



THEMATIC PAPER:

JOINED-UP RIGHTS-BASED ANALYSIS FOR PREVENTION

As set out in the 2018 report of the Secretary-General on peacebuilding and sustaining peace (A/72/707-S/2018/43), a more coherent UN “begins with a common understanding of the major risks and opportunities” and a “common analysis of those risks and opportunities in turn allows for risk-informed development strategies and targeted efforts to build resilience and sustain peace.” The report further states that “at the country level, there should be a common prioritization of risks and opportunities, grounded in universally agreed human rights and humanitarian norms and standards, as well as robust gender analysis.”¹ To achieve this, the Secretary-General has tasked field-level senior UN leadership with ensuring “joined-up analysis of risks” and to “translate such analysis into coherent strategies and actions in support of sustaining peace.” Similarly, the Secretary-General has placed country and regional level analysis at the heart of the integrated platform on prevention, with collective analysis as the basis for all UN prevention work.

The analytical approach to human rights has a specific role to play in UN prevention, including the development of cross-agency analysis to identify risks and promote effective mitigating action. It has also demonstrated value in providing targeted support to Member States in responding to these challenges.

A human rights analysis will look at the cultural, historical, political, gender, and socio-economic context and factors that contribute to a particular societal problem. This will cover existing government policies and the legal framework; the root causes of violations, discrimination or social exclusion; power relations and influence of key actors; the identification of the main responsibilities for violations; the strengths and weaknesses of the affected groups; and the willingness and capacity of the State to redress the problem. As such, a rights-based analytical approach necessitates an increased focus on inequalities, discriminatory practices and unbalanced power relations. In this way, human rights information and analysis incorporate the perspectives of the general population, particularly the most vulnerable. The analysis focuses on the source of the threat and the vulnerability of specific groups to these threats. It further focuses on the standards that a government has legally committed to, and looks at ways to increase a State’s commitment and capacity to addressing a problem. These elements are then drawn together to determine a strategy to reduce the risk. As such, a human rights risk analytical approach provides a structure that can accurately identify broader risks and how to address these.

In recent years, OHCHR has promoted the inclusion of economic, social and cultural rights in early warning analysis, as prevention and post-conflict efforts often pay less attention to this set of rights. OHCHR produced a conceptual framework with risk factors and indicators based on economic, social and cultural rights and their interplay with civil and political rights. The conceptual framework, published in a thematic report,² to the Economic and Social Council, is the result of independent research and extensive consultations. It identifies as cross-cutting risk factors severe inequality, lack of access to effective grievance mechanisms, lack of meaningful consultation, shrinking of democratic space for civil society and freedom of the media. Among thematic risk factors, the framework points to unequal access to natural resources, degradation in social services and unemployment. In various instances, austerity and privatization have negatively affected the availability, accessibility and quality of essential services, which have contributed to violence and instability in many countries. **For further information, please refer to OHCHR's thematic paper on economic, social and cultural rights and the sustainable development goals in peacebuilding and sustaining peace.**

OHCHR has developed other tools aimed at improving cross-pillar analysis, utilising the human rights analytical approach where relevant. Some of these were developed in implementation of the findings of the 2012 Internal Review Panel on UN Action in Sri Lanka, and the consequent Human Rights Up Front (HRUF) Action Plan. These are directly applicable to the Secretary-General's prevention strategy and the integrated prevention platform. Similarly, these tools can enhance the analytical processes being finalised for the Common Country Analysis, the UN system's independent, impartial and collective assessment of a country's situation that all UN country teams will undertake as part of the new vision for the Sustainable Development Cooperation Framework, fully aligned with the 2030 Agenda.

The overall approach has been to: (1) assist in improving the manner in which the UN conducts regular joined-up analysis to inform its approach to country situations; and, when the circumstances necessitate an enhanced focus, to (2) support an intensified analytical approach with enhanced resources. In this way, the support of the UN system to Member States can be timelier, and focused on building national and regional resilience to risks that may undermine efforts to achieve the sustainable development goals.

In the development of a prevention strategy at the heart of its current management plan (2018 to 2021), OHCHR has sought to enhance engagement in these two areas, consistent with the prevention vision of the Secretary-General, commitments made in relation to HRUF, and the findings of other studies that have looked into improving the UN's coherence and responsiveness.³

1. PREDICTABLE JOINED-UP ANALYSIS BY ALL UN COUNTRY TEAMS

As part of the review of the HRUF initiative, OHCHR led a task force of fourteen UN entities, which undertook extensive consultations with more than 200 UN staff globally, and agreed on a series of recommendations aimed at improving how the UN manages available information for prevention purposes. One recommendation identified by the then Deputy Secretary-General for immediate implementation and systematization was for UN country teams and missions to hold dedicated "stocktaking" exercises to bring information together to develop and update risk analyses and identify strategies and actions to be taken. Such discussions should take place once or twice per year.

