Reflections on non-discrimination: The attitude of partners is largely non-discriminative, but the review indicates that many partners (equal to development organizations in general) lack a strategic approach to non-discrimination in practice; an approach which require conscious and deliberate actions *not* to exclude, belittle or reproduce stereotypes and unequal power relations, and allow for de facto inclusion of the most vulnerable and marginalized segments of the population.

Discrimination and exclusion is to a large extent embedded in social norms and practices, and the SMC evaluation has revealed that the lack of power analysis often results in blindness towards discrimination and inability to develop affirmative strategies tailored to have an impact on the particular form of marginalization or vulnerability experienced in a given society.

Reflections on participation: Partners prove to acknowledge that the rights-holders shouldn't be passive recipients of assistance - but agents in charge of their own development. However, participation, as a principle, remains a challenge and it is interpreted and implemented in many different ways; from participants being encouraged to take part in activities, to participants being actively and meaningfully involved in project design, monitoring and evaluation.

Participation cannot be measured in terms of numbers of rights-holders being present at a meeting or consulted about a certain issue, but in terms of the power and actual opportunities provided to rights-holders to genuinely impact their own life situation as active participants and a driving force in the development process. Participation thereby becomes a key motivational factor for lasting social change.

Reflections on empowerment: The review documents that the majority of partners are working deliberately with empowerment; particularly empowerment of self-help groups to take action to improve their life situation of the members. The relatively consistent focus on **group empowerment** and **mobilization** is in excellent agreement with DMCCD's policies and strategies²², particularly the advocacy strategy, which emphasizes organizational capacity building/development of civil society.

The review also shows that the churches and church based partners continue to have a strong traditional diaconical identity²³ delivering services to people in need. This identity can be combined with a RBA if services are provided, not out of pity for the vulnerable and marginalized, but out of a moral obligation and a respect for these people's entitled rights! The church thereby becomes (or remains) a strong moral duty-bearer with legitimacy and authority in the eyes of the community and authorities (formal duty-bearers).

However, Diakonia is more than alleviating immediate needs. Poverty, injustice and discrimination should be seen as expressions of unequal and unjust power structures. In recognition of this, the partners should aim to empower a critical mass of rights-holders and lift its prophetic voice, in order to challenge the underlying oppressive power structures and claim for justice and equality for all, but in particular the most vulnerable rights-holders. In doing so, the church should be aware and prepared that it exposes itself to critique and threats from those in power.

Reflections on accountability: Accountability closely linked to empowerment, i.e. the ability to hold duty-bearers to account. In many cultures outside Europe there is a strong traditional acceptance of authoritarian and hierarchical systems and leaders (political leaders as well as community leaders) are commonly met with a high level of respect. A number of organizations are consequently reluctant to embark on a confrontational approach towards formal duty-bearers and some organizations are hesitant to use terminology such as "claiming rights" and "holding duty bearers accountable" which are considered incompatible to values of "peace and reconciliation".

However, rights based programs and projects must examine how moral and formal duty-bearers meet their obligation to respect, protect and fulfill the rights of the rights-holders whom the churches and church based organizations target with their programs/projects.

"When I gave food to the poor, they called me a saint. When I asked why the poor were hungry, they called me a Communist"

Dom Helder Camara, Brazilian Roman Catholic archbishop and Nobel Peace Prize nominee

²² And also Danida's policy for Danish support to civil society.

²³ The term "Diakonia" (which in Greek means "service") is understood merely as unconditional love and service to the neighbor in need.

It is of particular importance to examine the role and accountability of the state. The state's willingness and ability to be accountable to its citizens differs from country to country. In the more transparent states with accessible information about government activities, budget and costs, it is relatively easy to implement accountability mechanisms that hold formal duty-bearers to account. In other contexts, it is more complicated and more risky, and it may be necessary to apply a more persuasive approach, by focusing on building the duty-bearers capability to comply with their obligations to respect, protect and fulfill the rights of its citizens, or a less visible approach by entering into strategic advocacy alliances with other likeminded organizations. In yet other cases churches and church based organizations have to step in to compensate for the state's lack of ability (or willingness) to provide services for its citizens. In such cases it is important to be determined only to provide strategic services.

In terms of own accountability systems, partners mainly emphasize upwards accountability towards DMCCD member organizations and other partners/donors as well as government entities, while inwards and downwards accountability towards key stakeholders (rights-holders and duty-bearers) remains an area for further development.

