

Solidarity Playbook



Helvetas

How to use selected human rights mechanisms for effective advocacy



International
Civil Society Centre

solidarityaction.network

Helvetas is an independent organisation for development based in Switzerland, which supports poor and disadvantaged women, men and communities in 30 developing and transition countries across Africa, Asia, Latin America and Eastern Europe.

Together with partners, Helvetas aims to tackle global challenges at multiple levels: with projects on the ground, with expert advice, and by advocating for conducive framework conditions benefiting the poor.

Overview

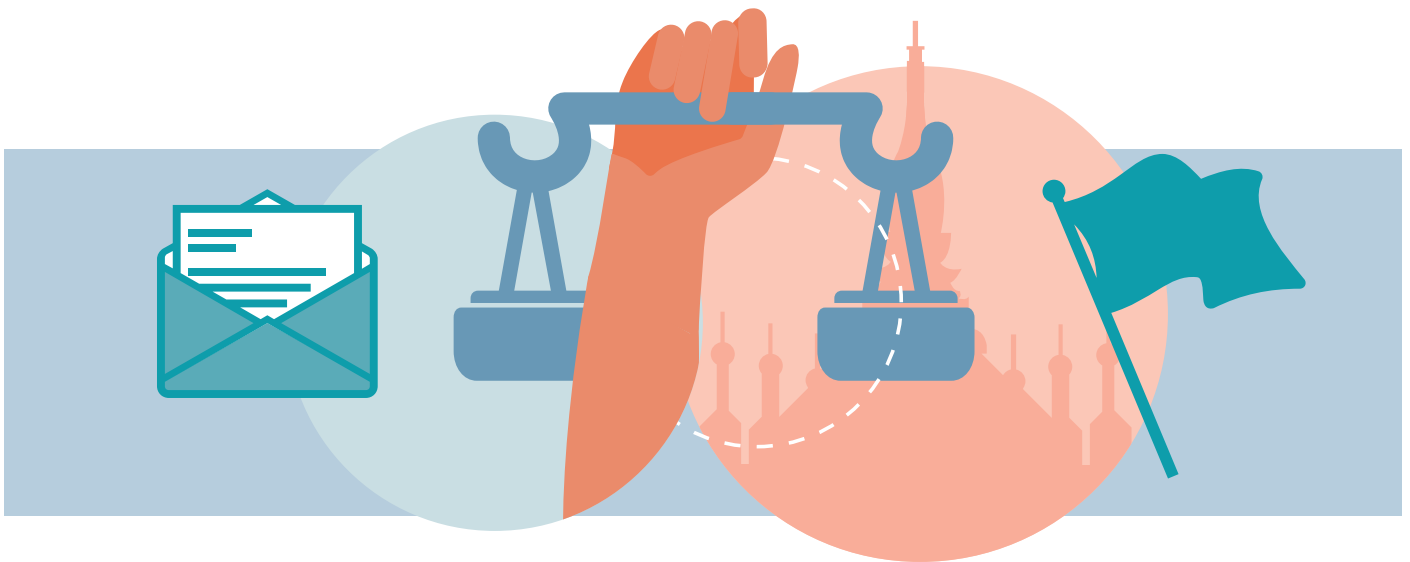
When civic space is closing at the national level, international mechanisms become more important, but are not always easy to access for national or sub-national organisations. Helvetas responded to this challenge by **developing guidance for its country offices and local partners on how to advocate through the United Nations (UN) human rights system** when national governments may be restricting civil society. The guidance

sets out multiple entry points for advocacy beyond national boundaries through which national decision makers can be held to account, and which allow sensitive issues to be addressed in a safe space without exposure. The organisation has applied this guidance in multiple contexts, including in one anonymous case (described below), involving advocacy in the face of restrictions to freedom of association.



“Effective advocacy often starts locally, building momentum to work its way up to the national policy level. However, where governments ignore local voices and concerns and continue to violate basic human rights, a gentle but distinct reminder of their international commitments often helps. This is where the UN human rights system comes in. It offers numerous ways to address specific human rights issues in a targeted manner, and provides a safe space to those who cannot afford to speak openly.”

