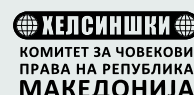


# HANDBOOK

## FOR APPLICATION OF THE HUMAN RIGHTS BASED APPROACH

Information and guidelines on how to integrate  
the human rights based approach into the work of civil  
society organizations in the Republic of Macedonia



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# Handbook for Application of the Human Rights Based Approach -

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# **Executive Summary**



## Human Rights Based Approach is Relevant to All CSOs

The pursuit of the protection of human dignity of all human beings is at the core of the concept of human rights, putting the notion of the individual at the centre of attention. Understanding human rights principles and procedures enables people to participate in social decisions affecting their lives, and act in the direction of resolving conflicts, improving life standards and enabling an environment for prosperity.

Communities, governments and the international community need to face up to the challenge of combating the root causes of violations of human rights which lead to discrimination, marginalization, social exclusion, and the unjust access to, and distribution of, the benefits of public goods and services. This is where a human rights-based approach to development becomes relevant.

The Human Rights-Based Approach (HRBA) is a methodological framework which aims to integrate human rights into each and every development programme, project and service provision. As a concept, HRBA ensures the meaningful and systematic inclusion and empowerment of the most vulnerable.

Due to the ever-growing acceptance and application of this principle, and the proven empowerment that it brings, it is important that civil society, state bodies and the business sector become familiar with the fundamentals of applying HRBA. **The systematic integration of this approach in the everyday work of civil society organizations will improve the respect and protection of the human rights within the country.**

HRBA benefits all citizens, but particularly the most marginalized and excluded in society as their human rights are most widely denied or left unfulfilled - whether in the social, economic, political or cultural spheres, or, as is often the case, a combination of these. HRBA implies a change in the focus and motives for conducting development programmes and projects. Hence, **the focus is transferred from satisfaction of needs to realization of rights. HRBA recognizes people not as passive beneficiaries of services, but as rights-holders entitled to require realization and protection of their rights from the duty-bearers who are obliged to ensure realization of these rights.**

By adhering to HRBA, CSOs and public bodies will further lead to better analyzed and more focused strategic interventions by providing a normative foundation for tackling fundamental development issues. HRBA will moreover help bring about the essential requirements of a social transformation. Such a transformation will not only require a change in the process, outcome and management of development, but it will also bring about a profound shift in values and subsequent behavior. This handbook is designed to guide CSOs to contribute to those required changes.

## Understanding Core Concepts & the Guiding Principles

Human Rights standards, as well as the principles contained in, or deriving from, the Universal Declaration of Human Rights, UN conventions and other international documents for protection and promotion of human rights, set the principles of HRBA. These **fundamental principles are: universality; inalienability; indivisibility; interdependence and interrelation; citizen participation in decision-making; non-discrimination and equality; accountability and rule of law; as well as the transparency and access to information.** These principles can be applied to the whole strategic planning of an organization and its entire programming process, including assessment and analysis, the planning and design of projects, provision of services, and monitoring and evaluation. In this way, **HRBA allows an organization not only to have guiding principles for its strategy, but also for the way in which it implements its work.** Applying a HRBA should not involve an entirely new way of work. It simply entails consciously and systematically paying attention to human rights in all aspects of work.

A particularly important aspect of applying HRBA is that it assists CSOs to identify and tailor their support to those segments and groups in its society that are experiencing social exclusion, poverty, discrimination and marginalization. These vulnerable groups are typically victims of rights violations and unjust policies, consequently requiring support to claim their rights. Thus, being able to understand and identify vulnerability is a vital capacity for CSOs and therefore the **handbook looks at the challenge of analyzing vulnerability in Macedonia and how it relates to HRBA**, with introductions to examples of specific vulnerable groups such as: persons living in extreme poverty, members of the Roma ethnic community, children, women, persons with disabilities, and the LGBTI population. These rights-holders are common target groups of CSOs in Macedonia and this handbook shows how HRBA can address the passivity of the relevant duty-bearers.

## A Practitioner's Handbook

This Handbook aims to help CSOs, and their partners, understand the meaning of the term “Human rights-based approach”, its principles, content, and its method of application in everyday work in the context of Macedonia. Thus, the chapters are laid out in a simple format to guide the reader through all the fundamentals of HRBA and to provide direction for where further information can be found. Most importantly, the practical objective of the Handbook is to build capacity within CSOs for how they can apply HRBA during the preparation and implementation of strategic documents, programmes, projects and individual activities. The Handbook aspires to set HRBA as a cornerstone for all CSOs in Macedonia and to inspire and inform on the practical arrangements needed to ensure a more equitable access to public goods, services and justice.

# Introductory remarks





## The human rights-based approach

The Human Rights-Based Approach (HRBA) is a methodological framework which aims to integrate human rights into each and every development programme, project and activity. The HRBA implies a change in the focus and motives for conducting development programmes and projects. Hence, the focus is transferred from satisfaction of needs to realization of rights. The approach recognizes people not as passive beneficiaries of services, but as *rights-holders* entitled to require realization and protection of their rights from the *duty-bearers* who are obliged to ensure realization of these rights.

During the last decade, international organizations as well as donor organizations have increasingly applied the HRBA. UN agencies have mainstreamed it and in 2012 the EU<sup>1</sup> obliged itself to integrate the principles of the HRBA in the planning and implementation of all programmes and projects it supports. Due to the ever-growing acceptance and application of this principle, and the proven empowerment that it brings, it is important that civil society, state bodies and the business sector become familiar with the fundamentals of and applying the HRBA.

## Aim and purpose of the Handbook

This Handbook aims to meet the need for information regarding the HRBA in the languages spoken in the Republic of Macedonia. The aim of the Handbook is to introduce civil society representatives with the meaning of the term “Human rights-based approach”, its principles, content and its method of application in everyday work. The practical objective of the Handbook is to increase the application of the HRBA during the preparation and implementation of strategic documents, programmes, projects and individual activities of civil society organizations and their partners.

The systematic integration of this approach in the work of organizations will improve the respect and protection of the human rights within the country.

This Handbook is also intended for local authorities as well as for the business sector, bearing in mind their cooperation with civil society and the horizontal character of the protection of human rights.

## Methodology used to prepare the Handbook

This Handbook has been prepared by a team of legal researchers and practitioners of HRBA. The team is made up of representatives of: the Institute for Human Rights, the Macedonian Young Lawyers Association, the Coalition All for Fair Trials and the Helsinki Committee for Human Rights of the Republic of Macedonia. During the preparation of this Handbook the nominal documents defining the HRBA, as used by the UN and EU, have been considered, along with other significant documents and accessible handbooks and manuals regarding Human Rights and the HBRA. (The complete list of references and other useful information is at the end of this Handbook).

The Handbook contains information and tutorials regarding the term and content of the HRBA and its nominal principles. It also demonstrates the international framework for human rights protection, and, for practical purposes, contains tutorials for integrating the HRBA into everyday work.

<sup>1</sup> EU Strategic Framework and Action Plan on Human Rights and Democracy, Council of the European Union, Luxembourg, 25 June 2012. Достапно на [https://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/131181.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/131181.pdf)

**Content of the handbook:**

**Chapter 1:**

Human rights-based approach - definition and meaning

**Chapter 2:**

Basic principles of the human rights-based approach

**Chapter 3:**

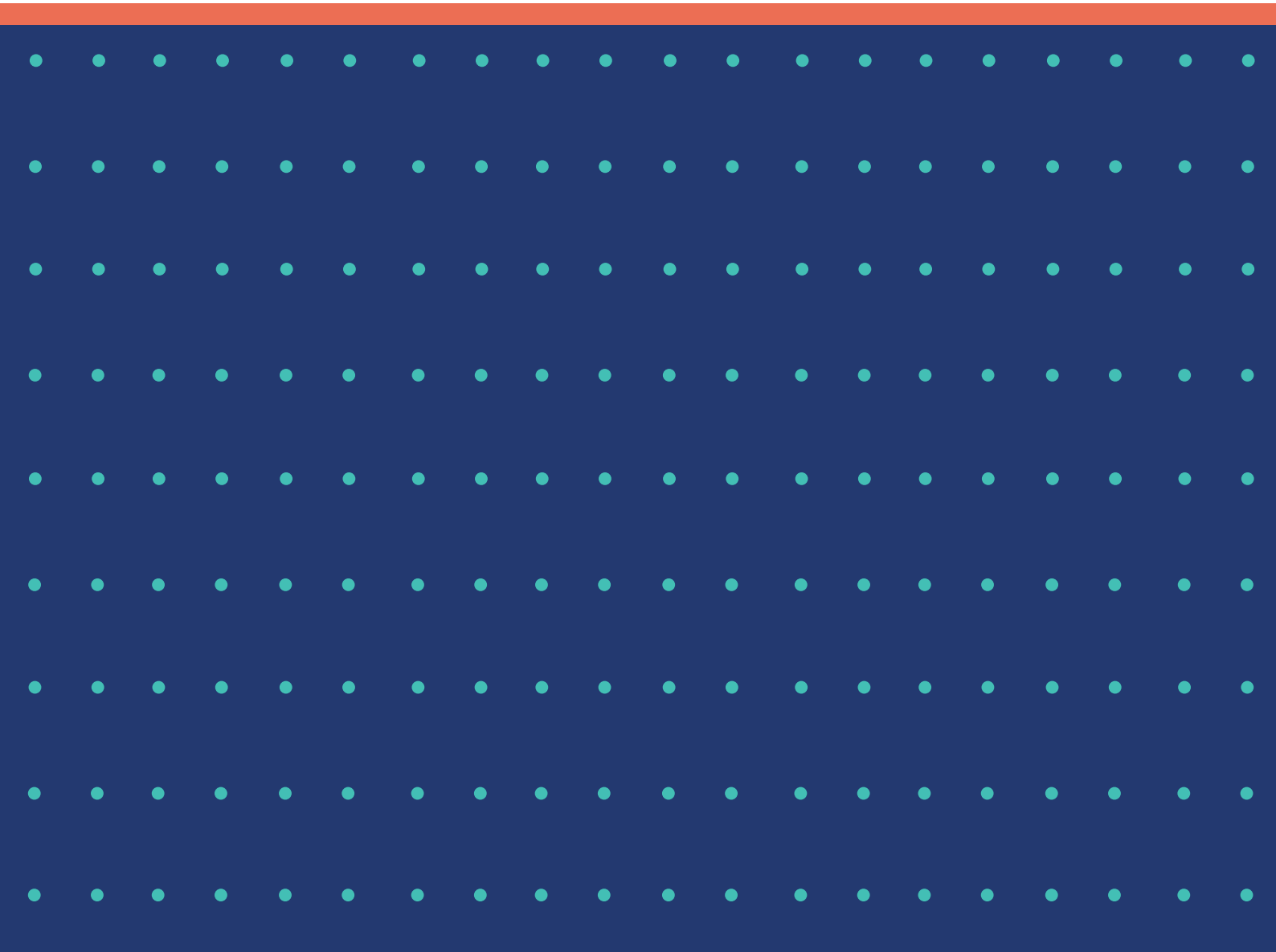
International human rights legal framework

**Chapter 4:**

Vulnerability and human rights- based approach

**Chapter 5:**

Human right -based approach and the project cycle



# Chapter 1:

Human rights-  
based approach –  
Definition & meaning



## Defining the Human Rights-Based Approach

At its most basic level, the HRBA is a way of using human rights in everyday work<sup>2</sup>. Although a single and unified definition of the term does not exist, there are some elements that are considered essential and which make it distinct from the other approaches to development. The HRBA encompasses **conscious and systematic enhancement of human rights in all aspects of project and programme development and implementation**<sup>3</sup>. It is a conceptual framework based upon international human rights standards (Section 3). On the operational level it is aimed at the promotion and realization of all human rights<sup>4</sup>. The **HRBA is focused on the objectives and outcomes of the work and on the process of how human rights principles** (Section 2) can be incorporated into everyday work.

