



Learning - To Integrate Human Rights

Summary of a Report of

The International Human Rights Network

Introduction

“.....It has become apparent to all that the UN is as much in demand as in need of change....we are learning new ways to do what we do better....The fundamental objective of this reform effort is to narrow the gap between aspiration and accomplishment”

Kofi Annan, UN Secretary-General

Since 1997, the UN Secretary General has reaffirmed the organisation’s commitment to fully integrate human rights across its main policy areas: peace and security; economic and social affairs; humanitarian affairs; and, development co- operation. The OHCHR is mandated as the lead agency to facilitate this process. The Secretary-General’s Reform Report of 2002, *Strengthening of the United Nations: an agenda for change* sets out action points to for the UN to help achieve the goals set out by the member states in their Millennium Declaration. Action 2 calls for the United Nations, in particular OHCHR, to integrate human rights into all of the organisation’s work, including its work in development for poverty eradication. The OHCHR, in cooperation with the UN Development Group (UNDG) and the Executive Committee on Humanitarian Affairs (ECHA), have developed a plan of action to improve this integration at country level. The plan includes enhanced cooperation between UN agencies and the human rights treaty bodies and special procedures.

However, to implement Action 2 requires more. It requires effective learning from the human rights impact of current UN work from peacekeeping to development. Based on a two-year consultation process, IHRN highlights the importance of effective learning by organisations mandating, fielding or funding international human rights fieldwork. It makes detailed recommendations to the OHCHR for effective learning from the human rights impact of its own fieldwork as well as that of its UN system partners in order that OHCHR can develop practical support to offer in its role as the hub for UN system-wide learning. This practical support is essential for the coherent and consistent integration of human rights throughout the UN system as a whole.

These recommendations remain highly relevant to OHCHR in developing its strategic priorities.¹

Context

The post-Cold War world has seen many states in crisis/recurrent crisis, on the verge of crisis, or trying to recover from protracted breakdown. **Field-based** international human rights work (expressly so labeled) is a phenomenon of the 1990s and the trend continues towards increased field presence by bodies such as Organisation for Security and Co-operation in Europe (e.g in Abkhazia, Bosnia and Herzegovina,

¹This summary of a report by Karen Kenny is based on her work with the International Human Rights Network and its predecessor *The International Human Rights Trust* established in Ireland in 1996. IHRN is a non-governmental organisation supporting actors in applying [Human Rights Based Solutions](http://www.ihrnetwork.org) in their work and details may be found at <http://www.ihrnetwork.org>.

Croatia and Kosovo). In the case of the UN Office of the High Commissioner for Human Rights (OHCHR), since tentative beginnings in 1993, the Office has become increasingly involved in placing staff in the field, with a dramatic expansion since 1994. In 1997, the second High Commissioner for Human Rights inherited a number of operations and the Office has continued to expand a rapidly multiplying matrix of 'field presences'. Some thirty of these are in place as of 2004. In addition, only a few years ago that Office's human rights technical co-operation involved one or two projects per year - now there is field work of this kind in over 40 countries. Supply cannot keep pace with invitations from states.

This is more than a mere expansion of previous activities - it is a watershed move into the implementation of human rights at field level. With this has come a greater recognition in the UN and the international community that we need to redefine the problem - and how we address it.

For such field-based activities, a relatively high level of awareness of the need for learning has emerged, not least because this has been repeatedly recommended by NGOs as well as by some donors such as the European Commission and DFID. Such learning is essential if field presences are to meet their potential. However, for the most part ad hoc reviews are envisaged or proposals that material be centralised to comprise 'institutional memory'. In reality, a more *systemic process* is needed.

The Learning Imperative:

In the field of development, and more recently humanitarian aid, the belief that all activity is necessarily positive is no longer common. This is not yet the case in the area of human rights, where the twin imperatives of effective learning and accountability have yet to be addressed. With all this activity, none of the key human rights field operators has effective mechanisms to ensure they learn from this experience. Indeed, many of the issues in this note apply to all types of field actor whether peacekeeping, humanitarian assistance, and others.

