

**Implementing a Human Rights-Based Approach:
Lessons from the experience of providers of international assistance**
(Note: Forthcoming from CPDE in latter part of 2017; For limited Circulation)

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August 2017

Human rights, *Agenda 2030* and development cooperation

After more than five years of deliberations, the international community adopted *Agenda 2030* in September 2015.¹ This *Agenda* commits to ending extreme poverty and reducing other forms of poverty by half. Its mandate is to “leave no one behind.” In adopting the *Agenda* countries recognized “that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development.” [§2]

Agenda 2030 acknowledges standing human rights covenants and treaties, with the understanding that it “is to be implemented in a manner that is consistent with the rights and obligations of States under international law.” [§18] Linkages were explicitly made between women’s rights and empowerment and progress on the goals and targets [§20]. However, human rights commitments and standards were largely invisible in the articulation of the *Agenda’s* 17 goals and 169 targets. [Marks 2017, 16-19; CPDE, 2015]

There is considerable evidence, not least in the partial implementation of the earlier set of Millennium Development Goals, that realizing the *Agenda’s* goal of ending poverty and protecting and promoting human rights are strongly connected and mutually reinforcing.² *Agenda 2030* sets out a transformative shift towards a comprehensive model for sustainable development affecting “people, planet, prosperity, peace and partnership.” It is intended to be universal – applicable to all countries, inclusive – respecting equality and non-discrimination between and within countries, and accountable – achieving results for all peoples. Given these ambitions, country plans and strategies to implement this *Agenda* at all levels “will open up new avenues to integrate human rights into global and national policies in both developed and developing countries.”³

The global community has also highlighted the important and unique contributions that development cooperation will make in achieving *Agenda 2030*. Starting in Monterey in 2001, a parallel United Nations process on strengthening financing of development has resulted in subsequent informal provider and country commitments to improve the effectiveness of development cooperation.⁴ Aid providers (donors) and developing country governments first articulated the connections between human rights and effective development cooperation in the 2008 *Accra Agenda for Action*, the outcome of the Third High Level Forum on Aid Effectiveness. This *Agenda for Action* states that:

“[G]ender equality, respect for human rights, and environmental sustainability are cornerstones for achieving enduring impact on the lives and potential of poor women, men, and children. It is vital that all our policies address these issues in a more systematic and coherent way.”⁵

While human rights principles were re-affirmed by all stakeholders in the 2011 *Busan Outcome Document* (as “agreed international commitments on human rights”), it was limited to a short preamble to the four principles for effective development cooperation.⁶ Since Busan, human rights have become less central in the international development agenda, as is evident in their treatment in *Agenda 2030*.

In contrast, civil society organizations have been increasingly advocating for a robust commitment to human rights as the framework for effective development cooperation since the early 2000s. The core mission of CSO Partnership for Effective Development (CPDE), a platform of more than 1000 CSOs from around the world and a member of the Global Partnership for Effective Development Cooperation (GPEDC) is “to promote development effectiveness in all areas of work, both our own and the work of others, ... *guided by a human rights-based approach.*” [CPDE 2012, emphasis added]

CPDE’s goal is:

“to pursue and advocate a transformative agenda for development and development cooperation, *informed by our guiding principles and a human rights-based approach to development* that prioritizes gender equality, decent work, and environmental sustainability as well as dignity, justice and improved livelihoods for all people living in poverty, including the most marginalized, victims of violence, and those with disabilities, and the full realization of human rights for all.” [CPDE 2012, emphasis added]

CPDE and its affiliated CSOs suggest that the development effectiveness principles articulated in commitments made in Busan, and more generally the SDGs in *Agenda 2030*, require renewed attention to the experience of linking human rights and international assistance through a human rights-based approach.

What then is a “human rights-based approach” (HRBA)? What does it mean for this approach to be rooted in international human rights standards? To what degree has it been reflected in aid providers policies and practices over the past decade? What challenges have they faced in integrating this approach in their own practices? What are the implications for the future efforts of aid providers in their development cooperation?

This paper attempts to answer these questions. It provides an overview of the experiences of selected providers who have affirmed the importance of human rights in development cooperation. It points to lessons from this work to inform future civil society organization (CSO) advocacy for HRBAs. The paper uses a range of resources, including academic literature, donor

evaluations, and CSO commentaries to highlight key issues and to draw tentative conclusions on the relevance of HRBAs to provider engagement in development cooperation.

Human Rights-Based Approach: Its defining characteristics

While there are different approaches to the integration of human rights into development cooperation, the 2003 *Common Understanding among UN Agencies* is generally accepted as the framework for human rights-based approaches to development cooperation. [UNDG 2003]

In the *Common Understanding*, the UN sets out three basic characteristics of a human rights-based approach:

1. All programmes of development co-operation, policies and technical assistance *should further the realisation of human rights* as laid down in the Universal Declaration of Human Rights and other international human rights instruments.
2. Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other *international human rights instruments guide all development cooperation* and programming in all sectors and in all phases of the programming process.
3. Development cooperation *contributes to the development of the capacities* of ‘duty-bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights. [Quoted from UNDG 2003, 1, emphasis added]

Among the core human rights principles that should guide all aspects of development cooperation programming are:

Universality and inalienability;
Indivisibility;
Inter-dependence and inter-relatedness;

Non-discrimination and equality;
Participation and inclusion;
Accountability and
The rule of law

A human rights-based approach in development cooperation stresses coherence with internationally agreed human rights conventions and is informed by related human rights standards in the implementation of all aspects of development cooperation. Human rights standards interpret the core conventions in relation to practical strategies for effective and progressive realization of social, economic and cultural rights and the centrality of political and civil rights. For example, principles of “indivisibility” and “inter-dependence” of rights does not mean that every initiative must implement activities related to all human rights, but rather that the development and strategies for particular development goals take account a holistic understanding of the rights of those affected by these initiatives. Importantly, the conventions and standards also recognize the centrality of accountability to people as rights-holders and their rights as development actors, not as beneficiaries of charity.

HRBA and Aid Providers: A short history

Attention to human rights and development cooperation did not begin with the *Common Understanding* in 2003. In the UN system the earliest formulation of the connection between human rights and development assistance was the 1986 *Declaration of the Right to Development*.⁷ According to the *Declaration*, the right to development implies:

“the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.”
[Article 1]

Article 4 states that “as a complement to the efforts of developing countries, *effective international co-operation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development,*” and thereby fulfill the right to development. [emphasis added]

From 1986 to the present, the *Right to Development* has been contested between developed and developing countries. There is no broadly accepted agreement in the United Nations on instruments to implement this right. Providers of development assistance (donors) consistently resist the notion put forward by developing countries that aid provided by developed countries is a *legal* human rights obligation, as implied by the *Right to Development*. [Piron 2005, Rosa 2010, D’Hollander et al 2013] Developed countries, on the other hand, prefer to focus on the obligations of developing country governments to establish institutions and processes to maximize actions for the elimination of poverty, which developing countries maintain is one-sided. [Piron 2003] Partly because of these differences, the *Right to Development* has had little practical traction in influencing the relationship between development and human rights.