5.1 Recommendations

The Universal Declaration on Human Rights has been strongly influenced, if not inspired, by the Christian values and principles. The human rights perspective should consequently be seen as a supportive perspective to the Christian commitment to justice, peace and respect for all God's Creation. However, as an umbrella organizations for a diverse group of member organizations and partners DMCCD should consider carefully how the more valued-based human rights agenda is introduced and articulated to faith-based members and partners.

It is recommended that DMCCD formulates its own position on human rights (with an emphasis on poverty, justice and socio-economic rights that affects the population at large) and how the RBA²⁴ should be applied as an integral part of the diaconical development work performed by churches and church based organizations. It is important that this clarification is not done in isolation but as part of a general clarification of DMCCD's diaconical *raison d'être*.

Furthermore, DMCCD should find ways and means to provide opportunities for strategic capacity development on RBA for those member organizations and partners who are interested.

On a more practical project-oriented level:

A number of member organizations and partners operate in vulnerable situations where it is involving a risk to work with human rights. It is consequently recommended that the technical advice provided by DMCCD and the assessment of project proposals takes into account the specific conditions under which these members and partners operate. Furthermore, it is recommended to develop a strategic approach to the rights based

²⁴ It is important to note that such RBA does not necessarily have to include the very same five principles that are applied in the review.

development work in vulnerable situations which, among other things, should imply a thorough risk and context analysis, a practical non-articulated right approach, a non-confrontational approach to duty-bearers, and strategic alliance building.

DMCDD, member organizations and partners should be aware that discrimination often is a result of unaware behavior and embedded in social norms and practices. The principle of non-discrimination requires a particular deliberate approach and it is therefore recommended to increase the capacity of members and partners to analyse the power relations between groups of rights-holders, and between rights-holders and duty-bearers at different levels of society.

DMCDD, member organizations and partners are recommended to strengthen the emphasis on participation and apply it deliberately as a principle of providing opportunities to rights-holders to genuinely impact their own life situation as active participants and driving forces in the development process.

The diaconical development work should inevitably lead to social and legal change that effectively restores and reforms the systems, structures and relations which have been broken. DMCDD, member organizations and partners are therefore recommended to work strategically to empower and mobilize a critical mass of rights-holders to take action, make claims and hold duty-bearers accountable. And DMCDD member organizations and partners should also themselves lift a prophetic voice, challenging oppressive power structures and claim for justice and equality of all.

The implementing partners are recommended to strengthen their inwards and downwards accountability systems towards members and key stakeholders (rights-holders and duty-bearers). Furthermore, it is recommended that the partners strategically examine how moral and formal duty-bearers meet their obligation to respect, protect and fulfill the rights of the rights-holders. It is of particular importance to examine the role and accountability of the state; i.e. 1) the provision of social services (e.g. health and education), social protection (e.g. policies and programs to reduce poverty and vulnerability) and legal protection (e.g. rule of law), and 2) the availability of resources and how the resources are allocated and spent.

In cases where the implementing partners opt to provide services it is important that these services are strategic, i.e. that they can serve as replicable models for future government services, and that they target only those women, men, girls and boys who suffer the immediate consequences of rights violations, marginalization and injustice. Education, for example, should not be directed towards the 90% poor children, whom the government has committed itself to provide for, but towards the less than 10% children with disability who remain vulnerable to exclusion within the public educational system.

DMCDD is recommended to apply the RBA screening tool developed for the review (Annex 4) to assess project applications submitted to the DMCDD Fund. The tool can be extended with a focus on gender and HIV/AIDS to mainstream these under the RBA framework.

6. Response and Acknowledgement from the Reference Group

The reference group (see annex 3) would like to thank all partners, their staff and volunteers for their valuable time and input to this learning review. Thank you for sharing openly your opinions, ideas and reflections through workshop participation and interviews and for arranging all necessary logistic. The group would also like to thank the external consultant Dorthe Skovgaard, who has been a great and patient resource person all through the review process. She has helped us to better understand the various perspectives that a rights based approach to development entail and how it both connects to and at times also challenges Christian ethics that surround much of the development work supported through DMCDD.

The reference group is appreciative of the report, its findings and recommendations, and has met to work out concrete responses and suggestions for follow up with DMCDD. The group recognizes the human rights perspective as a relevant perspective in international development aid and considers Christian values and Human Rights to be mutually supporting church based development work within a framework of social justice. The group is encouraged to see the review report confirming one of the assumptions behind this review; that the human rights perspective is present in much work supported by DMCDD. This has been documented through many good examples and reflections of RBA principles practiced, which resemble good and sound development practices also in accordance with Christian values.

