

A Review of Ireland Aid's Human Rights and Democratisation Scheme

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Contents

EXECUTIVE SUMMARY	1
INTRODUCTION	1
OVERALL ASSESSMENT AND MAIN ISSUES	1
LESSONS LEARNED: COMPARATIVE EXPERIENCES.....	2
OPTIONS FOR THE FUTURE DIRECTION OF THE HRD SCHEME.....	2
1. BACKGROUND FOR THE REVIEW.....	5
2. THE HRD SCHEME	7
3. FINDINGS AND ASSESSMENT.....	9
3.1. DESKTOP STUDY AND INTERVIEWS	9
3.2. REVIEW OF HRD PROJECTS IN CENTRAL AMERICA.....	10
3.3. OVERALL ASSESSMENT AND MAIN ISSUES.....	11
4. COMPARATIVE EXPERIENCES: THE NORDIC COUNTRIES.....	13
4.1. BRIEF OVERVIEW	13
4.2. GENERAL LESSONS: IS THERE A “BEST PRACTICE”?	14
5. OPTIONS FOR THE FUTURE DIRECTION OF THE HRD SCHEME.....	16
5.1. SOME GENERAL CONSIDERATIONS	16
5.2. OPTIONS FOR THE HRD SCHEME.....	17
ANNEX 1: TERMS OF REFERENCE	21
ANNEX 2: REVIEW OF HRD PROJECTS IN CENTRAL AMERICA.....	25
ANNEX 3: COMPARATIVE EXPERIENCES: THE NORDIC COUNTRIES.....	43

Executive Summary

Introduction

In 1997, Ireland Aid (IA) established a Human Rights and Democratisation (HRD) scheme in order to assist projects outside IA's programme countries. Its broad objective is to assist the development of democratic processes and institutions and the promotion and protection of human rights, mainly through support for relatively small-scale projects that contribute to training and capacity building. Particular importance is attached to the impact of projects on awareness of HRD issues at grassroots community level and on the capacity of communities to assert their rights and gain access to and understanding of the processes and institutions of government. Funding for HRD projects is channelled through Irish, overseas and local NGOs, as well as through other international bodies. Requests for funding under the HRD scheme are also occasionally received from the Political Division of the Department of Foreign Affairs.

The budget for the HRD scheme is €2.82 m for 2002. Further increases are likely given the Irish Government's commitment to achieve 0,7% of GDP for Overseas Development Assistance (ODA). A broad range of activities has been funded under the scheme since its establishment, including grassroots HRD education programmes, election monitoring, conflict prevention/resolution, support for the development of parliamentary and judicial structures, and a number of projects targeting women and children in particular.

The main objective of this review is to outline strengths and weaknesses of the HRD scheme to date and to suggest practical options for its future direction.

Overall Assessment and Main Issues

Based on its findings (desktop review and meetings with representatives of IA and other Directorates of the Department of Foreign Affairs, meetings with Irish and international NGOs as well as a review of selected projects in Central America), it is the overall assessment of the review team that IA's HRD scheme is successful – in terms of the projects it supports, their impact and relevance as well as the partners chosen to implement or manage them. It is also our assessment that IA's HRD desk, which administers the scheme, and the HRD Committee, which screens and approves the projects, are doing a thorough screening of projects and that there is adequate follow-up and monitoring of projects that have received funding.

Thus, the main issues of concern that arise from this review are not linked to the quality of the existing scheme and the projects it supports. Rather, the issues that arise are primarily linked to the possible implications of an increased budget as well as the relationship between the HRD scheme and various other aspects of Ireland's official development assistance and foreign policy. They are the following:

- The HRD scheme is scattered – in terms of the projects it supports, the wide range of countries with projects under the scheme, and the number of organisations receiving support. If continued, it will need to be clarified whether the scheme should primarily be perceived as a budget line or a scheme with a clearer profile.
- There is little coherence and few attempts at forging synergies between the HRD scheme and other funding mechanisms within IA that also allocate funds to HRD assistance. Ireland Aid’s overall efforts in the HRD area appear to be scattered and insufficiently coordinated.
- There is a need to maintain a balance between funding to civil society for small scale local projects and to international organisations or institutions for macro-level human rights, democratisation and governance programmes, within the constraints of the HRD scheme guidelines
- There are capacity constraints at the small HRD desk. It is difficult to envision a significant expansion of the current scheme while retaining its present character with many small projects that demand considerable deskwork for their successful processing and implementation.
- The introduction of a new Multi-Annual Programme Scheme (MAPS) for large Irish NGOs and their subsequent ineligibility for projects under the HRD scheme raises issues concerning the scheme’s future NGO base.

Lessons Learned: Comparative Experiences

As part of the assignment, a survey was undertaken of experiences gained by the Nordic countries in the HRD area. The following lessons learnt would seem particularly relevant to Ireland Aid’s HRD efforts:

- HRD assistance is demanding. It requires frequent dialogue, oversight and adjustment as well as a combination of short- and long-term interventions. It is best when it is flexible, responsive, timely and inventive.
- HRD must be anchored and implemented locally. Most HRD projects operate at the margin of the political process, facilitating transitions that are driven mainly by the internal dynamics of the societies in which they occur. This points to the importance of “ownership” and dialogue.
- HRD assistance is often loosely founded or vague in terms of conceptual analysis and objectives. When performance criteria remain vague, self-critical learning becomes difficult to achieve.
- Rather than determine a particular division of labour between the donor agency, NGOs and other organisations receiving HRD support, it is more important to seek a common vision and to ensure coherence and continuity in the activities supported.
- HRD concerns need to be better integrated into overall development cooperation programmes.

Options for the Future Direction of the HRD Scheme

Generally, support for HRD marks a shift in donor behaviour – from an earlier policy of non-interference in other countries’ political affairs to accepting that good governance and the promotion of human rights are as important as economic policy and reform for reducing poverty and achieving development. By giving priority to small-scale training and capacity-building projects channelled through NGOs, IA’s

HRD scheme may be regarded as a cautious step into a new area – an extension of, rather than a break, with more conventional aid programmes.

The review team supports the general recommendations of the Ireland Aid Review Committee (2002) regarding the need to give HRD enhanced attention in Irish development cooperation. However, the following arguments should be considered when deciding on the future course of action in the HRD area:

- It would be advisable to prepare a policy or strategy paper in order to further define priorities and guidelines. The argument is not for more rigid and comprehensive frameworks, but for a better understanding of what works and what does not in the HRD area, what linkages can be expected between different schemes and allocations, etc. The complexity of the HRD area warrants clear analysis and ideas, and better-defined concepts and aims.
- IA should recognise that HRD is demanding and should concentrate on providing assistance where there is an Irish presence on the ground or organisations with which IA has established a relationship of trust and understanding.
- It would seem advisable to continue to use NGOs as the main channel for HRD assistance, and to continue to focus most of the HRD efforts on the citizen level, i.e. on making citizens more conscious of their rights, and thus empowered to act more effectively on their own.
- IA is encouraged to establish closer contact with the academic community, particularly in Ireland. This includes HRD efforts as well as the broad area of governance.

On the basis of such considerations, as well as the findings of this review, there would seem to be three main options for the future direction of the Ireland Aid HRD scheme: (i) to maintain it more or less as it is today, with some modifications and changes that take care of some of the main issues that arise from this review (Option A); (ii) to modify it substantially with a view of enhancing coherence and providing a clearer profile to the scheme (Option B); or to close it down with a view of integrating HRD concerns in other schemes and programmes and establishing HRD as a cross-cutting concern in Irish development assistance (Option C).

Option A. Given the overall positive assessment of the present HRD scheme, one obvious option would be to retain it more or less as it is today, with a focus on small-scale HRD projects mostly run by NGOs, in countries that are seen as important for IA but where there may not be an IA representation. Projects submitted by the Political Division could still be part of the scheme, but the extent to which the HRD scheme will be able to meet the growing needs of the Political Division, is likely to be rather limited unless there is a substantial increase of available funds. There would, therefore, need to be a balance between funding for civil society programmes and for funding to other organisations and institutions proposed by Political Division, in keeping with the HRD guidelines and bearing in mind budgetary realities.

However, a minimal number of changes need to be made. First, the time perspective should be extended and multi-year funding adopted as a norm rather than as an exception. Second, IA should make efforts to further develop partnerships with the NGO community, with a view of securing local anchorage and implementation of

projects. An extended time perspective and strong partnerships will also make it easier for the HRD desk to handle a larger budget without overstressing its capacity.

Option B. This option would also imply that the HRD scheme be retained but with further modifications. It would primarily address two issues raised above: that the scheme is scattered, without a sufficiently clear profile, and that there is little or no coherence between foreign policy priorities and the HRD scheme.

Regarding profile and coherence, there would seem to be a number of alternatives, depending on the criteria used. One sub-option would be to select a limited number of themes (one or two) and target most projects accordingly, perhaps for a period of 3-5 years, with the possibility of identifying new themes at the end of the period. The areas of peace building/conflict resolution and projects targeting women and children may be prime candidates for such thematic concentration.

Another sub-option might be to target the HRD scheme to particular countries, such as those being in a fragile state of political transition. The scheme could be developed into a more systematic instrument for providing HRD aid to selected countries that come out of serious conflict or war, where there is lot of political attention in the Department of Foreign Affairs, and, consequently, where the Political Division also would have a stake. While the scheme would still primarily be an NGO scheme, other actors might not be excluded, again depending on the requirements and needs for capacity and competence.

Option C. This option would imply that the HRD scheme is closed down with a view of making HRD a cross-cutting concern in Ireland Aid's overall programme. Basically, this is the Danish and Finnish model: no separate budget line for HRD projects, but an increased emphasis on dialogue with recipient countries on HRD issues and explicit attempts to make HRD a central concern in country programmes as well as in much of the support channelled through NGOs.

If Option C were adopted, HRD as an overall concern for IA needs to be upgraded. There will also have to be a strong point of anchorage within the organisation, like a Governance and HRD Unit, better staffed than the present HRD desk. Given current and future needs and demands in the HRD area, this may be an excellent idea anyway, depending on staff and budgetary resources to do so. If IA is to become serious about establishing HRD as a cross-cutting issue, there must be personnel with the necessary qualifications to ensure that Irish HRD efforts (a) are integrated with other parts of the assistance programme, (b) are of sufficiently high quality, and (c) that there is sufficient coherence between what is being done by different actors. This is a tall order and should not be taken lightly.

1. Background for the Review

Since the establishment of the development cooperation programme in 1974, Ireland Aid (IA) has aimed to ensure that its programmes are instilled with an awareness of and sensitivity towards human rights issues and democratic principles. In recent years, IA has taken the approach of explicitly integrating human rights and democratisation (HRD) as well as governance activities into its programmes in the six programme countries (Ethiopia, Lesotho, Mozambique, Tanzania, Uganda and Zambia) and in South Africa. As a result of this formal integration, issues relating to HRD now form a key element of the policy dialogue process that is undertaken with partner countries. During 2002, it is estimated that IA will spend approximately €6 m on HRD projects in the programme countries. This includes efforts within the area of local government/decentralisation.

In order to assist projects *outside* IA's priority countries, a separate Human Rights and Democratisation (HRD) scheme was established in 1997. Its broad objective is to assist the development of democratic processes and institutions and the promotion and protection of human rights in developing countries. This is done mainly through support for relatively small-scale projects, which contribute to training and capacity building. Particular importance is attached to the impact of projects on awareness of HRD issues at grassroots community level and on the capacity of communities to assert their rights and gain access to and understanding of the processes and institutions of government. Funding for HRD projects is channelled through Irish, overseas and local NGOs, as well as through other international bodies.

The budget for the HRD scheme has increased from just over €1.9 m for 1999 to €2.82 m for 2002. Further increases are likely given the Irish Government's commitment to achieve 0.7% of GDP for Overseas Development Assistance (ODA). Also, a recent Review of the Ireland Aid Programme (2002) stated that good governance, human rights and democracy should receive enhanced attention, underpinned by additional resources; that there should be ongoing consultation with NGOs on HRD and governance issues; and that this overall set of concerns should be adopted (along with poverty, gender and environment) as a fourth cross-cutting dimension for the IA programme as a whole. The Review also recommended that a dedicated Governance Unit be established in IA to ensure that HRD concerns receive special emphasis (p. 51).

The main objective of this review is to outline strengths and weaknesses of the HRD scheme to date and to suggest practical options for its future direction. According to Terms of Reference (TOR), such options should also reflect the desire to facilitate greater coherence (which is a key principle in current Irish development assistance and foreign policy) with human rights policy within the Department of Foreign Affairs (see Annex 1).