The 1993 World Conference on Human Rights and its Vienna Declaration, under the auspices of the UN, resulted in increased attention to the relationship between development, democracy and human rights. The *Vienna Declaration* was a non-binding reaffirmation of political and moral commitment to the centrality of human rights.

The global UN conferences in the 1990s brought greater consideration and sensitivity to economic, social and cultural rights and their relationship to development among the largest international human rights CSOs. During this period, human rights NGOs and development NGOs proposed tentative collaborations, increasing the understanding of the human rights / development nexus, particularly among development NGOs. [Kindornay 2012, D’Hollander et al 2013] At the same time, several DAC aid providers were also exploring the convergence of the human rights and development agenda in their policies and practices. These two developments brought significant attention in the early 2000s to human rights considerations in the discourse of development

cooperation, and to some degree in its practice. [Kindornay 2012] Unfortunately, by the 2010s much of this interest has waned in practice among many providers, as providers' realign their development cooperation with the underlying goal of strengthening the private sector in development.

Situating HRBAs within providers' human rights policies

In 2007, the OECD's Development Assistance Committee (DAC) observed that "many DAC members and multilateral donors are now seeking to promote human rights more comprehensively as a means of improving the quality of development cooperation." [DAC 2007, 1] A comprehensive World Bank study, published jointly with the OECD, documented eleven donor countries that took systematic account of human rights in their development cooperation during the 2000s.⁸ [World Bank & OECD, 2013] The approaches to human rights among these aid providers, however, have varied greatly.

Various analyses of provider approaches to human rights point to two main motivations for integrating human rights in development cooperation. The first is a legal rationale. The Maastricht Principles on Extraterritorial Obligations of States stresses the relevance of social, economic and cultural human rights obligations for European provider support in development cooperation and the reduction of poverty and inequality. [D'Hollander et al 2013] In another example, Canada's parliament passed the ODA Accountability Act (ODAAA) in 2008 requiring that all ODA disbursements are consistent with international human rights standards. [CCIC 2010]

The second, and more common rationale in provider policies, is instrumental. It maintains that *aspects* of human rights obligations and standards, such as effective participation and non-discrimination, are essential to effective provider approaches in development cooperation to reduce poverty. Attention to human rights establishes the necessary political environment to tackle the underlying causes of poverty and inequality. For these providers, 'empowerment' of affected populations is crucial, as it "encourages people whose rights have been violated to take control and push for social change." [Piron, 2005, quoting the Dutch Advisory Council on International Affairs] A careful understanding of the local context and power relationships affecting marginalized populations, as is the valuing of local voice, is essential to sustainable development outcomes. [Powell 205; World Bank & OECD 2013]

While paying more attention to human rights in program delivery strategies, these concerns often do not constitute a human rights-based approach to all aspects of the provider's development cooperation. As examples of good practice the World Bank cites Sweden's Sida initiatives on human rights, democratization, rule of law, people's participation and good governance. All contribute to poverty reduction in the context of the politics of development. The Bank also

reviews the Dutch policy and highlights its linkages between human rights, specific development initiatives, and the country's foreign policy goals. [World Bank & OECD 2013]

History has shown that the framework for development policies and provider practices are often a function of changing governments. For example, UK DFID, policies in the early 2000s emphasized the importance of empowerment, a human rights approach and the rights of the very poorest people. The current (2017) DFID represents a major departure from this with a policy statement on the implementation of *Agenda 2030's* commitment to "leaving no one behind," which does not include a reference to human rights.⁹

Canada's Conservative Government (in power from 2006 to 2015) dragged its feet in the implementation the ODAAA Act (2008), which mandated a human rights approach in development cooperation programs. It waited seven years (early 2015) before finally publishing three guidance documents on the implementation of the ODAAA obligation. Further, there is little evidence that any of this guidance was actually implemented.¹⁰ Now, Canada's current Liberal Government, elected in 2015, published a new "feminist" international assistance policy in June 2017. This policy outlines an intention to focus exclusively on women's rights and empowerment in the country's development cooperation, with only passing reference to the ODAAA. That said, the government did make a commitment to provide international assistance that was human rights-based, and are in the process of developing their HRBA framework. Unfortunately the Government has not committed any new resources for this work and is only now seeking out experiences in human rights approaches, despite nearly a decade of the ODAAA.¹¹

In this context, can a human rights-based framework for development cooperation be, in the words of one commentator, "more than a metaphor"? [Piron, 2005] Some provider evidence from the 2000s would support this hope. At that time there was considerable provider engagement with human rights in their development cooperation. These experiences range from posturing in policy discourse with little practical implication, to significant attention to issues in governance, civil society strengthening and rule of law. There have also been a few serious attempts to implement a human rights-based approach.

David D'Hollander and colleagues describe five policy approaches, which exhibit increasing consideration of human rights in different providers' development policy and practice [D'Hollander et al 2013, 12-29; World Bank & OECD 2013, 12]:

- 1) Rhetorical endorsement of human rights in policy discourse, sometimes linked to concerns for aid effectiveness (for example, the importance of addressing provider-defined needs of poor populations, or 'lip-service' to participation in development);

- 2) Human rights considerations as provider conditionalities, leveraging aid in policy dialogue with developing country partners to affect specific human rights conditions, often linked to provider foreign policy interests;
- 3) Human rights and democracy projects as a specialized area of provider programming with human rights organizations and/or other civil society partners (focusing on legal reform, judicial training, election monitoring, etc.);
- 4) Human rights mainstreaming in which not only are provider programs screened to ensure a 'do no harm' impact on human rights (e.g. mainstreaming women's and children's rights), but also the provider consistently addresses human rights in policy dialogue; and
- 5) Human rights-based approaches in which human rights are the primary goal in development cooperation, and in which the provider draws on human rights principles and internationally agreed standards to shape the content, the means of implementation and levels of accountability in provider development cooperation.

Trends in Human rights mainstreaming and/or human rights-based approaches

To what extent are these different approaches reflected in aid provider practices in the 2000s? The World Bank/OECD's 2013 study identified

- 17 multilateral and bilateral organizations with "no overall human rights policies but occasional references to human rights limited to sector policies...."
- 19 multilateral and bilateral organizations with "established human rights policies" where human rights are mainly an overarching component of good governance. Among these bilateral donors are Canada, Switzerland, Finland, Austria, New Zealand and the United Kingdom.
- 7 multilateral and bilateral organizations with 'second generation' policies, or 'human rights-based approaches,' where human rights is a cross agency theme covering all operational programs and projects. Among these bilateral donors are Germany, the Netherlands, Sweden and Denmark. [World Bank & OECD 2013, 5]

This World Bank study noted that while many providers have demonstrated varying degrees of reference to human rights in their overarching policies governing development cooperation, few providers have actually implemented a human rights-based approach in their programs.¹² To what degree are these human rights priorities reflected in the aid disbursements of eight providers,¹ identified in the World Bank study?

