



Working with the Human Rights-Based Approach

HEKS/EPER Global Cooperation's strategy, promising practices, achievements, and perspectives on HRBA and the cooperation of duty-bearers and rights-holders.

Why HRBA Matters

Global Challenges – Context

During the past years, human rights and human rights frameworks are more and more pressurised. Human rights and international conventions lost ground due to increasing nationalism and authoritarianism that took root in many countries as a response to insecurity, terrorism and financial crises. In the past years, wars, conflict, and the COVID-19 pandemic exacerbated existing vulnerabilities, inequalities and exclusion of specific groups. It led to human rights restrictions and violations and global protests against human rights violations. In 2022, political crises like those in Iran and wars like in the Ukraine evoked civic resistance but also demonstrated the power of repression.

Worldwide, only 3.2% of the world's population lives in countries with an 'open' civic space. While two-thirds live in authoritarian states or dictatorships¹ with repression or being completely closed for any civil action, assembling and fighting against injustice. According to the Civicus Monitor, the deterioration of civic space conditions continued and is especially alarming for example, in Myanmar, Iran, Afghanistan, Haiti, China, Saudi Arabia, Syria, Iraq, and Russia, but also deteriorated in European countries like Belarus, Hungary, UK, and Poland. In 15 of 18 non-European countries, HEKS/EPER works in civil society's status either repressed or closed. Several analyses show that under the guise of the pandemic, stigmatisation and repressive forces intensified, critical voices were increasingly silenced, and social divisions arose in these countries, but also in HEKS/EPER countries in Eastern Europe such as Hungary and Serbia.

On the positive side, it's mentioned that human rights have been increasingly incorporated into the development agenda. Many development actors (UN agencies, state agencies, human rights organisations, faith-based organisations, political associations, etc.) apply a human rights-based approach (HRBA) to development. Since 2019, the HRBA has been one of the six guiding principles of the [United Nations' sustainable development cooperation framework](#). Working rights-based means analysing and transforming discrimination, power dynamics and inequalities, often the root causes of poverty and development problems. By integrating a human rights-based approach, development organisations and their programmes are guided by the following human rights principles and norms:

- Equality and non-discrimination
- Participation and empowerment
- Accountability and Advocacy
- Indivisibility and universality of human rights

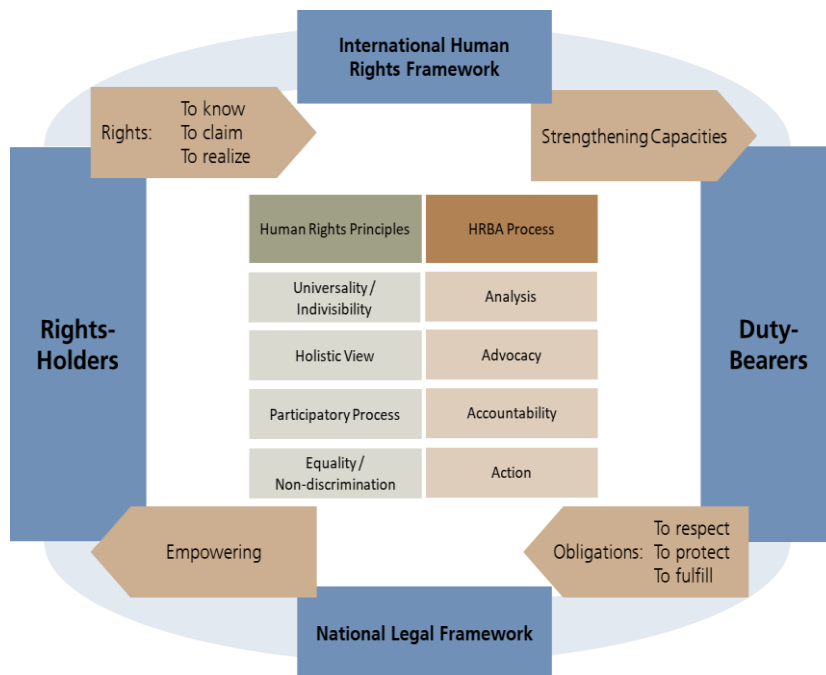
The HRBA implies a paradigm shift in development cooperation from charity to equal cooperation based on rights and corresponding obligations. Moreover, the HRBA is based on a conceptual distinction between rights-holders and duty-bearers and builds upon the international human rights framework and national legal frameworks.