The attitude to and knowledge of the human rights agenda and RBA approaches resemble however a mixed response and understanding from partners based on different 'conceptual interpretations' and uncertainties about the RBA language and its agenda. The group acknowledges that the 'RBA language' may not be ideal to use if it creates distance to partners in North and further to the human rights framework. There seem to be a need for more dialogue on ethics and ideology behind the human rights framework and how it relates to theological responses to social justice – both in North and South. Furthermore, there seems to be a need to investigate further dialogue on theological controversial issues within e.g. Christian partnership frameworks.

Annex 1: ToR for the Learning Review on Rights perspectives in DMCDD

1. Introduction and Background

DMCDD is an umbrella organisation for 31 Danish Christian organisations working with development of local grass root communities in Asia, Africa, the Middle East and Latin America. They work within many fields covering e.g. health, education, micro-finance, gender equality and children's rights.

DMCDD administers a Project fund financed by Danida, which DMCDD members and their partners can apply for funding through. In addition, DMCDD also supports its members and their partners with capacity development broadly in aspect of projects and organizational issues and work to promote their interests also within the Danish public and political development arena.

In 2012 a new Danish Development Policy was launched 'The Right to a Better Life', emphasizing a rights based approach (RBA) as the foundation for all support to development. It has human rights and poverty reduction as main goals. The new policy and its strong emphasis on RBA is reflecting a significant paradigm shift from addressing human rights as a component within development work to addressing development work within a framework of RBA. The policy is expected also to inform the Danish Civil Society Policy, which is under revision. Hence, much focus among civil society practitioners has recently been to explore and understand RBA in terms of methodology and framework for development. This is one important motivation for DMCDD for initiating a learning review on rights perspectives, although the 'rights perspective' is not entirely new and is already part of DMCDD work and values.

According to the Christian value basis of DMCDD, the UN human rights and conventions are viewed as relevant tools in the development work to promote and restore the God given human dignity (see DMCDD values 2013). Among DMCDD members and partners there seems to be a general consent to the importance of human rights and an understanding of the theological support of it. However, it is yet to be explored *to what extent and with what results the rights perspective has*

been adopted and integrated by the organisations and how it is expressed and voiced through their faith based work.

Among DMCDD members and their partners there is a wide variety of approaches, strategies and understanding of how to work with rights. Some organisations are applying right based approaches and strategies more deliberately while others use RBA inspired components only occasionally and sporadic. Other organisations do not use human rights terminology but use a theological language to address social injustice. Most members and partners apply basic human rights principles such as participation, non-discrimination etc. as they resemble basic Christian values. DMCDD does not have a common policy for addressing rights, although an Advocacy Policy prepared in 2008, which to some degree gives input on how to integrate rights but not within an RBA framework.

DMCDD sees a need for initiating a learning review on rights in order to document and learn from the many different ways, in which DMCDD members and their partners are working with rights and how their faith identity influences their approach. It is the expectation that such documentation will provide insights and learning to DMCDD, members and partners and inform best practices and approaches to be made available through DMCDD. It is also the expectation that such documentation can take the Advocacy Policy further in its use.

Building on previous reviews in DMCDD: Advocacy review: In 2007 and 2008 a learning review was implemented in DMCDD focusing on Advocacy. The review included field visits among partners in Uganda and Egypt and learning was shared among DMCDD members. As a result, an Advocacy Policy was worked out and launched in 2009 to inspire both members and partners in their joint development work. On observations by DMCDD through project visits and through reading of many project applications, it seems that the policy has had a positive effect. Advocacy concepts and processes (which form part of rights based approaches as well) seem better reflected in recent years on a general note. E.g. 1) greater awareness of duty-bearers / rights holders, 2) greater awareness and use of the 'Change Triangle' – balance between service, capacity development and advocacy 3) stronger awareness on root-causes and the need to involve stakeholders etc. This, however has not been documented by a follow-up-review.

It is the hope that this learning review on Rights perspectives also can take the learning on advocacy further and assess the need to either update the Advocacy Policy, to incorporate its content into other papers/ tools or create other synergies with this policy.

Gender and Hiv/ aids review: Two desk review were implemented in 2013 as a follow up on the DMCCD Gender policy from 2009 and the DMCCD hiv/aids policy from 2008. Good observations were made and concrete recommendations given to further strengthen mainstreaming of gender and hiv/aids within member organisations, partner organisations and through their joint development work.

The follow up of both reviews was decided to await the learning review on rights perspectives based on the assumption that hiv/aids (reproductive rights) and gender (e.g. women rights) are themes, which come under the overall rights agenda, and part of the follow up could perhaps be incorporated in the follow up on rights.

