

How to Enhance the Integration of the Rights Perspective in Development Cooperation

Sweden's Policy for Global Development (PGD) emphasises that the rights perspective should be integrated in all Swedish development cooperation activities. However, few guidelines exist that describe how to operationalise and implement the perspective. This SADEV evaluation (SADEV Report 2008:2) aims to increase knowledge about how to promote and integrate the rights perspective in programming. This is done by looking at one of the few examples where Sida, through the Swedish Embassy in Nairobi, Kenya, has been working with a practical approach to promoting the rights perspective – the Mainstreaming In Action (MAINIAC) approach. The report argues that the capacity development of donors, partners in development, local actors and citizens is critical to integrating the rights perspective in development cooperation. The report also identifies the need for the rights perspective to be more clearly elaborated.

'A rights perspective policy would stress the importance of integrating the rights perspective in accordance with the PGD.'

'A committed leadership is vital to imbuing institutions with a mandate to work and devote time to promote the rights perspective.'

'Integrating the rights perspective in programming requires recognition of the contexts in which the programmes are implemented.'

SADEV Report

The Swedish rights perspective builds upon international human rights based approaches (HRBA). Yet the Swedish formulation is broader, in its inclusion of democracy and gender equality, and in its special emphasis on the rights of the child. Its focus is on the power, capacity and will of individuals to create development. The rights perspective encompasses four key principles: participation, non-discrimination, openness and transparency, and responsibility and accountability. How can the integration of these principles in each of the various programming phases be enhanced?

MAINIAC represents one of few actual examples of the promotion and integration of the principles of

the rights perspective in programming. MAINIAC was therefore an original, pioneering approach. It aimed to develop capacities at the Swedish Embassy in Nairobi, Kenya (the Embassy), and among staff at various administrative levels within the Government of Kenya (GoK) to promote and integrate the principles of the rights perspective, together with a number of cross-cutting issues. The approach encompassed programming in six sectors (agriculture, health, water, urban development, governance and roads). As a 'pilot' approach in its first phase, this initiative offers opportunities for learning and exchange of experiences about how to enhance the integration of the rights perspective in development cooperation.

CAPACITY DEVELOPMENT AT THE EMBASSY TO PROMOTE THE RIGHTS PERSPECTIVE

The SADEV report is based on programming documentation and 80 interviews conducted with Embassy Programme Officers (POs), Kenyan resource institutions¹ and Government staff at various administrative levels. It concludes that the Embassy has developed significant capacity to promote the integration of the principles of the rights perspective in programming. Capacity has been enhanced at the individual level. POs have demonstrated a tendency to more consciously and pro-actively promote the integration of the principles within the sectors and programmes supported by Sweden. Leadership within the Embassy has been committed to creating the conditions and practices conducive to capacity development. It has initiated training and developed structures for internal follow-up and feedback. Resources have been made available, including personnel, time and funding. Links to Kenyan resource institutions have been pursued to enhance and sustain capacity at the organisational level. The Kenyan context has been characterised in recent years by a government prioritising human rights issues. This has facilitated a relatively enabling environment for promoting the integration of the rights perspective.²

However, challenges remain if capacity development at the Embassy is to be further institutionalised and sustained over time. One of these is to provide appropriate training on a more regular basis, including continuous follow-up of this training. Training that has taken place under MAINIAC was most frequent at the start of the approach, after which it has become less regular. Another challenge is to establish

long-term relationships with Kenyan resource institutions. These linkages remain weak. An additional challenge is to clarify what the rights perspective entails, and to define the relationship between the principles of the rights perspective and the cross-cutting issues that are also encompassed by the MAINIAC approach (sustainable development, peace and HIV/AIDS). The evaluation team found that there is a wide variance in perceptions of the relationship between the rights perspective and the cross-cutting issues amongst Embassy staff. It will also be a challenge to ensure a more balanced focus on *all* of the interrelated and mutually reinforcing principles of the rights perspective throughout *all* programming phases. The approach has tended to focus predominantly on the planning and design phases, and on the participation and non-discrimination principles.

THE INTEGRATION OF THE PRINCIPLES OF THE RIGHTS PERSPECTIVE IN PROGRAMMING

The extent to which the GoK has integrated the principles of the rights perspective in programming varies according to the context. Generally, efforts to integrate the principles have had a positive impact on programming in all six sectors. A number of mechanisms and tools have been developed to promote the integration of the principles of participation and non-discrimination. These initiatives have resulted in greater targeting of and consultation with poor and vulnerable groups. However, there is a tendency to conflate non-discrimination with gender, which risks excluding other vulnerable groups. It remains a challenge to ensure the participation of communities in *all* programming phases. The integration of the principles of transparency and accountability is, in many sectors, hindered by the legacy of institutionalised barriers, such as a highly centralised state system. The integration of the principle of accountability has been

¹ Kenyan resource institutions refers to various civil society organisations working with human rights issues and/or with a human rights based approach, and the Kenya National Commission on Human Rights (KNCHR).