How HEKS/EPER responds – Strategy

HEKS/EPER applies the human rights-based approach (HRBA) as an overarching working approach to all policies, projects and programmes. By analysing, revealing, and addressing human rights violations, inequalities, and unjust power relations, HEKS/EPER aims to achieve more sustainable and systemic development changes.

Universal human rights and national and local legislation and values (in line with human rights) provide the guiding framework for the HEKS/EPER International Programme. Human rights standards and principles – such as equality and non-discrimination, participation and empowerment, accountability and advocacy, and links to human rights mechanisms – are integrated into all stages of the HEKS/EPER programming process (analysis, planning, implementation, and impact measurement).

Referring to the trend that human rights are increasingly under pressure, HEKS/EPER and its partner organisations are – maybe more than ever – challenged and committed to strengthening human rights in and through their work. In its HRBA implementation concept, HEKS/EPER highlights the importance of working in favour of people and communities who do not enjoy equal rights and prosperity due to being socially, politically or economically disadvantaged. Examples include the landless, smallholders, excluded indigenous/traditional/rural communities, the under-represented, the oppressed, the disaster-prone, and conflict-affected people.



Logic of HEKS/EPER's human rights-based approach.

To achieve transformative change in favour of these people, HEKS/EPER works with both: **rights-holders**, individuals entitled to enjoy human rights (for individuals and groups), to claim these rights (and be protected if they do so peacefully) and to redress when rights are violated, as well as with the obligation to respect the rights of others; and **duty-bearers**, stake-holders with the responsibility to respect, protect and fulfil rights such as state authorities, local or national leaders and representatives in politics, economics, religion or communities. The distinction between rights-holders and duty-bearers in the HRBA is conceptual and always related to a specific problem, human rights and a defined legal framework.

In 2022, working human rights-based remained very complex and important due to ongoing crises and conflicts. HEKS/EPER and its partners learned that, especially during protracted crises, the following aspects are essential to continue rights-based development work:

- support and challenge duty-bearers to fulfil basic human rights.
- support transparent and trustful information.
- enhance civil society participation in managing crises.
- insist on non-discrimination;
- insist that restrictions of human rights and civic space have to conform to the law, be necessary, proportional and limited in duration;
- help to ensure freedom of expression and access to information;
- focus on the right to protection of vulnerable groups;
- prevent isolation of certain groups;
- facilitate broad civil society cooperation for joint response and claiming of rights;
- advocate for inclusive and rights-based crisis responses.

In 2022, a learning process within HEKS/EPER elaborated on the application of HRBA in inclusive market system development (MSD) projects. The process focussed on potential tensions between MSD and HRBA (e.g. the differences in mindset, theory and implementation) and on what these approaches can learn from each other. The findings of the learning process evidence the importance of strong contextual and rights-based knowledge in MSD projects, the focus on marginalised groups, the promotion of enabling factors (hard skills, assets, inputs, etc., as well as soft factors like cultural barriers, social stigma, power relations, etc.) and collective organisation.

Promising Practices Worldwide

Brazil – link to the international human rights framework



Brazil is a vast country of continental proportions with unique ecosystems like the Amazon and the Cerrado and extreme social and economic disparities being the world's most unequal society. The country's biodiversity and cultural diversity face an unprecedented threat from the growing number of mono-cultural agribusiness mines and the repressive policy practised by the Bolsonaro government during the last four years. The state of Mato Grosso do Sul is home to the indigenous people of the Guarani Kaiowá. Throughout the last decades, the Guarani-Kaiowá have faced violence and murders due to the conflict over their ancestral lands. The roughly 50'000 members of the indigenous people of 70 local communities are exposed to overcrowded reservations, conflicts with big farmers and evictions. Some expelled communities were given reservations outside their ancestral territories, which affected their cultural identity and social structures with consequences like high internal violence and youth suicides. The extension and mechanisation of large-scale agricultural production decreased the demand for indigenous labour and destroyed biodiversity and subsistence farming.

