

Evaluation of the funding area "Human Rights" at MISEREOR – Summary

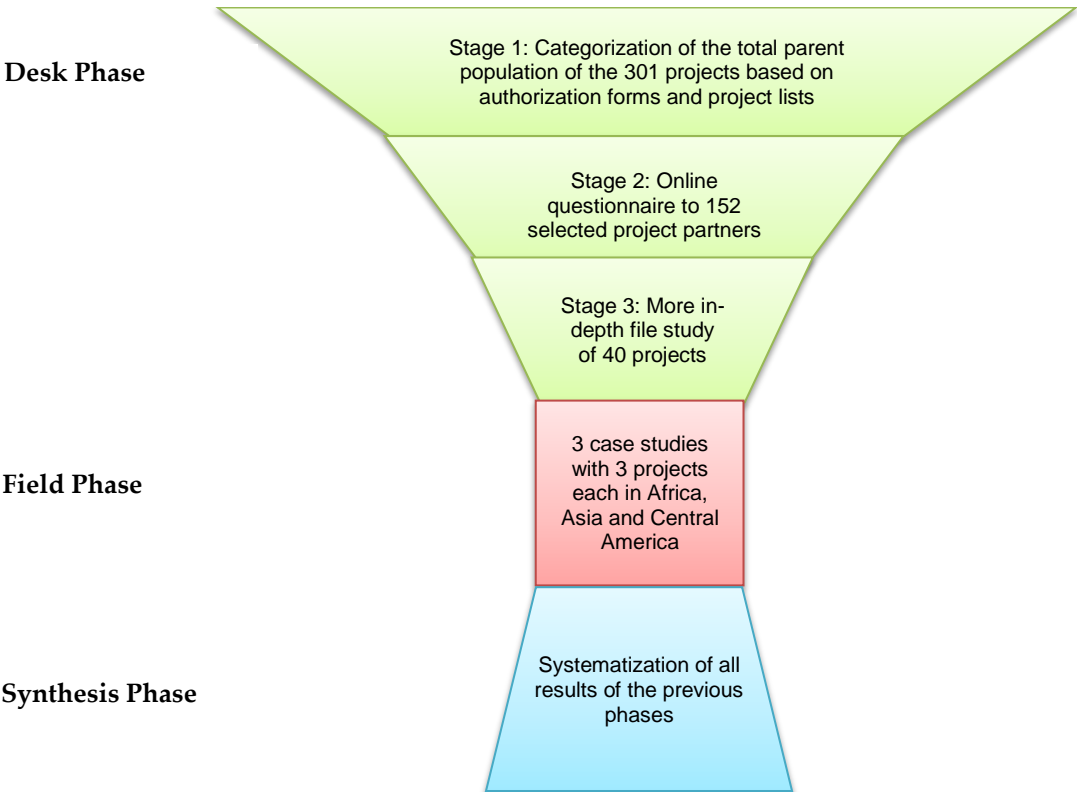
The evaluation of the funding area "Human Rights" at MISEREOR was carried out between October 2016 and April 2018 by a four-person evaluation team, supplemented by another expert during the desk phase, and by one local evaluator in the course of each of the three case studies. The whole evaluation process was steered by a 6-person accompanying facilitation team from various areas of the International Cooperation Division at MISEREOR.

1. Evaluation Objectives and Methodological Process

The objectives of the evaluation were to examine the underlying logic of the funding area's effects along with the effectiveness of various concepts for action and instruments of human rights work, and then to draw conclusions for funding practice. In addition to the area's own interest in learning, evaluation also served to provide an accounting to the public and the Federal Ministry for Economic Cooperation and Development (BMZ). In addition, MISEREOR expected to derive some hints about how effects in the field of human rights that are generally considered difficult to measure could be recorded.

The evaluation of the funding area was carried out in three phases: the desk phase, the field phase, in which projects in three countries were evaluated as examples, using the DAC criteria, and finally the synthesis phase, in which findings and recommendations for the funding area were formulated. In terms of methodology, the evaluation of the funding area was based on a multi-stage, funnel procedure: At each stage, the intensity and quality of the analysis were increased while simultaneously the number of projects was reduced.