Though the necessity of integrating human rights in development programs exists for a while, for the first time, the HRBA have a clearly defined scope in the UN Document titled *Statement of Common Understanding*<sup>5</sup>. According to this document, three key elements characterize the HRBA:

- 1 | All programs of development cooperation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights<sup>6</sup> 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 stages 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.

2 UNFPA A Human Rights – Based Approach to Programing – Practical Implementation Manual and Training Materials, 2014. P. 70.

3 UNICEF Finland. Introduction to the Human Rights Based Approach – A Guide for Finish NGOs and their Partners. 2015. P.8

4 OHCHR, Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation, 2006.

5 UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming (the Common Understanding)

6 The Universal Declaration of Human Rights, United Nations, proclaimed by the United Nations General Assembly in Paris on 10 December 1948

## HRBA compared with other approaches to development

Like all development, HRBA implies an effort to improve the situation of people, focusing on their needs, problems and potentials. However, HRBA is seen as a progression from the former approaches to human development which tended to focus only on needs or which were driven by charitable actions.

Central to the premise of HRBA is that human beings have inalienable rights and a deprivation of needs can often be addressed as a denial of rights.<sup>7</sup>

In other words, clean drinking water is not only something you need, it is also something you have a right to have as a human being. Thus, while the fundamental human needs are the basis of human rights there are some notable differences between rights and needs<sup>8</sup>:

- Human rights go beyond the notion of physical needs and include a more holistic perspective of human beings in terms of their civil, political, social, economic, and cultural roles.
- Rights always trigger obligations and responsibilities, whereas needs do not. Rights cannot be addressed without raising the question of who has obligations in relation to these rights. This automatically raises questions about the actions and accountability of duty bearers.
- People are often expected to be grateful when their needs are met; this is not the case when people's rights are met. This reminds us not to campaign for 'the needy', but rather to support marginalized people as equal human beings in their efforts to claim their rights and address the poverty, suffering and injustice in their lives.

The shift in development thinking introduced by HRBA is well illustrated when compared to traditional charity- or needs-based approaches to development:

Charity Approach	Needs Approach	Rights-Based Approach
Focus on input not outcome	Focus on input and outcome	Focus on process and outcome
Emphasizes increasing charity	Emphasizes meeting needs	Emphasizes realizing rights
Recognizes moral responsibility of rich towards poor	Recognizes needs as valid claims	Recognizes individual and group rights as claims toward legal and moral duty-bearers
Individuals are seen as victims	Individuals are objects of development interventions	Individuals and groups are empowered to claim their rights
Individuals deserve assistance	Individuals deserve assistance	Individuals are entitled to assistance
Focuses on manifestation of problems	Focuses on immediate causes of problems	Focuses on structural causes and their manifestations

<sup>7</sup> Applying a rights-based approach - An inspirational guide for civil society, Jakob Kirkemann Boesen & Tomas Martin. Danish Institute for Human Rights. P.10

<sup>8</sup> Ibid

## Rights holders & Duty bearers

The HRBA makes a clear division between the persons whose rights should be exercised and the entities that have a legal obligation to ensure the exercise of rights. Hence, the HRH distinguishes the *rights-holders* and *duty-bearers*.

**Rights-holders**<sup>9</sup> are all human beings under the Universal Declaration of Human Rights. In particular contexts and situations there are often specific social groups whose human rights are not fully realized, respected, protected or fulfilled. These groups tend to include women/girls, children in general, ethnic minorities, indigenous people, adults and children with special needs, LGBTI people, migrants and youth. For example, children are rights-holders and their parents are considered first-line duty-bearers according to the Conventions of the Right to the Child: hence, parents have obligations and responsibilities to respect, protect and fulfill the rights of the children. (Chapter 4 provides more insights into these vulnerable groups of rights-holders).

### A rights-holder

- is entitled to rights, to claim rights and to hold the duty-bearer accountable
- has a responsibility to respect the rights of others.<sup>10</sup>

**Duty-bearers**<sup>11</sup> are those actors who have a particular obligation or responsibility to respect, protect, promote and fulfil human rights, and to abstain from human rights violations. The term 'duty-bearer' is most commonly used to refer to State actors and official authorities at all levels. The State is the ultimate duty-bearer as it ratifies international conventions. It is important to understand that the responsibility of the State arises from their ratification process of international conventions. If a State has not ratified a certain document, its legal duty is not binding and cannot be appealed to the same way as to States who have ratified the conventions.

Non-state actors can in some instances also be considered as duty-bearers, and, depending on the context and situation, individuals such as parents, local organizations, private companies, aid donors, international institutions, rebel groups, armed forces and so on can also be duty-bearers.

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9 UNICEF Finland. Introduction to the Human Rights Based Approach – A Guide for Finish NGOs and their Partners. 2015. P.8

10 Applying a rights-based approach - An inspirational guide for civil society, Jakob Kirkemann Boesen & Tomas Martin. Danish Institute for Human Rights. P.10

11 UNICEF Finland. Introduction to the Human Rights Based Approach – A Guide for Finish NGOs and their Partners. 2015. P.8, и Applying a rights-based approach - An inspirational guide for civil society, Jakob Kirkemann Boesen & Tomas Martin. Danish Institute for Human Rights, P. 13

## Benefits of the HRBA

The many benefits of the HRBA can be summed up as follows:<sup>12</sup>

Promotes realization of human rights and helps government partners achieve their human rights commitments

Improves transparency

Promotes results and aligns with results based management, which is used to ensure and measure aid effectiveness

Reduces vulnerabilities by focusing on the most marginalized and excluded in society

Increases accountability

More likely to lead to sustained change as human rights based programs have been designed to have impact on cultural and social norms and values, structures, policy, and practice

Offers a framework to address the problems of the poorest and most vulnerable human beings

Increases and strengthens the participation of the local community

Offers a dynamic view on poverty by including a focus on power balances and politics through the inclusion of the full range of inalienable and indivisible rights

Understands poverty not only as a personal circumstance, but places it within the context of the community, the government and international society

Recognizes and assists states in fulfilling their international obligations towards their citizens without discrimination

Offers better focus on root causes of poverty by stressing the accountability of duty-bearers

Enhances empowerment by building accountable relations between state structures, social groups and the individual

Offers legitimacy through a common and internationally recognized framework for development

12 UNICEF Finland. Introduction to the Human Rights Based Approach – A Guide for Finish NGOs and their Partners. 2015. P.10

## **Chapter 2:**

Principles of the Human  
Rights – Based Approach  
& the International Human  
Rights Framework



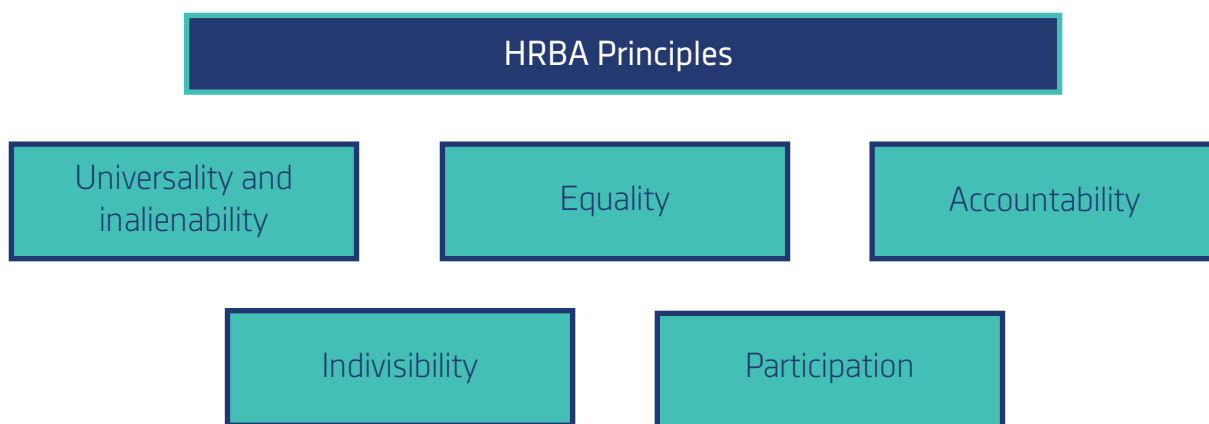
What are the principles on which the HRBA is founded?

How can these principles be implemented?

The pursuit of the protection of human dignity of all human beings is at the core of the concept of human rights, putting, as it does, the notion of the individual at the centre of attention. Understanding human rights principles and procedures enables people to participate in social decisions affecting their lives, and act in the direction of resolving conflicts and maintaining peace.

Human Rights standards, as well as the principles contained in, or deriving from, the Universal Declaration of Human Rights, UN conventions and other international documents for protection and promotion of human rights, set the principles of the HRBA. These principles can be applied to the whole strategic planning of an organisation and its entire programming process, including assessment and analysis, the planning and design of projects, provision of services, and monitoring and evaluation. In this way, the HRBA allows an organisation not only to have guiding principles for its strategy, but also to guide the way in which it implements its work.

In order to have a better understanding of how HRBA can be employed by organisations, it is important to unpack the principles on which it is founded. **The fundamental principles of the HRBA are: universality; inalienability; indivisibility; interdependence and interrelation; citizen participation in decision-making; non-discrimination and equality; accountability and rule of law; as well as the transparency and access to information.**



## Universality and inalienability

While **universality** implies the totality of rights and covers the absolute validity of rights for everyone, everywhere and at any time and they are acquired by birth of every human being, the **inalienability** implies that human rights cannot be taken away, nor cease to be valid under any circumstance. According to these principles, every person, regardless of place and time of birth, regardless of skin colour, gender, sexual orientation, physical or mental disability, or any other difference, enjoys the same basic human rights to the same extent as all other people. In that regard, Article 1 of the Universal Declaration of Human Rights states that «all human beings are born free and equal in dignity and rights».