HEKS/EPER and its partner organisation FIAN (Food First Information and Action Network) collaborate with CIMI (Indigenous Missionary Council) to support the Guarani Kaiowá in the struggle for their land with a human rights-based approach. HEKS/EPER and its partner organisation capacitate the Guarani-Kaiowá people to monitor and report the human rights situation in their community and to understand and participate in the legal process to claim their rights. The rights-based analysis at the beginning of the process included several fact-finding missions and site visits to Mato Grosso. Several reports and studies were published to raise awareness of local, national and international actors and the public. Guarani-Kaiowá representatives were supported to participate in speaker tours to Geneva and the European Parliament to report and draw attention to human rights violations. In the last years, specific work was done to strengthen the organisation of Guarani-Kaiowá women and youth through support and direct dialogue with their specific groups to promote equal participation. Were also started work to promote the production of healthy food and food security for families

In 2012, the Guarani-Kaiowá process started with a decision of the indigenous communities to go for litigation and – due to lack of government support and protection – to address the Inter-American Commission on Human Rights (IACHR). The communities have been supported to request the Commission to issue protection measures to safeguard community leaders and activists, which led to the first discussions between the IACHR and the Brazilian government. Public hearings of the Commission about the Guarani-Kaiowá took place where several indigenous representatives participated. Thanks to all these activities, the awareness regarding human rights violations in Mato Grosso increased in Brazil and globally.

The political situation has become very hostile against indigenous people in the past few years and keeps the same until now. Especially since early 2019, HEKS/EPER and its partner organisations have continued to support the

Land rights for the Guarani Kaiowá people



The project supports the Guarani Kaiowá communities in the struggle for their land with a human rights-based approach. After a rights-based analysis,

HEKS/EPER and partner organizations raise awareness of local, national, and international actors for the rights of these vulnerable communities and the ongoing human rights violation. The Guarani Kaiowá are supported to go to the Inter-American-Commission on Human Rights for litigation.

Guarani-Kaiowá to speak out and claim their rights in front of the IACHR, national and international institutions, and in public. The petition to the IACHR advanced with two messages from the Commission in 2019 and Brazil's official response to the petition in March 2020. Guarani-Kaiowá's situation is not addressed satisfactorily, so the petition will be taken to the next step according to the IACHR's procedures. In early 2023, the information on the situation was updated. The expectation is that the IACHR will receive it in the middle of the year and take a position on accepting the process. This process is of great relevance for the treatment of the indigenous issue in Latin America.

Honduras – national advocacy for human rights and against impunity

In Honduras, fundamental human rights have been violated for years. People who work for social justice are often persecuted and killed. Worldwide, Honduras has one of the highest murder rates and other acts of violence against civilians. People who support land rights and environmental protection are subject to exceptionally high risks. The perpetrators often commit these crimes on behalf of large landowners, mining, hydroelectric or photovoltaic entrepreneurs, or other powerful elites. However, impunity is high, and the judiciary has neither the necessary means nor the political will to sentence those responsible.

The ongoing project 'Promotion and Defense of Human Rights in Honduras' (ProdeHonduras), part of the EU-funded ProDerechos, aims to enable and strengthen civic actors and improve the cooperation with and accountability of duty bearers in Honduras. ProdeHonduras is implemented by a consortium of CSOs (COFADEH, C-LIBRE, PWS and PI), with HEKS/EPER taking the lead. Civil society organisations working in human rights promotion and protection are supported to improve their technical capacities and build strategic dialogue with other actors and state authorities. They coordinate networks and platforms and monitor local and national policies and strategies to promote, protect, and respect human rights. One of the project's main objectives is to improve inter-



Participants of **ProdeHonduras** activities in the city of Choluteca.

institutional coordination for joint actions that favour mutual political dialogue, rights-based monitoring, and advocacy. It strengthens CSOs to operate effectively in networks and platforms, interacts with public institutions, and promote adherence to human rights and gender policies and strategies.

