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# Human Rights Marker

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User's Guide to the HRM



## THE UN-HABITAT HUMAN RIGHTS MARKER (HRM)

The overall goal of the HRM is to strengthen programmatic synergies and ensuring that project outcomes reach all intended beneficiaries, particularly persons in vulnerable situations. As a result, an effective integration of cross-cutting issues will also increasingly enable the replication and up-scaling of projects.

While mainstreaming of the Human Rights-Based Approach (HRBA) is a responsibility for all staff-members, project managers retain primary responsibility for ensuring mainstreaming throughout the UN-Habitat project cycle. The Human Rights Mainstreaming Coordination Team (located in the Housing Unit, Housing and Slum Upgrading Branch) stands ready to provide training and advisory services upon request.

The **HRM is a mainstreaming tool** that serves two main purposes:

- **Quality assurance.** The HRM assures the quality of projects at the level of the Project Advisory Group (PAG), and thus increase accountability and transparency through its monitoring function.
- **Capacity-building.** The HRM builds the capacity of UN-Habitat to integrate cross-cutting issues in the project cycle by providing guidance and sharing knowledge, including through staff self-assessment.

At the project planning and design stage, a self-assessment rating should be recorded in the Projects Accrual and Accountability System (PAAS) by the project manager prior to submitting the Project Document to the PAG for review and approval. A UN-Habitat project for consideration of the PAG must receive a final rating of '1' or more by Human Rights Mainstreaming Coordination Team in order to be approved. This final rating will be recorded in PAAS. Projects rated '0' (i.e. blind/negative rating by the respective cross-cutting teams) will be disallowed to move to the UMOJA stage to access funding.

Projects aimed at strengthening internal UN-Habitat procedures and practices will not be graded according to the UN-Habitat Human Rights Marker, nor will projects where a funding agreement already has been reached.

### FAMILIARISING YOURSELF WITH THE HRM

1. **At what stage should I familiarise myself with the HRM?** Read through the HRM before beginning a project proposal to familiarise yourself with the requirements.
2. **Where can I find the HRM?** The HRM is available on the Intranet under Cross-cutting Issues, PAG pages and on PAAS.

*The UN-Habitat Human Rights Marker User's Guide was revised on 28 June 2016.*

# 1 HUMAN RIGHTS AWARE

## Relevant **human rights references** and **analysis of human rights situation**

- ✓ Where appropriate, make sure that references to **human rights are spelled out as human rights**. Using internationally agreed human rights language, misunderstandings are avoided and the importance of legal internationally recognized rights is emphasized. Also, identification of and reference to human rights is a precondition for the HRBA. Investigate whether the State and other actors are bound by **human rights obligations** in the Constitution and legislative framework of the country, and in international human rights instruments.  
**Further guidance:** *UN-Habitat (2015), Programmatic Guidance Note for UN-Habitat staff: Promotion and Protection of Human Rights*
- ✓ Ensure that there is an **analysis of the human rights situation** in the problem description, project rationale, central issue addressed and/or human rights strategy. Consult the recommendations and reports issued by UN Treaty Bodies, UN Special Rapporteurs, the Universal Periodic Review (UPR) and National Human Rights Institutions, which provide useful information on the human rights situation, and recommendations on actions for improvement that can be used as entry-points.  
**Further guidance:** *UN-Habitat Housing Rights and Human Rights Briefs* are provided to colleagues upon request for guidance on the human rights situation in a country and the recommendations made by UN review mechanisms. Available at the Human Rights Intranet page: <http://habnet.unhabitat.org/service/human-rights>.

## Addresses **rights of people in situations of vulnerability**

- ✓ The 2030 Agenda for Sustainable Development emphasizes that **no one should be left behind in development**, and that **the furthest behind should be reached first**. Vulnerability is determined through an analysis of intersectional circumstances or factors within a specific context which places a group of people, a community or individuals at risk of human rights violation/s. Vulnerability can change due to context and time, and no group is 'inherently' vulnerable.
- ✓ **People in situations of vulnerability** may include, but is not limited to: e.g. poor, residents in informal settlements/slums, persons facing – or at risk facing – forced evictions, homeless persons, children, youth, elderly, persons with disabilities, displaced persons, refugees and migrants, indigenous peoples, minorities, people living with HIV/AIDS, persons of diverse sexual orientations and gender expressions, as well as women in all these categories.