The report is divided into five main parts. The following section (Part 2) provides an overview of the current HRD scheme. In order to evaluate some of the components of the scheme, Part 3 presents findings based on two main sources of information: (i) a desktop study of the HRD scheme supplemented by information from various Irish and

international NGOs as well as interviews at IA and other Directorates of the Department of Foreign Affairs; and (ii) an analysis of a selection of IA funded projects in two Central American countries. In order to place the Ireland Aid HRD scheme in a larger perspective, Part 4 gives a broad overview of the experiences drawn from the Nordic countries. Based on the evaluation of the HRD scheme and the lessons learned from other donors, to which IA may wish to compare itself, the review finally (Part 5) offers options for the future direction of the HRD scheme.

2. The HRD Scheme

The HRD scheme is intended to support projects that contribute to training and capacity building in relation to democratic processes and institutions and the promotion and protection of human rights. Funding would not normally exceed €130,000 in any one year, and support is usually provided over a short time-scale – normally one year, with a maximum of three years.

While most applications come from the NGO community, requests for funding under the HRD scheme are also occasionally received from the Political Division of the Department of Foreign Affairs and its Human Rights Unit (HRU). During 2001/2002, nine such applications were approved, ranging from contributions towards peace processes in developing countries (e.g. Burundi) to assistance towards setting up special courts (Sierra Leone). The total allocated to PD/HRU in 2001/2002 was €915,923, which was approximately 17% of the overall budget (€5.3 m).

The HRD desk of Ireland Aid has worked out a set of detailed guidelines and application instructions for the HRD scheme. The guidelines state clearly which countries and agencies are eligible for funding. All funding applications must follow a particular format that provides further guidance for applicants on IA's requirements and priorities and facilitates the appraisal process. The HRD Committee meets at least three times a year to consider applications. The Committee is composed of representatives from Ireland Aid and other relevant Directorates within the Department of Foreign Affairs, and the Agency for Personal Service Overseas (APSO) - which is an independent, state-sponsored body that promotes temporary volunteer service in developing countries. Each application is considered on its own merits, in the light of funds available.

Processing, including dialogue with applicants, and follow-up are done by the small number of staff on the HRD desk supported by the emergency advisor of the Specialist Support Unit (SSU). The same staff also have other areas of responsibility.

A broad range of activities has been funded under the scheme since its establishment, including grassroots human rights and democracy education programmes, election monitoring, conflict prevention/resolution, support for the development of parliamentary and judicial structures, and a number of projects targeting women and children in particular.

During 1998-2001, the HRD scheme supported altogether 145 projects. In geographic terms, the HRD scheme has funded projects on practically all continents. Thus, in 2001, there were projects in Africa (Burundi, the Democratic Republic of Congo, Kenya, Nigeria, Ghana, Sierra Leone, Angola, Malawi, Kenya, and the Great Lakes), Asia (Burma, East Timor, India, Bangladesh, Fiji, and Cambodia), Eastern Europe (Bosnia Herzegovina, the Balkans), Latin America (Honduras, Guatemala, Colombia, Mexico, Brazil and Grenada), and the Palestinian Administered Areas. In addition, there were "international" projects, including support for the Office of the High Commissioner for Human Rights (OHCHR), for conferences and other, mostly one-

off, activities. Altogether 26 different organisations received project funds from the HRD scheme in 2001. These include both Irish and international NGOs as well as local organisations (mainly NGOs and research institutions).

3. Findings and Assessment

3.1. Desktop Study and Interviews

Based on interviews with IA staff as well as a review of selected project files, it may be argued that the HRD scheme is rather personnel intensive, in the sense that there is a thorough review process and frequent communication and consultation between IA and the organisations applying for funds and implementing projects. Files with detailed correspondence and reports are kept on each project. Generally, the organisations that receive grants under the HRD scheme appear to be satisfied with the procedures as well as the efforts made by the HRD desk to dialogue with applicants and to provide advice and feed-back during the implementation stage. Both Irish and international NGOs (INGOs) in general think that Ireland Aid's priorities are in line with their own priorities. IA is commended for being willing to support grassroots initiatives and for being flexible and understanding in the event of delays due to unforeseen circumstances. However, the review team received a number of comments and proposals from NGO representatives:

- Several NGOs are of the opinion that the HRD scheme should apply to IA's priority countries as well, both to complement IA's own efforts in those countries and to secure a more coherent HRD approach within the overall IA programme.
- Most organisations believe the time perspective for individual projects is too short. Progress within the HRD area will often be halting with many ups and downs. There is a need for patience and a longer time horizon.
- The Irish NGOs receiving grants under the HRD scheme would like IA to bring them together from time to time, perhaps once annually, so as to exchange views, reflect on the programme and learn lessons jointly.
- Some NGOs would like to see IA develop an overall HRD strategy.
- Some NGOs also believe that IA should be less risk averse when approving HRD projects, such as in countries like Liberia or Burundi. Particularly in politicised and highly volatile post-war environments, external assistance actors must be willing to take risks and learn to manage risk efficiently.
- Several applicants regard it as important to be able to test out their project ideas on IA officials before submitting the rather detailed and lengthy application form. While Irish NGOs seem to be doing this without too many problems, one INGO asked IA to consider introducing the brief concept note format adopted by DFID for initial testing of project ideas.

Interviews with representatives of IA and the Political Division confirmed the importance presently being attached to the HRD area in Irish foreign and development policy. Generally, there is concern that funds are still scarce in relation to needs and requirements, particularly within the broad areas of good governance as well as peace building and reconciliation. This issue was particularly raised in meetings with representatives of the Political Division, including its Human Rights Unit, who feel that available funds, including the HRD scheme, cannot sufficiently meet the needs that arise primarily from political developments and initiatives. We will return to this in more detail below.

3.2. Review of HRD Projects in Central America

During 1998-2001, IA funded 14 projects in four Central American countries under the HRD scheme. All but three of these projects were funded through Trócaire, which is the overseas development agency of the Catholic Church in Ireland. As part of this assignment, a review was done of six projects funded through Trócaire in Guatemala and Honduras, two of the poorest countries in Latin America. With one exception, the selected projects were implemented by local organisations. They all focus on various aspects of human rights promotion, mostly through training, education or counselling.

Based on the Terms of Reference that were made for this particular study, a brief summary of the findings is presented below (for more details, see Annex 2):

(i) Project relevance

Human rights concerns are obviously of great relevance in both Guatemala (ravaged by years of civil war) and militarised Honduras (where violence and crime rates are soaring). Most of the projects reviewed either addressed gaps in needs of services that were not provided by the governments (such as refugee centres for victims of domestic and sexual violence; or forensic teams to assist in the exhumation of mass graves); or were aimed at strengthening the position and organisational capacity of marginalised groups of society (such as women in general, or the indigenous Mayas in Guatemala in particular). This focus is in line with IA's guidelines. Most of the projects originated in requests from the local partners to the Irish NGO. The bottom-up approach has ensured that projects have been set in motion on the basis of needs identified by the project beneficiaries. Partners and beneficiaries in both countries unanimously reported that IA's involvement in the area of human rights is both valuable and necessary.

(ii) Project effectiveness

The projects reviewed were effective in the sense that they had, with few exceptions, managed to meet their objectives. Project activities seem to have been carried out in a timely manner. Reporting procedures were regular and the project budgets had been subject to systematic auditing. Extensive interviewing of beneficiaries as well as representatives from the implementing agencies (i.e. local NGOs) gave a very positive evaluation of project effectiveness. Several projects had proven to be self-sustainable after the IA funding period was over.

(iii) Project impact

Interviews with beneficiaries for different projects left the review team with the overall impression that the projects examined had had a positive impact in the communities where they were implemented. In several cases, beneficiaries reported that the services or training provided by the project had been invaluable in order to obtain certain goals (such as the exhumation of mass graves in Guatemala) or establish essential services to marginalised groups.

(iv) Obstacles encountered by projects

Obstacles to project implementation seemed to fall into three main categories: (i) the lack of co-operation from government agencies (particularly clear in the exhumation projects examined in Guatemala); (ii) elements external to the project (such as Hurricane Mitch in 1998 Honduras, which initially slowed some project activities); and (iii) external threats against human rights workers (particularly true for

Guatemala). None of the obstacles reported seemed to have anything to do with project design or problems of co-operation between either the different implementing agencies or between the implementing agencies and the beneficiaries.

(v) Partnerships

The relationships between Trócaire and its local counterparts as well as between IA and Trócaire were found to be very satisfactory. Good and systematic reporting procedures exist between local Trócaire staff and the IA office in Dublin. There is a continuous dialogue on projects, both during the identification stage of the project as well as during the project reporting and evaluation stages. Files with detailed correspondence are kept on each project. The way that the Trócaire offices in Guatemala City and Tegucigalpa organised the fieldwork for the review team illustrated that its local staff is highly competent. The personnel have in-depth knowledge of the regional and country contexts and have strong networks both with the local NGO sector as well as with other donors and government institutions. Field visits to various communities and projects revealed relationships of trust, confidence, and friendship with local implementing agencies as well as with the beneficiaries.

In sum, the projects selected for review were seen by the team to be successful along all five dimensions examined. The overall high quality of the projects examined might also be attributed to the fact that the local NGO partners had all been funded by Trócaire before IA was approached for financial assistance. This goes to show that Trócaire does important work to ensure that IA funding is well applied and effective where it is channelled.

3.3. Overall Assessment and Main Issues

The review team was unable to visit HRD projects funded under the scheme in other parts of the world.¹ However, a careful reading of the files with detailed correspondence and reports was carried out on a number of African and Asian projects. Given such limitations and based on available sources, it is our general assessment that Ireland Aid's HRD scheme is successful - in terms of the projects it supports, their impact and relevance as well as the partners chosen to implement or manage them. It is also our assessment that IA's HRD desk and the HRD Committee are doing a thorough screening of projects and that there is adequate follow-up and monitoring of projects that have received funding. Thus *the main issues of concern that arise from this review are not linked to the quality of the existing scheme and the projects it supports*. While most of the critical comments made by the NGOs are constructive and should be heeded, they can largely be accommodated within the scheme without too many changes. This includes extending the time frame for funding which is currently perceived as too short given that the problems addressed by HRD projects are always of a long-term character (see 5.2.).

The principal issues of concern are primarily linked to the possible implications of an increased budget as well the relationship between the HRD scheme and various other aspects of Ireland's official development assistance and foreign policy. In particular, we want to make the following five points:

¹ Due to security considerations, following the growing tensions between India and Pakistan, it was advised against carrying out field visits to India and Bangladesh during summer 2002.

(1) First, the HRD scheme is rather scattered - in terms of the type of projects it supports, the wide range of countries with projects under the scheme, and the number of organisations receiving support. While the scheme essentially seeks to fund grassroots projects with an emphasis on capacity building of local NGOs, other types of projects also receive funding. If the HRD scheme is continued, it needs to be clarified whether it should primarily be perceived as a budget line (which, to some extent, it is today) rather than as a scheme with a clearer profile.

(2) Second, there is little coherence and few attempts at forging synergies between the HRD scheme and other funding mechanisms within IA that also allocate funds to HRD assistance. These include HRD efforts in the programme countries, in South Africa, and in Eastern Europe, where a special budget line has been set up to support the consolidation of democracy and the establishment of the market economy. Basically, Ireland Aid's overall efforts in the HRD area appear scattered and insufficiently coordinated.

(3) Third, there needs to be a balance between funding to Civil Society for small scale local projects and to international organisations or institutions for macro-level human rights and governance projects.

Given that Ireland intends to play a more active and visible foreign policy role that includes a more profiled involvement to promote human rights and democratic development in different parts of the world, it is obvious that the modest (in terms of funds) HRD scheme cannot for the moment meet the growing needs for funds to back up new and important policy objectives at the Department of Foreign Affairs.

(4) Fourth, there are definite capacity constraints at the small HRD desk, which also covers other areas of responsibility. At present, highly motivated and skillful staff handle the HRD projects satisfactorily. It is difficult to see, though, that it would be possible to expand the scheme significantly (in terms of funding) while retaining its present character with many small projects demanding considerable deskwork for their successful processing and implementation.

(5) Finally, IA has recently reached agreement with major Irish NGOs on guidelines for a new funding scheme, the Multi-Annual Programme Scheme (MAPS). This will replace the current scheme of annual block grants for those NGOs that will move to a more programmatic model of development. The new scheme will assure budgetary security over a three-year period. Those NGOs that will receive their funding under MAPS will no longer be eligible for support under the HRD scheme. While the scheme has mainly been accessed by Trócaire, and less so by Concern, Goal and Christian Aid, this nonetheless raises questions regarding the scheme's future NGO base.

