



The right to participate

in

international human rights fieldwork

The International Human Rights Network, 2000

With the kind support of the European Commission

Summary ¹

The International Human Rights Network facilitated a broad discussion process in 1999-2000 involving a number of societies which have hosted international human rights presences. The issues raised in its 1998 discussion paper *Towards a Human Rights Partnership for Effective fieldwork* were the focus of discussion: the meaningful participation of the *host society* in planning, designing, setting priorities for, and evaluating its impact. The issues remain highly relevant to those committed to strengthening the impact and sustainability of international human rights fieldwork.

Three main common themes emerge from feedback from the five sample countries of El Salvador, Guatemala, Rwanda, Burundi and Colombia:

- Theme 1: Exclusion reinforced by UN work on peace ‘processes’, human rights fieldwork and in development (UNDAF pilots, Guatemala and Colombia). The UN system does not together recognize the right to participate as a human right applicable to its own work.
- Theme 2: Selective approach to human rights rather than indivisibility and interdependence in practice.
- Theme 3: Lack of accountability for impact. From the earliest to current presences, there is little indication of effective learning from one experience to the next. Their hallmark is continuing lack of independent and participatory evaluation of impact, effectiveness or sustainability.

In sum, despite its clear basis in international human rights law, the common theme emerging is that participation is not conceived of, or applied in practice, as a human right by the international actors involved.

A Partnership Forum convened by IHRN in Geneva in April 2000 brought focal points from the sample countries:

- to pool their experience amongst themselves; and
- On the last day, a number of UN agencies and donors were invited to hear directly the experiences and recommendations of those voices.

The aim was to bring together those who are concerned to learn from the experience and improve sustainability for the future. The host society feedback endorsed the *Towards a Human Rights Partnership for Effective fieldwork* discussion document, identified conclusions and recommendations and undertook to follow-up the process. The European Commission’s intervention is included in Part III.

Key conclusions:

¹ This report summarised here is based on the work of 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](#) in their work and details may be found at <http://www.ihrnetwork.org>.

1. Meaningful participation in decisions which affect one's life is a human rights issue: it is both a means to the enjoyment of human rights, and a human rights goal in itself.
2. Exclusion is itself one of the root causes of human rights crises and armed conflicts. In the participant's experience, by failing to address exclusion and by applying a narrow concept of what human rights are, international interventions have not achieved their aims.
3. Civil society has been in effect *excluded from*:
 - UN work in facilitating peace 'processes'. That work has focussed on those who are armed fighters even though military de-mobilisation alone does not create sustainable peace. The UN has acted as if there is a tension between human rights and peace and continuing impunity is the result;
 - UN human rights operations have failed to identify, analyse and target structural root causes of human rights crises;
 - UN development approaches (such as the recent pilot processes for the UN Development Assistance Framework in Guatemala and Colombia).

Key Recommendations

1. Civil society should be understood as essential agents of change to improve any human rights situation.
2. Those mandating, funding or fielding international interventions, including all the actors of the UN system, should aim to break the cycle of exclusion through all their work (regardless of whether the work is called development, facilitating political negotiations or human rights work).
3. Participation should be meaningful, it should be early, and it should be on going. Through this means prevention of conflict can be promoted.
4. There are challenges involved; civil society can be fractured, participation takes time and resources. However, it is precisely when civil society is weak in these ways that support is most needed. Similar challenges are faced in achieving the enjoyment of other human rights. These challenges can be met if there is real commitment to do so with:
 - A preventive approach of long-term engagement; and
 - Active learning from the decades of trial and error concerning participation in development.
5. Meaningful participation is therefore not limited to voting in elections. It is an on-going process of inclusion. It involves:
 - - actively seeking out the voices of those who carry moral weight in a society and those with real representativeness (not just certain NGOs in the capital); and
 - - Then ensuring that those voices are heard and have real influence.
6. There are various moments and levels where participation is needed, These include in the:
 - Diagnosis of the problems to be addressed

- Design of international interventions
- Interpretation of their mandate
- Setting of priorities and their implementation during the life of the intervention
- In its follow-up, and
- Evaluation of its human rights impact.

Guiding principles of meaningful participation include that it be:

- Community-based as well as national in focus
- On-going
- Founded on equal partnership
- Non-discriminatory and
- Informed through effective access to information.

7. This meaningful participation will not simply 'happen'. It must be actively planned and ensured as part of these international interventions even when it is not expected or demanded. It is the essence of partnership that participation be respected as a human rights issue.
8. The right to participate is an essential element of the commitment the Secretary-General has made to integrate human rights in all the work of the UN. As focal point for human rights in the UN system, the role of ensuring meaningful participation is inherent in the mandate of the Office of the High Commissioner for Human Rights (OHCHR). It should seek a comprehensive approach to conflict and ensure participation in all the UN's interventions in a country from political peace negotiations to the establishment of development priorities - as well as its human rights presences. This role is in addition to the direct roles of other UN actors such as the Department of Political Affairs or the UN Development Group.
9. The UN should act as a model of participation to demonstrate how governments themselves should relate to their populations. In turn, the OHCHR should act as a model of participation for the rest of the UN system. This includes being an effective advocate vis a vis other international organisations on the priority human rights concerns of the host country.
10. By demanding meaningful participation, the host society is also seeking accountability. The human rights impacts of these international interventions need to be assessed through that participation. The OHCHR should lead the UN system by ensuring that such an on-going process of learning from experience be developed. A first step is requiring reporting by all actors on the ways in which the right to participate has been enhanced through their work.
11. Donors have the responsibility to similarly ensure that international interventions, whether by the UN or other international organisations, learn the necessity of respecting the right to meaningful participation - from their own experience.

Follow-up and signposts for addressing the recommendations

Host society participants undertook to follow-up the discussions at country level with UN actors and other international organisations. Similarly, representatives of international organisations undertook to follow-up the discussions at their headquarters and circulate the country feedback to their representatives at country level.

These recommendations, with their practical implications for selection, training and working methods, illustrate that cross-fertilisation of 'human rights' and 'development'

experience is essential. For example, participation in the field of development has hitherto been seen merely as one of several elements towards effectiveness of programming, rather than understood as a human right. Bearing in mind the practical difference that this conceptual shift would involve, there is still much to learn from the decades of trial and error in participatory development in order to put these recommendations into practice through concrete mechanisms and methods of work for other disciplines.

The wheel does not have to be reinvented. Rather the international actors need to pool efforts through cross-disciplinary learning.² Signposts for such learning from the broad experience and resources available are included in Part IV of the full report.

² The issue of organisational learning from human rights fieldwork and the potentially pivotal role of the OHCHR were considered in detail by IHRN in 1998-99, *Learning - To Integrate Human Rights*, available from <http://www.ihrnetwork.org>.