Consultation Process

In 1998, this IHRN research and advocacy project was conceived to advance learning from the experience of human rights field operations, and used the working title of 'Towards Systematic De-briefing for Human Rights Operations'. The need for such de-briefing was seen as an essential step to expand the base of valid information on which decision-making is founded in the Office of the High Commissioner for Human Rights, and others involved in fielding such operations. As such, this project has been designed and implemented as a resource for the Office, with the Chief of the Activities and Programmes Branch nominated by the High Commissioner as focal point.

The IHRN examined the systems through which some other field operators, especially others within the UN system, managed their learning from field experience. The IHRN met for example with staff of UNDP, Unicef, the High Commissioner for Refugees, Department of Peacekeeping Operations, UN Volunteers Programme, the Office of Internal Oversight as well as the International Committee of the Red Cross and a cross-section of other NGOs. Of necessity, only a sample of the wide variety of UN agencies and programmes could be explored.

A wide range of learning approaches and structures are in use among these bodies and their strengths and weaknesses were readily identified by those involved. Each of these has developed in isolation from each other, and there is no cross-fertilisation among them. For example, some learning units follow-up the implementation of recommendations, others have not been given that authority.

In this context, it became clear that there is no single existing model within the UN which could be recommended for the learning needs of OHCHR. Therefore, in addition to the above bi-lateral meetings, the IHRN convened a series of four consultative meetings with individual experts from analogous disciplines.² As part of the process, IHRN briefed the UN Inter-Agency Standing Committee Working Groups in Geneva and New York. It also briefed states members of 'the Geneva Group' at a meeting convened by the Irish Mission to the UN at Geneva.

In the course of this work it became apparent that:

- a) The original conception of 'de-briefing for field operations' was too narrow. As it is only one element essential for learning from experience required by the Office.
- b) More attention is needed for the implementation stage. A lesson is not merely the compilation of experience - a lesson is a decision to improve an existing situation, **which is only learned once it has been effectively acted upon.**
- c) Moreover, the learning needs and opportunities of OHCHR must also be understood in the context of the need to support accountability mechanisms in the Office; and the need to effectively integrate human rights both within the Office, and across the UN system as a whole.

This preparatory process culminated in an International Forum convened by IHRN in Geneva in January 1999 to consider the report. This brought together a broad range of actors concerned with effective learning in the OHCHR as well as in their own work. These stakeholders in the Office included partner UN agencies, representatives of host societies, other inter-governmental organisations such as the OSCE, the European Commission and ECHO, Council of Europe, the Southern African Development Community, a range of non-governmental organisations, and representatives of donor states.

There was broad agreement among participants regarding conclusions and recommendations from the Forum (**Annex Id** of the full report). The issues discussed were felt to have a value and relevance for each of the participating organisation's own learning needs; for their relations with each other; and especially as *reciprocal partners of OHCHR in its role as focal point for learning - to integrate full spectrum human rights in the work of the UN system*. Discussion focused particularly on OHCHR's direct work and its contribution to the learning of its partners. The

² These took place during 1998-99 in Harvard, Bonn and Geneva and involved a range of expertise such as military lessons learning as well as management and organisational development. This expertise was drawn upon in order that their discipline's experience of learning could be examined for adaptation to the needs of OHCHR.

recommendations of the Forum include suggested phased steps towards an effective learning process.

What is organisational learning

There has been a dramatic increase of pressure towards 'lessons learning' for organisations such as the UN. A range of units, office and inspectors have been established or appointed for the in-house evaluation of a number of agencies, from UN High Commissioner for Refugees to the Department of Peacekeeping Operations. However, what is meant by learning?

A lesson is only learned once it has been effectively acted upon. Generally, internal opposition to learning processes *per se* is common because learning involves change. This may include managers' fear of being undermined, fear of failure, and so forth. There will be some inertia to be avoided and minimised. *Very few organisations reward enquiry. When was the last time anyone was promoted for asking tough questions that challenged established policies and practices?*

What is 'learning'

The very word 'learning' has lost clarity of meaning in contemporary speech. It is sometimes equated with taking in information classroom-style, or with the mere compilation of experiences - this is not of itself learning. Learning is not a product suddenly unveiled for all the world to see, it is a **process**:

- It presents staff with real issues from field work and invites better solutions. It is vital that learners connect what they learn with what they actually do.
- Learning requires a cyclical process of inputs, analysis, outputs, dissemination and auditing.
- Managers need to promote learning so that it gradually emerges as part of an organisation's culture. - with learning regarded as not an occasional exercise, or an indulgence, but a continuous necessity.
- The process should encourage thinking 'outside the box' which questions assumptions and beliefs of an organisation and re-establishes first principles.