## Indivisibility

**Indivisibility** means that all human rights are enjoyed together, that is, all rights, "regardless of whether they are of a civil, cultural, economic, political or social nature, are inherent in the dignity of every human being. Consequently, they all have equal status as rights, and cannot be ranked, a priori, in a hierarchical order."<sup>13</sup> This principle ensures equal protection of all human rights and encourages efforts by the duty-bearers for creating equal opportunities for exercising these rights. The principle of **interdependence** and **interrelation** follows the principle of indivisibility and means that the exercise of one right depends on the exercise of other rights, that is, the violation of one right causes violations of other rights. For example, if a person is denied the exercise of the right to education, it will inevitably affect their right to health, right of a wellbeing, the right to work, right to information, right to privacy and so on.

## Participation

Everyone has the right to active, free and meaningful **participation** in decision-making processes that will affect that person's social life. From a HRBA perspective, participation is not just a technical tool used in planning or during the implementation of activities, but it is the right and duty to actively involve all identified rights- holders and duty-bearers in all phases of planning, implementation, as well as monitoring and evaluation. Enabling participation in the decision-making processes is the basis for active citizenship. Participation and inclusion are especially important for strengthening the most vulnerable, marginalized, excluded and invisible entities in the society.

## Equality

**Equality**, in the broadest sense, is a guarantee of protection from discriminatory behaviour towards individuals, regardless of whether it is direct or indirect discrimination. The principle of equality is the fundamental principle of human rights, which is based on the equal value and dignity of all human beings. All people are entitled to their human rights without any discrimination based on race, gender, age, language, religion, political and other beliefs and opinions, national or social origin, disability, wealth, health status, sexual orientation and other status (the list is inclusive and open), as provided for in the international documents and interpreted by the bodies set with these documents. The HRBA pays particular attention to addressing discrimination and inequality, so according to this principle, data should be desegregated as much as possible (for example, gender, religion, ethnicity, language and disability) in order to give visibility to all marginalized groups identified as rights-holders. "Furthermore, all decisions for development, policies and initiatives, while seeking to encourage local actors, are explicitly indebted to protect themselves from reinforcing the imbalance of power or contributing to the creation of new ones."<sup>14</sup>

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<sup>13</sup> United Nations Children's Fund/ United Nations Educational, Scientific and Cultural Organization, A Human Rights-Based Approach to Education, 2007, стр. 10

<sup>14</sup> United Nations Children's Fund/ United Nations Educational, Scientific and Cultural Organization, A Human Rights-Based Approach to Education, 2007, стр. 11

## Accountability

The principles of good governance require holding the stakeholders accountable and responsible for the results achieved. The HRBA elaborates this principle of **accountability**, further strengthening it by dividing the holders of rights and duty bearers, as well as by linking responsibilities with specific human rights and obligations established by domestic and international law. "States and their institutions, local and other authorities, communities and individuals (rights holders and duty-bearers) - everyone is responsible for the realization of human rights. It is important to note that the HRBA is not only a tool for strengthening the capacities of the right holders, but also a tool for strengthening the capacities of the duty-bearers in order for them to be able to respond to their duties. Strengthening their capacities will increase their accountability, given that once the authorities sometimes face a resource shortage, sometimes a lack of knowledge and expertise to interpret human rights or the application of HRBA".<sup>15</sup>

In all democratic countries, the **right to free access to public information**, freedom to receive and transmit information is set as a fundamental human right. According to the domestic regulations, for the purpose of greater transparency of state institutions financed from the budget of Macedonia, citizens have the right to request a report on their work through access to information, and the institutions have an obligation to give citizens an answer to the information specified by law. The request for free access to public information can be made by any natural or legal person. This means that any person, regardless of their status of citizenship, can request free access to public information. The applicant cannot be discriminated against on grounds of gender, race, religion, political opinion, or in any other way. The HRBA elaborates this principle in a way that the duty-bearers are obliged to make available all public information, while again taking into account the different groups of citizens and the different needs and ways for each member of these groups to adequately achieve their rights. This principle is closely related to the principle of accountability, since only through the openness and accessibility of information related to the work of the institutions, citizens or other right-holder can evaluate and influence their work, thus strengthening the responsibility and accountability of the duty-bearers.

The above-mentioned principles can be presented through a concrete example:

The right to education belongs equally to all people, so the duty-bearers (such as the Ministry of Education, Schools, Municipalities, etc.) are obliged to enable all rights holders to exercise this right. Very often, without the application of the HRBA, the programming and activities aimed at improving the state regarding the exercise of the right to education are inadvertently targeted towards non-marginalized groups and are more accessible in urban areas, rather than in rural areas or for marginalized groups such as persons with disabilities, women belonging to minority ethnic groups, etc. This approach of the duty-bearers would furthermore increase the imbalance of power and equality between different groups of citizens. The application of the principles of the HRBA enables through desegregation of the right holders, an equal participation of all groups of citizens and considers the different needs and different ways of exercising and strengthening their rights, recognizing equality, universality, inalienability and indivisibility of rights. Accordingly, the HRBA allows to identify all duty-bearers in order to find the most appropriate ways to strengthen the capacities as well as the channels of communication between the duty-bearers and rights-holders. In this way, adequate participation of all right-holders and duty-bearers in the process of planning, implementation, monitoring and evaluation is ensured, whereby the right to education (in this example) can be equally accessible and practiced by all groups of citizens. Taking into account the principle of interconnection of rights, by strengthening the right to education, at the same time, the strengthening of the other rights will be made, by which the imbalance of power and equality between the various groups of citizens will be additionally reduced.

<sup>15</sup> Union of Citizens' Associations "Macedonian Platform against Poverty" - PRINCIPLES AND GUIDELINES ON ACCESS TO HUMAN RIGHTS, 2010, p. 18

# Chapter 3:

International  
human rights framework



## Fundamental concept of human dignity

Human rights are considered the biggest philosophical accomplishment of the modern age. As such, they represent the only system of values that can claim universal validity. People's lives are affected in many different ways by moral and legal rights and duties, but only a few rights are so fundamental that they have been embodied as human rights in national constitutions and international law treaties. Besides being effectively embodied as legal norms in the constitutions of all nations in the world, by signing and ratifying international human rights treaties all nations have committed themselves to respecting, protecting and fulfilling fundamental human rights.

In practice, human rights define the minimum standards and rules of procedure to which authorities must adhere to in the treatment of the people under their jurisdiction. This is mostly concerning governments, police and armed forces and such, however their grasp is expanding to other duty-bearers such as international organizations, the business/private sector, civil society organisations, as well as individuals that exercise power over other individuals.<sup>16</sup> On one hand, human rights limit the powers of authorities and alike, and on the other hand it sets foundations for the empowerment and enabling of people to actually realize and exercise their rights.

Central concerns of human rights are human life and **dignity**. Article 1 of the Universal Declaration of Human Rights states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards another in a spirit of brotherhood." The principle of equality of dignity, inherently links the understanding of dignity as the worth of each individual as a human being. Building upon the idea that human dignity is inherent or intrinsic and because of that it is unalienable, and that all human beings are equal in dignity, human dignity is the basis for human beings having human rights or in other words, human rights are derived from human dignity.

Human dignity is violated, for example, when individuals are tortured, enslaved, traded like property, murdered, degraded or discriminated. Human dignity is also violated if people are forced to live in absolute poverty. From these core human rights arise various rights such as the right to freedom and equality, political rights, economic rights, social and cultural rights, collective rights, procedural rights and specific rights for marginalized and vulnerable groups.<sup>17</sup>

Aside from being rooted in human dignity, human rights are also universal and unalienable; interdependent and indivisible. Universality refers to the assertion that they must be afforded to everyone, without exception. The entire premise of the framework is that people are entitled to these rights simply by virtue of being human. Inalienability means that human rights cannot be surrendered or given away, nor can an authority deny them to any human being.<sup>18</sup> Indivisibility refers to the interdependence of individual rights, meaning that in order to guarantee civil and political rights, a government must also ensure economic, social and cultural rights (and vice versa). The indivisibility principle identifies that the violation of one right, such as health, consequently violates the effective ability of the individual to exercise other rights, such as the right to life .

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16 Austrian Development Agency, (2010). Human Rights Manual: Guidelines for implementing a Human Rights Based Approach in ADC. Retrieved from [https://www.entwicklung.at/fileadmin/user\\_upload/Manual\\_Human\\_Rights.pdf](https://www.entwicklung.at/fileadmin/user_upload/Manual_Human_Rights.pdf)

17 Ibid

18 OHCHR Website. (n.d.) What are human rights. Retrieved from <https://www.ohchr.org/EN/Issues/Pages/whatarehumanrights.aspx>

## Internationally recognized human rights and liberties

The fundamental freedoms and rights that derive from the core human rights can be divided into 8 sections, namely, civil rights and liberties, rights of equality, political rights, economic rights, social and cultural rights, collective rights, procedural rights and specific rights for disadvantaged groups.

### Civil rights and liberties:



Right to privacy, freedom of movement, opinion, conscience, religious worship, of association and assembly; right to life, personal integrity

### Rights of equality:



Equality before and under the law, protection against discrimination on grounds of gender, age, race, skin colour, religion, ethnic and social origin or genetic features, political opinion, disability or sexual

### Political rights:



Right to vote, equal access to authorities, freedom of political parties, right of petition

### Economic rights:



Right to property, freedom to conduct business, freedom of establishment, freedom to provide services or trade-union freedom, right to work, right to free choice of employment and to just and favourable conditions of work

### Social and cultural rights:



Right to an adequate standard of living, food, water, housing, clothing, health, education, social security

### Collective rights:



Right of self-determination of peoples, right to development and a healthy environment

### Procedural rights:



Right of equal access to justice and a fair trial, particularly in criminal proceedings

### Specific rights for disadvantaged groups:



Children, the elderly, persons with disabilities, foreigners, refugees, minorities, indigenous peoples and other disadvantaged groups

## International Framework: Conventions & Protocols

International human rights are a body of legal rights contained in international treaties that are agreed upon in international organizations and are signed and ratified by Member States. Many are also integrated into national constitutions.

- **The Universal Declaration of Human Rights;**

The cornerstone of UN activity has been without doubt the Universal Declaration of Human Rights adopted by the UN General Assembly on 10 December 1948. It was intended not as a legally binding document but more so as “a common standard of achievement for all peoples and nations”, as proclaimed by its pre-amble.<sup>19</sup> Its thirty articles cover a wide range of rights, from liberty and security of the person (Article 3), equality before the law (Article 7), effective remedies (Article 8), due process (Articles 9 and 10), prohibitions on torture (article 5) and arbitrary interference with privacy (Article 12) to rights protecting freedom of movement (Article 13), asylum (Article 14), expression (Article 19), conscience and religion (Article 18) and assembly (Article 20).<sup>20</sup> The Declaration also includes social and economic rights.