In 2022, there were some significant achievements: The project was expanded to 10 departments of the country, focusing on disadvantaged and discriminated groups such as people with disabilities, LGTBQI+, indigenous peoples, and women. Approximately 128 grassroots organisations, networks, and social movements, as well as 7,289 people (3,134 women and 4,155 men), including human rights defenders, local leaders, journalists, and social communicators, as well as members of the LGTBQI+ community and disabled persons, directly benefited from the actions of ProdeHonduras and PRODEHSUR.

During the year, 272 human rights defenders were accompanied or legally represented (102 women and 170 men), mainly organised farmers who were criminalised for their fight for land rights, journalists, and social communicators. In addition, 110 actions of international physical accompaniment were developed for more than 2,490 human rights defenders in intervention areas, helping to deter threats and harm to them. Furthermore, 532 people received psychosocial collective and individual therapy to stabilise their emotional and physical balance and strengthen the cognitive and behavioural capacity of human rights defenders who have been violated of their rights.

Moreover, the project contributed to human rights-based monitoring and follow-up on the recommendations of the UPR 2020.

DR Congo – HRBA: Women Participation in Peace and dialogue process



Group discussion during women leaders' training in alternative conflict management and peace negotiation in Lubero and Bwito on conflict analysis, advocacy and transformational leadership.

In the Democratic Republic of Congo, North Kivu, HEKS/EPER, together with the local partner organisation 'Aide et Action pour la Paix (AAP) and Action Solitaire pour la Paix (ASP), implement a human rights-based project focusing on conflict transformation. The situation in Eastern Congo is complex and highly fragile due to the long-lasting conflict about (mineral) resources, land and power that involves armed groups, the army, state authorities, private businesses, and local communities. Since the beginning of 2022, around 5.5 million Congolese have had to flee to other parts of the country for these reasons. According to estimates, a total of 19.6 million people in the DRC needed hu-

manitarian aid and protection in 2021. North Kivu has been the epicentre of conflict and violence through most of the past decade.

Despite and because of the scores of human rights abuses and the fragile situation, HEKS/EPER, ASP and AAP are working with a human rights-based approach. In the face of the fragile context, HEKS/EPER and its locally-led partner organisations are promoting the peaceful resolution/mediation of ongoing conflicts and the participation of the rural communities in the national stabilisation and conflict transformation process. Existing conflict management mechanisms are revitalised or -if needed- newly established, with a focus on the inclusion of vulnerable groups in the peace process and improvement of the cooperation between communities, vulnerable groups and duty-bearers. In the frame of the project, a mixed civil society group works together with local authorities to develop a shared understanding of the root causes of current conflicts and tensions. All actors, from the duty-bearer and rights-holders side, commit to implementing joint solutions for peace. Furthermore, social cohesion between communities is strengthened, and the risk of disadvantaged youth joining armed groups is mitigated. Women are involved at all stages of the process and are recognised by their communities as important actors in the peacebuilding and development process. Authorities at local and regional levels are made responsible for implementing policies and enacting laws that strengthen gender equality.

Additionally, within this "triple nexus" project focussing on development, humanitarian aid, as well as peacebuilding, AAP and ASP contribute to the improvement of living conditions of ex-combatants, vulnerable youth, women, returnees, displaced persons and host communities. The expansion and rehabilitation of infrastructure (youth centres) are central to this. Moreover, the right to and access to land and support services (such as psycho-social support) of marginalised people is strengthened. Social cohesion between communities is strengthened through social activities.

In 2022, in collaboration with the Provincial Gender Division, HEKS supported the establishment of 3 local steering committees, 1325 and secretariats (with 73 members of which 30 are women), for the localisation of the 1325 agenda and the implementation of the second National Action Plan (NAP-2) of 1325 Resolution.