Chart 1 : Methodology Based on a Multi-stage Funnel Process



Source: Own Presentation

- a) In the first stage of the **desk phase**, the total parent population of the 301 projects was systematised on the basis of the authorization forms and project lists. In a second stage, an online survey with open and closed questions was conducted with half of the partners (152). The response rate of 77% (117 partners) was encouragingly high. An in-depth analysis followed in a third stage, with a sample of 40 current projects (including two preliminary projects each). The analysis was based on the project documents and supplemented by interviews and focus group discussions with 24 MISEREOR employees. The results were summarized in a desk study report and a table appendix.
- b) In a fourth stage, exemplary evaluations of three project approaches each from Cameroon, the Philippines and El Salvador/Guatemala were carried out according to the DAC criteria in the **field phase** to deepen the findings of the desk phase. Criteria for the country selection included the following: 1. Sufficient partners should be involved, so that several project approaches could be compared and projects from all three priority areas could be examined. 2. An international or supranational project should be involved that supports/reinforces the work on site. BMZ-funded projects should account for the lion's share. 3. The safety of the evaluation teams, partner staff and target group representatives should be guaranteed.

The following methods were used in the field study: Study of the projects' files; guideline-based or open interviews and focus group discussions with those employees of MISEREOR responsible and their partners, target group representatives, with governmental officials and politically responsible persons as well as with organisations from the surrounding area. Self-evaluation instruments were used in the focus group discussions with the partners. At the end of each field stay, a workshop was held with representatives of other partner organisations working in the field of human rights in the country. Qualitative information and assessments were validated by means of triangulation and a wide range of perspectives was ensured. The „do no harm“ principle was taken into consideration during the entire field stay. The results of the field phase are available in three field study reports.

- c) In the last stage, the **synthesis phase**, the partial results and *lessons learnt* from the previous desk and field phases were brought together and supplemented by further interviews with MISEREOR employees at the departmental and management levels, as well as in the Office for Lobbying and Public Relations in Berlin. Overarching conclusions based on these sources were formulated for the funding area, with recommendations for a future design of funding strategy and policy.

The evaluation was understood as a **mutual learning process**. Intermediate results were discussed in periodic reflection rounds with the evaluation support group and with interested MISEREOR employees. The partial results were also reflected upon with the partners during the field phase and were presented and discussed in final workshops. This enabled the evaluation team with their external view to be repeatedly confronted with the internal assessment of MISEREOR employees and their partners.

2. Organizations leading the Projects and the Evaluated Projects

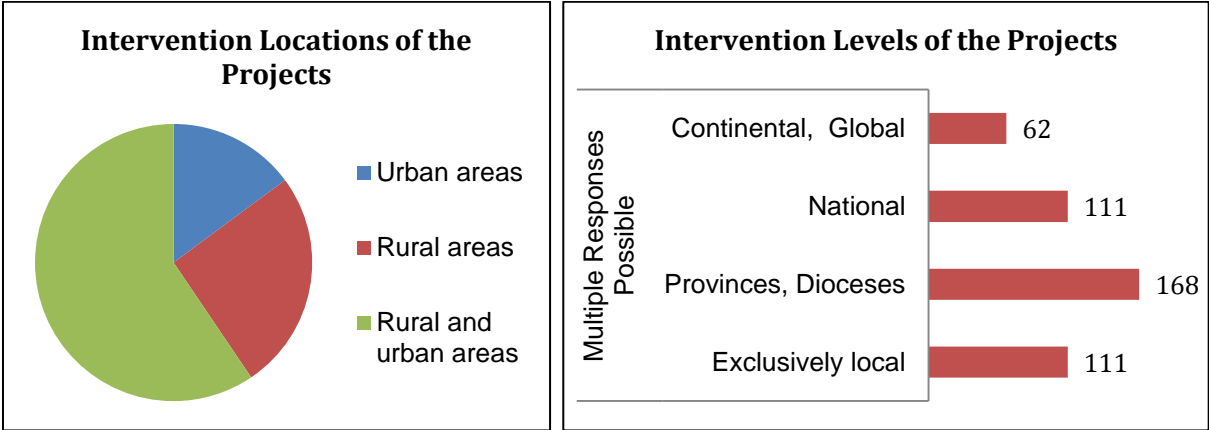
301 projects with a funding volume of more than EUR 50,000 each were the subjects of the evaluation. All had been approved from 2013 to 2015 and had already been funded by MISEREOR with at least two preliminary projects which had the same concept. Projects were considered which would fall into the following priority categories at MISEREOR: Human rights; rule of law, development of law and justice; promotion of democracy, democratic participation and civil society; media and free flow of information; protection of endangered cultures; housing and land rights; promotion of equal rights for women and gender-equitable development.