Although not a legally enforceable instrument as such, it is arguable that the Declaration has become binding by custom, general principles of international law or by the virtue of interpretation of the UN Charter itself by subsequent practice. In 1986 in the Proclamation of Tehran at the International Conference on Human Rights it was emphasized that the Declaration constitutes “an obligation for members of the international community”.<sup>21</sup> The Declaration, together with the Covenant on Economic, Social and Cultural Rights, The Covenant on Civil and Political Rights and its two Optional Protocols, are collectively known as the International Bill of Rights.

- **The Covenant on Economic, Social, and Cultural Rights (ICESCR)**

The International Covenant on Economic, Social and Cultural Rights (ICESCR) was adopted in 1966 and entered into force in 1976. Article 2 of the Covenant provides that each state party undertakes steps to the maximum of its abilities and available resources “with a view to achieving progressively the full realization of the rights recognized in the present Covenant”.<sup>22</sup> Namely, it envisions an evolving program depending upon the resources of states rather than an immediate binding legal obligation with regards to the rights it pertains. The rights in question include a range from self-determination (Article 1), the right to work (Articles 6 and 7), the right to social security (article 9), adequate standard of living (Article 11) and education (Article 13) to the right to take part in cultural life and enjoy the benefits of scientific progress and its applications (Article 15).

- **The Covenant on Civil and Political Rights (ICCPR)**

In 1966, the General Assembly adopted the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, which concretized into positive norms the ideals embodied in the Universal Declaration. The ICCPR recognizes the inherent dignity of each individual and seeks to promote conditions within each state to allow the enjoyment of civil and political rights. Signatories to the Covenant that have ratified the treaty are obliged “to protect and preserve basic human rights... [and] “compel[led] to take administrative, judicial, and legislative measures in order to protect the rights enshrined in the treaty and to provide an effective remedy.” The unifying notions in the document are found in Articles 2 and 3 and are based around the notion of non-discrimination. The rights in question range from the right to life (Article 6), freedom from torture (Article 7), right to liberty and security of the person (Article 9), rights of detainees (Article 10), to right of peaceful assembly (Article 21), prohibition of propaganda for war (Article 20), the right to marry (Article 23), children’s rights (Article 24), and minority protection (Article 27).<sup>23</sup>

19 Universal Declaration of Human Rights.

20 Shaw, M. (2008). *International Law*. Cambridge University Press

21 Ibid

22 International Covenant on Economic, Social and Cultural Rights

23 International Covenant on Civil and Political Rights.

## First Optional Protocol:

The first protocol serves as an instrument that allows for victims of human rights violations to be heard. The Human Rights Committee, which is established by the Covenant, has the jurisdiction to receive, consider, and hear communications from the victims. The first Optional Protocol came into force together with the Covenant.<sup>24</sup>

## Second Optional Protocol:

The Second Optional Protocol of the ICCPR aims at the abolition of the death penalty. It was adopted by the General Assembly on December 15, 1989.<sup>25</sup>

- **The Convention on Elimination of Racial Discrimination (CERD)**

The International Convention on the Elimination of All Forms of Racial Discrimination was signed in 1965 and entered into force in 1969. It builds on the non-discrimination provisions in the UN Charter. Racial discrimination is defined as:

*...any distinction, exclusion, restriction or preference based on race, color, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”<sup>26</sup>*

State parties of the Convention oblige to prohibit discrimination and guarantee equality for all in the enjoyment of a series of rights and assure all within their jurisdiction effective protection and remedies in regards to such rights.

- **The Convention on Elimination of all Forms of Discrimination Against Women (CEDAW)**

On 18 December 1979, the General Assembly adopted the Convention on Elimination of all Forms of Discrimination Against Women (CEDAW), which came into force on 3 September 1981. The Convention, founded on the Universal Declaration and the United Nations Charter, defines the equal rights of men and women and addresses the removal of any direct or indirect discrimination against women. The State Parties to CEDAW are under the obligation to combat discrimination to ensure the Convention is implemented. Thus, they are committed to taking appropriate action in defending and promoting the civil, cultural, economic, social and political rights of women through adopting laws and policies that address the right to work, the right to land a property, the right to freedom of expression, the right to education and training, and the right to non-discrimination among others.<sup>27</sup>

- **The Convention on Rights of the Child (CRC)**

The Convention on Rights of the Child (UNCRC) was adopted on September 20, 1989 and came into force on September 2, 1990. The UNCRC defines the child as any person under the age of 18 (Article 1).<sup>28</sup> It acknowledges the primary role of parents and family in the care and protection of children and poses an obligation on State Parties in the carrying out of these duties. The Convention consists of 41 articles, that are based around the notions of survival, development, protection and participation. The general principles of the Convention are formed around 4 articles, namely, Article 2 that ensures that all rights granted in the Convention must be made available to all children without discrimination of any kind, Article 3 that states that the best interest of the child must be a primary consideration in all actions concerning children. Article 6 stating that every child has the right to life, survival and development, and Article 12, stating the child's view must be considered and taken into account in all matters that affect him or her.<sup>29</sup>

<sup>24</sup> First Optional Protocol to the International Covenant on Civil and Political Rights.

<sup>25</sup> Second Optional Protocol to the International Covenant on Civil and Political Rights.

<sup>26</sup> The International Convention on the Elimination of All Forms of Racial Discrimination

<sup>27</sup> Convention on Elimination of all Forms of Discrimination Against Women

<sup>28</sup> Convention on Rights of the Child

<sup>29</sup> Ibid.



- **The Convention Against Torture (CAT)**

The Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (The Convention Against Torture or the 'Torture Convention'), was adopted by the General Assembly on 10 December 1984. The Convention entered into force on 26 June 1987. In the first of three parts, the Convention defines torture (Article 1), and commits parties to taking effective measures to prevent any kind of torture under the territory of their jurisdiction (Article 2). The first part also provides the steps necessary to take such effective measures, and obliges states to investigate any allegation of such treatment under their jurisdiction (Article 16).<sup>30</sup>

The second part of the Convention governs the reporting and monitoring of the implementation of the Convention. It establishes the Committee against Torture (Article 17), establishes an optional dispute-resolving mechanism between State Parties (Article 21), and allows for parties to recognize the competencies of the Committee in hearing complaints from individuals regarding violations of the Convention (Article 22). The third part governs the ratification, entry into force and amendment to the Convention and includes an optional arbitration mechanism for disputes (Article 30).

- **The Convention on Migrant Workers and Their Families (MWC)**

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was adopted by the General Assembly on 18 December 1990 and entered into force on 1 July 2003. The Convention imposes a series of obligations on governments to promote «sound, equitable, humane and lawful conditions» for the international migration of workers and members of their families. Fundamental human rights are extended to all migrant workers, both documented and undocumented and as such, the Convention attempts to establish minimum standards of protection for migrant workers and members of their families.<sup>31</sup> The Convention defines groups of migrant workers in specific categories and consists of nine parts: scope and definitions; non-discrimination with respect to rights; human rights of all migrants; other rights of migrants who are documented or in a regular situation; provisions applicable to particular categories of migrants; the promotion of sound, equitable, humane, and lawful conditions in connection to international migration; application on the convention; general provisions; and final provisions.

- **The International Convention for the Protection of all Persons from Enforced Disappearance (CED)**

The International Convention for the Protection of all Persons from Enforced Disappearance was adopted by the UN General Assembly on 20 December 2006 and entered into force on 23 December 2010. It was designed as a legally binding instrument against the disappearance of persons. According to Article 1 of the Convention, no one shall be subjected to enforced disappearance under no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.<sup>32</sup> State parties are obliged to enact specific laws to establish enforced disappearance as a crime. They are obliged to investigate complaints and reports of enforced disappearance and bring those responsible to justice. Other obligations are of a preventive nature, such as to detain persons only in officially approved and monitored institutions in which all prisoners are registered, amongst others. Furthermore, the Convention recognizes the right of victims and their families to know the truth regarding the circumstances of the disappeared person.

- **The Convention on the Rights of Persons with Disabilities (CRPD)**

The Convention on the Rights of Persons with Disabilities (CRPD) was adopted by the General Assembly on 13 December 2006 and it entered into force on 3 May 2008. The purpose of the Convention, according to Article 1, is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. The General Principles of the Convention are laid out in Article 3: non-discrimination; full and effective participation and inclusion in society; respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; equality of opportunity; accessibility; equality between men and women; and respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.<sup>33</sup> According to the Convention, State Parties are obliged "to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability".

30 Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment

31 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

32 International Convention for the Protection of all Persons from Enforced Disappearance

33 Convention on the Rights of Persons with Disabilities

- **The European Convention for the Protection of Human Rights and Fundamental Freedoms**

The European Convention on Human Rights (ECHR) is one of the key regional human rights treaties. It was adopted by the Council of Europe in 1950 and is the main human rights treaty for Europe. It sets forth a number of fundamental rights and freedoms (the right to life, prohibition of torture, prohibition of slavery and forced labour, right to liberty and security, right to a fair trial and due process, right to private and family life, freedom of thought, conscience and religion, freedom of expression, freedom of assembly, right to marry, right to an effective remedy, prohibition of discrimination, and others). Additional rights are granted by additional protocols to the Convention. As an enforcement mechanism, cases can be taken under the European Convention on Human Rights to the European Court of Human Rights in Strasbourg. The Court deals with both individual and inter-State petitions. At the Request of the Committee of Ministers of the Council of Europe, the Court may also give advisory opinion concerning the interpretation of certain provisions in the Convention or one of the Protocols. The Committee can also ask of the Court an interpretation of a judgment. Following a judgement by the Court, the parties to a case must abide fully by the judgement and take all necessary measures to comply. The Secretary General may request of Parties to provide explanations on the manners in which their domestic jurisdiction ensures the effective implementation of the provisions in the Convention and the Protocols.

## Obligations of the governments

The primary obligation of States in regards to human rights law is the domestication of international norms, i.e. the realization of international human rights through a State's national legal and institutional system. This primary obligation of States is reflected into the effective remedy ordered by a human rights treaty body after the exhaustion of local remedies. Therefore, remedies proposed by human rights treaty bodies fill the gap when domestic mechanisms fail or prove insufficient. For that reason, State reporting as an obligation remains at the centre of the system. The ICCPR provides that states parties must report «on the measures they have adopted which give effect to the rights recognized therein and on the progress made in the enjoyment of those rights».<sup>34</sup> ICESCR, CAT, CRC and their optional protocols have similar provisions. CEDAW (Article 18), CERD (Article 9) and MWC (Article 73) require states to report on the legislative, judicial, administrative or other measures they have adopted to give effect to the provisions of the conventions.