Sharing of lessons learnt from Swedish Mission Council (SMC) and Digni: From 2009 – 2011 SMC carried through an evaluation of SMC's work with the human rights perspective and gender equality. Analysis and conclusions were drawn from 11 case studies representing various SMC members, different types of partners, projects and contexts. The outcome is reflected in a report (August 2011) and the process afterwards have according to the SMC staff also been very useful in terms of promoting learning and strengthening focus on rights.

In 2013 the Norwegian Digni decided to initiate a review also on rights and shared their process plans with DMCCD. Based on these input as well, DMCCD has formulated its own review process on rights in 2014 and will be sharing lessons learnt along the way with both SMC and Digni.

RBA is a central theme in the DMCCD communication strategy 2014: The board of DMCCD has further decided that RBA should have a central focus in 2014 as part of the communication strategy. It is therefore the expectation that stories and information on RBA will be shared inside and outside of DMCCD to reach members, partners, relevant stakeholders and the broader public.

2. Overall Purpose and Objectives of the Review

The overall purpose of the review is to document how a sample of South partner organisations of DMCCD members work with and address rights within their diaconical work and/ or development work and with what results. The documentation will derive from field studies conducted with selected organisations and in addition, lessons learnt from the international faith based development scene will be included where relevant to supplement the documentation and learning.

Building on this the review should contribute to develop methods and tools within DMCCD to enhance the quality of our professional advice and technical assistance offered by DMCCD to our members and partners.

The documentation on rights will further serve as lessons learned to encourage and inspire DMCCD members and partners in their cooperation on diaconal- and development work as well as in their individual faith identity and practices. It is also the expectation that the lessons learnt from South will contribute to enhance the dialogue within DMCCD members organisations concerning their own work with rights in Denmark.

This is based on the assumption that:

- d) The rights perspective is already present in much of the work supported by DMCCD or have the potential to be developed.
- e) The integration of a rights perspective in development work (including the values on participation, accountability, non-discrimination and transparency - PANT) foster better and long-term sustainable results and corresponds well with Christian principles.
- f) The majority of members and partners of DMCCD are supportive of the RBA framework.

The specific objective are:

Documentation of RBA reflected in the work supported by DMCCD

1. To document how a sample of South partner organisations of DMCCD members work with and address rights within their diaconal- and/ or development work and with what results.

Development of methods and tools to strengthen focus on RBA in DMCCDD

2. To compile from the international faith based development scene relevant lessons on working with RBA approaches
3. To bring recommendations and concrete suggestions (tools) to DMCCDD, its member organisations and partner organisations on how to enhance integration of a rights perspective in the development work.
4. To bring recommendations to the future use of the DMCCDD Advocacy Policy in the light of the RBA framework. If possible, also bring recommendations on how to integrate the gender and hiv/aids mainstreaming under the RBA framework.

Exchange learning on RBA among DMCCDD members and partners

5. To contribute to learning within DMCCDD member organisations and partner organisations about the application of a rights perspective in development work, both in regards to methods and results.
6. To contribute to learning about how to address and articulate a rights perspective within the context of churches and faith-based development work – both in South as well as in Denmark.

Annex 2: Guide to the Learning Review on the Rights Perspective in DMCCDD

Foreword: The Danish Development Policy “The Right to a Better Life”, launched in 2012, is reflecting a significant international paradigm shift from addressing human rights as a component within development work to addressing development work within a framework of a RBA.

The learning review has been initiated by the Danish Mission Council Development Department (DMCCDD) primo 2014 for the purpose of exploring to *what extent and with what results the rights perspective has been adopted and integrated by the member organisations and their partners and how it is expressed and voiced through their faith based work.*

According to the Christian value basis of DMCCDD, the Human Rights Declaration and other UN conventions are viewed as relevant tools in the development work to promote and restore the God given human dignity (see DMCCDD values 2013). The learning review is consequently based on the assumptions that:

- g) The rights perspective is already present in much of the work supported by DMCCDD or has the potential to be developed.
- h) The integration of a rights perspective in development work (including the values such as participation, accountability, non-discrimination and transparency) foster better and long-term sustainable results and corresponds well with Christian principles.
- i) The majority of members and partners of DMCCDD are supportive of the RBA framework.

The aim of the review is thus to document how a representative sample of partner organisations are integrating and addressing human rights within their diaconical work and/ or development work and with what results.