These exercises aim to generate system-wide situational awareness and early warning across development, political, human rights and humanitarian perspectives, adopting a rights-based analytical approach. The process is light, with a dedicated half-day meeting, chaired by the relevant Resident Coordinator or Special Representative of the Secretary-General and with contributions by UN entities present in the country. The outcome provides an overview of the overall situation, the identified greatest risks and the agreed action to be taken, which could be regularly reviewed and updated at subsequent stocktaking exercises.

² https://www.ohchr.org/Documents/Issues/ESCR/EarlyWarning_ESCR_2016_en.pdf Each UPR cycle lasts for 4.5 years. The third cycle is from 2017 to 2021.

³ For example, the Rosenthal report

The initial pilot country stocktaking exercises demonstrated the potential value of such regular analytical processes. Feedback from participant agencies suggested that the exercises created space for analytical discussions that would not normally be undertaken as part of UN country team meetings, and led to concrete action points. Subsequent reviews of the HRUF initiative drew attention to the fact that only a small number of UN country teams organised analytical discussions on their own initiative, and highlighted that the pilot exercises had created such space by “helping the field-based UN actors see the country situation and their individual mandates in a very different light.”⁴ The recently revised HRUF Action Plan again sets out the need for all Resident Coordinators or Special Representatives to organise analytical prevention discussions at least twice per year.

These exercises also feed into regular prevention discussions at UN Headquarters that integrate the development, human rights and peace and security pillars, allowing Resident Coordinators and UN country teams to convey analysis on emerging risks when warranted.

Similarly, the methodology has broader relevance and application in relation to the Common Country Analysis, which will no longer be one-off events, but a core analytical function, regularly updated, to shape the context of sustainable development. The new Common Country Analysis further places greater emphasis on cross-pillar analysis, especially the root causes for crises, with the aim of offering a framework for prevention. Rights-based analysis can greatly contribute to enriching this process and the stocktaking exercises methodology can facilitate this.

2. DEDICATED ANALYTICAL CAPACITY

As also highlighted during the HRUF information management review, certain potential, emerging or actual crisis situations necessitate an enhanced analytical focus, potentially including dedicated capacity for this purpose. OHCHR has utilised available human rights capacity at the field level to lead or support initiatives to provide continuous integrated risk analysis in such situations, and has also deployed capacity for such purposes for example in Kenya ahead of the 2017 elections where the Senior Human Rights Advisor and the Peace and Development Advisor proposed an interagency information management platform which became a means to share information and compile integrated analysis within the UN country team. The analysis drew on rich and detailed information from all UN entities present in the country, and included a scan of risks of violence and violations in relation to the elections and a list of recommended action points. These actions were agreed upon collectively and were a mix of advocacy and programming.

Resources have also been deployed to supplement UN capacity for shorter periods when needed, and provide the capacity necessary to provide joined-up analysis. The UN has sought to identify different approaches to getting capacity on the ground quickly, identifying funding streams for this purpose, and flexible approaches to rapid deployment. A number of multi-disciplinary teams have been deployed to provide Resident Coordinators with additional support to respond to unforeseen challenges, and to bolster UN capacity in a country in the short term. This rapidly deployable capacity, referred to as ‘light team’ deployments, was established as part of the HRUF initiative. For example, a team of political and human rights expertise was deployed to Malawi in the lead up to the 2019 elections and provided regular analysis to guide UN prevention strategies in-country.

OHCHR has specifically sought to strengthen its regional offices with additional available and readily deployable expert capacity that can support UN country teams in the development of analysis. OHCHR has established emergency response teams in three locations to date for this purpose: Bangkok, Dakar and Pretoria. These teams provide human rights analytical support for Resident Coordinators that do not have in-country expertise and facilitates more continuous relationships in this regard. Similarly, such available capacity allows consistent and predictable human rights engagement with other actors at the regional level, including the regional UN Development and Coordination Offices. Initial indications of the utility of regionally-based risk analysis capacity have been positive, and OHCHR is seeking to expand their engagement in developing human rights analysis to feed into the Common Country Analysis, including through country stocktaking exercises. For example, OHCHR was able to provide immediate enhanced support to the Resident Coordinator in Mozambique, working with other UN partners to develop analysis that identified emerging issues of concern in the north of the country, and strategies to respond to those risks.

4 Human Rights Up Front – Taking Stock