280 project participants selected among traditional leaders, administrative authorities and CSOs (of which 116 are women) were trained on transformative gender, women's rights and the laws that protect them (including Resolution 1325 and the revised DR Congo family code). More women participate in local conflict transformation mechanisms (17 out of 43 women members of the management bodies of 8 CPDGs) and at the peace negotiation table (one of the women members of the CPDG/Ikobo takes part in the Nairobi II and III negotiations).

In a perspective of inclusion of other marginalised groups (AGM), 211 young ex-combatants and other young people at risk of joining armed groups worked on the rehabilitation of an inter-community connection road (with the Cash for Work approach), and 45 women and girls survivors of GBV received psychological support.

Achievements & Perspectives

Achievements in the past years

Having successfully applied the HRBA for more than ten years, HEKS/EPER and its partner organisation have achieved significant results. Since the HRBA is applied as an overall working approach to all HEKS/EPER projects, these achievements are of utmost relevance in all partner countries and programmes. The last comprehensive experiences capitalisation (CAPEX) that confirmed the value and relevance of the HRBA was made in 2017. This CAPEX, as well as more recent project evaluations, evidence that the working approach successfully empowered rights-holders in marginalised communities (with concrete evidence, e.g., from Zimbabwe, Bangladesh, Kosovo, Honduras, and Brazil, where people of our concern are now aware of their rights, have been empowered and made legitimate claims).

On the other side, duty-bearers were successfully called into account, e.g., in terms of institutionalisation and/or co-funding of innovative concepts/projects. One example is Kosovo, where a Roma Inclusion Strategy was established, and the Scholarship Fund for the Roma was institutionalised and funded by the government. Other policy changes at a state level were achieved in Brazil (in 2021 with claims in favour of 2.6 M indigenous), Honduras (introduction of a restrictive seed law was prevented) and in the DRC (land reform with the participation of vulnerable communities). Important are also the changes in mindsets and behaviour and reconstruction of relationships between the rights-holders and duty-bearers as a result of long-term and human-rights-based development projects.

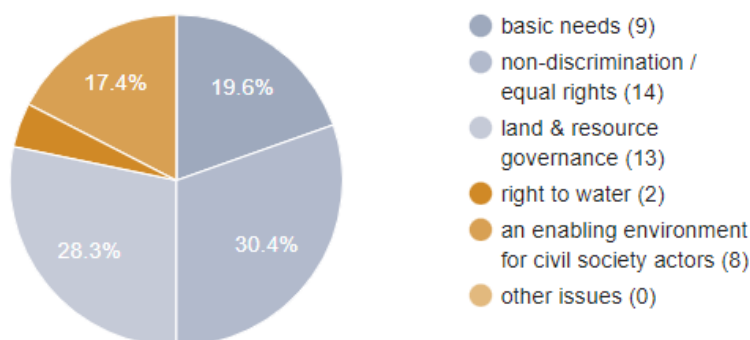
Positive advocacy results due to networking and clustering of NGOs have been evidenced, for example, in Israel/Palestine and in Honduras.

Achievements 2022

Despite all human beings being entitled to equal human rights, in many countries, HEKS/EPER is active in – and at a global level – inequality and discrimination have risen since 1990. This goes along with enormous economic costs, jeopardises social cohesion and political stability, and remains a key obstacle to reaching the Agenda 2030 sustainable and systemic development goals. But, having successfully applied the HRBA for more than ten years, HEKS/EPER and its partner organisation have achieved significant results. Thus, HEKS/EPER invested in **building quality relationships** between state actors with members of civil society. The starting point is to build the capacities of rights-holders to understand their rights and make them heard. And it needs duty-bearers to understand the benefit of cooperation and joint planning. HEKS/EPER internal evaluations show that country offices and partners work increasingly systematically with duty-bearers. HEKS/EPER measures the ability of its people and communities to claim its rights and their degree of relationship towards duty-bearers. Improving horizontal and vertical relationships builds on enhancing attitudes, values, behaviours/practices of individuals, groups, rights-holders and duty-bearers towards peace and justice.