MISEREOR has additionally focused on three other main areas in the selection of projects:

- Protection of the rights of particularly vulnerable groups
- Participation in political decision-making processes
- Resource conflicts

The parent population of the 301 projects is spread geographically over 22 countries in Africa/the Middle East (78 projects), 12 countries in Asia/the Pacific (76 projects), 14 countries in Latin America/the Caribbean (122 projects) and on the international level (25 projects).

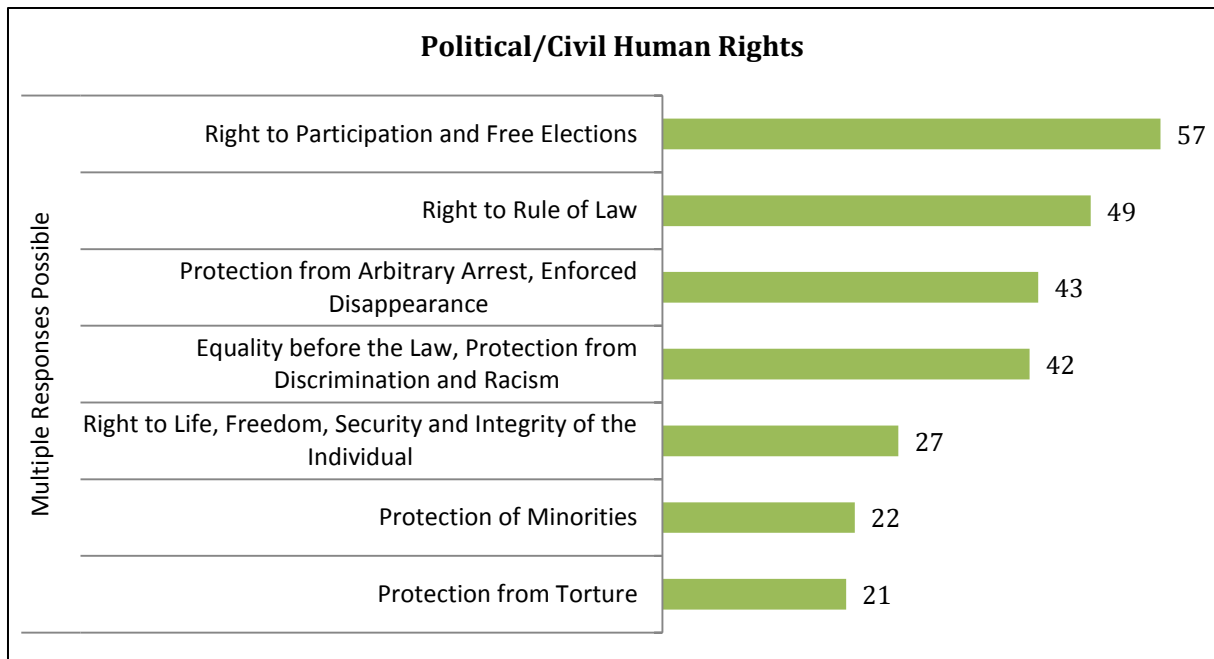
The projects were situated at different intervention levels and at different intervention locations.



Source: Own Presentation

In addition to human rights work, many projects were also active in other areas (e.g. slum rehabilitation, agriculture). With regard to human rights, the evaluation team classified three project categories: First: human rights projects whose goal was explicitly the implementation of individual human rights (e.g. through documentation, changes in the legal framework, case work, victim protection, political influence) and which addressed the state as the duty bearer. Second: "Human rights-based development projects", whose contents are broader but also include human rights as a point of reference. The primary goal of these projects is to improve the living conditions of poor and marginalised population groups. Third: projects whose relation to human rights was not clearly discernible (about one-fourth).

The majority of the projects address both political/civil human rights and economic/ social/ cultural human rights (ESC rights). Group-related human rights (women, children, persons with disabilities) were the subject of only 82 projects. The following human rights were at the forefront of the political and civil rights category:



Source: Own Presentation

In terms of ESC rights, the projects' priorities were the following:



Source: Own Presentation

With regard to group-specific rights, women's rights were in the foreground (51 projects), followed by children's rights (20 projects).