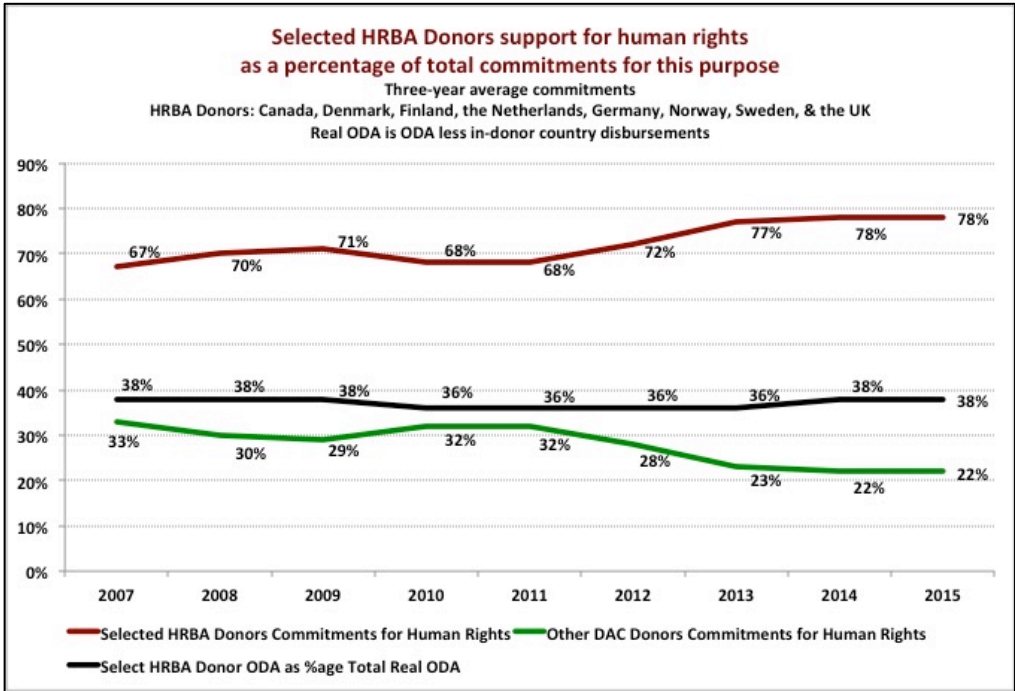
¹ These donors are Canada, Denmark, Finland, Germany, the Netherlands, Norway, Sweden and the United Kingdom.

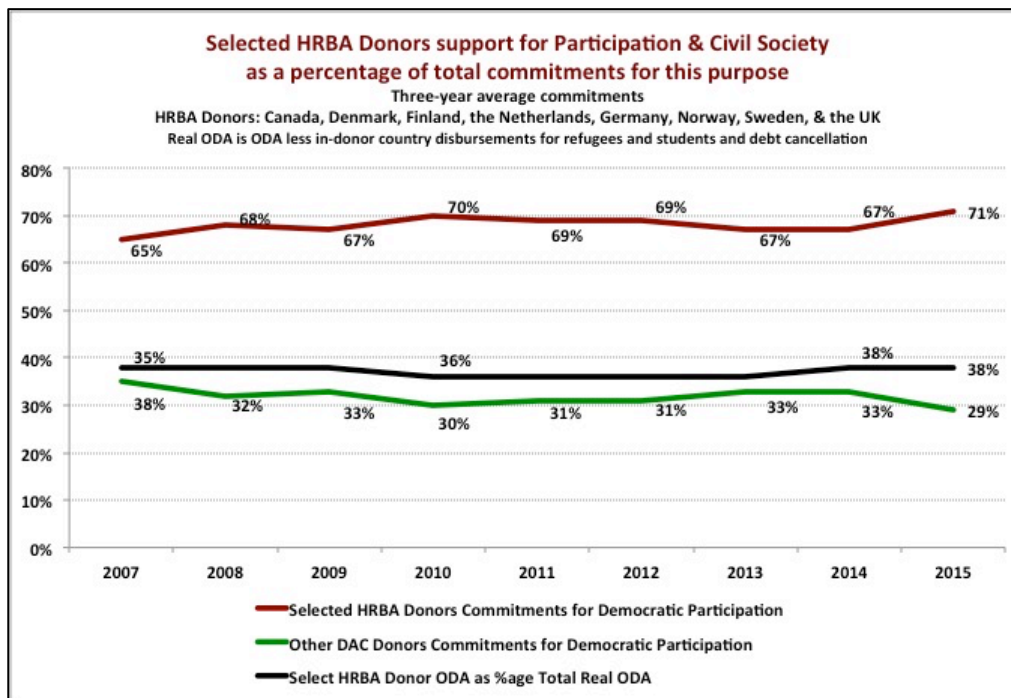
As the accompanying charts confirms, these providers together provided higher disbursements to human rights areas than the other 16 traditional DAC providers, between 2007 and 2015. The eight providers accounted for 38% of total DAC providers’ ‘real aid’ in 2015.¹³ But they accounted for 78% aid allocated to “human rights” purposes and 71% allocated to “participation and civil society,” both key indicators of an emphasis on human rights in aid allocations and development cooperation. As the charts demonstrate, these trends have been maintained since 2007. In contrast, the other 16 DAC providers had very limited commitments to these two areas – contributing 22% and 29%, respectively, for human rights aid.

When considering all DAC providers, commitments to human rights purposes and participation and civil society is very low, making up only 2% of real aid in 2015.¹⁴ For the eight providers, the share for these two areas is somewhat larger, but still only a modest 3.8%. There are also marked differences in the commitments of these eight providers, as a proportion of their real aid in 2015:

- Sweden – 11.6%
- Norway – 4.9%
- Denmark – 9.4%
- Germany – 2.3%
- Netherlands – 7.8%
- Canada – 1.9%
- Finland -- 6.0%
- United Kingdom – 0.7%

The differences indicate a human rights approach was strongest among the Nordic providers. For some providers – Canada and the UK – human rights was a stated priority at various points since the early 2000s, but has not been reflected in their aid allocations.





Reviews of selected human rights programming in provider agencies, and academic studies, reveal some reasons for this limited implementation of a human rights-based approach.

Challenges in implementing a human rights-based approach by provider agencies

Evaluations of provider practice consistently report an uneven implementation of their human rights policies. [Piron 2003; Ministry of Foreign Affairs, the Netherlands 2015; DANIDA 2016; D’Hollander et al 2013] Powell and others have also noted similar limitations in mainstreaming gender equality and women’s empowerment in provider agencies’ programs, a key component of a rights-based approach,. [Powell 2005; Canadian CSO Working Group on Women’s Rights 2010; Pinto et al 2010]

The following challenges to implementing and strengthening HRBA in provider agencies have been identified. They should inform CSO strategies in strengthening HRBA in provider agencies.

Changing political leadership and support Implementing development cooperation within a human rights-based approach requires a long-term commitment to changing deeply ingrained provider behaviour and ways of thinking in development practice. Commitments to a HRBA are often launched through policy statements by Ministers, which are then translated (often unevenly) into provider practice. With changes in political leadership, the relative importance of HRBA is

likely to be affected. The electoral timeframe also affects continuity in provider's practices as a new government will be eager to distinguish itself from the practices of the previous government.