Helvetas: Advocating Through the UN Human Rights System



Organisation takes action

Trigger

Helvetas had witnessed a growing pattern of challenges, and received ongoing feedback from local partners that the rise of closing space is an area of real concern. The organisation has also found itself dealing with a backlash against its own advocacy work over several years now. For example, in Laos in 2012, a key civil society partner was forcefully disappeared and the Helvetas Country Director was expelled from the country when she was accused of criticising the government in a letter to donors. In this letter, she wrote that the government was creating **a hostile environment for development and civil society groups** by stifling freedom of expression and association.

More generally, the organisation has been seeking ways to **bridge the gap between development work and human rights**, so that they can promote sustainable, inclusive development.

Response

Helvetas has developed a package of strategies including:

- Investing more in advocacy and capacity-building for local partners.
- Dialogue with their main donor on what INGOs and donors can do to protect civil society.
- Creating **guidance on how to make use of the UN human rights mechanisms** for advocacy.

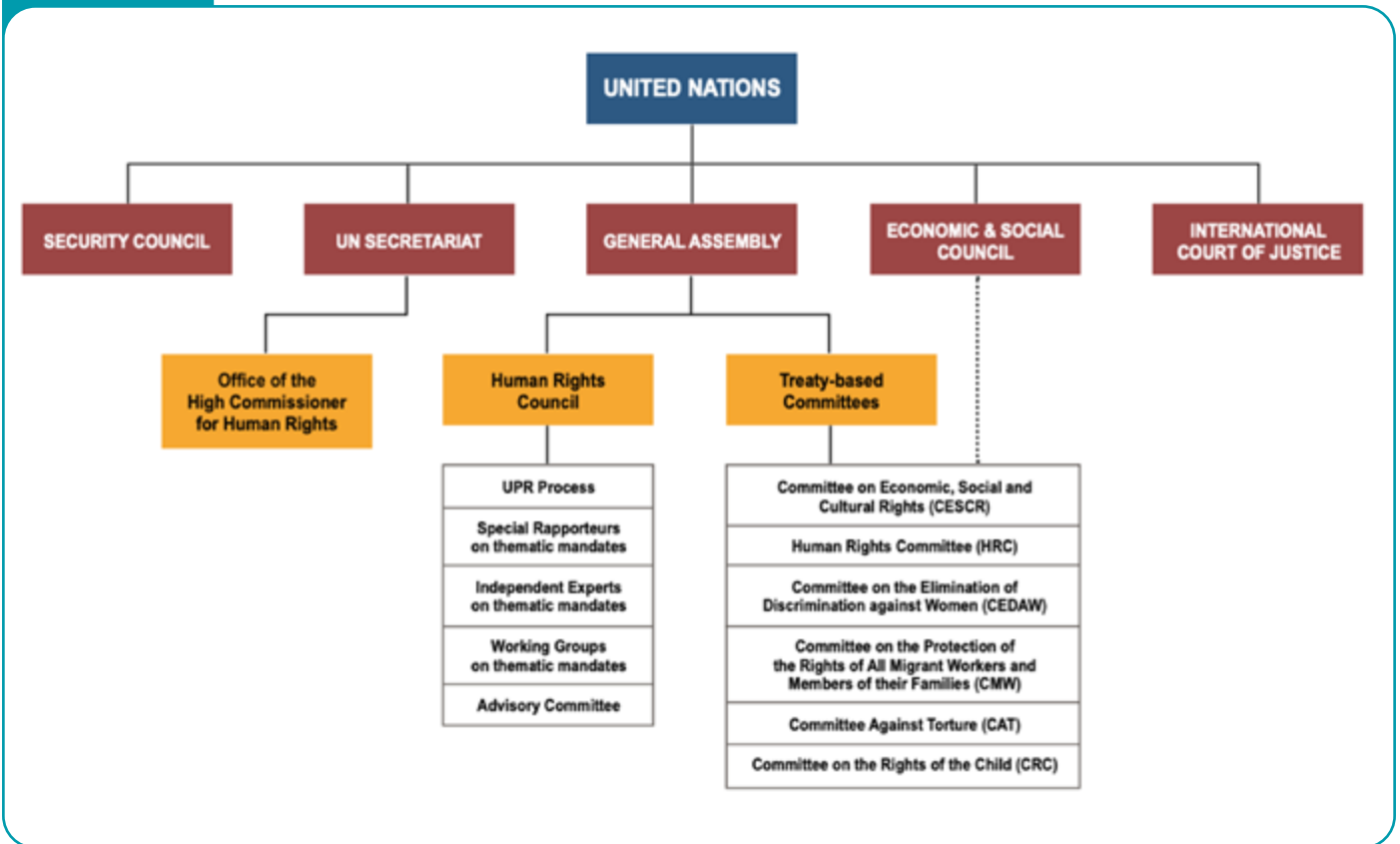
The organisation had experience from programmes in Nepal, Laos, Sri Lanka and Bangladesh, where they had engaged with the UN human rights system (UNHRS) to **boost national advocacy efforts**, often with considerable success. This was deemed to be a useful ‘closing space’ strategy to pursue.