112 (37%) of the partners are church partners, 91 of them are Catholic commissions or specialist agencies (e.g. Justitia et Pax commissions), 15 are part of the Catholic Church (e.g. dioceses), and 5 church-related organisations. In a comparison of continents, Africa had the largest proportion of church partners (62% of partners), followed by Latin America (37% of partners) and Asia (17% of partners). 180 (60%) partners are non-profit civil society organisations. However, it must be noted that among these non-governmental organizations (NGOs) there are also many church or church-related organizations that have legally constituted themselves as NGOs.

In accordance with their content orientation, the 301 projects had a broad spectrum of different target groups: they mainly work together with the poor and groups severely affected by human rights violations: e.g. women and children affected by violence, human trafficking and forced prostitution; population groups displaced or at risk because of large-scale projects; indigenous peoples at risk; politically persecuted, political prisoners and other prisoners; people working under slave-like working conditions, child labourers; people with disabilities; population groups whose access to housing, education, health facilities, or state social services is restricted.

The selection of the evaluated projects of the three field studies tried to capture the diversity of project contents and approaches, as well as the different partner organisations. In El Salvador and Guatemala, church and secular human rights organizations were represented, along with a partner network and individual organizations, plus national and local partners. The partner spectrum in Cameroon was national and local and represented exclusively church structures. In the Philippines, projects of professional secular organizations were evaluated alongside church-related partner networks. The projects covered all three priority areas: Resource conflicts, particularly in mining and plantation management (El Salvador, the Philippines and Cameroon); protection of particularly vulnerable groups (Mayan population, victims of sexual violence, victims of political persecution in Guatemala, girls who were victims of trafficking and prisoners in Cameroon, political prisoners in the Philippines); participation in political decision-making processes (z.B. Slum dwellers about housing in the Philippines, communities affected by mining and plantation economies in El Salvador, the Philippines and Cameroon). The projects which were evaluated were concerned with the violation of political and civil human rights (genocide, extra-judicial executions, torture, arbitrary arrest and enforced disappearance, violation of physical integrity) as well as the violation of specific ESC rights (right to water and natural resources, right to housing).

The majority of the partners implementing the 301 population projects work in a difficult political environment characterised by conflicts and human rights violations, social injustice and deprivation of rights, state fragility, lack of the rule of law and high impunity for perpetrators of human rights violations and a high level of corruption. As human rights defenders, they themselves and their target groups are therefore exposed to considerable risks in their work. These range from public defamation, spying, verbal and physical threats, office searches and confiscation of equipment to arrests, kidnappings or the murder of human rights activists. In many countries, new laws and guidelines restrict the work of partners and make their foreign financing more difficult. The partners' risk management systems vary.

3. Overarching Findings Regarding the Funding Area

MISEREOR's self-concept is one in which human rights and development work are closely and reciprocally interrelated: poverty is seen not only as a lack of material resources, but also as a denial of fundamental rights, e.g. the right to self-determination and participation, to food, basic education, health, housing and decent living standards. "The poverty of broad sections of the population is often the cause of human rights violations. Poverty is also the consequence of human rights violations" (MISEREOR: Orientierungsrahmen Menschenrechte, 2006, 12). Human rights at MISEREOR are therefore not a classic sector such as vocational training or rural development, but a cross-sectional field of work consisting of different sub-areas with their respective different strategies and instruments. Among the MISEREOR staff there is a broad spectrum of interpretations as to what constitutes a human rights project, and the 2006 orientation framework is not known to everyone.

When human rights work is a cross-cutting task, what then characterises a human rights project or a development project based on human rights? Both project categories share a (human) rights-based approach. Land seizure, expulsion, discrimination, etc. are analysed as

violations of the rights. The partners focus on strengthening the target groups so that they can assert their (human) legal claims. The importance of such a legal approach is obvious: it provides a clear point of reference based on universally valid legal norms: In view of structural shortcomings in the national legal system or changes in the national context, norms and codes of international law and the human rights system can be called upon. This provides a stable, universally valid legal framework. By becoming informed about their rights, the target groups become aware of their rights, can act as legal entities and do not remain in the role of victims of fate. Communities feel "empowered" when they realize that they have rights that cannot be denied. This gives support, self-confidence and dignity to the poor and marginalised sections of the population and motivates them in their dealings with powerful interest groups.