Being a learning review the aim is furthermore to contribute to mutual encouragement, learning and inspiration and to develop rights based methods and tools to enhance the quality of the advice and technical assistance offered by DMCCDD to members and partners.

This guide as you’re about to read should help you to gather the needed documentation and stimulate dialogue and reflections on rights based development while carrying out already planned monitoring visits in West Africa, Latin America and South, South East and Central Asia²⁵. The guide is divided into four chapters, beginning with an introduction to the RBA as it is interpreted and applied by the review, followed by an outline of the necessary preparation prior to the field visit, an introduction to the activities to be undertaken during field visit and finally a description of the finalization of the collected material.

Introduction to the RBA: The Rights Based Approach is - as the name suggests - an approach that can be interpreted and applied slightly differently depending on the implementing organization and / or context. However, all rights based strategies are - without exception - recognizing the equality of all human beings and the common obligation to promote development and justice among all people sharing the same fundamental human rights; i.e. the right to a life in dignity, to equality, to justice, to material and social well-being, etc.

The motivation for engaging in development work is no longer charity (or a needs-based approach), but an ethical obligation derived from the notion that the cause of human suffering is the denial of rights. The RBA applied by the learning review is consequently based on an overall **rights based strategy** that:

- Recognizes that poverty, injustice and discrimination can only be overcome by fundamental structural changes
- Acknowledges the legal entitlements for individuals/citizens vis-à-vis their state and links development activities to relevant international legal framework (UN standards)
- Identifies the **rights-holders** and their entitlements and corresponding **duty-bearers** and their obligations

²⁵ The material has been tested during a field visit in East Africa in May 2014.

Among DMCCD members and partners there is expected to be an overall and general consent to the importance of human rights and an understanding of the theological support of it.

On a practical level, there is expected to be a wide variety of approaches, strategies and understanding of how to work with rights among DMCCD members and their partners. Some organisations will be applying right based strategies more deliberately while others will use RBA inspired components only occasionally and sporadic. Other organisations will not use human rights terminology but use a theological language to address social injustice. Most members and partners apply basic human rights principles such as participation, non-discrimination etc. as they resemble basic Christian values. DMCCD does not have a common policy for addressing rights, although the Advocacy Policy prepared in 2008, gives some input on how to integrate rights but not within an RBA framework.

At a practical/operational level the review has chosen to apply the following five **RBA principles**, which together with the above strategic orientation provides the framework for analyzing to what extent and with what results the rights perspective has been adopted and integrated by the member organizations and their partners:

- **A focus on context** analyzing the human rights situation and the structural root causes; i.e. the political and economic structures, the social patterns and cultural practices that exclude and discriminate against certain groups in society and cause human rights violations or abuses
- **A focus on empowerment** building the social, political, legal and economic capacity of rights-holders to address those with rights obligations and to claim their rights and access remedies for violations or abuses
- **A focus on participation** engaging rights-holders actively and meaningfully in the design, monitoring and evaluation of activities that impact their lives
- **A focus on accountability (1)** identifying the relevant duty-bearer and work towards a situation where these duty-bearers have the will and capacity to enforce the human rights standards, and where there exist mechanisms for

holding them to account if rights are being violated, **Accountability (2)** operating in an inclusive and transparent manner that ensures downwards, inwards and upwards accountability

- **A focus on non-discrimination** giving priority and support, principally and in practice, to the most marginalized and vulnerable in society and the groups most affected by rights violations and abuses regardless of gender, age, ethnicity, religion, etc.

The preparations prior to the field visit: Before you enter the field some basic preparation has to be done. You need of course to read this guide carefully - please do not hesitate to contact Brigitte Stieper (81724008) at DMCCD or external consultant Dorthe Skovgaard Mortensen (dsm@growconsult.org) if you have any questions or need further clarification on any of the issues presented in the guide.

Preparing for the field visit you should start by making a desk RBA-screening of the latest project(s) implemented by the partner you are going to visit. For that purpose we have developed a screening tool (annex 1) which you can use when reading through the project documents.

Secondly you should make sure that the Danish member organization and its partner are provided with sufficient information about the learning review; i.e. the purpose of the review, when will it be conducted, whom do you need to meet with (in what type of meeting), etc. For that purpose we have developed an introduction letter and a short description of the purpose and objectives of the learning review (annex 2 and 3). Please make sure that the partner understands that it is not an evaluation, but a learning review which we hope will be of mutual inspiration for everyone involved.