These changes have been observed in several countries. For example, in the Netherlands, the promotion and protection of human rights was a clear foreign policy priority during the 2007 to 2010 period, but less so in the 2010 to 2012 period, when economic interests became a greater political priority. [Ministry of Foreign Affairs, the Netherlands, 2014] The changing emphases in the UK's DFID has already been noted, where strong policy statements and leadership on HRBAs in the early 2000s [Piron 2003] have also given way to a greater focus on UK economic interests and the promotion of the private sector in development.

Local context matters Addressing sensitive power dynamics in relation to poverty and inequality is a fundamental part of a human rights-based approach in directing provider development initiatives. But tensions can arise between partner country interests in 'local ownership' of development programming and the objectives of these initiatives. Explicit human rights language and program objectives can create difficult relationships with partner governments and other implementing actors at country level, where governments can be very sensitive to issues in civil and political rights, for example. [Piron 2003]

Engagement with partners in fragile states in particular face particularly strong political barriers and institutional and capacity weaknesses, if not overt resistance to human rights. [World Bank & OECD 2013] In these contexts, it is important to balance the need to avoid harm (within a human rights framework), against the perception or reality of provider complicity with human rights violations. [OECD DAC 2007]

In a HRBA, a provider interacts with a diversity of grass roots and local actors. For many it may not be appropriate or easy to use human rights language in their everyday engagement with local populations. In these cases local organizations can help 'translate' the rights approach in ways that have meaning inside the local context. [Kindornay & Ron 2012]

In the Accra and Busan High Level Forums, several challenges were noted in operationalizing a HRBA in the context of aid and development effectiveness commitments. Partner governments may see human rights as "an externally imposed agenda," conflicting with the principle of country ownership and effective leadership over their development strategies. [World Bank & OECD 2013] A HRBA implies a stronger emphasis on budget support as an aid modality, which may be in conflict with the provider's policies on due diligence and fiduciary accountability. [DANIDA 2016] In contrast, some donors such as Sweden argue that a HRBA offers tools to strengthen adherence to the principles of aid and development effectiveness, particularly in areas of inclusion and transparency. [D'Hollander 2013]

Shrinking and closing of space for civil society A human right-based approach in development cooperation is rooted in an enlarged political space for peoples' participation and scope for self-defence of their rights. [DAC 2007] Civil society organizations, particularly at the local level, are a primary avenue for reaching those who are discriminated and marginalized.

Against this critical importance of non-state actors in a HRBA are challenges posed by the shrinking and closing of civil society space in today's world.¹⁵ The effective engagement of civil society in development is affected by growing restrictions in legal and regulatory environments for CSOs, in access to policy dialogue, particularly for dissenting voices, at the country level, attacks on human rights defenders, and providers' policies in support of CSOs. Today, according to CIVICUS' country monitoring of trends in civil society space, "almost one in ten people live in a country with closed civic space and over a third of people live in countries with repressed civic space."¹⁶

A review of Dutch human rights policy implementation concluded that "support to civil society was found to be essential for Dutch human rights policy implementation, and it should be sustained and, where possible, expanded to more countries, both financially and otherwise." [Ministry of Foreign Affairs, the Netherlands, 2014] Another Dutch evaluation of its women's rights and gender equality policy implementation stressed the importance of smaller (women's) organizations in all areas of gender equality and women's empowerment. [Ministry of Foreign Affairs, the Netherlands, 2015] Many of these organizations are under various levels of threat/attack. These conditions are clearly a challenge for aid providers that are intent on implementing a human rights-based approach in countries where the scope for civil society is limited or under threat.

'Ghettoization' In policy and practice, many aid providers emphasize human rights as integral to democratic governance and the strengthening of participation. However, this expertise can become isolated in a particular unit of a provider agency and therefore, in practice, inaccessible. The result can be aid providers that are unable to facilitate or support these initiatives. [D'Hollander 2013] An evaluation of the European Union's HRBA work, identified several levels of 'ghettoization.' This included – conceptual, where non-human rights specialist staff were ill-equipped to translate policy into actual development work; political, where human rights dialogue took place in foreign policy initiatives removed from the day-to-day working of the development agency; and institutional, where resources were concentrated in a particular implementation unit that had limited capacity to influence and engage other bodies in the agency. [Particip et. al 2011, 70]

Limitations in institutional capacity and support to officials in the field Several evaluations reported that human rights approaches are often ad hoc and dependent on the interests/skills of individuals inside provider agencies. [Particip 2011, page x] In DFID for example, rights-based approaches in a few countries were seen to be the result of particular advisors. While country

programmers recognized their value for DFID and effective outcomes, there were few formal requirements related to HRBA for projects, nor were there special efforts to increase the capacities of officials to undertake human rights impact assessments. [Piron, 2003, 14] The Dutch evaluation noted “limited gender expertise in both headquarters and ‘the field,’ unclear organizational positioning of a ‘gender unit’ and little training on gender-related topics.” [Foreign Affairs Ministry, the Netherlands, 2015, 21] The Danish evaluation observed that technical support made a big difference in closing the gap between policy and country level practice. [DANIDA, 2016, 38]

Limited provider accountability As the World Bank study observes, “there is a dearth of instruments to hold donors accountable for their human rights policies.” [World Bank & OECD 2013, 105] Others noted technical difficulties in determining appropriate indicators and assessment tools to measure outcomes in a human rights-based approach. [D’Hollander et. al 2013, 20-22] DANIDA found scant evidence of efforts to document change among vulnerable populations, and to learn from this experience in its assessment of the Danish human rights-based approach. [DANIDA 2016, 7]

Strengthening mutual accountability platforms between providers and partner countries has been a key principle for aid and development effectiveness since the Paris Declaration in 2005. In 2016, the Global Partnership for Effective Development Cooperation (GPEDC) reiterated the importance of mutual accountability and mutual benefit in aid relationships in the context of “the unique role of the [GPEDC’s] monitoring framework.”¹⁷ While providers have improved aid transparency as a pre-condition for mutual accountability, little progress has been noted by the GPEDC for providers’ systematic engagement in inclusive ‘mutual accountability’ at the country level.

Ten years after the Paris Declaration, it is discouraging that only 46% of the 81 countries undertaking GPEDC monitoring conducted mutual reviews with other stakeholders to track progress on commitments and targets for development cooperation. Only 44% of these countries made the results of these reviews publically available. Existing mutual accountability mechanisms are also far from inclusive, a critical dimension of a HRBA. Less than half (47%) were multi-stakeholder in character, involving local governments and non-executive stakeholders (CSOs, parliamentarians) in the processes beyond government/providers.¹⁸

A core principle of a human rights-based approach is that all development actors are held accountable for development outcomes. This accountability is achieved through various forms of transparency, inclusivity and dialogue. Human rights accountability in aid relationships must address the profound impact of inequalities in power and capacities at all levels. Yet, for the most part, providers often invest in and insist on close scrutiny of partner country governments and other non-state development actors, but limit their own answerability to provider country parliamentary oversight. [Kindornay & Ron 2012, 18-19]

Embedding a human rights-based approach in aid providers' institutions

Most countries are signatories to human rights conventions and related standards. These instruments provide actors with explicit normative and analytical foundations for development cooperation. Human rights-based approaches move beyond policy rhetoric to highlight power relationships so that development assistance can help achieve sustainable outcomes for people living in poverty and those who are otherwise marginalized. This is the key goal of 'leaving no one behind' in *Agenda 2030*.