However, the field studies also point to strategic challenges involved in implementing the human rights approach in political and social contexts in which human rights are accepted only to a limited extent politically, socially and culturally, and in which the majority of the population approvingly accepts human rights violations. The aim here is also to improve social acceptance of human rights through education and public relations work. When social acceptance of the international concept of human rights is lacking, partners often turn to national constitutional law and/or national laws, especially when human rights standards have already been transferred into national law (e.g. India, the Philippines). Partners also argumentatively invoke ethical-moral or natural rights. While this tactical approach is understandable, it carries the risk that "human rights" will increasingly disappear from the political discourse of civil society, and that the concept of the universality of human rights encompassing all people will be reduced to a particular and limited concept of "national laws". It is precisely in such situations that dialogue with partners plays an important role in ensuring that everyone continually makes each other aware of the concept of human rights.

In view of the diversity of projects and approaches, the evaluation team developed a **diagram of cause and effect correlations** of human rights projects through an inductive process, which is based on the project files, the effects mentioned in the online survey and the feedback from the partners during the field phase, and which reflects the cause and effect logic of the funding area as a whole. It assumes that there will be an effect only when the project activities and services of the partners are used by the different actors. The central actors of change are the target groups as well as the partner organisations. The diagram of cause and effect correlations has the following seven elements (see diagram):

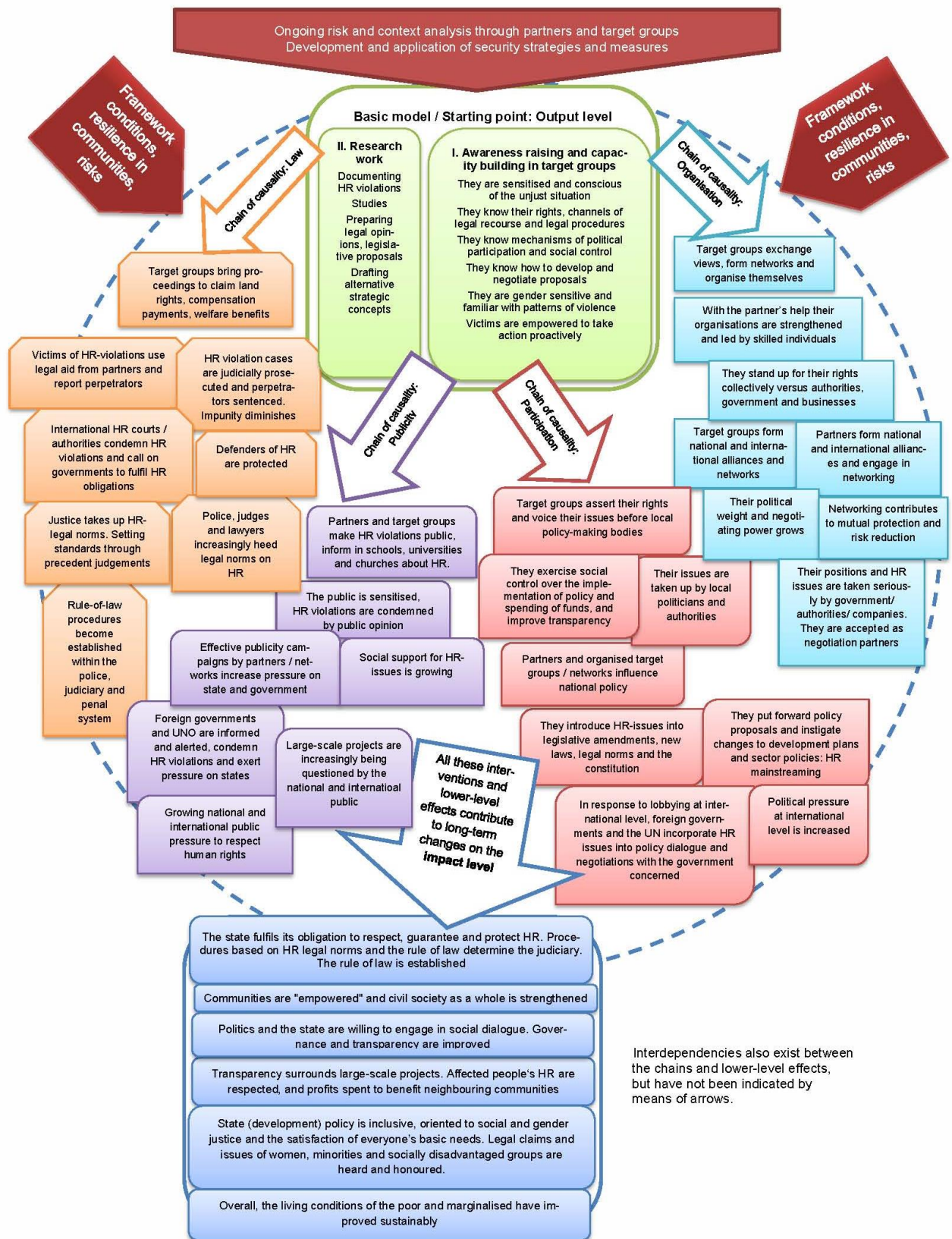
- Basic Pattern/Starting Point I: Awareness raising and capacity building of the target groups
- Basic Pattern/Starting Point II: Research work of the partner organisations
- Chain of causality 1: Organization and Networking
- Chain of causality 2: Participation and lobbying
- Chain of causality 3: Public relations/production of public pressure
- Chain of causality 4: Legal advice and standardization
- Superordinate level with further systemic effects