## Oversight

All of the United Nations Human Rights Conventions have committees that monitor progress on the implementation called Treaty Monitoring Bodies, or more commonly known as Oversight Committees. Upon ratification, governments commit to reporting to the various Oversight Committees on the steps they have taken to implement the convention's provisions. This is known as the **State Reporting System**. CSOs and other national human rights bodies and other international bodies can also submit information for review by such a committee when it is assessing a government's compliance. Oftentimes, these informing takes form of a **Shadow Report** that provides a counter-balance to the report produced by the government. These can either be submitted individually by a single NGO or a number of organizations can submit a joint report through networks and alliances. The Oversight Committees then issue **Concluding Comments** to the government of the state concerned on their progress, which the government agrees to address. The relevant UN Committees also produce a number of what are called **General Recommendations** on issues that they consider need to be elaborated further than is possible in the convention itself. CEDAW, CERD and ICESCR also have a procedure whereby individuals and groups can submit claims of violations of rights protected by the convention in question. The committee can also initiate an enquiry procedure in cases of grave or systematic violations of rights under these conventions.

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<sup>34</sup> International Covenant on Civil and Political Rights



The concept of vulnerability has links with the notion of social exclusion, poverty, discrimination and marginalization. Marginalization, or social exclusion, refers to the process of placement to inferior rank or position due to a lack of access to rights, resources, and opportunities. It is a major cause of vulnerability, which refers to exposure to a range of possible harms, and being unable to deal with them adequately.

'Vulnerability' is important: it relates to the identification of rights-holders who are often unable to fulfil their rights and therefore are groups who are often targeted for support by CSOs. i.e. understanding vulnerability is an important capacity for CSOs and fulfilment of their mission and visions.

Embracement of social cohesion, solidarity, responsibility for everyone, imposes the first frank recognition of the reality of the fate and lives of less favoured members of our society.

Macedonia has segments and groups in its society that find themselves in a particularly vulnerable situation. These particular groups who, for various reasons, are weak and vulnerable, or have traditionally been victims of violations and policies, consequently require special protection for the equal and effective enjoyment of their human rights.

This Handbook elaborates on several vulnerable groups in Macedonia as: persons living in extreme poverty, members of the Roma ethnic community, children, women, persons with disabilities, LGBTI population and the elderly. These groups are the most common target groups of the activities and initiatives of the CSOs in Macedonia. Clearly this is not an exhaustive list of persons in need of particular protection, as many other groups not discussed in this part suffer from discrimination and oppression.

## Persons living in extreme poverty

There are different approaches in defining poverty. According to recent debates at the European level, poverty is divided into two types: absolute (extreme) and relative poverty. Absolute poverty measures poverty in relation to the amount of money necessary to meet basic needs such as food, clothing, and shelter. The concept of absolute poverty is not concerned with broader quality of life issues or with the overall level of inequality in society. The concept therefore fails to recognize that individuals have important social and cultural needs. This, and similar criticisms, led to the development of the concept of relative poverty. Relative poverty defines poverty in relation to the economic status of other members of the society: people are poor if they fall below prevailing standards of living in a given societal context. An important criticism of both concepts is that they are largely concerned with income and consumption.

The concept of social exclusion emerged largely in reaction to this type of narrow definition of poverty. It has contributed significantly towards including multi-faceted indicators of ill-being into the conceptual understanding of poverty. Today it is widely held that one cannot consider only the economic part of poverty. Poverty is also social, political and cultural. Moreover, it is considered to undermine human rights - economic (the right to work and have an adequate income), social (access to health care and education), political (freedom of thought, expression and association) and cultural (the right to maintain one's cultural identity and be involved in a community's cultural life).<sup>35</sup>

In the Republic of Macedonia, according to the latest official data of the State Statistical Office in 2016, the poverty rate was 21.9%. This means that 453 000 people in the country lived in poverty in 2016, with less than 6,500 denars a month ( $\pm$  106 euro). According to the most frequent status of economic activity, the rate of poor employed persons is 9.0%, while the rate of poor retired people is 7.1%. The poverty threshold is defined as the level of living standard that should be achieved for one person / household not to be classified as poor and is measured as a monthly income of 14,500 denars ( $\pm$  236 euro) for a family of four.<sup>36</sup>

<sup>35</sup> UNESCO, Poverty, Available at <http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/poverty/>  
<sup>36</sup> State Statistics Office, Available at : <http://www.stat.gov.mk/PrikaziSooopstenie.aspx?rbtxt=115>

## Members of the Roma Ethnic Community

Roma in Macedonia are the most vulnerable ethnic community living on the margins of society in substandard conditions, and facing violated human rights and freedoms in all spheres of social activity. The members of the Roma ethnic community face poor socio-economic situation and lack of personal identification documents, health problems, limited access to education and employment, discrimination, housing shortages, etc. All this contributes to a lack of access to decent life. In the last census, conducted in 2002, 53,879 persons were identified as Roma in Macedonia.<sup>37</sup>

There is still systemic discrimination against Roma, especially in the treatment of police officers towards Roma at border crossings, inaccessibility of Roma women to health care and gynaecological services, and segregation of Roma children.

The unemployment rate of Roma is currently more than 70%, more than double the unemployment faced by non-Roma. This lack of access to the labour market also results in the fact that the Roma face much greater poverty rate than non-Roma. The data show that most Roma live in settlements concentrated in poorer areas or suburban areas. Roma live in difficult living conditions, with very poor and insufficiently developed infrastructure. About 28% of the Roma population live in improvised homes, in poor neighbourhoods with illegal buildings or in a non-legally registered place, with extremely poor, substandard conditions, large families and more people in one room. About 50% of Roma homes do not have sanitation facilities, and about 61% do not have a toilet or a bath in the home.<sup>38</sup>

Roma face discrimination and stigma at many levels, including limited representation in institutions and limited access to justice. The situation is additionally complicated by policies that prevent Roma from leaving Macedonia, as well as the insufficient protection of Roma returnees from Western European countries.

It is also necessary to note the worryingly difficult position of Roma women, who often face multiple discrimination - on the basis of gender and ethnic origin - as well as other human rights violations due to the situation of Roma women in the family, and the discrimination of Roma children in the education system.

## Children

The Convention on the Rights of the Child defines the child as a human being who has not turned 18 years of age. The Convention also provides for the inalienable rights of the youngest citizens of countries in the world such as the right to life and health, survival and development, protection, education and equal opportunities, regardless of gender, language, ethnic, religious, social or any other affiliation. Like adults, the child has the inalienable right to human dignity, freedom of opinion, conscience and religion, and the right to preserve one's own identity.

In the Republic of Macedonia, a large proportion, or 28.6% of all poor people in Macedonia, are children. Children have a greater risk of poverty than adults or the elderly. Child poverty is closely related to basic rights.<sup>39</sup>

The most vulnerable categories of children are children from socially endangered families, children with disabilities, children from rural areas and children belonging to certain ethnic communities. Vulnerable children, especially poor and marginalized children who originate mostly from ethnic minorities and limited-resource households, are more at risk of being under-taken, excluded from education, discriminated, abused or exploited.

Children on the street are usually the most vulnerable category of children, who must beg as the main source of income. In addition to having no access to education, health care and adequate legal representation, these children are also at risk of being inappropriately socialized, making their integration in society more difficult later in life.

Children with physical or intellectual disabilities face deficiencies in educational, social and health services. They continue to be discriminated against in all segments of social life.

37 Population, State Statistics Office, Available at <http://www.stat.gov.mk/Publikacii/PDFGodisnik2013/03-Naselenie-Population.pdf>

38 Source: UNDP <https://goo.gl/BcOuQQ>

39 A review of children's poverty in Macedonia, UNICEF, available at : <https://www.unicef.org/ceecis/Child-Poverty-Study-OVERVIEW-ENG.pdf>

## Women

Gender discrimination and marginalization of women as well as the obsolete perception that women belong exclusively in the household is prominent in Macedonia today. The inequality of women and men, namely the unequal distribution of rights, resources and power between men and women is evident from many statistics.<sup>40</sup> Women still face inequalities regarding employment opportunities, obtaining wages, access to the right to health and its exercise, the rights in the marriage and family, and so on. Currently, women occupy less than 40% of jobs, although they account for about 50.01% of the total population.<sup>41</sup>

It is necessary to implement standards for enabling and strengthening women and their protection against discrimination, equal access to work for the same salary, education, health care, their political participation, including women in rural regions, equal legal status in relation to heritage and property, sexual and reproductive health and rights.

Inequalities in the distribution of power between men and women result in a state of subordination and danger in the life of a woman. Taking into account the data on the number of women victims of domestic violence, most often domestic violence is identified with violence against women, psychological, physical, sexual and material. The data show that domestic violence has marked characteristics of gender-based violence. According to the statistics, 93% of the reported and convicted perpetrators of crimes during domestic violence in the investigated period are men, and 82% of the victims are women.<sup>42</sup> Regarding the response of institutions to cases of domestic violence, there are no unique practices in dealing with victims through all relevant institutions on the whole territory of the country. According to the available data, there are four state shelters for victims of domestic violence in the country that provide accommodation for up to six months.

## Persons with disabilities

This group includes different categories of persons, such as people with visual impairments, hearing impairments, people with speech disabilities, physically disabled persons and people with intellectual disabilities.

The Convention on Persons with Disabilities stipulates that discrimination based on disability means making any difference, exclusion or restriction on the basis of disability in order to influence the violation or reduction of recognition, enjoyment or exercise on an equal footing with others of all human rights and fundamental freedoms in the political, economic, social, cultural, civil and every other field. This includes all forms of discrimination, as well as denial of reasonable accommodation.<sup>43</sup>

In Macedonia, persons with disabilities face injustice and unfair treatment in every socio-economic sphere. There are 28,590 people with special needs registered in the social protection centres, of which 4,235 are children.<sup>44</sup> They do not have or have limited access to goods and services, education, employment and health care, and their rights are violated from both public institutions, and private individuals. There is a great need to enable people with disabilities with easy access to services, as well as information on how to exercise their rights and freedoms.

The legal regulations set the accessibility standards for new buildings and public structures that should have been available for people with disabilities by the end of 2015. However, many public buildings remained inaccessible to persons with physical disabilities. Also, although all buses purchased by the government for Skopje since 2013 were available for people with physical disabilities, public transport remained largely unavailable in other regions.<sup>45</sup>

Creating equal opportunities for employment of people with disabilities their integration in the society and participation in decision making. All measures for equality and non-discrimination of persons with disabilities are necessary to be monitored with financial support at the state and local level and in cooperation with the associations of citizens and other stakeholders in the society.

40 Women and men in the Republic of Macedonia, publication of the Statistical Office of the Republic of Macedonia, available at : <http://www.stat.gov.mk/Publikacii/Gender2017.pdf>

41 Labor Force Survey, Statistical Office of the Republic of Macedonia, available at : <http://www.stat.gov.mk/Publikacii/2.4.18.03.pdf>

42 Mircheva S., Chacheva V., Koenig N. Voice of Justice: Research Report: Assessment of court proceedings for cases of domestic violence, with a special focus on managing the subjects from a gender perspective, UKIM, Institute for Sociological, Political and Juridical Research, Skopje, 2014.