Before we present options for the future direction of the HRD scheme, some of the experiences gained by other donors in this area will be briefly presented.

4. Comparative Experiences: the Nordic Countries

4.1. Brief Overview

In recent years, the Nordic countries have substantially increased their HRD assistance (for more details, see Annex 3). This should be seen as part of a trend towards a growing integration between foreign policy and development policy. In Finland, Finnida no longer exists as a semi-autonomous directorate. Danida, while keeping its name, has also become an integral part of the Danish Ministry of Foreign Affairs. In Norway, NORAD is still a separate directorate that administers long-term government-to-government cooperation with almost twenty countries. However, the Norwegian Ministry of Foreign Affairs is responsible for formulating development cooperation policy and strategies and also administers Norway's multilateral development assistance and Norwegian emergency relief. In addition, the Ministry has its own budget for promoting human rights and democracy, as well as peace and reconciliation. We believe such developments reflect a growing tension within international development cooperation between (a) the need for long-term efforts to reduce poverty and promote development in the poorest countries of the world, and (b) the need to be flexible and adjust to constantly changing circumstances, particularly following internal wars and conflicts. As part of such developments, HRD assistance is increasingly seen as an integral part of both foreign and development cooperation policy.

Among the Nordic countries, both Norway and Sweden have prepared action plans for their HRD assistance. While the Norwegian Government presented a White Paper on human rights in 1999-2000, Sida prepared an action plan (2000) in which promotion of peace, conflict management, democracy and human rights were perceived as interlinked.

The Nordic countries have concentrated their long-term bilateral HRD support in those countries for which there is a country strategy and a resident mission, and where conditions are seen to be conducive and political will is present for making progress on the HRD front. However, HRD support is also provided for a broader set of countries, including those where political will is not too apparent, and primarily for organisations that can make a contribution in the right direction. Kenya is a case in point. It follows that Nordic HRD assistance (with the exception of Finland) is, in fact, quite scattered. Thus, altogether 75 countries received HRD assistance from Sweden in 2000, and 73 countries from Denmark in 1998. In Norway, a fairly large sum of money (close to € 10 m in 2001) was allocated to human rights support directly by the Norwegian Ministry of Foreign Affairs (MFA) and its Section for Human Rights, Democracy and Humanitarian Assistance. The number of projects, countries and organisations receiving such support are quite high.

In terms of organisation, Norway has a separate Section for HRD and humanitarian assistance at the MFA and a Human Rights Advisor at NORAD. Sida, by contrast, has a separate division dealing with democracy and social development (DESO), as well as another division focusing on cooperation with private organisations and humanitarian

assistance (SEKA). Denmark has not opted for establishing a separate HRD or social development unit. Instead, Danida has approached HRD issues as a cross-cutting concern to be pursued by staff at all levels, assisted by a few experts in Technical Advisory Services (TSA). Similarly, in Finland, where all aspects of relations with developing countries are handled by the Department of International Cooperation as an integral part of the Finnish MFA, there is no specific budget line for HRD projects, nor any specific section or subdivision dealing with HRD projects.

While deciding not to establish a separate HRD unit at headquarters, Denmark has, however, established HRD units in some of its embassies. Furthermore, a fairly large number of HRD projects are supported through the Local Grant Authority (LGA) of Danish embassies. There are similar powers of delegation for the other Nordic countries. Thus Finland has set up special funds to be accessed by local counterparts, both civil society as well as the public sector.

While the Nordic countries have generally been moving from project assistance to sector programme support in their development cooperation programmes, they have not opted to design sector programmes for their support to HRD. To some extent, the area of local government and decentralisation is an exception. Support is still primarily provided on a project basis, as this allows for greater flexibility and easier adaptation to often rapidly changing contexts in individual countries.

Nordic HRD assistance has close links with the academic community. All four countries have human rights centers that are actively utilised by the different aid programmes. They undertake a number of tasks like partnership developments, election observations, training, and assessments of democratic consolidation. They also play an important role in setting the HRD agenda in the donor agencies.

4.2. General Lessons: Is There a “Best Practice”?

So far, there have been only a few evaluations and reviews of international HRD assistance. An evaluation of Danish support to HRD was undertaken in 1999. It included both country and 8 thematic studies that were all published together with a synthesis report. The exercise was a “lessons learnt” evaluation, emphasis being on accumulation of experience and self-critical learning rather than on accountability. The following lessons learnt from the Danish study would seem relevant also to Ireland Aid’s HRD efforts:

- HRD assistance takes place within dynamic, often volatile settings where donors and their partners operate in a political process that places special demands on their mode of operation as well as on their capacities and capabilities. HRD programmes are inherently *personnel intensive*. A typical HRD programme requires frequent dialogue, oversight and adjustment. HRD assistance requires a combination of short- and long-term interventions and carefully planned support, but also swift, flexible responses to changing circumstances. *HRD assistance is best when it is flexible, responsive, timely and inventive.*
- Projects and programmes need to be tailored to particular political, economic, social and cultural contexts, proceeding through stages that are rarely replicable. It is a mistake to assume that institutions which work in contexts familiar to the donor

(e.g. legal procedures) necessarily will function in the same way in other societies. Thus, after several decades of setting norms and standards, the 1990s fostered a new human rights agenda. It became apparent that *human rights had to be anchored and implemented locally*. In the Danish review, it was noted that insufficient emphasis is often given to *assessing the capabilities and capacities of (potential) partner institutions and organisations*. There is also insufficient attention to the broader settings and contexts in which they operate.

- HRD assistance is often *loosely founded and vague in terms of concepts as well as objectives*. Thus, distinctions are not always made between human rights and democracy. Instead, it is often assumed that they move in the same direction, and that improvement in one area will automatically lead to progress in the other. It is also not sufficiently recognised that the international human rights regime is less “monolithic” than it is sometimes made out to be, and that there may be important trade-offs between different types of rights. *When performance criteria remain vague, self-critical learning is difficult to achieve.*
- Several case studies of Danish HRD support identified a *need for improved coordination* within Danida as well as between Danida and Danish NGOs. An important lesson seems to be that rather than determine a particular division of labour between the donor agency, NGOs and other organisations receiving HRD support, it is more important to *seek a common vision and to ensure coherence and continuity to the activities supported*.
- An important message from several sub-studies was that *HRD concerns need to be better integrated into overall assistance programmes*. Insufficient attention is often paid to the implications of HRD being a cross-cutting concern in development cooperation.
- Finally, *most HRD programmes are programmes that operate at the margin of the political process* – as facilitators of transitions that are driven mainly by the internal dynamics of the societies in which they occur. One of the principal tests for any potential donor intervention is the quality of local leadership, on different levels, and its commitment to the exercise over the long run. This points to *the importance of “ownership” and on-going dialogue between donors and recipients*.

5. Options for the Future Direction of the HRD Scheme

5.1. Some General Considerations

Generally, support for HRD marks a shift in donor behaviour – from an earlier policy of non-interference in the political affairs of another country to accepting that good governance and human rights are as important for achieving development and reducing poverty as economic policy and reform. However, by giving priority to small-scale training and capacity-building projects channelled through NGOs, the Irish HRD scheme may be regarded as a cautious move into a new area – an extension of, rather than a break, with more conventional aid programmes.

The Report of the Ireland Aid Review Committee (2002) argued that IA's partner countries "will be unable to achieve their full development potential without a clear commitment to democracy, to the protection of human rights and the rule of law, and to good governance" (p. 51). As mentioned above, the Committee also recommended that HRD be given enhanced attention, underpinned by additional resources, in the planning of future country strategies; that HRD be made a cross-cutting dimension for the IA programme as a whole; and that a dedicated Governance Unit be established to ensure that HRD and good governance receive special emphasis.

Regardless of the future direction of the HRD scheme, the review team would like to support the general recommendations of the Ireland Aid Review Committee. There is little doubt that human rights and democratisation, along with good governance, will generally continue to be high on the agenda within international development cooperation. HRD as a cross-cutting issue will place heavy demands on Ireland Aid as an organisation, as well as a division within a Department of Foreign Affairs where HRD issues also will continue to receive priority.

Regardless of any specific organisational changes (e.g. a Governance Unit) that might be implemented within Ireland Aid in order to give enhanced attention to HRD assistance, the following arguments should be considered when deciding on the future course of action in the HRD area:

- Irish HRD assistance is still rather scattered, loosely founded and insufficiently coordinated. Based on the Nordic experiences, we should expect that it will continue to be scattered, as new needs and requests will emerge, following political developments and crises in different parts of the world. HRD assistance must also continue to be allocated both for longer-term projects as well as for meeting short-term and sudden demands. However, it would be advisable to prepare a policy or strategy paper in order to further define guidelines and priorities, so as to provide a common vision for Irish HRD support and to forge synergies between HRD activities currently under different budget lines and using different channels. The introduction of MAPS would seem to strengthen this point as we would expect Irish NGOs to continue their HRD activities despite becoming ineligible for grants under the HRD scheme. The argument here is not for more rigid and comprehensive frameworks, but for a better understanding of what works and what does not in the

HRD area, what linkages can be expected between different schemes and allocations, between inputs and outputs, what bottlenecks might appear, and what trade-offs can be expected. The complexity of the HRD area warrants clearer analysis and ideas, and better-defined concepts and aims.

- IA should recognise that HRD assistance is demanding and requires either some IA presence on the ground or partnerships with organisations that can be trusted to implement HRD projects in the way we have seen Trócaire work in Central America. Where there is no IA presence on the ground (i.e. no embassy or IA representation), or no organisation with which IA has developed a relationship of trust and mutual understanding, HRD assistance should generally not be provided.
- Granted that HRD assistance is demanding, that further budgetary increases will put pressure on IA staff, and that IA already works very closely with NGOs, it would seem advisable to ensure a balance between civil society funding and funding of programmes for institutions and organisations as proposed by Political Division and subject to the HRD guidelines.
- Based on the same argument, i.e. that HRD assistance is analytically and politically demanding, we would encourage IA to establish closer contact with the academic community, particularly in Ireland. In addition to having a human rights centre (in Galway) that is part of the European network of human rights centres (along with e.g. Queens University in Belfast), there is certainly a range of other institutions as well that may be useful and relevant for IA's HRD efforts. This includes efforts in the governance area.

5.2. Options for the HRD Scheme

On the basis of the above considerations, there would seem to be *three main options* for the future direction of the Ireland Aid HRD scheme: (i) to maintain it more or less as it is today, with some modifications and changes that take care of some of the main issues that arise from this review (Option A); (ii) to modify it substantially with a view of enhancing coherence and providing a clearer profile to the scheme (Option B); or (iii) to close it down with a view of integrating HRD concerns in other schemes or programmes and establishing HRD as a cross-cutting concern in Irish development assistance (Option C).

OPTION A. Given the overall positive assessment of the present HRD scheme, one obvious option would be to retain it more or less as it is at the moment. With limited resources, it makes sense to continue funding small-scale HRD projects mostly run by NGOs, in countries that are seen as important for Ireland Aid but where there may not be an Ireland Aid representation or office. Since several, much larger actors already provide considerable support for public institutions like parliaments and courts, IA, with its strong NGO connection, can justifiably continue to focus on civil society projects with an emphasis on training and educational components. The HRD scheme could even explicitly be perceived as a budget line (gap filler) rather than a scheme, thus allowing for the continuation of projects submitted by the Political Division.

However, a minimal number of changes need to be made. First, *the time perspective should be extended*. While accepting one-off activities, multi-year funding (e.g. three years) should be adopted as a norm rather than the exception. Thus, we have seen that the problems addressed by the projects examined for Guatemala and Honduras are all

of long-term character; such as capacity building, changes of values and practices, securing women's and children's rights, democratisation and reconciliation. Project partners in both countries stressed the need for long-term funding in order to operate with more security and more efficiency. However, this is not just a funding problem. The key issue is the long-term nature of the problems being addressed and the suitability of the HRD scheme to address them. This would give the project staff more security and the projects more continuity. In circumstances where a new project is started, and where IA is uncertain about the feasibility of the project, funding could be provided for one year as a pilot project, where funding for the two remaining years would depend on project performance. The way reporting procedures currently function, suggests that such an evaluation of the first stage could relatively easily be done on the basis of the first yearly report submitted by the organisation receiving support.

Second, we believe that *IA should make efforts to further develop partnerships with the NGO community*, including local NGOs where this is possible (see 5.1.), the aim being to secure local anchorage and implementation of HRD projects. Based on the Central American review, there would seem to be two possible models with respect to how the HRD scheme could channel its funds:

Model A: IA could continue to use Irish or international NGOs as intermediary agents, leaving them to identify suitable working partners and thematic foci for the projects. The review of Central American projects has shown the advantages of this model: In the case of Guatemala and Honduras, IA clearly benefits from Trócaire's expertise and contact network in the region. This ensures that funds are appropriately used and that reporting is regular and thorough. No extra IA staff is required in Central America.