De-briefing of staff is necessary but not sufficient

As a means of learning, often de-briefing of staff is seen as sufficient. Those who have either been involved in field work relating to human rights, or spent time listening to those who have, will be struck by the fact that many have learned a great deal, both as people and as professionals, from working in challenging environments. However, while they as individuals have learned - it is frequently the case that their organisation has not. The absence of channels for feedback from staff is widely credited as a factor in staff frustration and burnout. This omission is especially serious when combined with a lack of systematic support to address cumulative, vicarious, and post-traumatic, stress from working in crisis environments.

Such on-going feedback ('de-briefing') of field personnel as an essential step to expand the base of valid information on which decision-making is founded in the

OHCHR, and others involved in fielding such operations. However, in reality field methods mainly evolve day by day on the ground, adjusting to the environment based on individual staff member's capacities. Internal feedback is not systematically gathered and woven into the evolution of doctrine and training cycles of that organisation. Without systematic feedback from staff each individual remains a closed learning cycle - others outside that cycle are not benefiting from that learning. Thus, there is an inadequate link between actual experience in the field and the content of training carried out for others, or for the organisation's own staff. As such, field methods and doctrine are not adequately evolving as new, varying and fast-moving situations require.

The range of ways to ensure on-going feedback from staff should be explored by field operators and tested in practice. This raises issues of principle (such as independent de-briefers, self-incrimination) procedures to ensure representative information is received and to encourage full and frank feed-back, substantive areas to cover (recruitment, training, administration, logistics, speed of deployment, tasks assigned) and how this link with personnel management systems and so forth.

Towards a full learning cycle

Even if it were in place, systematic de-briefing of staff does not ensure learning. This becomes clear after examining the ways in which many UN agencies and other field operators manage their efforts at learning from field experience, such as Unicef, the High Commissioner for Refugees, Department of Peacekeeping Operations, UN Volunteer Programme as well as the Organisation for Security and Co-operation in Europe, International Committee of the Red Cross and a cross-section of NGOs.

First, broader inputs are needed. A range of voices must be actively sought out and developed, beyond the routine feedback from all staff, at headquarters and the field:

- a) Host society input of priorities, views, suggestions, proposals and evaluations
- b) Partner UN and other international agencies such as the OSCE and EU
- c) Non-governmental organisations
- d) Academic research networks. Indeed, in the absence of internal channels nurturing feedback from the experience of staff, several of former human rights officers have written in the academic literature - yet through this channel there is still no focal point responsible for considering the practical application of their recommendations.

Thus, de-briefing will change nothing where there is no clear responsibility for ensuring learning. While, internal reviews or evaluations are now more common, alone these are not adequate as they usually lack: a follow-up mechanism; independence or distance from the work being evaluated; are not linked to individual or organisational accountability for performance; and do not have a responsible proponent to ensure implementation of needed changes in a defined time period.

Learning culture: Beyond clear responsibility for learning, the pro-active creation of a learning, questioning culture within the organisation is needed. For example, the limits on field operations are not merely the financial constraints. Such limits also flow from what has been called a culture of impunity, a tendency towards defensiveness in response to criticism, an atmosphere which does not encourage creativity or initiative, and lack of effective auditing of implementation of improvements.

The need for OHCHR to provide leadership in learning

The learning units mentioned have developed in isolation from each other, and there is little cross-fertilisation among them, such as joint testing of benchmarks and indicators of human rights progress. Inputs from various human rights field presences of the UN or regional organizations need to be pooled (OSCE, African Union, ECOWAS, OAS). At present, pooling experience is not routinely the case even among operations fielded by the same organisation, with a lack of systematic harmonisation of policy, methodology, procedures, doctrine and principle among them. Each time the wheel is re-invented, and often disimproved in the process. Thus, beyond the individual learning needs of field operators, in the system as a whole, there is a need for effective leadership in the development of policy, doctrine and field methods. For example, such training as there is remains ad hoc, with a range of unconnected initiatives in different countries. The subjective experience of an individual trainer does not create coherent teams when these trainees are put together to work, frequently in a crisis. Most attention is going to the most expensive and least effective type of training: generic, pre-deployment training. This appearance of activity in training distracts funders, trainers and the organisations intended as end-users of the trainees from the need to focus on its effectiveness and impact. To address this requires leadership in the system.