A HRBA creates practical avenues for achieving *Agenda 2030* in several ways [Canadian Council for International Cooperation et al, 2014; UK Interagency Group 2007]. A human rights-based approach

- Drives development actors to focus on empowering excluded and marginalized populations as rights-holders, not beneficiaries of charity;
- Requires a holistic viewpoint of the political, social, institutional and cultural environment in determining priorities, moving away from sectoral program 'stovepipes';
- References already agreed human right standards for determining programmatic goals and modalities for service delivery and other development initiatives, moving away from provider-imposed policy conditionalities in policy dialogue;
- Embeds democratic ownership through human rights standards for participatory processes, institutionalized consultations with diverse stakeholders, and through the obligation to seek free, prior and informed consent from affected populations;
- Strengthens capacities for ministries and state institutions to meet their responsibilities as 'duty-bearers' in relation to all citizens, including attention to government resources to meet these obligations (e.g. through reform of tax policies);
- Strengthens commitments to transparency in development cooperation and provides opportunities for empowered people and communities to hold governments, official aid providers and CSOs to account; and
- Leads to sustained development results, by addressing underlying conditions for poverty, unjust power relations and inequalities.

The challenges in achieving these directions for development cooperation should not be taken lightly. A HRBA requires a substantial paradigm shift for all development actors in the structuring of development practices and the changing of behaviour. [Nelson & Dorsey 2003] The Implementation of a HRBA may face significant barriers and backlash from politicians, staff, partners and development counterparts rooted in different politics and power relations. [Actionaid, forthcoming]

In this context of contested development policies, CSOs need to be strong advocates for HRBA, aligning with officials and politician allies, pointing to the practical advantages of this approach in realizing the SDGs. In doing so, CSOs can draw attention to a number of avenues that sustain a HRBA within a provider organization.

1) Understanding and adapting a HRBA to local context Although aid is delivered through a range of instruments and relationships, the focus for a HRBA is ownership at the country level. Each country, sector or community may have unique human rights challenges, which will affect and shape the nature of a particular provider/partner intervention. Providers must adapt the implementation of a HRBA accordingly. Country/local strategies and aid modalities need to focus on appropriate means for strengthening local priorities towards the interests of those most discriminated, the improvement of diverse stakeholder engagement, and the realization of new levels of accountability. These initiatives should move and change over time in ways consistent with human rights standards. [ActionAid, forthcoming]

According to a comprehensive evaluation of the European Union's support for human rights, a 'localization' process is crucial to

“allow local actors to define a realistic and prioritized reform agenda ... and to better connect international normative frameworks with societal dynamics at country level, since there is no contradiction between maintaining human rights as a global reference and allowing variations in the content in order to make human right protection as locally relevant as possible.” [Particip 2011]

2) Analyzing human rights in the context of power dynamics within country strategies The tactics in applying a HRBA at a country level are highly dependent on an analysis and understanding of power relations in a given context. As ActionAid points out in its review of its HRBA, understanding the changing power dynamics faced by marginalized populations, with all its political, military, religious, ethnic, patriarchal, corporate and cultural dimensions, is critical to determining an appropriate programmatic approach. [ActionAid, forthcoming; Powell 2005]

A careful process for determining provider country strategies is a crucial step in a HRBA. [DANIDA 2016; World Bank & OECD 2013, 29] The design, implementation and monitoring of provider program partnerships must take into account all human rights considerations. While country sectoral priorities may not shift with the adoption of a HRBA, their objectives and approaches to implementation may. Serious local engagement with a range of development and human rights actors is essential. The systematic application of human rights assessment tools across all major country programs may help in the weighing and application of relevant human rights standards in programming and, in so doing, create conditions for consistency in a HRBA for the provider agency.

Provider tools for country programmers can be a critical resource. DANIDA put emphasis on tools to improve country programs at the design stage. Its evaluation noted that these tools played “a key role in improving analytical rigour and providing more systematic focus on the empowerment of vulnerable groups identified as rightsholders.”¹⁹ [DANIDA 2016, 41]

In 2009, DFID published *A Practical Guide for Assessing and Monitoring Human Rights in Country Programs*. The objective of this assessment tool was to establish a comprehensive picture of human rights at the country level including civil, political, economic, social and cultural rights. The intention was to assess both rights “on paper,” and rights “in practice.” It provides tools for an examination of vertical accountability – “the degree to which the governed in any society have effective mechanisms for voicing their concerns and interest to those who government them.” It also looks at horizontal accountability or “the degree of independent oversight between and among branches of government.” [DFID 2009, 14-15] The guide sets out detailed questions for human rights assessment in all of these areas and at the program level, including attention to women’s equality and empowerment issues.²⁰

3) Strengthening mechanisms for policy dialogue and mutual accountability The DAC guidance paper on human rights and development stresses the importance of providers working with a range of accountability mechanisms, through human rights institutions, ombudsmen, courts, parliaments, civil society or the media. [DAC 2007] This engagement should both strengthen these mechanisms in relation to provider country initiatives (mutual accountability dialogues, and extend their inclusion to diverse civil society and other actors.

A HRBA creates the basis for provider/partner dialogue so that programs and policies are informed by the views of people living in poverty and other targeted populations. Providers and partner governments should institutionalize this engagement with civil society from local to national levels. Consultations should be structured around best-practice standards – 1) timeliness with sufficient notice; 2) openness to a diversity of views, with active exchange of views; 3) availability of relevant documentation in advance in relevant languages; 4) transparency, with dialogue and feedback to those consulted; and 5) iterative on-going processes, not episodic one-off events. [Tomlinson, 2010]

Certain elements are basic pre-conditions for accountability and related policy dialogue. Clear transparency of provider programming intentions is essential. Just as important is timely and easy access to relevant information, available for all stakeholders – partner governments, civil society and peoples organizations, citizens in provider and partner countries. This information should allow for an assessment of the degree to which all stakeholders are sustaining a human rights-based approach in specific initiatives in development cooperation.

An evaluation of the EU's support for human rights seeks a revitalization of political dialogue on human rights. This dialogue should be inclusive (not only focused on government), iterative and take advantage of informal opportunities for real exchange on important issues. It should pursue deeper and direct engagement with citizens and diverse civil society actors. [Particip 2011, 76-77]

In the Global Partnership for Effective Development Cooperation, providers and partner country government can build upon existing mutual accountability mechanisms to reinforce HRBAs.

4) Addressing the shrinking and closing space for CSOs Civil society, in all its diversity, are critical development actors in advancing a human rights-based approach. As noted earlier, CSOs are increasingly experiencing shrinking and closing of the political space for advocates and development actors, particularly in critical areas such as resource development, environmental issues, women's reproductive rights, and LGBTQ issues.