Model B: IA could work directly through local partners. In most of the projects reviewed in Central America, the local counterparts were of such a strong calibre that it might seem unnecessary to use Trócaire as an intermediary partner. In projects that are already up and running, IA could set up direct partnerships with local organisations and have these organisations, rather than an intermediary, come up with future project funding proposals.

However, again using the Central American material, working directly with local counterparts would mean that IA would have to take over Trócaire's current role in identifying appropriate working partners, monitoring, evaluation, progress report writing etc. Though Trócaire is positive to IA working directly with local partners and has promised technical assistance if IA chooses this route, it will be advisable to have an Ireland Aid office in the region to take care of and supervise these activities as Ireland's only embassy in the region (in Mexico) is unlikely to be able to take on such tasks. Running between 10-20 different projects in five countries would require a lot of extra monitoring, planning, and follow-up work. The second model would, therefore, require detailed considerations of IA operations in Central America.

As part of this assignment, meetings were held with five UK-based NGOs, one important purpose being to assess the appropriateness of INGOs as partners in the HRD scheme. These were all organisations with considerable experience and reputation: International Alert, Save the Children UK, Minority Rights Group,

Concern Universal, and One World Action. We recommend that IA continue to liaise with a limited number of INGOs with a view of forging productive and mutually beneficial partnerships. However, we want to emphasize that priority should be given to organizations with a proven track record, particularly in the area of local capacity building.

An extended time perspective and strong partnerships would make it easier for the HRD desk to handle a larger budget without overstressing its capacity. Otherwise, present guidelines and reporting requirements are satisfactory and probably sufficiently demanding to “weed out” less serious or less competent applicants.

OPTION B. This option would also imply that the HRD scheme be retained as a scheme but with further modifications. It would primarily address two issues raised above: that the present scheme is scattered, without a sufficiently clear profile, and that there is only limited coherence between foreign policy priorities and the HRD scheme.

Regarding profile and coherence, there would seem to be two main alternatives, depending on the criteria used. One sub-option would be to *select a limited number of themes* (one or two) and target most projects accordingly, perhaps for a period of 3-5 years, with the possibility of identifying new themes at the end of this period. This could easily be done within the framework of the present set-up. Thus, on the basis of the findings from the project reviews in Guatemala and Honduras, the review team suggests that, rather than spreading its resources on a number of different themes, IA continue to work in the broad area of peace building and conflict resolution, specifically with regards to seeking reconciliation through institutional and non-institutional solutions to atrocities committed by the past regime (see Annex 2). There are two reasons for this: First, thematically, this seems to be one of the areas that are most in need of help. Second, IA has through Trócaire already established effective and highly successful working relationships with local NGOs in the field of human rights and conflict resolution. It would therefore make sense to maintain and further improve such working relations.

An analysis of projects in other countries would need to be undertaken before the conclusions drawn from Guatemala and Honduras could be applied to HRD projects more broadly. However, based on the record so far, the HRD scheme would also seem to be well positioned to give priority to HRD projects that target women and children.

The Central American review makes the argument that the number of themes may depend on the annual budget. If the HRD scheme budget continues to expand, project activities in Guatemala and Honduras could be carried out covering a wider thematic area, including the land rights issue. By contrast, if funds are not expanded, the team proposes that rather than provide funding to a large number of projects for one or two years, the number of projects should be narrowed and the time frame for funding extended to three years.

Another sub-option might be to *target the HRD scheme to particular countries*. Countries that are often referred to as being in a fragile state of transition present themselves as a possible alternative. A number of countries that currently receive funds would be eligible if this delimitation is done (Guatemala, Honduras, the Democratic

Republic of Congo, Angola, a.o.). The scheme could also be developed into a more systematic instrument for providing HRD aid to selected countries that come out of serious war or conflict (like Afghanistan and East Timor), where there is a lot of political attention in the Department of Foreign Affairs, and consequently, where the Human Rights Unit of the Political Division also would have a stake. It could even be regarded as a first step towards possible incorporation in the group of priority countries; or at least an expanded programme of some kind, depending on the success of the first phase and the needs that might emerge. While the scheme would still primarily be an NGO scheme, other actors might not be excluded, again depending on the requirements and needs for capacity and competence.

On a more general note, we believe that the extent to which the HRD scheme will be able to meet the growing needs of the Political Division, is bound to be rather limited unless there is a very substantial increase of available funds. There is also often the question of “DAC-ability”, i.e. whether or not requests from the Political Division can be met by IA if they do not satisfy DAC requirements regarding what can be classified as ODA. If the HRD scheme is continued more or less like today, the review team believes that the growing needs of the Political Division must primarily be addressed by adopting the Norwegian model – having a separate budget line for HRD under the authority of the Political Division

OPTION C. This option would imply that the HRD scheme is closed down with a view of making HRD a cross-cutting concern in Ireland Aid’s overall programme, of relevance and importance to all of IA’s activities. Basically, this is the Danish and Finnish model: no separate budget line for HRD projects, but an increased emphasis on dialogue with recipient countries on HRD issues and explicit attempts to make HRD a central concern in country programmes as well as in much of the support channelled through NGOs.

If Option C were adopted, HRD as an overall concern for Ireland Aid as an organisation needs to be upgraded. Based on the Danish experience, which is not altogether positive, there will also be a need for a strong point of anchorage within the organisation, like a Governance and HRD unit, better staffed than the present HRD desk. Given current and future needs and demands in the HRD area, this may be an excellent idea anyway, depending on staff and budgetary resources to do so. However, the main point again is that HRD assistance is demanding, not in terms of funds (it is often best when it comes cheap) but in terms of competence and capacity. If IA is to become serious about establishing HRD as a cross-cutting issue, there must be personnel with the necessary qualifications to ensure that Irish HRD efforts (a) are integrated with other parts of the assistance programme, (b) are of a sufficiently high quality, and (c) that there is sufficient coherence with what is being done by other actors (NGOs, PD, and others). This is a tall order and should not be taken lightly.

Annex 1: Terms of Reference

Review of Ireland Aid's Human Rights and Democratisation Scheme

1. Background for the Review.

The objective of the Human Rights & Democratisation (HRD) scheme is to assist the development of democratic processes and institutions and the promotion and protection of human rights in developing countries.

This scheme is intended to support small-scale projects which contribute to training and capacity-building in relation to democratic processes and institutions and the promotion and protection of human rights. Funding provided would not normally exceed €130,000 in any one year in the case of projects implemented by NGOs. Support is usually provided over a short time-scale (normally one year, with a maximum of three years).

In addition to the above, requests for funding for HRD projects are also received from time to time directly from Political Division (PD) and the Human Rights Unit (HRU). These requests are not subjected to the usual administrative procedures and are generally approved for funding by the Minister for State without a Committee meeting being convened. The PD/HRU have no control over the timing of these requests, which are usually received in response to political pressure at EU or UN level. In 2000 two applications were approved and five in 2001. The amounts varied from €25,000 to €634,869¹ and ranged from contributions towards peace processes in developing countries e.g. Burundi to assistance towards the setting up of special courts. The total allocated to PD/HRU in 2000 was €89,242 (5% of the overall budget of €1.9m) and in 2001 this figure rose to €424,898, which is approximately 17% of the overall budget (€2.48 m).

Ireland Aid attaches particular importance to the project's likely impact in developing countries on awareness of human rights and democratisation issues at grassroots community level and on the capacity of communities to assert their rights and gain understanding of and access to processes and institutions of government. A broad range of activities has been funded under this scheme since its establishment in 1997, including grassroots human rights and democracy education programmes, election monitoring and support for the development of parliamentary and judicial structures. A list of the projects approved for funding under the HRD scheme each year is published in the Ireland Aid Annual Report.

Projects may be funded in all countries classified as developing countries by the Development Assistance Committee of the OECD, apart from Ireland Aid priority countries (Ethiopia, Lesotho, Mozambique, Tanzania, Uganda, Zambia), South Africa and Eastern Europe, where HRD activities are an integral element of Ireland Aid's programmes.

¹ Sierra Leone special court amount approved over a 3 year period.

Subject to operational requirements, funding will generally be allocated on the basis of recommendations agreed at meetings of the Human Rights & Democratisation Committee, which take place at least three times per year (Spring, early Summer, Autumn). The HRD Committee is composed of representatives of Ireland Aid, Political Division of the Department of Foreign Affairs and APSO (Agency for Personal Service Overseas). Each application for funding is considered on its own merits and in the light of funds available.

The budget for the HRD Scheme has increased from just over €1.9 m 1999 to €2.82 m for 2002. Further increases on this figure are likely if the commitment to achieve 0.7% of GDP for ODA is followed through in future budgets. As the HRD budget increases and the demands to the desk for funding of projects increase it is opportune that the operation of the scheme be reviewed as these increases place an additional burden on the limited resources available in the section if the scheme is to continue in its present format. It will also have implications for the monitoring and evaluation of the scheme.

A quick review of the Danish, Finnish and Swedish HRD schemes reveals that these countries are moving towards thematic approaches to HRD and towards a “sector programme support” as opposed to individual project assistance i.e. shifting towards more comprehensive and nationally executed programmes. While DCD takes this approach in the priority countries our HRD Scheme for other countries does not pursue a thematic approach. It does however attempt to address HRD issues in a holistic and programmatic manner and looks at issues such as conflict resolution, women’s issues, peace processes and legal representation. Consideration appears to be given at committee stage where funding overlaps in particular areas are considered in line with remaining funding available.

2. Objective of the Review

The review team, in line with Best Practice , will be required to present practical options for the future direction of the HRD scheme, outline strengths and weaknesses of the scheme to date and present practical options (in light of a growing budget) and with a view to facilitating greater coherence with human rights policy within the Department of Foreign Affairs.

3. Scope and Focus of the Review

- < Review current Best Practice in relation to the HRD scheme. The review should include a detailed analysis of three like minded European donors in terms of the partners supported, projects funded, criteria used for funding, guidelines, reporting formats and follow up procedures. This review should draw on relevant literature, evaluations and donor specific strategies that demonstrate best practice.
- < Document the key activities undertaken by the Ireland Aid HRD scheme between 1998 - 2001.
- < Identify, in terms of Best Practice, the strengths and weaknesses of the current HRD Scheme (1998 - 2001) by i) examining the administrative and operational arrangements for the management of the existing HRD scheme including existing documentation (guidelines/operating procedures)policy, resources and past practice and ii) reviewing the procedures, including the criteria used by the DCD (HRD Unit) and Political Division in supporting projects funded under the HRD scheme.

- < Analyze a representative selection of projects funded under the HRD scheme in 1998 - 2001 in Central America (El Salvador, Nicaragua, Guatemala and Honduras); and in Bangladesh/India in terms of the following criteria: Relevance, Effectiveness, Impact and Sustainability.
- < In terms of the Ireland Aid HRD Scheme (1998 - 2001) in the countries listed above
 - Assess the appropriateness of the partners chosen by Ireland Aid
 - Assess the way that IA managed the relationship with these partners
 - Assess the adequacy and the quality of the systems of Ireland Aid's partners
- < Identify linkages of the HRD Scheme to the overall Human Rights policies within the Department of Foreign Affairs; in this regard, a number of specific issues will be examined.
- < The review team will be required to present a more detailed set of criteria to be used by the Department of Foreign Affairs (HRD Unit/ Political Division) for i) targeting HRD assistance; ii) assessing proposal; iii) reporting, monitoring, evaluation and audit of projects; iv) selecting suitable partners; and v) perhaps choosing sectoral themes or geographical focus.
- < The review team will be required to present suitable mechanisms and a framework for targeting HRD assistance in terms of i) funding committee structure; ii) approval of projects; iii) size of grant/ length of contract; iv) type of partners supported; and v) human resources require to manage and monitor ongoing scheme.
- < Determine optimum reporting requirements and develop a suitable reporting format to be submitted by NGOs, International Organisations and other partners.