When you prepare the program for your field visit, please be aware that you should aim at getting meetings with the following persons (preferably in the following chronological order):

- a) One or more persons representing the leadership (e.g. general secretary, chairman, pastor, etc.) of the organization/church for an (focus group) interview of approx. 45 minutes. NB. This (focus group) interview can possibly

be arranged as an extension of an already planned monitoring meeting with the leadership.

- b) 1-2 core project staff (e.g. project managers/project coordinators) for a RBA screening of approx. 1 hour
- c) 3-8 project staff (general project staff, not necessary from the specific project that is being reviewed) for a participatory workshop of approx. 2 hours
- d) A representative group of 5-10 project participants (target group, stakeholders or beneficiaries) for a focus group discussion of approx. 2 hours. This component can be completed as part of a field trip. NB. If you ask the partner organization to select and invite a group you should remember to be very specific about the number of participants - otherwise you easily risk that they gather a large number of people.
- e) If possible, a person from a likeminded NGO/INGO or a human rights institution/organization who can give added insights into the NGO and rights environment in the country for an interview of approx. 45 minutes. Nb. If the partner organization is very small or if the people you are to meet with are restricted time wise, you can meet leadership and project staff together.

Prior to the field visit the Danish organization and its partner should also fill in an initial questionnaire (annex 4 and 5) in order for you to get a basic understanding of the organizations approach to human rights and their current practice.

If you want to know more about the RBA before you depart for the field, you can read more here:

Applying a rights-based approach - an inspirational guide for civil society (The Danish Institute for Human Rights): www.acfid.asn.au/aid-issues/files/applying-a-rights-based-approach-2013-an-inspirational-guide-for-civil-society

Rights-based development from a faith-based perspective (Aprodev/LWF): http://www.aprodev.eu/files/about_us_reports/rights-position-paper_e.pdf

Activities during the field visit: When you arrive at your field destination you should start by confirming your meetings. Ideally you should aim for 4 separate meetings with: leadership, core project staff, the broader project staff and project

participants (+ a meeting with a likeminded (human rights) organization), as described above.

When meeting the different groups of people you are recommended to use the field reporting format (annex 6) to structure and guide your interviews/workshops and as your reporting framework. The field reporting format contains the following 6 steps:

Step 1: interview with church leadership

Step 2: RBA screening with core project staff

Step 3: Participatory workshop with the broader project staff

Step 4: Focus group interview with a representative group of project participants

Step 5: Interview with a likeminded (human rights) organization

Step 6: Reflection and debriefing

For each step the format provides you with structured questions (some opened questions and some questions with closed response categories) and tools. The format also provides you with space to summarize answers and reflections.

Please note that every meeting, workshop etc. should be preceded by a short introduction to the purpose of the learning review - please emphasize that it is not an evaluation and that it is the hope to stimulate mutual reflection and learning that can inform future development practices.

The interview with church leader and the RBA screening (Step 1 and 2)

In annex 6 you find elaborate (and hopefully applicable) interview questions and screening formats for the interview with church leaders and core project staff. The aim of these meetings is to assess the organizations approach to the human rights agenda and how it might already have incorporated a RBA in its project work.

Implementation of the first 2 steps should consequently be fairly straightforward, while it requires a little more preparation to conduct the subsequent steps.

The Participatory workshop (step 3)

The aim of the workshop is to facilitate a broad discussion and reflection on the RBA and how it is/can be incorporated into the organizational practice. The workshop should be carefully planned and the following are some ideas for tools you can use. The tools (including additional details/descriptions) can be found in the toolbox folder.

It is recommended to make colored A3 prints of tool 2 and 3, and to bring at least 3 copies of each during the field visit.

Tool 1: The needs versus rights continuum:

Does your organization (church) focus mainly on the needs of people or the rights of people?

Ask the participant(s) to place the star on the line and provide 3 answers why the star is placed as it is:

- 1.
- 2.
- 3.

Tool 2: SWOT

<ul style="list-style-type: none"> • What are the active strengths of your church/organization in working with human rights and applying a human rights approach 	<ul style="list-style-type: none"> • Strengths 	<ul style="list-style-type: none"> • Weaknesses
<ul style="list-style-type: none"> • What are the experienced weaknesses of your church/organization in working with human rights and applying a human rights approach? 		
<ul style="list-style-type: none"> • What are the untapped internal and external opportunities of your church/organization in working 		