The chains of causality cannot be viewed in isolation from each other, but instead are interdependent and contribute in their interaction to the potentialization of changes. In the vast majority of projects, there is a simultaneity of activities in Basic Pattern I with activities in a further two to four chains of causality. The hypothetical effects depicted in the diagram represent a large part of the effects achieved, which result from the study of files, the survey and the field studies.

Securing certain rights (e.g. land rights) is often the prerequisite for other sector approaches to have a lasting impact. But guaranteed land or housing rights still don't in themselves improve the situation of the poor population groups in a sustainable manner. Further

complementary "development measures" are needed here (e.g. methods of sustainable agriculture, income-generating measures, vocational training). However, each of these has its own logic of action. This also applies to measures of civil conflict management. Various partners offering legal advice and assistance also offer mediation procedures to settle conflicts at the level of family, village, canton, etc. out of court. Here, church partners, especially the Justitia et Pax groups, play an important mediation and reconciliation role. This illustrates the interdependence of human rights work, violence prevention/civil conflict management and development work.

Diagram of cause and effect correlations for human rights (HR) projects



Source: Own Presentation

4. Results of the Project Work and Evaluation According to the DAC Criteria

Relevance: From the perspective of context, human rights and target groups, MISEREOR works predominantly with **relevant** project sponsors to improve the protection of (human) rights and the life situation of particularly endangered groups under the respective thematic focus. In relation to the specific context of the projects, the majority of them are considered **relevant**, even if the projects often do not include a written human rights context analysis. In addition to the MISEREOR partners, there are other relevant actors in all of the case study countries who work on human rights issues with or without external support. A **stakeholder analysis** of the possible spectrum of human rights partners in key countries does not yet exist.

Concepts of action and strategies: The Diagram of cause and effects proves the necessity of interlocking different strategies. The projects analyzed usually work with a strategy mix of the following strategy elements: Empowerment of target groups, organisational development and networking, research, documentation and study work, lobbying, information and public relations work and legal advice and support. 80% of the projects enable their target groups to act independently. There is broad agreement that raising awareness alone is not enough to enforce human rights. Research and studies as well as legal advice and legal defence are utilized in 40-50% of the projects, including expertise of specialized organisations such as law firms. Few partners have identified elements of strategy that have not been assessed as appropriate (e.g. charitable approaches). Security strategies are also important for partners' own work, but they are not equally implemented by all partners.

In general, the partners are highly context-sensitive in the selection, application and reorientation of strategies and their instruments. This applies in particular to strategies of information and public relations work and lobbying, in particular also to the use of instruments of lobbying at the international level and/or the use of UN human rights instruments. There are divided opinions among the partners about the usefulness and effectiveness of interventions at the UN level. There were no discernible differences in the choices of strategy between church and secular partners or between member-based and other organisations.

The complexity of human rights work points to the need for coordinated work by human rights organisations. Many partners are networking with each other. In international projects in particular, the local, national and international work of several partners is intertwined. There are a number of positive examples of synergy effects of such networking, but also negative examples of unused synergy potential.

Effectiveness: The dependence on contextuality, complexity, multi-level approach and long-term nature of many human rights projects necessitate specific requirements for planning and monitoring. Effects often only occur after a longer period of time. This requires long-term, process-oriented thinking and working that extends beyond the 3-year project cycle. A system of objectives and indicators fixed for three years does not appear suitable to record all of the effects and changes. Process planning, e.g. over 9 years with long-term and objectives in stages, seems more appropriate here. The same applies to monitoring, which must be process-oriented and include context developments, risk assessments and their influence on the strategies to be applied as important elements, as these also have an influence on the achievement of objectives. The case studies of the evaluation show some examples of process monitoring.