4. Methodology, Review Team and Time Schedule

i) Methodological steps

The review exercise will consist of

- 10 days desktop analysis on i) reviewing the available information and data on the key activities undertaken by the Ireland Aid HRD unit between 1998 - 2001 and ii) analyzing current Best Practice in relation to the HRD scheme.
- Review of relevant evaluations and reviews carried out on HRD. Particular attention should be paid to the two reports undertaken by Ireland Aid - i) Ireland Aid's guidelines on Participatory Development and Good Governance. And ii) Irish Aid: A Proposed Strategy for Democratization: Philip Rawkins, December 1996;
- Preparatory meetings with HRD Committee and other relevant sections within the Department of Foreign Affairs in Dublin and relevant NGOs
- Field visits of 20 days will be undertaken. 10 days in Central America and a further 10 days in Bangladesh/India for interviewing, consultations and review of a representative selection of Ireland Aid funded activities in these countries..
- Meeting with relevant authorities, NGOs and donors in these countries
- Workshop presentation for the DCD and Political Divisions on the key outcomes of this review.

ii) Review Team

A 2-3 member team will be appointed to carry out this exercise. The team will consist of a team leader and a support consultant. Local or regional consultants will also be employed for the field visit. A member of the Specialist Support Unit and/or a member of Bilateral 2 will accompany each phase of the evaluation.

iii) Time Schedule and outputs

This review will take place in two phases. Phase one (desktop analysis) is scheduled for May 2002 and phase two (field study) for June/July 2002. It is expected that the desktop analysis and relevant meetings undertaken in Dublin will take 10 working days. A further 20 working days will be spent in the field with an additional five working days for write up.

A report (not longer than 20 pages) will be produced by end of August 2002. It will give an overview of Ireland Aid's involvement in the HRD sector, the purpose of the scheme, an analysis of the scheme (1997 -2000) by partner and by sector, analysis of the management of the scheme (guidelines, decision making processes, documentation, monitoring, reporting, audit and evaluation), consistency with international best practice and with other Ireland Aid guidelines, identify key lessons learnt and present key options for the future direction of the HRD scheme. An appendix will contain brief (1 page) reports on individual projects visited during the evaluation.

This report is intended as internal documents to assist Ireland Aid in the development of its HRD programme. A synopsis based on these reports may be made available to a wider audience.

March 12th, 2002

Annex 2: Review of HRD Projects in Central America¹

Guatemala

A Brief Country Review

When Guatemala signed the Peace Accords in December 1996 putting an end to 36 years of civil war, the new government faced a series of obstacles: a legacy of serious human rights violations (an estimated 200,000 people were killed or “disappeared” and around a million fled into exile or were internally displaced); a largely unresolved land issue (directly connected to the displacement of people – 70 per cent of the country’s arable land is owned by less than 3 per cent of the population); a strong military; weak institutions, including weak political parties and a non-functioning judiciary; and a weak economy. The first democratic government in office faced serious challenges in amending this complex situation, and little progress has been made since. The enthusiasm following the signing of the Peace Accords has slowly been eroded. One of the priority areas of action signalled by the Peace Accords is respect for human rights and redress of past violations. The two post-transition governments have both been unwilling to implement these elements of the Peace Accord, partly because strong forces have seen it as their main interest to maintain the status quo (and hence privileges). The following account focuses on some institutions that have prevented adequately dealing with human rights abuses stemming from the past as well as hindering the adequate protection of human rights in present day Guatemala.

Military and paramilitary units: In spite of the Peace Accords calling for a reduction in the presence of the military in civil society, military camps and training centres were not shut down, as promised by the transition government. Three training camps in the vicinity of Nebaj in the north of the country alone are clear indications of this. The current rightwing, highly populist FRG (Guatemalan Republican Front) government, who won the elections in November 2001, has increased, rather than reduced military spending. According to a recent MINUGUA report (the UN peacekeeping mission), the structure, budget and size of the military has not changed. Funds have reportedly been transferred from the health and education budgets to the military sector. Private security forces outnumber the police by 10 to 1. The strong presence of the military is clearly visible in Guatemalan society. Armed police routinely patrol the street, waving guns from open trucks and strutting army uniforms. Police violence is reported to be a big problem. In spite of paramilitary units (PACs) being banned by the Peace Accords in 1996, they continue to thrive and intimidate the population in the rural areas. The Maya populations in particular, who make up around 60 per cent of the total population, continue to be the victims of violence and discrimination.

Political parties and ties to the military: A serious problem is the continued link between political parties and the military. The current FRG government is known to have close ties to the military. Several of its members are retired lower grade officers.

¹ The annexed report on Guatemala and Honduras has been prepared by Dr. Elin Skaar, Consultant with the Michelsen Institute, in collaboration with Ms. Áine Hearn, Desk Officer HRD and Ms. Irina Garcia de la Nava (HRD Desk). The information in the report was collected during a field trip undertaken by the team to Central America during the period 29th of June - 15th of July, 2002.

The current leader of Congress, Ríos Montt, is the general who came to power through a coup in 1982, which initiated one of the worst periods of violence in the country. Ríos Montt's so-called "scorched earth" policy burned down around 400 villages, tortured and killed an estimated 15,000 people, including women, children and elderly and forced thousands more to flee. Around 100,000 people fled to Mexico alone. Another half a million people were internally displaced as a result of the violence and aggression.

Although the Peace Accords stated that no person who had directly been involved in the violence is allowed to hold the presidency in Guatemala, it has clearly not prevented other hard-core military repressors from holding central positions in democratic government in Guatemala. The election of Ríos Montt as head of Congress is perhaps the most glaring example of this. Ample evidence from human rights activists suggests that the current government is also actively using so-called civil defence patrols (CDP) to install fear and uncertainty in the population. This is expected to influence the next elections, as many think the people will vote for the incumbent FRG party out of fear.

Weak judiciary: The strong presence of the military is directly linked to the failure of the state in general, and the judicial apparatus in particular, to enforce the rule of law. This problem has long historical roots. During the civil war, the judiciary did little or nothing to prevent the massive human rights abuses. The judiciary remains largely unchanged after the transition to democratic rule, in spite of half-hearted attempts to reform the judicial apparatus and the criminal procedure code since 1994. Due to a combination of lack of political will and scant resources, these reforms remain largely on paper. Judges remain roughly the same as during the period of violence. The legal system is perceived as ineffective, subject to intimidation and corruption. This leads to a lack of public confidence and consequently generates further feeling of insecurity among the population.

Continued violence: The failure of democratic structures to be put in place combined with a deep-rooted culture of mistrust, discrimination and violence, has caused violence to continue in the post-peace period. There are three main sources of violence: paramilitary structures, organised crime, and violence against *campesinos* (local farmers) by armed groups. Impunity remains a huge problem. One concrete example of the failure of the rule of law is that people have started to take justice in their own hands. Lynching has become increasingly common, often resulting in killings, especially in the rural areas. Violence is rampant all over the country. 50 killings per week have been reported in Guatemala City alone over the last few months. Car robberies, rape and murder in the rural areas have become an increasingly serious problem.

Violence and threats against NGOs: One particular target of violence is human rights activists and their organisations. The murder of Bishop Gerardi 2 days after the report of the REMHI commission was released in April 1998 marked the onset of a pattern of threats and intimidation against people working for human rights in Guatemala.² This problem has become notably worse since February 2002. NGO offices have been raided. Activists have received death threats. People in the NGO sector have been killed. Others have fled into exile. People working with human rights think these threats are directly related to the current government and its close ties with the military and the CDP units. Revealing the violations of the past and drawing

² In June 2001, three military officers and one Catholic priest were convicted of the murder of Bishop Gerardi. The case has been appealed.

attention to the continued abuse of human rights is not popular with the current government, who have much to hide and little to gain from more openness and international attention on human rights violations. Ríos Montt is just one of many politicians who have been directly involved in mass repression and killings in the past. The current president, Alfonso Portillo, is also an accused murderer.

Against this backdrop, it is clear that the struggle for human rights is more important than ever. In particular the current work being undertaken in the area of revealing the atrocities of the past is seen by human rights activists as essential if the Guatemalan people are to be able to move forward and become active participants in the democratisation of their country. The exhumation of bodies from clandestine graves is very important for the families who have suffered during the troubles. It gives respect to the dead, their families, and the cultural beliefs regarding burials. It further assists the bereavement process and, where possible, attempts to highlight the injustices carried out by past governments and the complacency of the existing one.

Ombudsman: One positive exception from the rather dreary picture painted above is the possible new and strengthened role of the Ombudsman's Office, whose main foci are to watch public spending and to look into all aspects of human rights violations.³ When MINUGUA (the UN peacekeeping forces) move out of Guatemala at the end of 2003, many of its monitoring functions will be transferred to the Ombudsman's Office. The Government will hence be forced to increase the current budget of this office. The new Ombudsman, Sergio Morales, who will take office in August 2002, is the founder of a respected Human Rights Institute in Guatemala and has strong links to the NGO sector. Morales is committed to changing the violence scene and wants to channel resources into crime prevention, especially with regards to violence against women and children. He brings a strong team from the Human Rights movement/background with him as staff when he takes office. This gives some reasons for cautioned optimism. However, as the following project reviews demonstrate, the human rights violations in Guatemala are too widespread and complex to be solved by one institution alone. Strengthening civil society and human rights organisations is thus of utmost importance.

Meetings held with:

1. CAFCA.
2. Mr. Nicholas Rose, Project Co-ordinator, CESHRA.
3. Mr. Frank la Rue, Executive Director, CALDH.
4. Mr. Sergio Morales, Ombudsman.
5. MINUGUA (United Nations Verification Mission in Guatemala).
6. Licenciado Nery Rodenas, Executive Director, Human Rights Office, Archdiocese of Guatemala City.
7. CALDH.
8. Oxfam Australia/Madre Tierra (Women's Organisation)

³ The Ombudsman's Office was created in the Constitution in 1985 (i.e. before the Peace Accords). It started functioning in 1987, but has so far been understaffed and has not had much power.

Project Reviews Guatemala

PROJECT 1: Human Rights and Exhumation Project (Ref: HR/01/43)

Implemented by the Centre for Forensic Analysis and Applied Sciences (CAFCA), Guatemala.

Overall objective of project: The main overall objective of the project is to contribute to the process of reconciliation at the local and national levels, by strengthening the implementation of the rule of law and respect for human rights. The project aims to reach these objectives through assisting families in the exhumations and burial of their dead. It also offers legal advice to those family members who wish to present the evidence in court as a basis for prosecution of those who committed the crimes, which in most cases is the military.

Partners: Ireland Aid, Trócaire, Movimiento Desarraigado del Norte de el Quiché.

Beneficiaries: estimated 300-400 families split between various communities in the northwest and central regions of the country.

Field visits: The review is based on information gathered through five principal sources:

- (i) Briefing by Trócaire's representative in Guatemala City. Nicole Walshe;
- (ii) Overview of the exhumation project by CAFCA team members in Guatemala City, including Lourdes Paredes (Co-ordinator for the Forensic Team) and Jesús Hernandez (Director of CAFCA and Co-ordinator of the Mental Health Team);
- (iii) Meeting with Movimiento Desarraigado del Norte de el Quiché (CAFCA's local counterpart in Nebaj, 6 hours' drive from the capital);
- (iv) Meeting with local priest in Nebaj, Padre Rigoberto Pérez.
- (v) Meeting with various family members in two local communities near Nebaj, who were in the process of trying to gain permission from the Ministerio Público to exhume the remnants of their buried family members.

CAFCA

There are a total of four forensic teams in Guatemala (only three at the moment as the dioceses of El Quiché had to close down due to threats and work-related stress) who work in different regions of the country, mainly in the northwest and central parts, where most of the mass killings took place. CAFCA, previously the exhumation unit of CALDH (Centre for Legal and Human Rights), was established as an independent entity in December 1999 to ensure independence of procedure. CAFCA consists of two main teams: the Forensic Team (counting eight members) and the Mental Health Team (two members). The main focus of the forensic team is to respond to demands from communities for exhumation of people who were killed and placed in mass graves during the civil war, particularly during the early 1980s during the so-called "scorched earth" campaign carried out by General Ríos Montt (now President of Congress). CAFCA offers high-quality forensic investigation. It also gives legal advice to those family members who wish to follow up the exhumations by taking the cases to court. The mental health team offers psychological-social support and counselling to the families of the victims before, during, and after the exhumations. The CAFCA teams work closely with the Movimiento Desarraigado del Norte de el Quiché, a local NGO

committed to, among other things, the exhumation of the dead. The Movimiento Desarraigado del Norte de el Quiché has its own local counterparts in each of the communities where exhumations have been carried out. CAFCA has close working relations with the other forensic teams, the Ministerio Público, the Church, and other NGOs.