The human rights actor with the mandate to provide leadership as a focal point for all UN human rights activities is the OHCHR in Geneva. The High Commissioner intends to 'ensure leadership' on the integration of human rights across the UN system fully in keeping with the mandate she received from the General Assembly and the Vienna Declaration and Programme of Action in 1993. In addition, the UN Secretary-General is committed, in his *Programme for Reform* of the United Nations to the **integration of human rights in all UN activities**. The UN's human rights work takes many forms and is spread through many agencies. The second High Commissioner, Mrs Mary Robinson, stated that:

"While I realis[e] that not all UN agencies and programmes [speak] the technical language of human rights, they all [do] work on human rights...the United Nations, in may ways and under many names, is undertaking the difficult work to strengthen human rights and reach people in practical ways daily so as to better own their own lives"³

The full implications of the Secretary-General's Programme for Reform have yet to be worked out in terms of what it should, or will, mean for the Office of the High Commissioner in implementing Action 2.

³ Statement by Mary Robinson, UN High Commissioner for Human Rights to the Third Committee of the General Assembly, New York, 14 November 1997. On the Programme for Reform, see initial UN Doc. A/RES/52/12, 12 November 1997; UN Doc. A/52/L.72/Rev.1, 19 December 1997.

Proposals: a Learning Resource Centre for OHCHR and the wider UN system

The potential inherent in the UN Secretary-General's commitment to integrate human rights throughout the activities of the Organisation is such that it should *transform* the way all UN agencies and bodies work: whether relief-aid, development, police, military or human rights specialists. In addition, it should greatly enhance the coherence of these actors working together. Supporting the integration of human rights across the UN system is a core function of the OHCHR.

1. There is a need for a permanent, continuous learning cycle, located and managed within the Office of the High Commissioner for Human Rights - a **Learning Resource Centre**.
2. The aim of the **Learning Resource Centre** is to enhance the overall effectiveness of the Office. To do this it must seek to fulfil **both** the functions of lessons learning and accountability - finding an effective balance between institutional development facilitator and auditor.
3. To achieve this aim, it must have an appropriate mandate to do so. It is also necessary that it be located close to, and integrated within the policy-making centre of OHCHR if it is to have a real-time impact on policy discussion and formulation - and so as to encourage more effective standard operating practices.
4. **The role of the Learning Resource Centre:** Its success would be measured in increased effectiveness of the Office of the High Commissioner for Human Rights in fulfilling its mandates and contributing to the sustainable improvement of human rights through all aspects of the Office's work. It will not produce reports or recommendations or run training workshops as ends in themselves. It is expected to achieve change as well as developing the mechanisms to measure it.

The **Learning Resource Centre** will benefit not only the Office's human rights methodology, but also the clarity of its mandate, the division of labour within the Office and with other partners, as well as its administration and policy-making:

- a) providing focus and support to lessons learning by all branches of the Office
- b) pooling lessons among OHCHR branches to ensure their coherence and consistent application in the work of the Office at all levels
- c) creating a reliable source of valid data, constantly up-dated for decision-making and problem-solving based on real experiences
- d) stimulating the solution of general management challenges such as the sourcing, identification, selection, training and retention of talented staff
- e) *facilitating operational issues, including the development of standard operational procedures developing transparency regarding impact,*

benchmarks to measure success, and focussing on effectiveness rather than activity