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43 Convention on the Rights of Persons with Disabilities (CRPD) достапна на <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

44 State Statistical Office, Social Welfare for Children, Juveniles and Adults 2015, Available at: <http://www.stat.gov.mk/Publikacii/2.4.16.12.pdf>

45 Macedonia 2017 human rights report достапен на: <https://www.state.gov/documents/organization/277435.pdf>

## LGBTI population

LGBTI people in Macedonia are often targeted by hate speech, hate crimes, bullying, and discrimination. Homosexuality was decriminalized in 1996. Although people and activists were attacked several times in the past years, none of the attacks was publicly condemned and the attackers were not found and punished. This shows a lack of effective investigation and prosecution of the Public Prosecutor's Office in the protection of LGBTI people. The Law on Protection against Discrimination does not explicitly mention or prohibit discrimination on the basis of sexual orientation and gender identity. A procedure is underway to adopt a new law for protection against discrimination outlining sexual orientation and gender identity as special grounds.

During 2017, several organizations working on LGBTI issues, together with MPs who had previously shown support for the LGBTI community, took part in the formation of an Interparty parliamentary group to promote the rights of the LGBTI people.

According to current legislation, voluntary sexual intercourse between same-sex adults is not criminalized. Same-sex partners have no right to enter into marriage or partnership. The Family Law regulates the adoption of children and according to this law, every citizen of the state can adopt a child regardless of their marital status, sexual orientation or gender identity.

Members of the LGBTI community in the Republic of Macedonia face everyday discrimination in all areas of society, and according to a survey, LGBTI persons suffer twice as much discrimination from non-members of the community.<sup>46</sup> With regard to employment, the Law on Labour Relations with Article 6 prohibits discrimination of access to employment in terms of 'sexual orientation'. The very term 'sexual orientation' is limited and does not cover all aspects of sexual orientation and gender identity. Article 7 of the same law prohibits direct or indirect discrimination of employees and candidates for employment in terms of working conditions, promotion, access to all types and degrees of vocational training.

According to the analysis of the needs and problems of LGBTI people in Macedonia, almost 39 per cent of LGBTI people have experienced discrimination in the workplace due to sexual orientation and / or gender identity. ¼ of the respondents in this analysis think they have not been promoted because of their sexual orientation and / or gender identity, while ¼ believe they were dismissed for the same reasons. Almost 28% believe that sexual orientation and / or gender identity were the reason for not getting the position they applied for. Of the 39% of LGBTI people who have experienced discrimination, 90% did not report cases in any situation or organization.

In terms of social protection, 39% of the respondents consider they have been victims of discrimination in the process of fulfilling their rights to social protection. Of this figure, 45.28% of the respondents did not report discrimination due to mistrust in the institutions.

Regarding health and access to health services, there is an obstacle especially to transgender people, and the necessary medical procedures that apply to transgender people who are in the process of transition are not recognized by the Ministry of Health and financially not covered by the Health Insurance Fund. Medical staff and doctors do not have enough knowledge to work with these groups and are not sensible to work with them.

Regarding education, LGBTI youth are more often victims of bullying in schools compared to their heterosexual peers. They are also five times more likely victims of sexual harassment and attacks. Studies show that depression, grief, hopelessness, and suicidal thoughts are among the highest risks in the lives of LGBTI youth. Textbooks and educational materials used in educational processes of varying degrees in education are periodically reviewed by CSOs in the country and they unfortunately still contain content that identifies homosexuality with illness or disorder. The Ministry of Education and Science announced the revision of all textbooks in the new Comprehensive Education Strategy 2018-2025 but failed to include an anti-bullying strategy and inclusion of comprehensive sexuality education in educational programs as proposed by non-governmental organizations.

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<sup>46</sup> "Discrimination, violence and harassment based on sexual orientation and gender identity", Research report, Subversive Front, Skopje, 2016



## Elderly people

The trend of aging of the population in Macedonia is noticeable. According to the data of the Census in 2002, the percentage of the old population over 60 years, compared to the rest of the population, is 15%, or 303,534 elderly people. Of these, 163 898 are female and 139 636 are male.<sup>47</sup>

Elderly people suffer human rights violations every year, ranging from discrimination and social and political exclusion, to abuses in nursing facilities, neglect in humanitarian settings, and denial and rationing of health care.<sup>48</sup> They are not a homogenous group, and the challenges they face in the protection or enjoyment of their human rights vary greatly. While some continue to lead active lives as part of their community, many others face lack of adequate care or isolation.

In Macedonia the elderly people are in unfavorable condition due to the low amount of pension, with which they can not meet the basic existential needs. In all municipalities unemployment is present, which is the reason for the elderly to live in multi-generation families, where the pension often, though it is minimal, is the only income for all family members.

There are cases where elderly people are exploited economically by their own close relatives, and then they do not care about them. In certain cases domestic violence against the elderly is present. As another problem with which the elderly people face is the unavailability of public homes for the elderly. On the one hand, the number of places in these homes is limited, and on the other old people are not financially able to use this service. Also, their close relatives are not able to contribute to housing at home for the elderly.

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47 National Strategy for Elderly people 2010 – 2020. Available at <http://mtsp.gov.mk/WBStorage/Files/Strategija%20za%20stari%20lica%20juni.pdf>  
48 Rights of Older People, Human Rights Watch. Available at <https://www.hrw.org/topic/health/rights-older-people>

# Chapter 5:

The Human Rights-  
Based Approach and the  
project cycle



## Tips & good practices for incorporation the HRBA in all phases of the project cycle Development and implementation of projects and programs following the principles of the HRBA

CSOs can operate in different ways, but many package their work into time-bound projects or deliver services within programs that are regularly reviewed and updated. Some also run campaigns or undertake 'watchdog' functions, and these are also usually designed within a given set of parameters. Thus, no matter what kind of CSO or mode of working, it is often the concept of the 'project' which is used to guide the design of CSOs interventions and services. Thus, in order to demonstrate how the HRBA can be used in practice by CSOs, it is helpful to look at the process from the point of view of the project cycle.

A project is a series of activities aimed at bringing about clearly specified objectives within a defined time-period and with a defined budget.<sup>49</sup> All projects encompass the project cycle. The project cycle follows the life of a project from the initial idea through to its completion. It provides a structure to ensure that stakeholders are consulted, and defines the key decisions, information requirements and responsibilities at each phase so that informed decisions can be made at each phase in the life of a project. It draws on evaluation to build the lessons of experience into the design of future programs and projects.<sup>50</sup>

The project cycle is composed of four basic steps<sup>51</sup>:



Incorporation of the HRBA in the project cycle requires:

1. CSOs to systematically integrate core human rights principles into their work (Chapter 2)
2. Systematically ensure a focus on cultural sensitivity and gender equality at each programming stage.

49 European Commission, Project Cycle Management Guidelines, 2004 p. 143

50 Ibid.

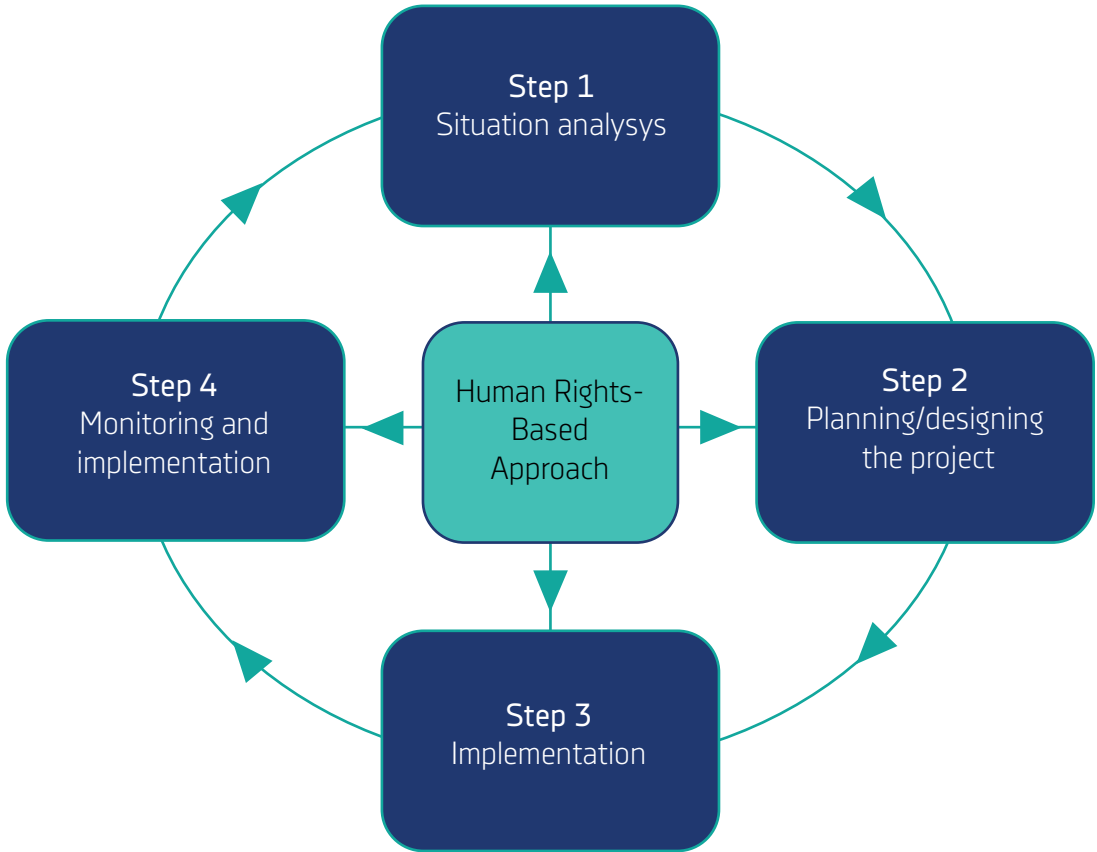
51 UNDP. A Human Rights-Based Approach Toolkit (+). 2009

*Applying a HRBA to programming should not involve an entirely new way of programming. It simply entails consciously and systematically paying attention to human rights in all aspects of policy or program work* <sup>52</sup>.

By comparing how a HRBA and a non-HRBA project or programme might be designed and implemented, it is possible to identify some of the practical differences that CSOs need to address:

HRBA PROJECT	NON-HRBA PROJECT
Project target group is identified as active actors and agents of change (rights-holders & duty-bearers)	Project target group is often perceived as passive, receiving 'aid' (beneficiaries)
Participation is crucial to provide a voice in the process	Participation is limited
Participants gain awareness of rights and how to demand their fulfilment, as well as, how to fulfil the obligations and duties towards rights-holders	Rights are not discussed openly and directly
Focus is on violated, unfulfilled rights	Focus is on needs
Process is as important as results	Results are often seen more important than process

The planning and implementing projects following the HRBA requires integrating all core HRBA principles in all phase of the project cycle, contrary to the common understanding that this necessary solely during the planning phase.