Of the 146 human rights projects examined more closely in terms of their degree of achievement, one third achieved their objectives fully, two thirds predominantly, and only 6 projects only partially achieved their objectives. The case studies give examples that a too narrow tracking of the indicators does not really reflect what has been achieved in the project. Depending on the perspective, process orientation or project orientation, the evaluation of the effectiveness of partner work can vary if an objective is only attained in the third project phase. Factors that positively influenced the achievement of the objectives

included the proximity to and involvement of the target groups, professionalism, public relations or lobbying, networking, a strategic orientation with flexibility, commitment and perseverance, as well as the external factors of a beneficial political economy and a functioning legal system. The target groups were almost entirely reached, although it is often not clear in what numbers they were reached. Negative factors that affected the attainment of the targets were mainly adverse contextual influences.

Efficiency: In assessing the efficiency of human rights projects, the same standards apply as to other social and political development projects. However, it is more difficult to assess the cost effectiveness of human rights projects, as the effects often only occur over a longer period and determination of the overall costs is difficult. National and international human rights projects may have higher overall costs. When choosing a strategy, the partners consider how the greatest possible effects can be achieved with limited resources: for example, building synergies to reduce overall costs and potential changes; working with multipliers; trying test cases, the judgements of which can point the way for further cases and/or lobbying for changes that benefit the entire population of a country. Not all of these strategies had the desired broad effect. The high risks faced by many human rights projects can impair efficiency: on the one hand, costs increase due to necessary risk management and security precautions, on the other hand, the work of the projects suffers from threats and hazards and planned effects cannot always occur in uncertain contexts.

Impact: Most objectives were achieved at the individual and target group levels: learning processes and changes in behaviour were initiated at the individual level. Traumas among victims of human rights violations were reduced. Target groups demanded their rights and influenced local development plans. Conflicts in the communities are declining. Individual life situations are improving e.g. through the fulfilment of certain state obligations: Compensation and return of land, or the securing of land, housing and basic infrastructure, or professional training. In many cases, changes in the public and increased public pressure on decision-makers are also reported. There is more attention to human rights issues, enabling target groups to better enforce human rights. Civil society organisations and partners as part of civil society are strengthened, they are better able to mobilize and influence politics. At the state level, laws, policies and development plans have been changed in accordance with human rights standards. Authorities such as the public prosecutor's office or the prison administration are adopting human rights standards. Human rights violations by business enterprises have in some cases been prosecuted by authorities and governments or prevented by laws. At the UN level, partners have succeeded in making human rights violations public and in challenging the respective states to react. However, the influence of projects on the state level often takes a zigzag course. Progress was made at various points in time, then regress was made with extreme conflict escalation. Significantly fewer partners report effects on companies. Many partners see positive, unplanned effects: e.g. an unexpectedly high commitment of the target groups, a project scope exceeding expectations and multiplication of positive experiences as well as unexpectedly positive reactions of government and companies to the project concerns. Most negative effects are attributed to adverse changes in the context.

Sustainability: Half of the partners surveyed in the online survey assume that only part of the changes would continue if external funding were to cease. The following factors have a positive effect on the sustainability of the effects: Individual stabilization of victims of human rights violations; empowerment and organisation of target groups; multiplication of success stories; recourse to existing legal norms or changes in policy and legal norms. Risks to sustainability are contextual changes such as political instability, an environment of conflict, strong resistance/pressure from powerful interest groups that can destroy what has been achieved. Structures and relationship patterns between partners and target groups also have an influence on the sustainability of effects. Strategies of the partner organisations to promote their own financial independence and the sustainability of their structures are reflected on, but only implemented to a limited extent.

5 The Role of MISEREOR

In its Human Rights Policy Framework, MISEREOR has formulated its expectation to promote complementary human rights work of NGOs in the North, in Germany, Europe and at the international level in addition to promoting the work of partners in the South, and to commit itself to human rights, so that the concerns of southern partners are more strongly heard in the industrial countries and in international human rights bodies.