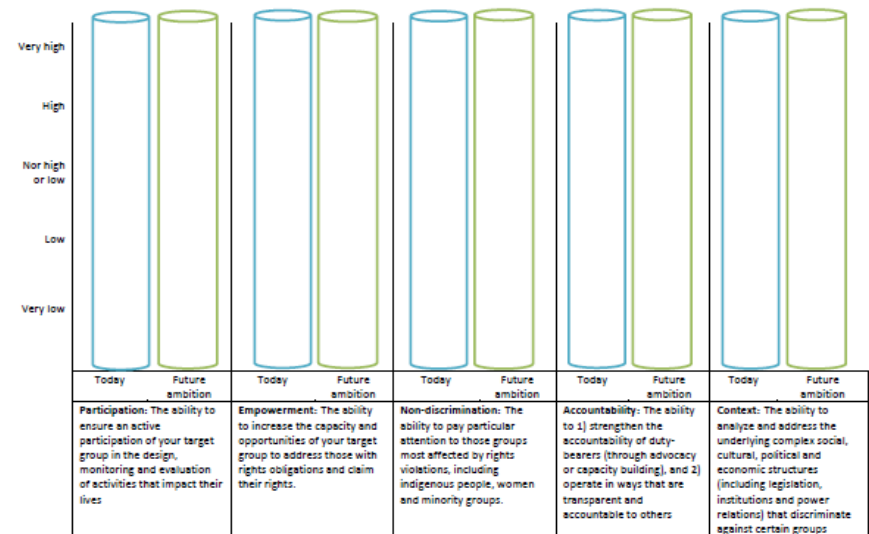
with human rights and applying a human rights approach

- What are the potential internal and external threats to your church/organization in working with human rights and applying a human rights approach?

Tool 3: The Human Rights Principles Assessment Barometer

Please consider the following and color in the barometers according to your answer:

1. To what degree are the following human rights principles put into practice in your work? (blue)
2. What is your future ambition in regard to the implementation of the principles? (green)



Focus group interview with a representative group of project participants (step 4)

The focus group interview should (if possible) be completed during a field trip where you meet the project participants (target group, beneficiaries or selected stakeholders) in the project area. The aim of the interview is to learn from the project and assess whether it has applied a RBA or some elements of it. Please note that the interview must be planned well in advance of the interview.

Based on your knowledge of the project you should develop a set of questions to provide an overall direction for the discussion. Questions should be open-ended, simple, unbiased, and focused on issues related to the project. Following are some guiding questions that you may use or be inspired by:

- 1) Can you tell me briefly about the project you have been involved in?
- 2) Is the project in any way about human rights or human rights violations? If yes, how?
- 3) Can you describe the situation [for the target group] before the project as compared to today?
- 4) What is/are the reason(s) for the change(s) that you describe?
- 5) What role does the state play in ensuring the wellbeing of the [target group] - and are government authorities involved in the project?
- 6) Have you been involved in deciding the purpose of the project and planning the different activities?
- 7) Are you familiar with the relevant sections of the constitutions/the laws of [country] regarding [the issues addressed by the project]?
- 8) Are human rights important for you?
- 9) Is knowledge about human rights changing anything?

When the group is gathered you should ask them sit around a table (or in a circle) where they can see each other. Start by introducing yourself and explain briefly that you are there to learn more about the project, which the participants have been engaged in.

As a facilitator you should aim at creating a relaxed, informal atmosphere where people feel free to share and express their opinions, and you should direct the interview without being a part of any discussion, i.e. you should never express your own opinions or make judgments on the opinions of the participants.

All members of the group should be encouraged to participate. One person should not be allowed to dominate the interview, and when a person has shared his/her experiences or opinions you can ask if the others have similar experiences or opinions.

During the interview you should be taking notes, which can be rewritten immediately after the interview in order to ensure that the most essential input is captured. Based on the interview you may be able to make a brief “promising practice” or “lessons-learned” case story.

For an example of a case story (annex 7)

Interview with a likeminded (human rights) organization (Step 5)

When you select the likeminded (or human rights) organization that you want to consult to get some added information in regard to the human rights context and how the civil society is working with rights, you can opt for an organization with a lot of human rights experience or an organization with a particular insight into the work of the faith-based organizations.

Depending on the type of organization you are going to visit you will need to tailor some specific questions that fit with the particular experience of that organization.

Following are some guiding questions that you may use or be inspired by:

1. How will you describe the human rights environment in [country]?
2. Do civil society organizations in [country] commonly work with human rights? If no, why not?
3. Do faith-based organizations commonly apply a RBA? If no, why not?
4. In your opinion, can the RBA easily be aligned with other development approaches?
5. Based on your own experiences, would you say that a RBA is improving the effect of the faith-based development work?
6. Based on your experiences, what are the challenges of the RBA?