52 UNFPA A Human Rights – Based Approach to Programming – Practical Implementation Manual and Training Materials, 2014. P.93.

## Step 1: Situation analysis

This is the step where a problem is identified that needs to be addressed through a project.

The situation analysis is the first step of the project cycle. The situation analysis encompasses assessment of the current state of affairs in the area/issue of interest (eg. Protection of the social protection rights of individuals with disability or environmental protection in the Pelagonia region). The project planning starts with clear and precise identification of the problem that needs to be addressed from a human rights perspective including its causes. During this phase it is becoming clear **who is affected by the problem** and the seriousness of the affected people and communities.

During this step, it is important to review the relevant international human rights conventions and agreements in order to assess which of the personal, political, economic, social or cultural rights are affected by the problem.

The situation analysis encompasses providing answers to the following questions:<sup>53</sup>

- What is happening and to whom is it happening?
- Why is it happening?
- Who are the key stakeholders causing or affected by the problem?
  - Who are the most probable *right-holders*?
  - Who are the most probable *duty-bearers*?
- Why the right-holders are not capable to claim their rights?
- Why the duty bearers do not fulfil their obligations towards the right-holders?
- What is the relevant legislative framework regulating the issue?

The situation analysis is conducted through:

- Consultations with the relevant stakeholders
- Research of the available reports, statistical data and other relevant literature
- Assessment of laws and other regulations including the international human rights framework.

During the situation analysis, the following tools are used:

- Causality analysis
- Role-pattern analysis
- Capacity gap analysis

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53 UNDP. A Human Rights-Based Approach Toolkit (+). 2009

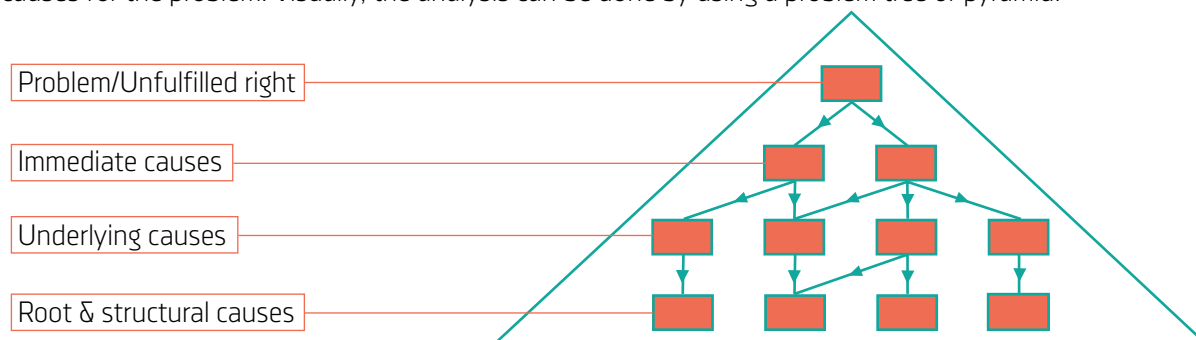
## Causality analysis

Causality analysis allows for the identification and assessment of the problem, including its immediate, underlying, and structural causes. The objective of the assessment is identifying the various causes preventing the fulfilment of certain human rights, or their realization being burdened. During this phase, the candidates for right-holders and duty bearers are also identified.

Problems often manifest themselves in a way which suggests a simple direct cause, but of course there are usually many related conditions which culminate in the problem. Thus, it is important to use a causality analysis to unpack the roots of the problem. To do this it useful to structure the causes in three levels.<sup>54</sup>

- **Immediate** causes determine the current status of the problem (Ex. Failure of the local government to remove an illegal landfill located immediately next to a community populated by individuals of the Roma ethnicity)
- **Underlying** causes are often the consequence of policies, laws and availability of resources. They may reveal related complex issues and require interventions that take significant time in obtaining results (at least five years). The legal and policy analysis carried out in the earlier stage of the situation assessment and analysis will be useful when thinking about underlying causes. (Eg. The failure to act by the local government described above is the consequence of a vague and ambiguous regulation that creates jurisdictional overlap between the local government and the Ministry for Environmental Protection).
- **Root/structural** causes reveal conditions that require long-term interventions in order to change societal attitudes and behaviour at different levels, including those at the family, community and higher decision-making level (Eg. Long-lasting prejudice and stereotypes towards the representative of the Roma community impact the responsiveness of the state organs when their action is required for solving a problem that affecting this community.)

The analysis starts with the basic manifestation of the problems and continues with identification of the causes for the problem. Visually, the analysis can be done by using a problem tree or pyramid.



In causality analysis, it is assumed that there is an awareness of the problem being analysed among the people whose rights are affected. If this awareness is missing, as may be the case, the people involved must be sensitized to the issue before further steps are taken. A key part of this 'sensitization' will be achieved by using participatory methods for the data collection and analysis.

Experience shows that while the causes of a problem may be different at the immediate and underlying levels, the root causes are often the same: for example, lack of capacity among duty-bearers such as parents, community leaders, civil servants and government officials, improper forms of social organization, gender discrimination, inadequate and/or hindering legislation, poor economic situation. Addressing the root causes of any of the problems is likely to create enabling conditions for solving a number of other problems at the same time, thereby enhancing sustainability of any effort. At the same time, the root causes are the most difficult ones to address.

<sup>54</sup> UNFPA A Human Rights – Based Approach to Programming – Practical Implementation Manual and Training Materials, 2014. P.97

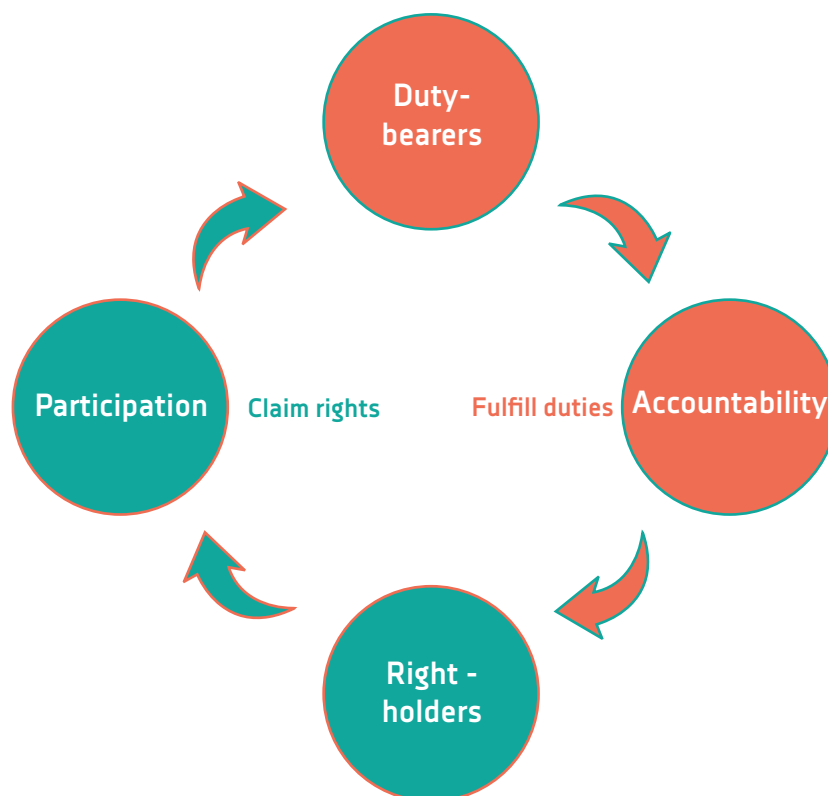
## Role pattern analysis

The role pattern analysis identifies or confirms the exact individuals or groups of people who have claims concerning the problem, its causes, and unfulfilled rights. This information is generated through the causality analysis and the selection of priority causes. The key questions to be answered by the analysis are:

- *Who are the rights-holders?*
- *Who are the duty-bearers and what roles and obligations are they expected to fulfil?*
- *What is the relationship between the rights-holders and duty-bearers in the particular community or society that has been chosen as the project area.*

One should recognize that the same individual or group of individuals often may enter into the roles of both rights-holders and duty-bearers. For example, children have a valid claim (right) against their parents to support their ability to attend school regularly (the right to education). The parents can therefore be considered as the first line duty-bearers. The second line duty-bearers would be teachers and community leaders, district and national level government officials together with the state. The state being the ultimate and most important duty-bearer as the state ratifies human rights covenants and conventions and is therefore legally bound to meet the obligations. It is important to recognize that each “right- duty” relationship must be recognized as a right in a covenant or convention ratified by the country. The role pattern analysis should always be undertaken by representatives of the key rights-holders and duty-bearers.

Once the duty bearers are identified, it is important to list their obligations with regards the problem affecting the right holders. The obligations are included in the international conventions, the Constitution and the laws.



## Capacity gap analysis

Capacity gap analysis provides explanations why a particular right has not been realized. The analysis is based on the basic assumption that rights are not realized because rights-holders lack the capacity to claim the right, and/or duty-bearers lack the capacity to fulfil their duties. This analysis is fundamental to designing an effective HRBA intervention and is a process usually ignored by CSOs who use a traditional 'needs-based' approach to development.

### What is capacity?

Ability to effectively perform functions for setting and achieving objectives, and identifying and solving problems. In development terms, capacity is the sum of all factors that enable individuals, communities, institutions, organizations or governments to adequately perform their respective roles and responsibilities.<sup>55</sup>

The purpose of the capacity gap analysis is to identify obstacles that the rights-holders have in claiming their rights as well as the duty-bearers' capacity gaps in meeting their obligations. Ideally, this list should be made by different categories of capacity, such as responsibility, authority, resources, etc.

The result of the analysis is a list of capacity gaps of both the rights-holders and the duty-bearers with regards to the cause and the rights related to the issue. Capacity defined in a broad sense includes five components as follows:

- Responsibility/motivation/commitment/ leadership is related to the acknowledgement of an individual that s/he should do something about a specific problem. This refers to the acceptance and internalization of a duty and is often justified in legal or moral terms.
- Authority is related to the legitimacy of an action; when an individual or group feels and/or knows that they may take action or that it is permissible to take action. Laws, formal and informal norms and rules, tradition, and culture largely determine what is or is not permissible in a given society. The power relations reflect the structure of authority in a society..
- Access and Control of Resources If an individual accepts that s/he should do something and is capable of acting, it may still be impossible to act because the person lacks resources. Capacity must therefore also mean that the person is in a position to act or has the power to act. The resources available to individuals, households, organizations, and society as a whole may generally be classified into the following three types: human resources, economic resources and organizational resources.
- Capability for Rational Decision Making and Learning Rational decision making requires evidence-based assessment and a logical analysis of the causes of a problem. Actions should be based on decisions informed by the analysis. After action has been taken, a reassessment of the result and impact will lead to improved analysis and better action in the next round. Such interactive learning-by-doing relies heavily on the capability to communicate.
- Communication Capability The capability to communicate and to access information and communication systems is crucial for individuals and groups of individuals in their efforts to claim their rights or meet their duties. Communication is also important in "connecting" various key actors in the social fabric to functional networks able to address critical development issues.