² However, the opportunities for pursuing HRBA in Kenya have been severely compromised by the political crisis and associated violence following the December 2007 elections.

enhanced by the increasing awareness among Kenyan citizens of their rights, and their increasing willingness to claim these rights. Tools have been developed in some sectors to enable the integration of the accountability principle, for example through complaint mechanisms. Nevertheless, challenges remain in the effective utilisation of these complaint mechanisms, amongst other challenges.

Sector staff are increasingly aware of the issues surrounding the integration of the principles of the rights perspective, and their capacity to contribute to this process is also increasing in most sectors. However, there remains a critical need for further capacity development within the GoK. Moreover, there is confusion in all sectors about what HRBA entail, and how they relate to the cross-cutting issues. The various Kenyan resource institutions emphasise different issues, and hold divergent perceptions about HRBA. These organisations have been the predominant HRBA training providers, which has no doubt exacerbated the confusion. Further, the training in all sectors has been ad hoc, with a lack of follow-up and customisation to sector-specific needs. This hinders capacity development and the sustainability of the integration of HRBA in sector programmes.

Despite these limitations, links have been formed between programmes and resource institutions. The Kenya National Commission for Human Rights (KNCHR) has been instrumental in providing training on HRBA. The participation of other resource institutions in workshops and other capacity development activities has promoted human rights issues and facilitated the integration of HRBA in programmes. However, despite their critical importance, these linkages remain relatively weak in all sectors and must be strengthened to ensure the sustainability of the approach.

HOW THE MAINIAC APPROACH MAY BE CONTINUED

Recommendations to actors involved in promoting and integrating the approach (the Embassy, partners within the GoK, Kenyan resource institutions):

- Document the approach: what to do (programme theory) and how to do it (method);
- Clarify the goals and means of integrating the rights perspective, and the differences between the rights perspective and cross-cutting issues;
- Develop a strategy to ensure the promotion and integration of *all* of the principles of the rights perspective throughout *all* programming phases;
- Further define and elaborate the concepts of capacity (what kinds of capacities are needed to promote the rights perspective) and capacity development (how should the desired capacities be enhanced) in order to contribute to a common understanding among relevant actors;
- Promote further institutionalisation of capacity development through regular training and the development of internal work procedures;
- Develop indicators to monitor and evaluate the approach;
- Further strengthen capacity development for HRBA within the GoK, and between sectors and programmes, by increasing support for training;
- Establish long-term linkages with Kenyan resource institutions and support collaboration between these institutions;
- Promote and support the enhancement of capacities among citizens.

HOW THE INTEGRATION OF THE RIGHTS PERSPECTIVE IN DEVELOPMENT COOPERATION MAY BE ENHANCED

Recommendations to the Swedish Ministry of Foreign Affairs, Sida and other Swedish actors involved in development cooperation:

- Elaborate the relationship between the rights perspective and a human rights based approach to development;
- Clarify the differences between the rights perspective and cross-cutting issues;
- Develop a policy that clarifies the goals of the rights perspective (including defining the principles of the rights perspective), elaborates the issues contained in the above two bullet points and emphasises the importance of the rights perspective being integrated in all development activities;
- Support policy implementation by developing an action plan describing how to work with the rights perspective, and develop internal rules so that this work is incorporated within the institutional structure;
- Elaborate the concepts of capacity and capacity development for working with the integration of the rights perspective. Analyse existing and potential capacity gaps, and determine viable ways to support capacity development. Direct the necessary support accordingly;
- Allocate resources to promote the integration of the rights perspective (including personnel, time, finance). Strong leadership is essential. It is necessary in providing the mandate for organisations to prioritise this issue. Leadership can also assist the institutionalisation of capacities through, amongst others, introducing necessary work procedures.

SOURCES AND FURTHER INFORMATION

This policy brief is based on Brun, Dawidson, Hulterström and Mattsson (2008) *Integrating the Rights Perspective in Programming – Lessons learnt from Swedish-Kenyan development cooperation*, SADEV Report 2008:2. This and other SADEV publications are available at www.sadev.se