During the interview you should be taking notes, which can be rewritten immediately after the interview in order to ensure that the most essential input is captured. Based on the interview you may be able to make a brief “promising practice” or “lessons-learned” story.

Reflection and debriefing (step 6)

The final step is the reflection step where you go through the information from the previous steps and reflect on key learning points, i.e. essential points which can enhance the quality of the advice and technical assistance offered by DMCCDD to members and partners, and thereby inform future rights based practice:

- What is the overall attitude towards the RBA?
- What *is* facilitating/what *will* facilitate a RBA in the organization?
- What is challenging the RBA in the particular organization?
- Is the partner interested in additional information/training on the RBA?
- Do the partner have specific experience in the form of “best practice”, “promising practice”, “lessons learned - what to do/what not to do”, etc. that can be of inspiration to others?
- Other?

When you have made your initial reflections on the key learning points you should, to the extent possible, provide the partner with a summary during a debriefing session. The partner should also be informed that the experiences, reflections and lessons learned gathered during the current review will be aggregated with reflections and lessons from other similar reviews in other parts of the world. A final review report will be produced in January 2015.

The finalization of the collected material: When you have filled in and finalized your field report it should be forwarded to Birgitte Stieper: bst@dmr.org and Dorthe Skovgaard: dsm@growconsult.org

The field report will together with other field reports form the essential basis for the larger learning review report that will document the extent to which the rights perspective has been adopted and integrated by the member organisations and their partners, and recommend how the RBA can be enhanced in the future.

Being a learning review, it is important that the learning and experience gained through the field visits is discussed and analyzed by DMCCDD and its active

members. Thereby it will settle become active knowledge that can be transformed into new practice.

If you are interested, your continued participation in a RBA learning task force will be greatly appreciated!

Annex 3: The Danish reference group

A reference group was established in April 2014 to follow the learning review on rights initiated by DMCDD. The reference group consists of staff and volunteers from member organisations and the DMCDD secretariat. They have participated in field visits and/ or in meetings held in Denmark and given valuable input along the process and to the follow up action plan of DMCDD.

Participants:	Organisations:
Tove Holm	PULS
Jens Rasmussen	
Arne Kristensen	VIVA Denmark
Tanja Kristensen	International Aid Services
Morten Koefoed	Baptist Church in Denmark
Samuel Nymann Eriksen	Danish European Mission
Michelle L. Kappel	Assist
Henriette L. Kelstrup	
Karen S. Sørensen	DMCDD
Lars Udsholt	
Mette Schmidt	
Kristine K. Pors	
Birgitte Stieper (coordinator)	
Dorthe Skovgaard	

Annex 4: RBA Screening Tool

Name of MO:

Name of PO:

Project title:

Country:

PROJECT ANALYSIS		Yes	Partly	No	Comment
Focus	Focus is on the poorest groups in society				
	Focus on minority groups				
	Focus on the most vulnerable groups in society				
	Focus on role-models/change agents				
Participation	The target group has been actively involved in designing the project				
Analysis	Underlying socio-economic, cultural and political structures excluding and discriminating certain groups in society are analyzed				
	Relevant national or international law is considered, and the degree of implementation of legislation is analyzed				
	Problems are defined and analyzed as human rights violations or abuses				
	The extent of the problem is assessed in relation to the most vulnerable groups (gender, age, ethnicity, etc.)				
	Stakeholders are identified as rights-holders or duty-bearers				
Target group	Ultimate target group is defined rights-holders				
	Gender, age and ethnic specific data demonstrates a principle on non-discrimination				
Output/ outcome	Project goals represents a significant change at policy or practice level which helps to enforce the rights of disadvantaged people				
	Rights-holders are provided with services				
	Rights-holders are provided with support, tools and skills to claim their rights				
	Rights-holders are organized* to claim their rights				[category of organization]
	Duty-bearers are provided with knowledge and capacity that enables rights enforcement				

	Advocacy and awareness raising is challenging counterproductive laws, norms and practices				
Strategy	Rights-holders are participating actively and meaningfully in monitoring and evaluation				
	A strategic approach is applied to empowerment of rights-holders				
	A strategic approach is applied to capacity building of/advocacy towards duty-bearers				
	Alliances are built with strategic partners				
	Project results, strategic choices and challenges are shared with stakeholders and communities				
HRBA	The HRBA is recognized and applied actively				

Screening on HRBA wording	No.	Comment
(Human) Rights		
Rights-holders		
Duty-bearers		

* Category of organization

- Organization for self-help
- Organization for advocacy towards duty-bearers