The relationships between rights-holders and duty-bearers form a pattern that links individuals and communities to each other, and, further on, to the higher decision-maker levels of the society. In this perspective, right-duty relationships are linked and form a pattern of human rights. The identification of duty-bearers and the determination of the extent of their accountability are crucial to a well-implemented human rights based approach to programming.

55 UNFPA A Human Rights – Based Approach to Programing – Practical Implementation Manual and Training Materials, 2014. P.101



## Step 2: Planning and designing the project

This is the step where you try to find solutions to the problems you have listed in Step 1.

### - Project planning and the HRBA

An important segment of the processes of planning and formulating projects is the selection of strategy how to address a specific problem. This choice must be based upon the evidence gathered during the situation analysis. The objective of this step is to identify potential activities which can likely contribute to reducing the gap in capacities between the right-holders and duty bearers. The activities should be directed towards increased accountability, resources and access to processes for decision making taking into consideration the root causes of the identified problem. This includes summing up of the findings of the previous step:

- What are the underlying and root causes of the problem that needs to be addressed?
- Which and whose rights are violated?
- Who are the key duty bearers with responsibility to secure realization and protection of the affected rights?
- What is their capacity to meet their obligation?

The next step is to go to analysis of what is missing and how the project can contribute to addressing the problem, its causes and identified capacity gaps. It is important to identify possibilities of how to address these gaps. Then the CSO leading the analysis will need to decide strategically what is feasible and a priority for action. The design of the subsequent action ('the project' or programme) is thereafter likely to be framed according to the application requirements of the likely funder of the action. However, whatever the format of the project, it should include a logical flow from the project inputs to its eventual impact (as described below).

### - HRBA and the result chain

The results of the conducted activities on different level form a result chain. When formulating the results on each level it is important to take into account certain HRBA specific features.



**Input.** The financial, human and material resources used for the development intervention. As part of a HRBA it is important to ensure that these resources are sufficient for reaching the most marginalized communities, and that all human and material resources are culturally- and gender sensitive.

**Output.** The product or service that results from the completion of activities within a development intervention. Outputs should be tangible, deliverable and sufficient to achieve the expected country programme outcomes<sup>57</sup>.

A HRBA output is the product or deliverable that specifically contributes to closing the capacity gaps of:

1. Rights-holders to exercise and claim their rights and/or of duty-bearers to meet their corresponding obligations; and
2. Legal, institutional and policy frameworks to create the appropriate environment for rights-holders and duty-bearers to perform their roles.

<sup>56</sup> OECD/DAC, *Glossary of Key Terms in Evaluation and Results-Based Management*, 2002. Available at: [http://www.oecd.org/document/21/0,3343,en\\_2649\\_34435\\_40381973\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/document/21/0,3343,en_2649_34435_40381973_1_1_1_1,00.html).

<sup>57</sup> UNDG, *Draft Technical Brief*, p. 1. Available at: [www.undg.org/docs/9871/Technical-brief---Outcomes-v2.0-Oct07.doc](http://www.undg.org/docs/9871/Technical-brief---Outcomes-v2.0-Oct07.doc).

**Outcome.** The intended or achieved short-term and medium-term effects of an intervention's outputs, usually requiring the collective effort of partners<sup>58</sup>. If the capacity gaps are filled in, a HRBA outcome will be an **improvement of rights holders', and/or duty bearers', performance**—one that is closer to what is required of rights-holders to exercise and claim rights and/or of duty-bearers to meet their obligations. Outcome means positive changes in the implementation of norms and policies and improvements in institutional or individual behaviour.

**Impact.** Under a HRBA, impact means that development goals are achieved and rights are realized, which means a marked or significant improvement in the exercise of rights and in meeting the obligations to respect, protect and fulfil. It should be noted that achieving impact may require a long-term process.

## Step 3: Implementation

The implementation is the step when everything considered and planned in the previous step is put into motion. The implementation of HRBA projects differs from non HRBA projects by the following three specifics:

1. In implementation of the HRBA projects the right-holders and duty bearers are included
2. The strategy for project implementation is focused on empowering the right-holders and strengthening the capacities of duty bearers to fulfill its obligations
3. During implementation adherence to the HRBA principles are mandatory

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<sup>58</sup> OECD/DAC, Proposed Harmonized Terminology.  
Available at: [www.undp.org/exectbrd/word/Final%20RBM%20terminology%2030%20May.doc](http://www.undp.org/exectbrd/word/Final%20RBM%20terminology%2030%20May.doc).

## Step 4: Monitoring and evaluation

Monitoring and evaluation are essential elements of every project, programme, or campaign. They are the basis for clear and accurate reporting, and additionally they give an opportunity for critical assessment of the work, organizational learning and informed decision making.

**Monitoring and evaluation (M&E)** consists of tracking and assessing the actual results of the programme as compared to the ones that were planned or expected.

**Monitoring** is a continuous process that lasts for the whole duration of a programme or project and may call for readjustments for efficiency and effectiveness<sup>59</sup>.

**Evaluation** is a periodic assessment of the efficiency, effectiveness, impact, sustainability and relevance of a project in the context of stated objectives. It is usually undertaken as an independent examination with a view to drawing lessons that may guide future decision-making<sup>60</sup>.

*Key differences between monitoring projects with or without HRBA is the fact that in the second one beside measuring outputs, outcome, and impact, the processes are also measured.*

*Monitoring in HRBA-focused projects concentrates on monitoring the realization of the human rights addressed by the project. Hence, the focus of monitoring and evaluation is on the following three issues:*

- participation and empowerment of rights-holders
- accountability of duty-bearers
- change at all levels of society

This requires specific kinds of indicators that allow monitoring progress and assessing changes in people's lives (both rights-holders and duty-bearers') and, therefore, indicators used in HRBA programs concern monitoring both the process and outcome of development programs.

The selection of the indicators must be guided by the human rights principles and standards. Qualitative and quantitative indicators are both necessary. The selection must be participative and to ensure inclusion of the stakeholders in the assessment of the progress. The indicators must be able to assess the scope to which human rights were incorporated in all stages of the project as well for their impact on the general effectiveness of the project.

59 UNICEF Finland. Introduction to the Human Rights Based Approach – A Guide for Finish NGOs and their Partners. 2015. P.30

60 European Commission, Project Cycle Management Guidelines p. 142. Available at: [https://ec.europa.eu/europeaid/sites/devco/files/methodology-aid-delivery-methods-project-cycle-management-200403\\_en\\_2.pdf](https://ec.europa.eu/europeaid/sites/devco/files/methodology-aid-delivery-methods-project-cycle-management-200403_en_2.pdf)

## Check list for CSOs following a HRBA?

This check list<sup>61</sup> specifically takes into account very focused human rights analysis in each step of the project cycle; other project cycle analysis of course remains the same. It provides an efficient tool for self-evaluation for each project in order to assess to which extent the project follows the principles of the human rights based approach. The self-evaluation is done by answering the bellow stated list of yes or no question. In an ideal case, the project will satisfy the requirements of the human rights based approach if the answers of all questions are yes.

This list can be used during designing and planning projects. If the answers of certain questions is no, then certain analysis should be remade

	Yes	No
<b>Step 1: Situation Analysis</b>		
1. Have you identified the problem you plan to address and identified the key immediate, underlying and basic causes?		
2. Have given due attention to issues of power relationships, discrimination, inequality, ethnicity, age, gender etc?		
3. Have you identified the actors who are likely to enter into the roles of right-holders and duty-bearers?		
4. Have you identified the most important human right relationships between pairs of right-holders and duty-bearers; and identified the set of claims that can be made by right-holders (against the duty-bearers) and the set of correlative duties of the duty-bearers?		
5. Have you reviewed the extent to which these rights relationships are reflected in human rights obligations from the Macedonian Constitution, domestic laws, and international human rights laws ratified by Macedonia?		
6. Have you identified the most important capacity gaps of the right-holders that constrain them from claiming their rights; and the most important capacity gaps of the duty-bearers to meet their obligations?		
<b>Step 2: Project Design and Planning</b>		
7. Have you identified and involved the key actors (right-holders and duty -bearers) in the planning of the project?		
8. Have you identified what the UN Treaty Monitoring Bodies, the Council of Europe, the European Court of Human Rights, the EU and other relevant international and national organization have said should be done about the problem(s) identified in Step 1?		
9. Have you identified what interventions/activities are required to close the most important capacity gaps of the right-holders to be able to claim their rights?		
10. Have you identified what interventions/activities are required to close the most important capacity gaps of the duty-bearers to be able to meet their duties?		
<b>Step 3: Project Implementation</b>		
11. Have you outlined the implementation strategy in compliance with International Human Rights Standards and General Recommendations made by Treaty Monitoring Bodies?		
12. Have you identified which duty-bearers and rights-holders you are involving in the implementation?		
13. Have you carefully considered the obligation to adhere to all human rights principles during each step of the implementation (quality of the process)?		
14. Have you identified the specific obligations the duty-bearers should undertake to respect, protect and fulfill the human rights for rightsholders?		
15. Will the project design and implementation strategy contribute to the empowerment and capacity of rights-holders to claim their rights (e.g. ability to access information, organize, advocate policy change and get access to justice etc)?		

61 See Gruskin S, Tarantola D. "What Does Bringing Human Rights into Public Health Work Actually Mean in Practice?" in International Encyclopedia of Public Health eds. Kris Heggenhougen and Stella Quah. Academic Press, vol. 3, 2008. pp. 137-146.

#### Step 4: Project Monitoring and Evaluation

16. Can you measure the goods, services and deliverables produced to develop the capacity of duty-bearers and rights-holders? <b>(Output Indicator)</b>		
17. Can you measure the legal, policy, institutional and behavioral changes leading to a better performance of rights-holders to claim their rights and duty-bearers to meet their obligations? <b>(Outcome Indicator)</b>		
18. Can you measure sustained, positive changes in the life, dignity and wellbeing of rights-holders (both individual and groups)? <b>(Impact Indicator)</b>		
19. Can you measure the ways in which the project/programme processes meeting the human rights principles, including participation, inclusion, and transparency, especially for vulnerable groups? <b>(Process Indicator)</b> .		

## List of References

- A HUMAN RIGHTS BASED APPROACH TO DENMARK'S DEVELOPMENT COOPERATION – GUIDANCE AND INSPIRATION FOR POLICY DIALOGUE AND PROGRAMMING
- A RIGHTS-BASED APPROACH, ENCOMPASSING ALL HUMAN RIGHTS FOR EU DEVELOPMENT COOPERATION
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