In order to meet these self-imposed expectations MISEREOR supports its partners in many ways. On the one hand, human rights work is financially supported by the project funding. Partners are trained to wield influence in international human rights bodies at the United Nations level. On the other hand, MISEREOR also considers itself responsible for influencing the human rights situation in the respective countries through its own lobbying within the church and among political decision-makers in Germany, the EU and the United Nations. Finally, MISEREOR is committed to protecting partners in special threat situations.

The majority of the partners rated the cooperation with MISEREOR as good, especially the dialogue with the responsible desk officers at MISEREOR and the support in dangerous situations. Nevertheless, there are a number of proposals on how cooperation in the field of human rights could be further improved.

MISEREOR has achieved a great deal by promoting human rights organisations and its own initiatives. In order to carry out the various tasks in the various fields of action, MISEREOR had created full-time capacity for the human rights work, which was changed again with the re-organization of the main divisions in the organization. The tasks are now decentralised to the various departments, the Office for Lobbying and Public Relations in Berlin and several temporary advisors (BAZ), without any clear responsibilities being indicated there. There is currently no interdepartmental coordination of human rights work of any kind. This has consequences for in-house knowledge management and for the organizational and conceptual anchoring of human rights work in-house.

6 Recommendations to MISEREOR

The evaluation addresses the following bundles of recommendations to MISEREOR on how the human rights funding area could be structured in the future:

- a) **Recommendations for conceptual orientation:** The 2006 policy framework "Human Rights" should be revised and updated. It should be distributed in-house and socialized through dialogue or training events for employees. The flow and exchange of information on human rights between the International Cooperation Division and the Domestic Activities Division should be expanded and projects and fields of work more closely interlinked.
- b) **Recommendations on funding policy:** A human rights-based context analysis and funding strategy should be drawn up for all countries with a focus on "human rights promotion" and supplemented by an actor analysis of human rights organisations. Concerted work with other relief organisations should be deepened in order to reach a broad spectrum of relevant human rights organizations. Their networking processes should be supported.

In order to do justice to the contextuality, complexity and processuality of many human rights projects, process financing with long-term process planning should be considered that extends beyond the 3-year terms of the projects. In accordance with the process orientation in the planning, MISEREOR should allow for reflective process monitoring that leaves room for context changes and strategic considerations, and test this with selected partners. In addition to the DAC criteria, external evaluations of human rights projects should include standardized context and risk analyses of partner work, as well as an assessment of strategy development and its changes. In the spirit of the cross-

sectional orientation of human rights work, information on the reference to human rights should be included in all guidelines for relevant templates and reports.

- c) **Recommendations for Dialogue with Partners:** The evaluation identified a number of topics which should be further deepened in the partner dialogues. These are: Commonalities and limitations of rights based on natural law, or rights based on ethics, morals and religion in relation to the universal legal framework for human rights; contextual conditions, risks and security strategies; framework of orientation "Human Rights"; procedures for process planning and monitoring. Periodic partner meetings every 2 years are conceivable.
- d) **Recommendations for Risk Management:** Mechanisms for rapid, unbureaucratic assistance to partners in risk situations should be institutionalised and an appropriate handbook developed for partners, MISEREOR staff and experts. The experiences to date of bringing threatened employees of partner organisations outside the country should be evaluated together with other development organisations. Assistance and evaluation should be socialized among the employees. Partners should be made aware of possible protection and prevention measures through advice, training and further education. They should be informed about what MISEREOR can do in an emergency and which other institutions/organisations offer emergency programmes.
- e) **Recommendations for Lobbying:** Partners should be motivated to become involved at the international level. To this end, a list should be drawn up providing information on when the next review process of the human rights situation in the UN Human Rights Council will take place, in which funding countries. Appropriate training courses should be arranged, offered or financed on request. Human rights policy should also be at the top of MISEREOR's agenda for corresponding lobbying and advocacy work within the church, at the political national and international levels.
- f) **Recommendations for the Management and Coordination of Human Rights Work:** Fragmentation of responsibilities is detrimental to the integral management of human rights work and knowledge management. Responsibilities should therefore be harmonized. To this end, a permanent working group should be set up which is responsible for the follow-up of in-house evaluation, coordination and control and knowledge management of human rights work. The working group should consist of one representative from the main International Cooperation Division from each of the three continents Africa, Asia and Latin America, the Economic and Human Rights Officer from the Policy and Global Challenges Department, one representative from the MISEREOR Office in Berlin, and the current human rights temporary advisors or desk officers with human rights related tasks.

Aachen, June, 2018