At a High Level Meeting for the GPEDC in November 2016, governments agreed to work to "reverse the trend of shrinking civic space wherever it is taking place and to build a positive environment for sustainable development, peaceful societies, accountable governance, and achievement of the SDGs and the 2030 Agenda."²¹

Providers can commit to a range of initiatives and approaches, consistent with a HRBA, to counter current trends in the limiting of civil society space. German CSOs have made a number of specific suggestions [Venro et al, 2016]:

- Screen provider policies and political decisions, such as general anti-terrorism measures, to ensure no negative impact on human rights or on civil society partnerships;
- Support expanding space for engagement with civil society in international organizations and multilateral negotiation processes;
- Sanction companies that do not conduct human rights due diligence in their foreign investments and operations;
- Support civil society and human rights defenders through ongoing contact with local human rights organizations, implement public and discreet diplomatic measures, and in extreme situations, guarantee protection of individuals;
- Work to improve international networking, early warning and collective support mechanisms on challenges to civic space;
- Prioritize human rights and space for civil society in guidelines for country development programs;
- Implement programs to strengthen support for rights to freedom of expression, association and assembly in governance, environment, justice and media;

- Undertake regular exchanges and consultation with local civil society actors and human rights defenders; and
- Facilitate flexible financial support for civil society development actors, including institutional support, with exceptions to standards and processes for civil society working under conditions of extreme repression.

5) Taking deliberate measures to build institutional capacities for HRBA An important dimension in the implementation of a HRBA is the need to change internal attitudes and behaviour, particularly relating to the exercise of “donor power.” According to ActionAid, “it is important ... to challenge the assumption that all staff who are recruited instantly share the values, attitudes, skills and knowledge needed for using HRBA.” [ActionAid, forthcoming]

The critical importance of human relationship-building in HRBA implies that human resource policies, training, and performance reviews need to be consistent with the roles that HRBA implies for provider staff. Human resource policies need to address common staff pushback on changes needed – understanding of expectations, workloads at the country level, or fear that sensitive country relationships may be undermined.

As already noted, the investment in tools and training can make a difference. The DANIDA evaluation of Denmark’s human rights-based approach examined several other official and CSO providers that were implementing a HRBA. They concluded that DANIDA’s systematic technical and headquarters support for country programmers was a key difference in a consistent application of HRBA at the country level. They pointed to DANIDA’s investment in necessary tools for HRBA in the roll out of its policy, which were a significant value-added in Denmark’s HRBA [DANIDA 2016, 41]

6) Ensuring committed political leadership A number of studies point to the importance of proactive commitment to a HRBA on the part of senior level officials – ministers, senior managers, champions at country level, and CSO leaders. [Piron 2003; DANIDA 2016; Morton 2010] These leaders must not only articulate clear directions and policies related to HRBA, they must also be prepared to confront backlash and potentially high levels of political risk associated with human rights. Ministers should be prepared to finesse the inevitable tensions with provider foreign and economic policy interests in some developing countries. Agency line managers should be trained and empowered to offer consistent support to country programmers. These roles may require new skills in analysis, consultations, evaluation and reporting.

Conclusion

The international community has adopted the highly ambitious *Agenda 2030* and its 17 Sustainable Development Goals (SDGs). Among these goals are the full eradication of extreme

poverty, the cutting of national poverty in all its dimensions by half, and the reduction of inequalities within and among countries, by 2030. In their pledge to 'leave no one behind,' member states also committed to the required financing to achieve these goals. Providers of Official Development Assistance (ODA) will play a key role in these efforts. ODA is a unique and critical public resource for the SDGs as it is the one resource that may be deliberately programmed to reduce poverty as its primary purpose.

This paper argues that a human rights-based approach for ODA sets out a realistic and transformative framework to advance *Agenda 2030*. A HRBA provides the necessary focus to support and empower people living in poverty, those who face discrimination or those otherwise marginalized, to claim their rights as engaged citizens, not as objects of charity.

During the 2000s, a number of providers adopted policies that related human rights norms and standards to achieving development objectives. While many of these efforts focused on expanding governance-related programming, several providers moved towards a human rights-based approach in their development cooperation. The lessons from this experience provide a foundation for CSOs advocating for a human rights-based approach to aid and *Agenda 2030*.

Of course, it is important to acknowledge the significant challenges in making the shifts in provider priorities and practices that are implied by a HRBA. Critical among these are the tensions with the aid effectiveness principle of local ownership, the translation of norms and standards into complex country realities, and the sustaining of political leadership as governments and foreign policy priorities change. Equally important is the move away from a ghettoization of human rights programming and expertise in provider agencies. The shrinking and closing of space for civil society organizations as actors within a HRBA is a key challenge as is the paucity of mechanisms to hold providers to account.

Nevertheless, a concerted move by providers to implement a human rights-based approach is possible. Its advantages are key to expanding effective development cooperation for the SDGs based on principles of universality and global solidarity.

Yes it will require investments in a paradigm shift, to one where a human rights framework becomes the determining norm for program choices and development practice. But this is to be welcomed.

Policies and investments are essential

- In expanding human rights expertise throughout the provider agency, with appropriate training for staff and partners, and with resources for educating citizens in the provider's country;

- In the implementation of human rights assessment tools, including country program strategy processes, in setting and monitoring program priorities at country level;
- In giving priority to creating and renewing of mechanisms for inclusive policy dialogue and mutual accountability, which address human rights issues and norms, at all levels; and
- In deliberate measures to confront the realities of shrinking and closing space for civil society organizations in increasing numbers of countries in the South, but also in some provider countries in the North.

There is no blueprint for an HRBA, how it is organized and implemented. A HRBA will be reflected differently in different country contexts. Programmatic expressions of a HRBA will therefore be along a continuum. An indispensable ingredient is its critical reflection on practice and internalization of lessons from country experience. Clear effective political leadership, committed at the highest level to a HRBA can drive and sustain the necessary changes on the ground, changes and commitments that must be sustained over the lives of several governments in a given provider country.

HRBAs can provide new direction for ODA practices. The result may not only be more effective development cooperation, but also broader foreign policy initiatives, shaped by sensitivity to human rights, gender equality and women's empowerment.

Bibliography

ActionAid, 2017. "Collective Critical Reflections on Using a Human Rights Based Approach in ActionAid," *Journal of Human Rights Practice*, forthcoming September 2017.

Canadian CSO Working Group on Women's Rights, 2010. "Strengthening Canada's leadership in the promotion of gender equality," in CCIC, *A Time to Act, Implementing the ODA Accountability Act: A Canadian CSO Agenda for Aid Reform*, accessed July 2017 at http://www.ccic.ca/files/en/what_we_do/002_aid_2010_05_a_time_to_act_e.pdf

Canadian Council for International Cooperation, Coady Institute and Equitas, 2014. *Integrating HRBA and Equitable Partnerships into Development Programming: Operationalizing the Istanbul Principles - A Practical Guide to Help Facilitators Run Participatory Workshops and a Resource Manual for Participants*, Accessed July 2017 at http://www.ccic.ca/files/en/what_we_do/final_guide_on_hrba_and_partnership-final.pdf

Canadian Council for International Cooperation (CCIC), 2010. *A Time to Act, Implementing the ODA Accountability Act: A Canadian CSO Agenda for Aid Reform*, accessed July 2017 at http://www.ccic.ca/files/en/what_we_do/002_aid_2010_05_a_time_to_act_e.pdf