They selected a number of mechanisms where they had experienced some success and developed a paper, which sets out how to make use of these existing structures for advocacy. The guidance differentiates between treaty-based mechanisms, charter-based mechanisms and the Office of the High Commissioner for Human Rights (OHCHR), highlighting the entry points and potential actions to be taken, whilst giving examples of Helvetas’ own best practice throughout.

This guidance was disseminated to Helvetas country offices and partners alongside an introductory webinar, and they now regularly **screen for upcoming opportunities** to make use of these mechanisms to support country programmes. Meanwhile, if local partners want to raise certain issues to the multilateral level, Helvetas connects with CIVICUS (an international organisation that focuses on the enabling environment) for information on upcoming procedures to use.

DIAGRAM

Selected UN human rights mechanisms



Connecting with the national level

Advocacy staff applied to an internal Helvetas fund designed for small, innovative projects, requesting funding to enable the Universal Periodic Review Process (UPR) reporting in five countries. They reached out to country office contacts to get buy-in for this opportunity, suggesting how **the UPR process could be used as a way to promote certain issues, including civic space, and strengthen programmatic work.**

Universal Periodic Review Process (UPR)

Under the UPR Process, the UN Human Rights Council reviews the human rights record of all the 193 UN member states once every four and a half years. The review is based on the States' obligations under multiple UN treaties and conventions and international humanitarian law. This gives States the opportunity to declare what actions they have taken to improve the human rights situation and respective obligations in their countries. It also gives civil society the opportunity to contribute to this overall picture via shadow reports, giving a chance to highlight issues of concern.

Response in practice

Helvetas focused on a country office where there was already an ongoing dialogue on the right to association, where this freedom was being severely restricted, and where there was an upcoming UPR Process scheduled. In order to avoid security risks for the partners involved, details of this case have been made anonymous, referred to as Country A, below.

- Helvetas sought to contribute to the State Report for the UPR Process. If an organisation is partnering with government on certain projects, it can apply to contribute to the State's own report that will be submitted as part of the process, creating space for meaningful conversation. However, in Country A, the government was not responsive. It therefore focused on the civil society or 'shadow' report.
- Helvetas held a **physical workshop** for local partners **to learn about the UPR process** and discuss how it would be used in this case, attended by 34 partners from different regions in the country. For security reasons, this was not advertised as a 'UPR Workshop', rather it was incorporated into existing work, and participants' names were kept confidential.
- **There was considerable background preparation between the office of the Directorate in Switzerland and staff from the Helvetas Country Office.** Helvetas held online coaching sessions to explain the basics of the UPR process, including what thematic areas could be covered, the types of data and inputs required, and what outputs were needed from the meeting. Helvetas staff also prepared background documents to help demonstrate how human rights can be addressed through the UPR mechanism.
- The workshop led to the creation of a **detailed outcome document** referring to commitments the government had previously made and recommendations they had received, and embedding specific points of concern in a formal legal framework.