Relevance: The review team members found this project to be of great relevance for several reasons. Firstly, it directly addresses one of the worst legacies of human rights violations in Guatemala, namely the kidnapping and killing of people and placing the dead bodies in anonymous mass graves. The Guatemalan government does not have a forensic team. Hence, CAFCA and other forensic teams are filling a serious gap in what should have been the government's responsibility. Secondly, recovering the dead bodies gives the families the right to know the truth and bury their dead. This is in accordance with the goals of the UN Truth Commission report published after the Peace Accords. Thirdly, uncovering the dead helps document the violence of the past. This contributes to challenging the culture of impunity that has reigned in Guatemala for decades. Fourthly, the evidence brought forward through the uncovering and documentation of the dead may at some later point in time be used as evidence in court cases. Bringing those responsible for the atrocities to court will strengthen the judicial system and the rule of law. Fifthly, and at a more general level, the uncovering of the truth about the past is considered an essential component of reconciliation of the Guatemalan society and a prerequisite to building a viable democracy.

Effectiveness: The activities of the project have been carried out in a timely manner. The forensic team has assisted in a number of high quality forensic exhumations and the identification of a large number of persons. Several more exhumations are in the process. When the team was in Nebaj, CAFCA in co-operation with their local counterparts were in the process of gaining permission from the Ministerio Público to open graves in four more sites. CAFCA estimated that a total of 100 bodies are buried in these particular graves in the Nebaj sites. In addition to the actual exhumations, CAFCA has carried out a number of training activities in the legal field.

Impact: The project has clearly had a positive impact on the communities where exhumations have taken place. Good relationships have been established between the CAFCA team members, the local representatives in the Movimiento in Nebaj, and the family members in the local communities where the exhumations have taken place. Trust has been built over time. Family members expressed that the most important thing for them was to be able to get back the remains of their dead and loved ones and give them a proper burial in the cemetery. How this will affect possible future legal action against the military and reconciliation at the national level remains to be seen.

Obstacles: The main obstacles facing the implementation of the exhumation project are (i) lack of co-operation from the Ministerio Público (Attorney's Office), who needs to grant permission for the exhumations to take place (the willingness to do so varies from individual to individual, according to CAFCA team members); (ii) threats from the military and paramilitary groups against communities (in one case families had requested exhumation of a grave, but withdrew their claim two days before the exhumation was scheduled to take place); and (iii) threats against CAFCA members

and other human rights workers (the leader for one of the other forensic teams in Guatemala, FAFG, already had to leave the country).

Sustainability: CAFCA has a strong and dedicated team who has established trust and good working relationships with its counterparts. Demands for assistance from CAFCA have grown as people in the communities have come to know about the project (mainly through word of mouth) and people have gained confidence in the team. Currently, CAFCA is facing many more demands for exhumations and legal action than it can handle. The organisation would like to expand its activities by hiring more team members. The possibility of doing so would depend on securing further funding. Currently, the organisation relies on short-term funding. Only a third of the team is covered for the year 2003 as some donors of this co-financed project have already warned that they will be cutting their funding in 2003 (for reasons other than the quality of the project). It is therefore essential that other donor sources be explored.

Recommendations: This project should continue as it addresses one of the most important and most sensitive issues in post-conflict Guatemala. Moreover, the project objectives are directly in accordance with the recommendations of the UN Truth Commission report issued after the Peace Accords. The project is already up and running and the need for the services offered by the project is growing.

PROJECT 2: *Human rights training project (Ref: HR/98/96)*

implemented by the Centre for Legal Action in Human Rights (CALDH), Guatemala

Overall objective of project: The victims of the abuses and violations suffered over the 36 years' conflict have demanded exhumations of those killed and disappeared so that they may finally bury their dead and seek justice. The project aimed to answer these demands and to contribute to the wider context of human rights awareness in Guatemala and to put pressure on the authorities to fulfil their obligations towards the public. The project set out to carry out exhumations of sites; train members of the local communities in basic exhumation techniques; increase the understanding of the local communities of the importance of human rights; and ensure that communities understand how their particular case can be heard.

Partners: Ireland Aid, Trócaire, Asociación de Justicia y Reconciliación.

Beneficiaries: 9 communities in the area of San Martin Jilotepeque

Project status: Ireland Aid funded the project between 1998-2000. CALDH continues to provide the services specified in the project objective.

Field visits: The review is based on information gathered through six principal sources:

- (i) Meeting with Frank La Rue, executive director CALDH;
- (ii) Meeting with Sergio Morales, newly elected Ombudsman for Human Rights (currently Director of University of San Carlos Institute for Human Rights);
- (iii) Meeting with MINUGUA, UN Verification Mission for Guatemala;

- (iv) Meeting with Nery Rodenas, Co-ordinator for ODHA (Archbishop's Organisation for Human Rights);
- (v) Meeting with various representatives from CALDH;
- (vi) Field visit to San Martin Jilotepeque, meeting with three communities in three different villages to discuss the issue of exhumations and the importance of justice.

CALDH

CALDH is a non-governmental organisation set up in 1989 with the aim of exposing human rights violations in Guatemala and putting these cases before the relevant international organisations, such as the Inter-American Commission for Human Rights, the Inter-American Court of Human Rights, and the United Nations High Commission for Human Rights. CALDH has a very focused, organised, and committed team. Many CALDH members – mostly lawyers and forensic scientists - have backgrounds as guerrillas during the civil war, but have now gone into active human rights work. It has a solid leadership with a strong social commitment. The executive director, Frank La Rue, has good international connections and is well respected. The headquarters of the organisation is in Guatemala City. There are regional offices in Rabinal, Baja Verapaz, San Martin Jilotepeque, Chimaltenango, Nebaj, and El Quiché, to facilitate contact with target communities.

Relevance: The project addressed one of the main problems in Guatemala: impunity. Impunity not only protects the perpetrators of human rights violations from the legal judicial system, but also weakens the impact of the legislature as those who have committed crimes go unpunished. Currently, there is a lack of proper system for investigations, technical capacity, knowledge of the laws and legal processes and experience on the part of the authorities in charge of the administration of justice. Due to the failure of the government to implement the Peace Accords on this issue, CALDH is filling a very important void in the legal system.

Effectiveness: The project has met its multiple targets. It has successfully carried out 8 exhumations and accompanying workshops with communities; held 34 investigative workshops with members of affected communities; held a preparation workshop for the victims of family members. As mentioned in HR/01/43: *Human Rights and Exhumation Project*, the CALDH forensic team was successfully transferred into an independent association, CAFCA. CALDH/CAFCA have effectively co-operated with all four forensic anthropology teams in Guatemala. CALDH has worked extensively with other human rights organisations and has also successfully lobbied in Brussels with a view to obtaining a European Parliament resolution on Human Rights in Guatemala.

Impact: The project has had a clear positive impact in several areas. From the review team's visit to San Martin Jilotepeque, it was evident that CALDH has a strong presence in these communities. Its members are well respected and they have succeeded in building up a lot of trust. Around 250 people divided between 3 different communities had come to meet with the review team. Their testimonies made it very clear that CALDH has had a positive impact in their communities in that they have been given help to bury their dead and to take the cases to court. After people started to learn about repression in other parts of the country, they feel less isolated and less

intimidated. In addition to assisting victims of human rights violations, CALDH has helped strengthen legal work in the human rights field in general. There has been a substantial increase in court cases; both in individual cases and in collective cases for genocide. CALDH succeeded in presenting the first *denuncia* (claim) against the Lucas García regime to the Attorney General's Office in May 2000 (this case concerned 10 massacres in 9 communities carried out in 1981). It has also acted in several other important legal cases. This contributes to the breaking of the existing impunity.

Obstacles: The main obstacle to CALDH's work has been multiple threats – including death threats – against several of its members. The increases in threats are thought to be directly related to progress in the Ríos Montt case. In order to make its members less vulnerable, a system of accompaniment has been put in place. Members that have been particularly threatened, or communities that have been harassed by the military get an international volunteer to stay with them, the idea being that international presence lessens the prospect for direct attacks.

Sustainability: CALDH's work is ongoing and strong. There is no reason to believe that its work should not be sustainable, provided the necessary resources are available.

Recommendations: CALDH carries out excellent work in the legal field and presents an invaluable strengthening to a malfunctioning and deficient judicial system. It is essential that this kind of work be supported.

PROJECT 3: *Education Programme for Indigenous Organisations* (Ref: HR/00/5)
Implemented by Community Aid Abroad – Oxfam Australia (CAA)

Overall objective of project: To contribute to the construction and articulation of a genuinely representative, inclusive, and multicultural democracy in Guatemala through the strengthening of Mayan people's capacity to accede to debate and dialogue, and to participate in the construction of policy alternatives and democratic processes. This was achieved through 12 workshops (at the national level, aimed at organisations all over the country representing Mayan people) held in 4 different areas on the themes of (i) Gender; (ii) Mayan culture and thought; (iii) Biodiversity and (iv) Local power/civic participation. Oxfam ran these workshops with contracted trainers. The central idea of the project was to train middle-level leaders. The intended trickle-down effect was that these people in turn would be more effective in the training of and responding to the needs of their local communities.

Partners: Ireland Aid, Trócaire, Community Aid Abroad – Oxfam Australia (CAA), Trócaire, various local NGOs.

Beneficiaries: 100 people from 40 organisations (direct beneficiaries) and about 425-475 communities spread all over the country (indirect beneficiaries)

Project status: Ireland Aid funded the second stage of this project, for the period June 2000-May 2001.

Field visits: The review is based on information gathered through two principal sources:

- (i) Meeting with four representatives from Oxfam Australia (CAA), including the director and two project workers;
- (ii) Visit to one of the beneficiary organisations; Madre Tierra, located in La Lupita (small community counting about 120 families in the coastal region of Guatemala).

Community Aid Abroad – Oxfam Australia (CAA)

Oxfam Australia (CAA) is an international non-governmental organisation. Its headquarters in Guatemala are located in the capital. Currently, the office has four members; a mix of national and international staff.

Relevance: The project seeks to benefit one of the most marginalised and discriminated sectors of the Guatemalan population (the Maya peoples), who make up around 60 per cent of the total population, and who were the main targets of repression during the 36 years of civil war. Violence against this group of people remains high; illiteracy rates are among the highest in Latin America (up to 80 per cent for Mayan women); and political participation is extremely low. The right to land continues to be a pressing issue, partly for historic reasons, partly as a result of the large refugee flows and internal displacement during the civil war. It is clear that without strengthening this part of the population, it will be hard to build a viable democracy in Guatemala.

Effectiveness: Compensating for centuries of systematic discrimination and violence, needless to say, is not achieved through one project alone. It is inherently more difficult to measure the impact of training workshops and capacity building than it is to measure the effectiveness of a project that deals with more concrete issues, such as exhumations. Nevertheless, this project has made several advancements in the field of human rights, indigenous rights, women's rights and political education. Satisfactory progress was made in terms of the number of workshops held and the number of organisations and individuals participating.

Impact: As exemplified by the review team's visit to one of the more than 40 beneficiary organisations, Madre Tierra in La Lupita,⁴ the project seems to have had an impact beyond its direct beneficiaries. Three representatives from Madre Tierra in La Lupita have participated in workshops (on Gender) organised by Oxfam. One of the community members has advanced to become a member of the national board for Madre Tierra. The community members reported great satisfaction with the capacity building workshops that have taken place in the community (in part run by the same people who participated in the national training workshops). Several of the women present at the meeting stated that it was important for them to participate in local

⁴ Madre Tierra is an organisation originally founded by Guatemalan exiles in Mexico at the beginning of the 1980s. When the refugees returned from Mexico after the signing of the Peace Accords in 1996, most of them were relocated to the coastal region. The women formed several local groups in many communities, altogether counting about a thousand women. Madre Tierra in La Lupita is a typical group of Madre Tierra, counting about 140 women. Though Madre Tierra is a typical beneficiary organisation of the Oxfam project, it should be noted that many of the other organisations that received trainers' training from the national workshop were much smaller and less institutionalised than Madre Tierra. The project activities may therefore have had a greater impact in La Lupita than in many other organisations.

community workshops because it gave them “social space” and helped them become more aware of their rights and thus help them develop themselves. One may conclude that, in the case examined, the Maya women in the community of La Lupita have become more aware of their rights (both as women and as members of various Maya groups), and that this may, at least in part, be attributed to the Education programme for indigenous leaders. The Oxfam lead project has thus successfully contributed to the training of middle-level leaders and, in turn, to the capacity building in their respective communities.

Sustainability: The Madre Tierra group in La Lupita suggested that they have an organisation that is up and running, where women are active participants in local training groups. Young women enter the organisation when they are 18 – thus, there is a constant influx of new members who receive training. One can therefore make the argument that capacity building workshops do have a trickle-down effect, which aids the sustainability of such efforts.

Obstacles: The main obstacles to this kind of project are related to poverty and gender issues. Maya women have traditionally low levels of education (high illiteracy rates), poor access to basic services, and are not trained in how to make demands. Another closely related obstacle is the existence of 23 non-Spanish languages (21 of which are different Mayan languages plus Garifuna and Xinca). This makes bilingual education extremely difficult. Moreover, the mixing of different groups of Maya people in the same villages after relocation after the end of the war has made it difficult for Mayan people to retain their original language, traditions, and dress.