- Civil Society Partnership for Effective Development, 2015. "CPDE challenges development players: Implementation should match ambition of Post-2015 agenda," accessed July 2017 at <http://csopartnership.org/cpde-challenges-devt-players-implementation-should-match-ambition-of-post-2015-agenda/>.
- Civil Society Partnership for Effective Development, 2012. *Building a CSO Partnership for Effective Development*, accessed July 2017 at <http://csopartnership.org/cpde-core-documents/>.
- DANIDA, 2016. *Lessons Learned on the Danish Human Rights-Based Approach*, Evaluation Report, November 2016. Accessed July 2017 at http://um.dk/en/danida-en/results/eval/eval_reports/publicationdisplaypage/?publicationid=26556f9c-8d49-42df-8d5f-8a645813a4ec
- DFID, 2009. *A Practical Guide for Assessing and Monitoring Human Rights in Country Programs*, How to Note, A DFID Practice Paper, September 2009. Accessed July 2017 at [http://webarchive.nationalarchives.gov.uk/20140605121118/http://www.stabilisationunit.gov.uk/attachments/article/523/DFID how to note - human rights in country programmes - edited.pdf](http://webarchive.nationalarchives.gov.uk/20140605121118/http://www.stabilisationunit.gov.uk/attachments/article/523/DFID%20how%20to%20note%20-%20human%20rights%20in%20country%20programmes%20-%20edited.pdf)
- D'Hollander, D., Marx, A., and Wouters, Jan, 2013. *Integrating Human Rights in Development Policy: Mapping Donor Strategies and Practices*, Paper 4, Leuven Center for Global Governance Studies, KU Leuven, accessed July 2017 at <https://ghum.kuleuven.be/ggs/projects/policy-research-centre/documents-1/4-integrating-hr-in-dcp.pdf>
- Kindornay, S and Ron, James, 2012. "Rights Based Approaches to Development: Implications for NGOs," *Human Rights Quarterly*, Volume 34, Number 2, May 2012, accessed July 2017 at [http://http-server.carleton.ca/~jron/Kindornay_Ron_HRQ%20\(submitted%20version\).pdf](http://http-server.carleton.ca/~jron/Kindornay_Ron_HRQ%20(submitted%20version).pdf)
- Luttrell, C, Piron, L-H, and Thompson, Deborah, 2005. "Operationalising Norwegian People's Aid Rights Based Approach, A review of lessons from international non-governmental organisations of relevance to Norwegian People's Aid's adoption of a rights-based approach," Overseas Development Institute, Revised Final Report March 2005, Accessed July 2017 at <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2283.pdf>
- Marks, Stephen, 2017. "Poverty and Human Rights," Chapter 30 of Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran and David Harris (eds.), *Textbook on International Human Rights Law*, Oxford University Press, 3rd edition, 2017, accessed July 2017 at <https://cdn1.sph.harvard.edu/wp-content/uploads/sites/580/2017/06/Poverty-and-Human-Rights-ver-5-June-2017.pdf>
- Ministry of Foreign Affairs, The Netherlands, 2015. *Gender sense & sensitivity Policy evaluation on women's rights and gender equality (2007-2014)*, Evaluation Report, July 2015. Accessed July 2017 at <https://www.government.nl/documents/reports/2015/11/23/iob-gender-sense-sensitivity>

- Ministry of Foreign Affairs, The Netherlands, 2014. *Navigating a sea of interests Policy evaluation of Dutch foreign human rights policy, 2008-2013*, Evaluation Report, December 2014. Accessed July 2017 at <https://www.government.nl/documents/reports/2014/12/01/iob-navigating-a-sea-of-interests-policy-evaluation-of-dutch-foreign-human-rights-policy-2008-2013>
- Morton, B., 2010. "The ODA Accountability Act and Strengthening CIDA," , in CCIC, *A Time to Act, Implementing the ODA Accountability Act: A Canadian CSO Agenda for Aid Reform*, accessed July 2017 at http://www.ccic.ca/files/en/what_we_do/002_aid_2010_05_a_time_to_act_e.pdf
- Nelson, P and Dorsey, Ellen, 2003. "At the Nexus of Human Rights and Development: New Methods and Strategies of Global NGOs," *World Development*, Vol. 31, No. 12, 2003, Accessed July 2017 at https://www.academia.edu/15441615/At_the_Nexus_of_Human_Rights_and_Development_New_Methods_and_Strategies_of_Global_NGOs
- OECD DAC, 2007. *DAC Action-Oriented Policy Paper on Human Rights and Development*. Development Assistance Committee, Accessed July 2017 at http://www.oecd.org/dac/accountable-effective-institutions/Action-oriented_Policy_Paper_on_HR_and_Development.pdf
- Overseas Development Institute, 1999. "How to make a Rights-Based Approach to Development Work: A DFID Perspective," A Report of a Public Meeting, February 1999. Accessed July 2017 at <https://www.odi.org/events/2283-make-rights-based-approach-development-work-dfid-perspective>.
- Particip, ADE, DIE, DRN,ECDPM, and ODI, 2011. *Thematic evaluation of the European Commission support to respect of Human Rights and Fundamental Freedoms (including solidarity with victims of repression)*, Final Report, Volume One, December 2011, Accessed July 2017 at https://ec.europa.eu/europeaid/sites/devco/files/evaluation-cooperation-ec-human-rights-1298-main-report-201112_en_0.pdf
- Pinto, R.S., Thélusma, F., and Martineau, Julie, 2010. *Women's Rights and Gender Equality in Canadian Cooperation: Challenges and perspectives*, AQOCI, Proceedings and recommendations of the International Conference held in Montreal, 19–20 January 2009.
- Piron, L-H, 2003. Learning from the UK Department of International Development's Rights-Based Approach to Development Assistance, Overseas Development Institute, July 2003, accessed July 2017 at <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2313.pdf>
- Piron, L-H. 2005. "Rights-based Approaches and Bilateral Aid Agencies: More Than a Metaphor?" IDS Bulletin, Volume 36, Issue 1, January 2005, accessed July 2017 at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.936.1604&rep=rep1&type=pdf>