In 2022, HEKS/EPER enabled claims towards equal rights for **56'217 people benefiting directly and indirectly**. **46 group applications** were submitted by five projects in 4 countries, and **45 claims (98%) of them have been already accepted** by duty-bearers in the reporting period. The proportion of accepted claims increased from 46% in 2020 to 98% in 2022.

HEKS/EPER focus its engagement more and more on collective claims, which have proven to secure the rights and social cohesion of communities better than individual claims. Thus, no individual claims were



Type of **group claims** in 2022. Most claims are asking for rights linked to non-discrimination and land & resources.

registered in 2022. From the **46 group claims** addressing the interests of 56,217 people in 2022, 13 *group claims* relate to land and resource governance (28%), and 14 relate to non-discrimination / equal rights (30%) (see *graph*). 45% of all people addressed by group claims are women. This gender gap shall still be improved in the upcoming years (see also gender equality factsheet).

Compared with 2021, the number of group claims has increased from 23 in 2021 to 46 in 2022. However, the number of people benefitting from the claims varies a lot depending on the size of the collective claims (with a huge claim in Brazil in 2021 aiming for the rights of 2.6 million Brazilian indigenous). In 2022, 27'000 people benefitted from a bigger group claim in Senegal about the delimitation of lands in the Dagga Kholpa urban project. Even if this number of people varies a lot, the data shows that collective claims are still an important means to realise human rights for vulnerable people.

During the last year, in total, 10'253 individuals were reached globally through **training and knowledge-sharing initiatives**; out of them, **7000 persons** (2021: 2024 people) participated in **learning events on enhancing supportive policies and practices** (individuals participated in events with "non-discrimination", "civil society", "conflict transformation", "gender" thematic). Unlike in 2021, during the Covid pandemic, in 2022, it was in many countries again possible to carry out face-to-face training and events.

The number of **own initiatives taken for equality and non-violence** is essential to follow up the success of capacity building in how far the own initiatives of communities are following. These own initiatives show commitment and behavioural change and are thus an indicator of a project's possible sustainability. Data gathered from 2 projects in 2 countries show that **161 activities** (2021: 89) have been traced. 42.9% were taken up independently, 40.4% were facilitated by HEKS/EPER, and 36.6% were collective initiatives.

Perspectives

Despite the considerable achievements of working human rights-based, the cooperation with, the capacity building and accountability of duty-bearers remain an ongoing challenge. International institutions and frameworks such as human rights are coming more and more under pressure, and ongoing wars, crises and conflicts exacerbate the situation. Not only in the South but also in Western and Eastern countries, authoritarian governments, shrinking space and lack of security for civil society as well as the increased mistrust in government systems, challenge the HRBA. The ongoing dialogue between HEKS/EPER and partner organisations about how to meet this must proceed. HEKS/EPER will continue to oppose shrinking space for civil society and to support civil society organisations to peacefully defend and enlarge their space.

Role and function of civil society actors

- **Information:** Producing and analysing data
Shedding light on ignored or underserved SDGs
- **Watch dog and advocacy:** Raising awareness,
reviewing and shaping development policies
- **Representation:** Ensuring voices of the vulnerable are taken into account
Bringing more stakeholders on board
- **Service delivery and humanitarian aid:**
Accessing hard to reach groups in need

The role of HEKS/EPER vis-à-vis the duty-bearers has to be scrutinised in many countries and remains diverse. Depending on context and situation, HEKS/EPER acts as a partner, capacity builder or service provider for the government, but also a lobbyist or watchdog (see the box with the four roles and functions mentioned in the current HEKS/EPER International Programme 2021-24). In the next strategy phase, HEKS/EPER shall clarify and sharpen its roles and elaborate on contradictions related to the different functions. Especially with regard to advocacy and policy work, there are several

questions to be answered. Experience shows that it is possible to achieve transformational change on local and provincial level in the partner countries as well as in Switzerland. However, transformation on national and international levels is often difficult to achieve. The new Global Cooperation Strategy 2025-28 shall clarify the potential and scope for HEKS/EPER to strive for more policy change on international and national levels in the partner countries.