- f) *facilitating informed policy making throughout the UN system especially the integration of human rights into all lessons learning practices*
5. The on-going learning cycle involves the **Learning Resource Centre** analysing a broad range of data (inputs) to identify trends and issues requiring improvement; proposing concrete solutions; pilot-testing their application; following through in support of implementation; as well as auditing the outcome.
 6. A range of methods and sources of information are needed as inputs to this learning process. These must be actively sought out and developed, including:
 - a) Routine and effective feedback from all staff, at headquarters and the field
 - b) Host society input of views, suggestions, proposals. The adaptation of effective participation methods from the field of development is needed to ensure meaningful host society input at all stages.
 - c) Partner UN and other international agencies such as the OSCE and EU
 - d) Non-governmental organisations
 - e) Academic research networks
 7. The quality of the impact and utility of the **Learning Resource Centre** is dependent on its credibility. In order to develop credibility, it is essential that it have a high degree of both independence and authority. This includes being mandated by, and reporting directly to, the High Commissioner, clearly working with her authority, and providing input directly into policy discussion. An official at senior management level should head the **Learning Resource Centre**.
 8. Apart from management, other skills which the Centre will need to draw on, from within and outside the Office, will include information technology; experienced evaluators; a range of human rights policy, operational, and administrative experience as well as skill in translating lessons into training (a key element in translating lessons into practice). Initially, the **Learning Resource Centre** should draw on the experiences of existing learning initiatives within the UN system and outside it, which the Report highlights.
 9. This cycle of learning is a continual process, which involves all staff, and encourages a questioning and learning culture. Moreover, as with any learning process, the benefits will not manifest themselves instantly. Tangible and worthwhile progress will only be evident after sustained effort. The first step requires the commitment to improve. This needs to be encouraged and resourced properly.
 10. **Pool learning with others system-wide:** An effective Learning Resource Centre would enhance OHCHR credibility with other UN learning units. As yet, where several units are examining the same country situation or the same issue, they do not automatically pool analysis to identify common lessons to be learned by the UN system as a whole. Nor is their analysis informed by a practical assessment of human rights impact, relevance, efficiency, effectiveness and sustainability. For example, Department of Peacekeeping Operations Lessons Learning Unit does not automatically use such an assessment as the basis for analysing unity of effort by the UN system. In the case of humanitarian aid, even where a crisis is

quite clearly a human rights crisis, evaluations are frequently approached without that framework. The Learning Resource Centre would, as its name implies, be a resource for learning units system-wide, from the UNDP to the Department of Peacekeeping Operations, providing both the stimulus and the resources such as a mobile team of facilitators to encourage the process. The LRC would support these other units to address in order to pool human rights experience for the benefit of the UN agencies as a whole.

11. Beyond the UN system: other obvious potential beneficiaries of the work of the Learning Resource Centre are regional inter-governmental organisations fielding peace support operations, including the Organisation of American States, the EU, Organisation for Security and Co-operation in Europe and the Organisation of African Unity; as well as; field NGOs. There is a general need to develop a stronger human rights framework for such work and it is increasingly understood that common challenges are being faced by the several organisations involved in mandating, fielding or funding human rights operations. There is a need to pool common experience and contribute to better practices in areas such as training - as well as questions of coherence and co-ordination from the field to headquarters levels, and in national administrations. Such regional bodies should be encouraged to be actively involved by providing inputs and validating outputs of the Learning Resource Centre. In turn, the Learning Resource Centre should facilitate common mutual training to help rationalise scarce resources and maximise coherent actions once in the field.

12. From the consultations which IHRN has undertaken, there is a great deal of real enthusiasm for the direction of these proposals and clear commitment to give the needed political and financial support to the High Commissioner in implementing them. Several learning units have emphasised they did not wish for more resources, but rather wished that responsible member states, including donors, would discuss the application of their recommendations when meeting senior management responsible for implementation, and ask: "*what has been done about this?*"

13. To focus support, a Forum of Experts is proposed to both provide an accreditation mechanism and to support the development and work of the **Learning Resource Centre**.

Conclusion

Often the urgency and scale of human rights problems in the field seems daunting. The challenge for OHCHR is like that facing a forester, overwhelmed by the number of trees he feels he has to cut down. The challenge is to take time to stop and *sharpen his axe*, to reflect on whether he really should be cutting that tree or indeed whether he is working in the right forest. It is not easy to learn in such circumstances - but one thing is clear, learning is not merely an option, but an imperative.

These proposals are intended to stimulate discussion and lead to the next step: translating them into specifics for implementation such as the resource implications for the Office - a process to be conducted internally, over time, with external support and sustained effort. The approach is particularly necessary for the Office of the High Commissioner if it is to give the leadership and support required for integrating

human rights in the humanitarian assistance, development and peacekeeping work of the UN.

Further detail regarding the issues raised here is available at <http://www.ihrnetwork.org>, particularly the following publications

- *Learning - to Integrate Human Rights*
- *Towards a human rights partnership for effective Field Work*
- *Towards Effective Training for Field Human Rights Tasks: Recommending an on-going international process to codify best field practice*