Recommendations: This is evidently an important project in itself. However, for the purpose of future channelling of funds, it may be more efficient for Ireland Aid to focus its efforts in a narrower range of projects devoted to addressing the violations of the past in the area of exhumations etc. (see more details in concluding remarks).

Honduras

A Brief Country Review

The main difference between Honduras and its other Central American neighbours is that there was no civil war in Honduras. Nevertheless, the country cannot claim a democratic history. Military and civilian governments have alternated throughout the last century. The strong presence of the military in civilian politics and the frequent issuing of new constitutions have ensured that civilian governments have been virtually non-distinguishable from military governments. This is chiefly due to strong US presence in the country, starting with the US banana companies at the end of the 19th century (from whence Honduras gained the name “banana republic”). US economic and military interests continue to dominate the country. This is aided by generous tax exemptions (25 years of tax free profits) for big American company franchises e.g. McDonalds, Burger king, etc.)

During the 1980s, Honduras functioned as a base for US military in its war against the Nicaraguan Sandinista government and the rebels in El Salvador. In return for turning a blind eye to the Contras’ presence in eastern Honduras, the Liberal government of

Roberto Suazo Córdova (1982-85) received economic and military aid from the US. During this period – one of the most brutal in recent Honduran history – the armed forces were responsible for violent repression, particularly against left-wing activists. From 1980-84, a reported 200 left-wing political activists were killed and more than a hundred “disappeared”. Thousands more fled into exile to neighbouring countries as well as to the US. Since 1984, reports of disappearances and extra-judicial killings have decreased significantly. Nevertheless, physical attacks, harassment, death threats and other forms of intimidation against trade unionists, community activists, and human rights defenders, including members of the judiciary and the government, continue. Though repression was on a much smaller scale than in Guatemala, there are still major unresolved large-scale breaches of human rights. Like in Guatemala, the Honduran military has been able to act with virtual impunity.

The military, political institutions, and corruption: The military still has a strong presence in Honduran politics today. However, the links to the political parties are subtler than in Guatemala, though they certainly exist. Like in Guatemala, Honduras has a weak and corrupt judiciary, which has largely turned a blind eye to abuses under the various governments. The bipartisan political system is reported to have a custom of political favouritism in political, social and legal appointments, which hinders the democratic process.

Pressing problems: As a result of long-term militarised politics, malfunctioning institutions, political favouritism, and an economy in severe crisis, Honduras is reported as one of the poorest countries in the world (the third poorest in Latin America and the Caribbean). The main problems facing the current PL (Liberal Party) government in Honduras may be summed up as follows: (i) widespread poverty. The economic and social crisis was vastly exacerbated by Hurricane Mitch, which hit the country in 1998. An estimated 10,000 people on the northern coast and another 10,000 in the capital Tegucigalpa were reported dead or missing. Women, especially in the rural areas, are the most seriously affected. (ii) Extremely high levels of violence (also related to the crisis provoked by Hurricane Mitch) against women and children, in particular, is noted as a severe problem. Around nine women die every week in the capital as a result of domestic violence. (iii) Child prostitution and child trafficking has become an increasing problem. (iv) Large numbers of refugees as a result of external exile and internal displacement after Hurricane Mitch. (v) Unresolved human rights violations stemming from the past.

It is not easy to solve these problems. The economy is in a shambles due to the devastation after Hurricane Mitch in 1998 and to the drastic fall in coffee prices following the introduction of Vietnamese coffee on the International market. Honduras is also reported as the **most** corrupt country in Latin America. It is estimated that thirty per cent of its national budget is believed to land in private pockets of government officials and the military. (On a side note: 10 out of the current 12 ministers are bank owners). As a result of this the budget allocations to the health, educational sectors and the judicial system are very meagre, which explains why judicial reform packages, though passed on paper, remain largely unimplemented.

On a more positive note, there is some reason for cautious optimism. The current PL government, headed by Ricardo Maduro, seems more committed to tackling the

problems listed above than previous governments. For instance, Maduro has promised to implement judicial reform and has launched a zero tolerance policy against social violence. However as a result of this policy it is estimated that over 2,000 young people have been killed or disappeared. It is encouraging to note that the president's party includes quite a few female politicians who were elected to office in 2001. Furthermore, four out of twenty regions have female Mayors, which may help put the issue of violence against women and children on the political agenda. The Supreme Court in Honduras – as the only Supreme Court in world history – has a majority of female judges (9 out of 15). However, it remains to be seen if this will make an actual difference in the administration of justice.

Finally, the new Ombudsman who came into office in April 2002, Dr. Custodio, seems to have a clear vision about how to strengthen the protection of human rights. He has already brought about a whole set of changes, including bringing in new handpicked personnel, especially from the judicial sector, many of them women. 14 proposed policy recommendations are centred on three main thematic areas: (i) social, economic, and cultural rights; (ii) violence against women and children; and (iii) crime prevention and investigation. Though it is too soon to tell, it seems that Custodio is in a unique position to put many of these ideas into practice. Firstly, the formal mandate of the Ombudsman's Office is exceptionally strong. Secondly, the President supports Custodio. Thirdly, he also enjoys the support of the Supreme Court. Pen-ultimately, Custodio's past as an active human rights defendant means that he has strong links to this sector and a profound understanding of the organisation of Honduran civil society. Finally, Custodio is very clear on wanting to remain independent, both from political forces and from the NGO sector and the people he is going to serve.

As the following review demonstrates, Honduras could need a strong Ombudsman's Office when grappling with its many and serious problems of human rights violations.

Meetings held with:

1. Dr. Ramón Custodio, new elected Ombudsman.
2. CESHRA
3. CDM (Centro de Derechos de Mujeres)
4. Various Women's Organisations that received training from CDM.
5. Interforos (Association comprising different Civil Society Organisations)

Project Reviews Honduras

PROJECT 1: Central American Human Rights Institution-Building Project (Ref: HR/02/20)

Implemented by Centre for Sustainable Human Rights Action (CeSHRA)

Overall objective of project: The aim of the project is to enhance the capacity of human rights organisations in the Central-American sub-region of Guatemala, Chiapas (Mexico), and Honduras so as to promote and protect a culture of human rights observance. The objectives of the project are (i) to establish and support the formation of a series of grassroots institution building trainers across the three countries in order to strengthen the organisations to which the trainers belong, their communities and other local human rights groups and organisations; (ii) to contribute to the formation

of effective support and information exchange networks; (iii) to extend institution-building resources to human rights organisations throughout the sub-region.

Partners: Ireland Aid, Trócaire, CIEP and Nuestra Voz

Beneficiaries: 30 grassroots human rights organisations as direct beneficiaries and estimated 90-130 human rights organisations as indirect beneficiaries.

Project status: This project started in 2002 with funding from Ireland Aid.

Field visits: The review is based on information gathered through two principal sources:

- (i) Meeting with Nicholas Rose, director of CeSHRA, in Guatemala City;
- (ii) Observation of training workshop run by CeSHRA in Valle de Los Angeles, Honduras (close to capital city).

CeSHRA

CeSHRA's operational office for Central America is based in Guatemala, where it co-ordinates with other international organisations that cover similar geographic and thematic areas, such as Rights Action (Canada), CRS (Catholic Relief Services, USA), and Oxfam Australia. CeSHRA has extensive linkages with other national and international organisations and NGOs. A team of two project co-ordinators runs the organisation: Nicholas Rose and Julie Tucker. The project leaders seem very competent, knowledgeable, and committed. The project is well run with scheduled activities, regular reporting, and extensive spread of information through a monthly bulletin.

Relevance: The project is clearly responding to needs of human rights organisations that want better-trained leaders and more information exchange and networking. Because the human rights movement in Honduras (currently counting over 300 registered NGOs) is dispersed and poorly co-ordinated, popular education workshops and the spread of information through the monthly bulletin may have a unifying function, in addition to building capacity in the individual organisation. Using a popular education strategy helps include groups of people with low literacy skills and make trainers able to effectively pass on information and alternative organising strategies to organisations in poor communities.

Effectiveness: The project has been in operation for only a few months. Yet, it has shown impressive progress in meeting with its project objectives. The first round of organisational visits to participating organisations has been made. Three four-day popular education workshops have been completed (the review team participated in one of them). Five editions of a monthly bulletin have been distributed with the collaboration of participating groups. Finally, the dispersal of seed money funds to participating organisations to facilitate replication of institution strengthening at the local level is underway.

Impact: In spite of its short time of operation, the project has already had a clear and positive impact. The main conclusion drawn by the review team after observing part of a three-day workshop on popular education in Valle de Los Angeles was that this

seems to be a very effective strategy used in capacity building. Reports from the twenty participants representing fifteen different organisations were unanimously positive to the use of popular education methodology.

Obstacles: No definite obstacles to the project were observed or reported, though it is anticipated that there might be an intensification of low-level harassment of human rights organisations in the sub-region targeted by this project. This, however, is a general problem faced by most human rights organisations and is not specifically connected to this project.

Sustainability: The whole founding idea of the project is self-sustainability through the training of trainers. The project seeks to promote systematic and long-term change. The specific project goals and outputs have been designed so as to ensure that its benefits are not lost upon completion.

Recommendations: A very commendable project. Similar projects should be encouraged and supported as they have short-term as well as long-term positive implications for the mobilising ability of participating organisations.

PROJECT 2: *Promotion and Defence of Women's Rights* (Ref: HR/01/16)

Implemented by Centro de Derechos de Mujeres (The Centre for Women's Rights, CDM), Honduras

Overall objective of project: CDM aims to contribute to a change of values, attitudes and discriminatory behaviour for the construction of a just and equal society by means of legal and social proposals, political lobbying, and the promotion of civil participation among women. It does so by (i) providing legal advice and emotional counselling to 200 women who have suffered violations of their rights (especially sexual violence); (ii) promoting legal reform and judicial practice that guarantees women's enjoyment of their human rights and equal treatment before the law, (iii) educating and mobilising the general public and key sectors of society so as to promote a culture of equality among men and women.

Partners: Ireland Aid, Trócaire, and CDM.

Beneficiaries: The number of direct and indirect beneficiaries is hard to estimate for this kind of project, but the numbers are probably in the thousands rather than the hundreds. During the reporting period January-December 2001 alone, CDM had dealt with 386 cases, 109 of which were cases of domestic violence.

Project status: This project started initially with funding from Trócaire. Ireland Aid got involved in February 2001.

Field visits: The review is based on information gathered through five principal sources:

- (i) Meeting with four women from the CDM board at their headquarters in Tegucigalpa;

- (ii) Visit to shelter for women and children victims of domestic violence run by CDM in Marcala;
- (iii) Meeting with fifteen women representing various organisations who have received training by CDM in workshop in Marcala;
- (iv) Meeting with female mayor and her staff in Marcala;
- (v) Meeting with ten women representing various co-operatives all of whom have received training by CDM in Marcala.

CDM

The women on the executive board running the organisation are highly skilled, extremely committed, knowledgeable, strong, and articulate. The whole organisation employs only 18 women, but CDM has around 25,000 affiliated women all over Honduras. One can safely say that this is the NGO focusing on women's issues with the greatest impact and outreach in Honduras. CDM has an excellent record of co-ordination with other organisations within Honduras and throughout Latin America in the defence of women's rights. Moreover, CDM has succeeded in establishing a strong working relationship with the director of the government department with responsibility for women's affairs. CDM is a founding member and a very active participant of the National Committee against Violence, comprising a total of five organisations working on women's issues at the national level. CDM members are also observers on the Parliamentary Commission for Judicial Reform and work closely with the trade union movement to review the gender dimensions of labour law and practice. Outside Honduras, CDM is the Honduran member of The Latin American Commission for the Defence and Promotion of Women's Rights (CLADEM), which has consultative status at the UN.

Relevance: After Hurricane Mitch, there has been growing awareness among large sectors of civil society about the need for concerted action to bring about more profound social changes in Honduras. This project is clearly responding to the expressed needs of women in Honduras. Around 1/3 of all households are headed by females. Domestic violence and sexual repression are severe problems. A frequent complaint among women is that they lack self-esteem, training, and access to channels where they can express their needs and frustrations. The CDM offers services to fill these gaps. At a broader national level, CDM activities help women to exercise their rights by confronting institutions, such as the courts, to fight for the implementation of justice and equity in the law. CDM's work is therefore an important strategy in strengthening civil society and hence democratic practices.