## Plans to collect **disaggregated data** in project document and/or log frame

- ✓ **Disaggregated data can reveal disparities and inequalities** between different groups and reveal discrimination faced by some groups in enjoying their human rights. It therefore important that projects plan to collect disaggregated data, to make it possible to fully reveal the extent of inequalities, and to measure progress related to the enjoyment of human rights of various groups.
- ✓ It is recommended that **disaggregation is based on the prohibited grounds of discrimination** stated in the Universal Declaration of Human Rights (race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status) and prohibited grounds stated in the national legislation.

- ✓ **Baselines should contain disaggregated data** to ensure that the project targets those in vulnerable situations.

*Further guidance: OHCHR (2015), [Guidance Note on a Human Rights-Based Approach to Data – Leaving No One Behind in the 2030 Agenda for Sustainable Development](#)*

## 2 HUMAN RIGHTS SENSITIVE

*Include criteria from 1 and the following:*

**Rights-holders and duty-bearers** identified, their relationships analysed and capacity gap analysis carried out in stakeholder analysis

- ✓ **Identify rights-holders** and their human rights entitlements. **Identify duty-bearers**, their corresponding human rights obligations, and the specific actions that they should undertake to respect, promote and fulfil the human rights relevant to the project.
- ✓ Identify the rights/duty relationships that are most likely to contribute to the **greatest impact** of the project.
- ✓ **Assess the capacity gaps** of rights-holders to claim their rights and the capacity gaps of duty-bearers to meet their obligations. **Participation in the capacity gap analysis** is important since a dialogue among the actors can reveal various dimensions of their capacity gaps. At the same time, rights-holders and duty-bearers learn about their rights and entitlements respectively.

*Further guidance: UN-Habitat (2015), [Programmatic Guidance Note for UN-Habitat staff: Promotion and Protection of Human Rights](#)*

**Focuses on people in situations of vulnerability** and log frame enables their participation

- ✓ UN projects and programmes should **focus on people in situations of vulnerability**.
- ✓ Groups and individuals targeted by the project, and especially people in vulnerable situations, must be given the opportunity to **participate in and influence** the decision-making processes that affect them. Ensuring their active, meaningful and free participation is a pre-requisite to satisfying the project objectives, quality and success.

Human Rights Strategy is linked to the log frame with specific activities, outputs and indicators promoting human rights relevant to project, and for **developing capacity gaps** of rights-holders and duty-bearers

- ✓ Make sure that it is **possible to measure** through *indicators*:
  - ⇒ **Human rights targets and goals** in the delivery of activities and outputs;
  - ⇒ Sustained, positive changes in the life and standard of living of rights-holders;
  - ⇒ The ways in which the project/programme processes meet the **human rights principles and standards**, especially for people in vulnerable situations;
  - ⇒ The goods, services and deliverables produced to **close the capacity gaps** of rights-holders to claim their rights and of duty-bearers to meet their obligations;
  - ⇒ Legal, policy, institutional and behavioural **changes leading to a better performance** of rights-holders to claim their rights and duty-bearers to meet their obligations.

*Further guidance: OHCHR (2012), [Human Rights Indicators, A Guide to Measurement and Implementation](#)*

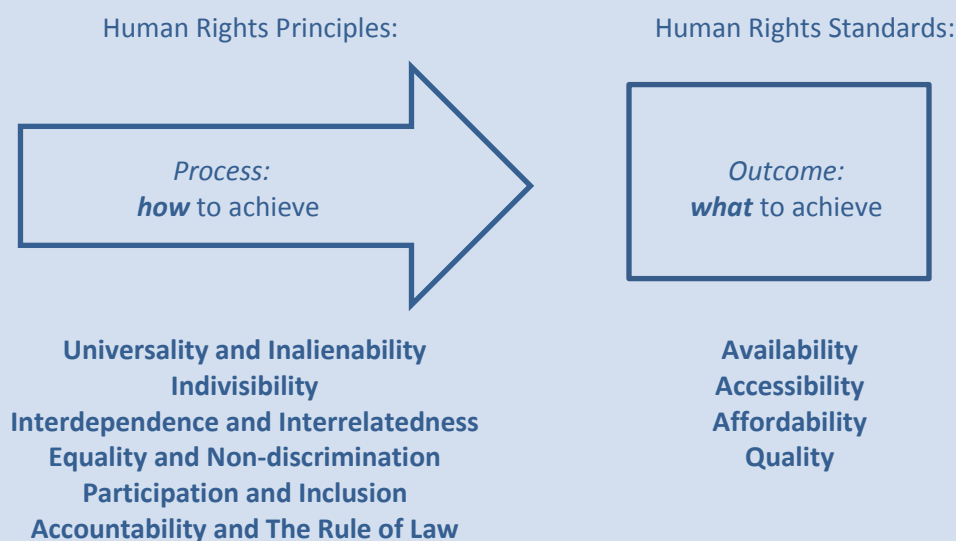
### 3 HUMAN RIGHTS TRANSFORMATIVE

Include criteria from 1 and 2 and the following:

Includes all **human rights principles and standards**

- ✓ Projects, programmes and policies should include all **human rights principles and standards in all stages**, i.e. planning and design, implementation, monitoring and evaluation, and in all activities, e.g. legislation, policy support, capacity building.

**Further guidance:** UN-Habitat (2015), *Programmatic Guidance Note for UN-Habitat staff: Promotion and Protection of Human Rights*



Log frame ensures all relevant groups **meaningful participation at all stages**

- ✓ **Participation** of the targeted communities, including those in vulnerable situations, should be **ensured at all levels** including planning and design, implementation, monitoring and evaluation. The principle of participation is a vital component of policies designed to overcome social exclusion and support sustainability.
  - ⇒ Consider what existing **participatory mechanisms** can be used to avoid the creation of parallel systems.
  - ⇒ Consider if issues such as **social or cultural barriers, sensitivities or power dynamics** needs to be assessed, and capacities need to be built for enabling meaningful participation for everyone, including those in situations of vulnerability.

Includes strategies to monitor implementation

- ✓ Monitoring of the human rights mainstreaming throughout the project cycle makes it **possible to identify and investigate human rights-related impediments** during project design and implementation, and **propose solutions**. Make sure that the project specifies that:
  - ⇒ A human rights specialist or a sector expert with human rights skills is part of the implementation support team;
  - ⇒ A **human rights analysis** is conducted during the implementation phase;
  - ⇒ There is a **systematic reporting** on human rights in monitoring reports;
  - ⇒ **Resources are explicitly allocated** for human rights-specific activities to support implementation.

Budget includes monitoring and evaluation, and resources for activities that promote **relevant human rights**

- ✓ **Ensure that budget is allocated** for monitoring, evaluation and activities promoting human rights. Financial inputs also need to be assessed to ensure that people in vulnerable situations, women and men, girls and boys **will benefit equally or as intended**.
- ✓ The UN-Habitat Evaluation Framework requires that all UN-Habitat projects over US\$300,000 to be evaluated. To fulfill this criterion under mark '3', however, all projects regardless of total budget should allocate financial resources towards monitoring and evaluation.

### CONTACTS FOR FURTHER INFORMATION

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### HUMAN RIGHTS OF PARTICULAR RELEVANCE TO UN-HABITAT

- ✓ Right to Adequate Housing
- ✓ Right to Water and Sanitation
- ✓ Right to Food
- ✓ Right to Health
- ✓ Right to Education
- ✓ Right to Hold Property
- ✓ Land Rights
- ✓ Rights of Women
- ✓ Rights of Children
- ✓ Rights of Persons with Disabilities
- ✓ Rights of Migrant Workers and their Families

### LINKS AND FURTHER READING

1. [UN Statement of Common Understanding on Human Rights-Based Approach to Development Cooperation and Programming](#)
2. [Programmatic Guidance Note for UN-Habitat Staff on the Protection and Promotion of Human Rights](#)
3. [Office of the High Commissioner for Human Rights \(OHCHR\) home page](#)
4. [UN-Habitat and OHCHR, The Right to Adequate Housing: Fact sheet No. 21/Rev.1](#)
5. [UN-Habitat and OHCHR, Forced Evictions: Fact sheet No.25/Rev.1](#)
6. [OHCHR, The Right to Water: Fact Sheet No. 35](#)
7. [Committee on Economic, Social and Cultural Rights \(CESCR\), General Comment No. 4, Right to Adequate Housing](#)
8. [CESCR General Comment No. 7, Forced Evictions](#)
9. [CESCR General Comment No. 15 on The Right to Water](#)
10. [Cross-Cutting Intranet page for UN-Habitat Cross-Cutting Markers](#)
11. [Human rights Intranet page](#)
12. [The Human Rights Mainstreaming Coordination Team 'Who We Are'](#)