- This document was submitted to CIVICUS (who they partner with strategically on a number of UN processes), to be integrated into their report for the UPR Process. This **allowed local grassroots groups to raise their concerns** at the international level without having to be in direct confrontation with the government, thereby **avoiding significant risk** in a context of very narrow civic space.

This work **supported national level advocacy** in Country A, but also **built local capacity**. Helvetas guided the structured debate amongst local civil society groups and helped to link the many restrictions described to the broader issue of association and the existing legal framework. Groups learned how to make use of this UN mechanism, how to follow up on government actions taken (or not), and how to then consistently analyse the government response to the UPR Process in order to inform further advocacy.

Outcomes

The civil society report on Country A has been submitted, but the UN session for the review has since been postponed due to the COVID-19 crisis.

Previous similar processes have yielded positive results. For example, engagement with the civil society alternative reporting mechanism for the Convention on the Rights of All Migrant Workers and Members of their Families (CMW) in Bangladesh in 2017, led to **UN-approved recommendations being recorded in a formal report** on migrant workers' rights, which civil society can now refer to when advocating for change. A local committee of civil society organisations, supported by Helvetas, is now monitoring the implementation of those recommendations. The process of putting together the alternative report helped to **build a unified civil society voice** for a set of common goals, thereby **strengthening advocacy and collaboration** around a common issue.

Organisational learnings

Outcomes

- ✓ There has been **demand and appreciation from country offices** for this cross-cutting advocacy support and the strategic use of UN human rights mechanisms to strengthen country-level and thematic work. Feedback indicates that it is helpful to have someone processing national issues into 'UN language', and supporting the consultations (these consultations must follow certain rules and procedures, and be structured in a certain way in order to comply with UN standards and terminology).
- ✓ The consultations provide a **safe space for constructive dialogue** between civil society and government, and this itself **opens up civic space and builds capacity and resilience at the local and national level**, building the confidence of local partners to speak out.
- ✓ Formal recommendations issued under the UPR (or other UN) Process are recorded and can be a **powerful point of reference for advocacy** at all levels.

CHALLENGES

Securing buy-in

Securing organisational buy-in for this work can be challenging: there is some critique that it can feel like 'just another paper', and there have been questions about what the real outcome of these processes is if governments then don't change their behaviour. It can be a long process, but advocates have underlined that it is still valuable in terms of providing safe space for groups to raise issues of concern, and that is an achievement regardless of government action or inaction following any reporting. International or multilateral-level work, and the creation of a safe space for discussion and exchange, is even more important when national-level space is severely restricted, helping to aid the resilience of civil society in the long-term.

Long-term funding

There are concerns about how to secure long-term funding, as donors can be wary of advocacy work in restricted environments.

LESSONS LEARNED

Mitigating the risk of exposure

Local partners may be concerned about the risk involved in engaging in these consultations, as it can require a certain level of exposure. This can be mitigated by integrating information into joint stakeholder reports (e.g. CIVICUS in Country A).

Be selective and strategic

It is vital to filter and select those UN mechanisms which suit your work: the UN system is large, multi-layered and complex, and so it is important to focus time and resources only on those mechanisms which have a chance of supporting your work.

Facilitation is key

Facilitation capacity at country level is key. Helvetas have found that the process is most successful when there is someone in the country office who both knows the lay of the land and who has the capacity to convene, coordinate and facilitate civil society groups on the ground to contribute to any report or process.

Agency matters

It is important that this facilitator role does not set the agenda. They need to help structure things, but also ensure that there is space for issues to be raised by local partners, enabling national voices and agency.

This work is feeding into a **larger paradigm shift** within Helvetas. Civic space issues have previously been considered to be relevant only to the Governance and Peace programme, however advocacy staff have been making the case that **civic space should be a basic consideration for any thematic work**. They are now pursuing this strategy in Nepal, seeking to address and strengthen safe civic space within the context of socio-economic and cultural rights, as part of a broader shift to bridge between development work and human rights.



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Sarah Pugh and Deborah Doane

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