- Powell, M 2005. "A Rights-Based Approach to Gender Equality and Women's Rights," Canadian Journal of Development Studies, Volume 26, Issue Sup1. Accessed July 2017 at <http://dx.doi.org/10.1080/02255189.2005.9669101>
- Rosa, G., 2010. "A Human rights Framework for Development Assistance," in CCIC, *A Time to Act, Implementing the ODA Accountability Act: A Canadian CSO Agenda for Aid Reform*, accessed July 2017 at http://www.ccic.ca/files/en/what_we_do/002_aid_2010_05_a_time_to_act_e.pdf
- Silberhorn, T, 2015. "Germany's Experience in Supporting and Implementing Human Rights-Based Approaches to Health, plus Challenges and Successes in Demonstrating Impact on Health Outcomes," Issues, Volume 17, No. 2, November 2017. Accessed July 2017 at <https://www.hhrjournal.org/2015/11/germanys-experience-in-supporting-and-implementing-human-rights-based-approaches-to-health-plus-challenges-and-successes-in-demonstrating-impact-on-health-outcomes/>
- The UK Interagency Group on Human Rights Based Approaches, 2007. "The Impact of Rights-based Approaches to Development", December 2007. Accessed July 2017 at http://www.crin.org/en/docs/Inter_Agency_rba.pdf
- Tomlinson, B, 2010. "An Overview: An Agenda for Change – Implementing the ODA Accountability Act," in CCIC, *A Time to Act, Implementing the ODA Accountability Act: A Canadian CSO Agenda for Aid Reform*, accessed July 2017 at http://www.ccic.ca/files/en/what_we_do/002_aid_2010_05_a_time_to_act_e.pdf
- UNDG, 2003. 'The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies' (7 May 2003), accessed July 2017 at http://www.unescobkk.org/fileadmin/user_upload/appeal/human_rights/UN_Common_understanding_RBA.pdf
- Venro et al., 2016. "Civil society threatened all over the world: For just development, environmental protection, democracy, human rights and peace." Discussion Paper, German Civil Society. Accessed July 2017 at https://www.boell.de/sites/default/files/uploads/2017/02/discussion_paper_civil_society_threatened_all_over_the_world.pdf.
- World Bank & OECD, 2013. *Integrating Human Rights into Development: Donor Approaches, Experiences, and Challenges*, Second Edition, accessed July 2017 at <https://elibrary.worldbank.org/doi/abs/10.1596/978-0-8213-9621-6>

End Notes

¹ UN General Assembly, Transforming our world: the 2030 Agenda for Sustainable Development, Resolution adopted by the UN General Assembly September 25, 2015, A/RES/70/1, [references are to paragraph numbers], accessed July 2017 at http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

² See “Final draft of the guiding principles on extreme poverty and human rights, submitted by the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona,” Human Rights Council, July 18, 2012, accessed July 2017 at http://www.ohchr.org/Documents/Issues/Poverty/A-HRC-21-39_en.pdf

³ United Nations Office of the High Commissioner for Human Rights, “Transforming our World: Human Rights in the 2030 Agenda for Sustainable Development,” no date, accessed July 2017 at <http://www.ohchr.org/Documents/Issues/MDGs/Post2015/HRAndPost2015.pdf> For more information on the linkages between human rights approaches and *Agenda 2030* see also http://www.ohchr.org/Documents/Issues/MDGs/Post2015/HRTB_Contribution_26May2016.pdf.

⁴ See the outcomes of various UN Financing for Development conferences since 2001 at <https://www.un.org/esa/ffd/>.

⁵ OECD DAC, Accra Agenda for Action, paragraph 3, Third High Level Forum, 2008, accessed July 2017 at <http://www.oecd.org/dac/effectiveness/34428351.pdf>

⁶ See OECD DAC, Busan Partnership for Effective Development Cooperation, paragraph 11, Fourth High Level Forum, December 2011, accessed July 2017 at <http://www.oecd.org/dac/effectiveness/49650173.pdf>. The four principles for effective development cooperation are 1) Ownership of development priorities by developing countries; 2) Focus on results ... aligned with the priorities and policies set out by of developing countries themselves; 3) Inclusive development partnerships ... recognizing the different and complementary roles of all actors; and 4) Transparency and accountability to each other.

⁷ UN General Assembly, *Declaration on the Right to Development*, A/RES/41/128, accessed July 2017 at <http://www.un.org/documents/ga/res/41/a41r128.htm>.

⁸ These 11 donors include Sweden, the UK, Germany, Austria, Australia, Canada, the Netherlands, the United States, Switzerland, New Zealand, Norway, and Ireland. This paper focuses on the practices of eight of these DAC donors: Sweden, the UK, Germany, Canada, the Netherlands, Norway, Finland and Denmark where there has been a strong and explicit focus on human rights in their development cooperation.

⁹ See DFID, “Leaving no one behind: Our promise,” Policy Paper, updated January 10, 2017, accessed July 2017 at <https://www.gov.uk/government/publications/leaving-no-one-behind-our-promise/leaving-no-one-behind-our-promise>

¹⁰ See the Canadian legislation and guidance notes at <http://international.gc.ca/gac-amc/publications/odaaa-lrmado/index.aspx?lang=eng>

¹¹ See Canada’s feminist international assistance policy at http://international.gc.ca/world-monde/issues_development-enjeux_developpement/priorities-priorites/policy-politique.aspx?lang=eng. For a short commentary see Tomlinson, “Reflections on Canada’s Feminist International Assistance Policy,” AidWatch Canada, June 2017 at <http://aidwatchcanada.ca/wp-content/uploads/2017/06/Final-Reflections-on-Canada%E2%80%99s-Feminist-International-Assistance-Policy.pdf>.

¹² It was unfortunately beyond the research scope of this study to examine current policies and practices of providers identified by the World Bank/OECD as implementing a HRBA in the 2000s. The paper, however, does draw from evaluations and assessments of aid practices in implementing a HRBA focusing on several of these providers.

¹³ Real aid is total DAC aid less provider allocations for in-provider country expenditures for refugees, imputed costs for students from developing countries and debt cancellation. It is a more true measure of aid that is available to developing countries for development purposes.

¹⁴ The following statistics are the author's calculations based on the OECD DAC CRS+ data.

¹⁵ See Amnesty International, "[Human rights defenders under threat: A shrinking space for civil society,](#)" Report, May 2017; Thomas Carothers, "[The Closing Space Challenge: How are funders responding,](#)" Carnegie Endowment for International Peace, November 2015; CPDE and Brian Tomlinson, [GPEDC Indicator Two: Civil Society Operates within an environment that maximizes its engagement in and contribution to development – An Assessment of Evidence](#) (June 2016), compiled by the Working Group on Enabling Environment and the Working Group on CSO Development Effectiveness; and CIVICUS, [Monitor – Tracking Civil Society Space](#).

¹⁶ See CIVICUS Monitor – Tracking civil society space, "Findings – April 2017", accessed July 2017 at <https://monitor.civicus.org/findings/>.

¹⁷ GPEDC, High Level Meeting, Nairobi Outcome Document, para 30 and 31, accessed July 2017 at <http://effectivecooperation.org/wp-content/uploads/2016/12/OutcomeDocumentEnglish.pdf>. The Partnership had a weak commitment for mutual accountability -- "to update mutual accountability arrangements at country level to include all relevant development partners, in an inclusive and transparent manner." [§12b]

¹⁸ See Brian Tomlinson, [Reflections on the Global Partnership's Second Progress Report](#), AidWatch Canada, November 2016. See also GPEDC, Making Development Cooperation More Effective: 2016 Progress Report, accessible at <http://effectivecooperation.org/2016/11/2016-monitoring-report-released/>.

¹⁹ This tool was created during 2013 and may be found at <http://amg.um.dk/en/technical-guidelines/hrba-guidance-and-screening-note/>.

²⁰ The questions can also be found in CCIC, *A Time to Act*, as Appendix One. [CCIC 2010] The publication, *Integrating HRBA and Equitable Partnerships into Development Programming*, also sets out a range of questions to develop a human rights profile in relation to determining programmatic priorities and implementation. [CCIC et al 2014]

²¹ GPEDC, *Nairobi Outcome Document*, *op cit.*' para 18.