The ongoing learning process on how to implement the HRBA in market system development projects and in humanitarian aid shall be continued. In humanitarian aid (especially in the Ukrainian response), the first experience with the survivor and community-led response (SCLR) showed interesting results. The approach allows to inclusion civil society and emerging community-led organisations in very fragile and conflict-affected situations. These learnings on how to work with participatory and community-centred approaches should be further explored in the coming months and years.

Capacity building with regard to HRBA in local HEKS/EPER offices and partners shall be continued with the support of local experts. Training has to be grounded in the laws of the country as well as in international law. Experience shows that informal exchanges with duty-bearers in unofficial, less politically charged spectrums are beneficial. Context analyses, including power analysis, shall be the basis for marking where to intervene.

Other HEKS/EPER publications related to 'HRBA.'

- HEKS/EPER (2011): [Human Rights Based Approach. Concept. Parts 1–3.](#)
- ACT Alliance (2019): [Development Needs Civil Society](#) – the implications of civic space for the sustainable development goals



Advocating for Human Rights – key to enhance participation and ownership of the communities and civil society actors to achieve systemic change towards more equitable and peaceful societies overcoming inequalities and discrimination.

This is HEKS/EPER



HEKS/EPER is the aid organisation of the Swiss protestant churches. It operates towards a more equitable and peaceful world (and Switzerland) with resilient communities, focusing on four topics: **Climate Justice, Inclusion, Right to Land & Food, and Refuge & Migration.**

In 2022, HEKS/EPER supported more than 60 projects in Switzerland, the inclusion of 98'000 people, and with 232 projects in 30 countries, 2.5 million people directly in economic, social or humanitarian need. The operating income of the whole organisation has risen to 114 M CHF and expenditure to 108.13 M CHF – of which 54.54 M CHF were net costs spent for the international programme.

In the Global Cooperation division, HEKS/EPER ameliorated with 17.8 M CHF (net costs) spent on 96 **development projects** for the life of 946'267 people focusing on access to land and resources, securing basic services, fostering sustainable production and inclusive market systems. It also promoted the social inclusion of marginalised, inclusive governance structures and conflict transformation. 23.4 M benefitted indirectly – e.g., through successful advocacy for new rights or policies (e.g., right to land, water, education, health, market access).

HEKS/EPER's **humanitarian aid** spent more than 29 M CHF (net costs) in 72 projects in 18 countries, directly reaching 1.522 M people affected by conflicts and disasters; another 2.4 M were indirectly reached with health prevention campaigns or rebuilt public sanitation, road or health infrastructures.

In the frame of **Church Cooperation**, HEKS/EPER enabled with 2.26 M CHF social work of Reformed Churches in Eastern Europe and the Middle East, reaching out to almost 35'000 people through 29 projects; another 30'500 were reached indirectly.

HEKS/EPER Global Cooperation strives towards systemic change with its human rights-based approach, promoting ownership, innovation, and the nexus between humanitarian aid and development activities. Together with competent partners and well-interconnected alliances, HEKS/EPER fosters constant dialogue between civil society, the private sector, and Government actors enabling people and communities to advocate for their needs and rights. The international divisions' conflict- and gender-sensitive programming is risk-informed and evidence-based. A proficient institutional governance framework allows effectiveness and transparency.

In Switzerland, HEKS/EPER supported with 34.2 M CHF net costs of more than 60 projects in 15 cantons disadvantaged people in becoming socially and economically integrated by promoting equal opportunity and assisting jobless people, refugees, and other individuals by providing day structures, legal advice, vocational training, language courses, dialogue platforms, etc.

The nine core values of HEKS/EPER: Justice / Self-Determination / Participation / Respect / Solidarity / Support without Borders / Close to People / Effectiveness, / Accountability.

Strategies, policies, guidelines, and reports published on ID's Governance Website: https://en.heks.ch/Institutional_Governance

Published by HEKS/EPER thematic advisory and MEAL units, May 2023, Zürich (Switzerland)

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