Effectiveness: This project has been extremely successful in implementing its objectives. Without going into details, CDM has carried out extensive legal and emotional counselling, held numerous workshops, set up emotional support groups, held a number of training workshops, actively lobbied politicians on women's issues etc.

Impact: The project has had an indisputable positive impact on the immediate beneficiaries, as clearly expressed by the many groups of women the review team met with in Marcala. It has also had a much wider reach through sensitising the public on issues of domestic violence through weekly radio programmes. CDM has in recent years established links with a privately run family mediation service, which works with extremely violent men on community rehabilitation alternatives. This approach is

reported to have a very positive impact in Honduras. Public perceptions regarding domestic violence are slowly changing as a result.

Obstacles: One of the main risks of this project is one shared by nearly all projects involving victims of domestic violence: the high “drop out” rate of women who come forward to report abuse and then do not follow through with their complaint. However, CDM has developed a series of mechanisms to ensure that women will have the courage to come forward. These include a handbook for victims of violence, close links with the police in areas with high levels of violence (following an invitation from the Police force CDM have organised training for police on how to deal with these type of claims), continued support for women victims, active use of radio programme and public posters to reinforce the anti-domestic violence message, and education programmes with men to explore the causes of family violence.

Sustainability: The activities undertaken by this project are aimed to have long-term impacts on direct as well as indirect beneficiaries.

Recommendations: This project is an excellent project of utmost importance. Future funding is strongly recommended.

PROJECT 3: Women’s Rights - Tackling Gender Violence in Honduras (Ref: HR/98/72)

Implemented by Calidad de Vida

Overall objective of project: This project addresses the special needs of women and children who are victims of domestic violence in urban barrios of the capital Tegucigalpa. The project aims are five: (i) to reduce the violence against women through the provision of protection, shelter and treatment of direct victims (both women and children); (ii) empower women through education and counselling; (iii) train women leaders in communities to identify victims; (iv) implement gender training courses for prevention of further violence; and (v) train teachers in public schools to introduce the topic of domestic violence in the school curriculum.

Partners: Ireland Aid, Trócaire, Calidad de Vida.

Beneficiaries: 60 urban poor communities (*barrios*) in Tegucigalpa. In the funding period for Ireland Aid, around 800 women and 1600 children received direct services from the Nova shelter run by Calidad de Vida. 100 teachers were trained. Several support groups were up and running.

Project status: This project started in March 1998 with funding from Trócaire and the French Embassy. Ireland Aid got involved in October 1998 and supported the project for 12 months.

Field visits: The review is based on information gathered through three principal sources:

- (i) Visit with Calidad de Vida at their headquarters, including the NOVA Refugio (shelter for battered women and children) and the various project activities undertaken in the building;
- (ii) Visit to a shelter set up in El Trébol, one of the temporary communities **created** in the outskirts of Tegucigalpa after Mitch (with funding from, amongst other donors, Ireland Aid);
- (iii) Visit to one of the workshops (*talleres*) run by women in another poor sector of Tegucigalpa.

Calidad de Vida

Calidad de Vida is a well-established organisation that has operated on issues of gender and domestic violence in Honduras since 1982. It offers services in a wide range of areas, such as shelter for battered women and children; psychological counselling, medical care and legal aid to victims; training workshops for women on issues such as sexuality and reproductive health; support groups for women; capacity building workshops; training of vocational skills; micro-credit projects; and government lobbying. Calidad de Vida has a large network, and excellent working relationships with other NGOs as well as government structures, such as the family courts and the police. It has a relatively small staff that is clearly devoted to the various activities of the project.

Relevance: The project is responding to a great need in Honduran society, where violence against women and children is widespread. Domestic violence has been on the increase since Hurricane Mitch in 1998, which caused severe economic and social stress. After Hurricane Mitch 18,000 families in Tegucigalpa were left homeless and many were hurled into provisional shelters, which were intended to be short-term housing. In reality, however these shelters have become permanent residences for thousands of families. In some of these shelters as many as 20 people are crowded in areas as small as 4 x 4 m. These living conditions have provoked a high level of domestic violence (violence against women was listed as the number one cause of death for women in Tegucigalpa in 2001– nine women were reported killed weekly in the capital alone). The review team met with a number of victims; including several young teenage mothers, battered women, and children as young as two years old who have been victims of domestic sexual violence. Because the Honduran government – as the only government in Latin America – does not provide any refuge services to victims of domestic violence, Calidad de Vida is filling an urgent need. The previous Partido Nacional government was reported as having refused to deal with the issue of domestic violence at all. Though the current Partido Liberal government seems to have demonstrated more willingness to engage in women’s issues, it has so far done nothing to complement the services offered by Calidad de Vida.

Effectiveness: The final project report from Ireland Aid in 1998 shows that the project has been extremely effective. All the target activities and outputs were reached. In addition to offering immediate services to victims of violence, Calidad de Vida have put in place a holistic strategy to offer women skills to look after themselves and their children after they leave the centre. Personal observations of the review team and conversations with numerous beneficiaries showed that the project has been very successful and that the beneficiaries think of the services offered as crucial.

Impact: The impact of the project goes well beyond the direct beneficiaries of the women and children who receive direct assistance and the women who receive training. For instance, the women who have received various forms of vocational training have successfully set up micro-credit businesses (handcrafts such as sewing, pottery making, bakery etc.) and are now able to provide for their families. Others have become community leaders and offer training workshops and counselling to women in their own communities. In all, several hundred women and children have benefited from the project so far. In addition Calidad de Vida provide Teachers and counselling services for the children while they are in the shelter so they do not miss out on their studies.

Obstacles: In the initial phase of the project, Hurricane Mitch and the subsequent displacement of thousands of people slowed down some of the activities. However, once the project was on its feet, it has met all its targets. The main obstacle to dealing with women who have experienced violence, is the high “drop out” rate once the violation has been reported to Calidad de Vida (the same problem as faced in the **CDM** project).

Sustainability: The project has proved sustainable. The Calidad de Vida core group of women has succeeded in securing a building from the government in the centre of the capital (reportedly after much hassle and demonstrations), where they have set up their office and the shelter for women and children. The fact that many of the trained women are passing on their knowledge to women in their communities and acting as focal points for further training and supports groups has given the project a positive ripple-effect. Though the project still relies on heavy involvement of volunteers (it currently has about 20 volunteers working out in the communities as well as medical doctors offering their services two days a week), external donor assistance is still needed in order to cover the running costs of the Refugio and the salaries of the core staff.

Recommendations: This type of project is extremely valuable and important in Honduras in order to offer crucial support services to women and to strengthen women to stand up against violence and make a living for themselves.

Annex 3: Comparative Experiences: The Nordic Countries

In recent years, the Nordic countries have substantially increased their HRD assistance. Thus, Sweden's support for HRD amounted to € 146 m in 2000. This was approximately 14% of the entire development cooperation budget. While comparable figures for the other countries are somewhat uncertain because of different practices as far as classification of budget items is concerned, Norway and Denmark have largely followed suit. Thus, in 2001, Norwegian bilateral development assistance to "peace, democracy and human rights" amounted to € 190 m, which was 23% of the total bilateral assistance budget. During 1990-98, Denmark disbursed nearly € 231 m for HRD purposes. In 1998, this represented close to 6% of total bilateral assistance.

In spite of allocating growing portions of their aid budgets to HRD activities, there are some interesting differences between the Nordic countries regarding their approach and organisation.

Unlike Denmark, both Sweden and Norway have prepared action plans for their HRD assistance. While the Norwegian Government presented a White Paper on human rights in 1999-2000, Sida prepared an action plan (2000) in which promotion of peace, conflict management, democracy and human rights were perceived as interlinked. It is an elaborate plan with numerous and manifold objectives, which are to be promoted in a variety of ways and through different channels (see annexed report).

All the Nordic countries (including Finland) have concentrated their long-term bilateral action in those countries for which there is a country strategy, a resident mission and where conditions are conducive and political will is present for progress on the HRD front. Despite multiple objectives, Sida has identified two main sectors for targeted support: (i) the system of law, and (ii) independence of the media. Similarly, NORAD has chosen to give priority to projects which strengthen (a) the rule of law; (b) civil society; and (c) differentiated media. The supported projects are run by authorities and institutions as well as voluntary organizations.

Sida seeks to adapt a principle of complementarity, whereby activities targeted at state institutions are to be complemented by support to civil society institutions that are able to respond to changes in the local political situation. In addition to HRD activities in the main partner countries, HRD support may also be planned and implemented for a broader set of countries, including those where political will is not too apparent, and primarily for organisations that can make a contribution in the right direction. Kenya is a case in point. Norway and Denmark do the same.

It follows that Nordic HRD assistance (with the exception of Finland) is, in fact, quite scattered. Thus, altogether 75 countries received such assistance from Sida in 2000, and 73 countries from Denmark in 1998. In Norway, a fairly large sum of money (close to € 10 m in 2001) was allocated to human rights support directly by the Norwegian Ministry of Foreign Affairs (MFA) and its Section for Human Rights, Democracy and Humanitarian Assistance. The number of project, countries and organisations receiving such support are quite high.

There is a clear trend towards growing integration between foreign policy and development policy in the Nordic countries. Finnida no longer exists and Danida has become an integral part of the Danish Ministry of Foreign Affairs. In Norway, the Ministry of Foreign Affairs is not only responsible for formulating development cooperation policy and strategies, but also administers Norway's multilateral development assistance and Norwegian emergency relief. In addition, the Ministry has its own budget for promoting human rights and democracy, as well as peace and reconciliation. This reflects a growing tension within international development cooperation between (a) the need for long-term efforts to reduce poverty and promote development in large parts of the world, and (b) the need to be flexible and adjust to constantly changing circumstances, particularly internal wars and conflicts.

Norway has a separate Section for HRD and humanitarian assistance at the MFA and a Human Rights Advisor at NORAD. Sida, by contrast, has a separate division dealing with democracy and social development (DESO), as well as another division on cooperation with private organisations and humanitarian assistance (SEKA).

Denmark has not opted for establishing a separate HRD or social development unit. Instead, Danida has approached HRD issues as a cross-cutting concern to be pursued by staff at all levels, assisted by a few experts in Technical Advisory Services (TSA). Similarly, in Finland, where all aspects of relations with developing countries are handled by the Department of International Cooperation as an integral part of the Finnish MFA, there is no specific budget line for HRD projects, nor any specific section or subdivision dealing with HRD projects (see annexed report).

It should also be noted that Sida operates schemes that are to some extent similar to those of Ireland Aid. Thus there is a "popular movement" allocation, a democracy and human rights allocation, and a Central and Eastern Europe allocation. The majority of projects are small-scale (less than € 27,000) and very few exceed € 108,000. These projects are mainly executed by Swedish or international organisations, including universities, which means that Sida basically sees its role as handling applications. Only about 30% are executed by Sida in cooperation with governments. Most of the Swedish HRD support has been to foster democratic attitudes and promote human rights within civil society. The budget line for HRD activities in the Norwegian MFA is largely used in a similar fashion.

While the Nordic countries have generally been moving from project assistance to sector programme support, they have not opted to design sector programmes for their support to HRD. To some extent, the area of local government and decentralization is an exception. Support is still primarily provided on a project basis, as this allows for greater flexibility and easier adaptation to often rapidly changing contexts in individual countries.

A presence on the ground is considered important for successful HRD assistance and Denmark has even established HRD units in some of its embassies. Furthermore, a fairly large number of HRD projects are supported through the Local Grant Authority (LGA) of Danish embassies. This is regarded as an indispensable tool for rapid and flexible intervention. There are similar powers of delegation for the other Nordic

countries. Thus Finland has set up special funds to be accessed by local counterparts, both civil society as well as the public sector.

Nordic HRD assistance has close links with the academic community. All four countries have human rights centers that are actively utilised by the different aid programmes. They undertake a number of tasks like partnership developments, election observations, training, and assessments of democratic consolidation. They also play an important role in setting the HRD agenda in the donor agencies.

Summary

In 1997, Ireland Aid (IA) established a Human Rights and Democratisation (HRD) scheme in order to assist projects outside IA's programme countries. Its broad objective is to assist the development of democratic processes and institutions and the promotion and protection of human rights, mainly through support for relatively small-scale projects that contribute to training and capacity building. Particular importance is attached to the impact of projects on awareness of HRD issues at grassroots community level and on the capacity of communities to assert their rights and gain access to and understanding of the processes and institutions of government. Funding for HRD projects is channelled through Irish, overseas and local NGOs, as well as through other international bodies. Requests for funding under the HRD scheme are also occasionally received from the Political Division of the Department of Foreign Affairs.

The main objective of this review is to outline strengths and weaknesses of the HRD scheme to date and to suggest practical options for its future direction.

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