

Input to SR HRDs questionnaire

5. Kindly describe what you consider to be the main challenges and opportunities of the human rights based approach to development, in particular to the effective participation of human rights defenders. What do you think are the best measures to mitigate these challenges?

The Human Rights based approach offers a means of ensuring that development supports the realisation of all human rights, prioritises the most vulnerable groups in society, promotes good governance by focussing on transparency and accountability, empowers marginalised groups by promoting citizen participation and promotes country ownership by recognising that the primary duty bearer for human rights is the state.

As a key principle of the HRBA, participation is both a mechanism for ensuring that public policy interventions are appropriate and responsive to the needs of citizens and a means by which to empower vulnerable communities. Participation by all actors must be supported at all levels: local, national, regional and international. In certain circumstances, civil society actors and especially Human Rights Defenders face significant barriers to public participation including for example exclusion from policy making processes, the introduction of laws which hinder the ability of HRDs to raise funds and operate effectively, intimidation, violence and negative publicity.

The Irish Government, through multilateral and bilateral engagements including development cooperation, promotes the protection of Human Rights Defenders and the creation of an enabling environment for civil society. In doing so, we emphasise state obligations under international law, the important role which Human Rights Defenders play and the significant economic and social benefits which accrue from the creation of vibrant, open and tolerant societies.

6. Do you use a human rights based approach to development cooperation? If yes, kindly explain what you see as the main challenges and opportunities of this approach. What do you think are the best measures to mitigate the challenges?

One of the central elements of the mission of the Department of Foreign Affairs and Trade (DFAT), as elaborated in the *DFA Statement of Strategy 2011-14*, is to contribute to international peace, security, human rights, global development. The promotion and protection of human rights, the peaceful settlement of disputes and the promotion of the rule of law have been, and continue to be, core fundamentals of the foreign policy of the Government of Ireland. The Development Cooperation Division in the Department of Foreign Affairs, or Irish Aid as it is more commonly known, plays an important role in the advancement of this commitment towards human rights.

Ireland has a proud and strong record of providing assistance to developing countries to address poverty, vulnerability and marginalisation – and supporting institutions and capacity within developing countries to enable domestic governments, civil society, business and citizens to do this themselves. In May 2013, following an extensive public consultation process, the Irish Government published *One World, One Future – Ireland's Policy for International Development*, which places significant emphasis on the importance of realising Human Rights as a central part of Ireland's development efforts. In particular it identifies Human Rights and Accountability as one of 6 Priority Areas for Action and seeks to ensure that Human Rights are promoted, protected and integrated into all that we do.

Tailored to the particular characteristics of Irish Aid and Ireland's overall Foreign Policy, Irish Aid is gradually integrating Human Rights principles into its overall approach. We recognise the centrality of human rights as intrinsic and universal values, and ones which are central to achieving poverty reduction - and seek to build responses to these into the policies, programmes and ways of working. Expenditure on governance and civil society, for example, now amounts to around 15% of our total budget.

This is a challenging process, and requires building internal capacity, strengthening institutional mechanisms to support the mainstreaming of human rights, ensuring coherence across government, increasing knowledge and understanding of the issues involved, and the identification and support of strategic human rights activities. In order to overcome these challenges, organisational buy-in is essential; the technical and legal language associated with the HRBA must be broken down and made relevant to all staff; and progress must be made on a continuous basis.

7. Please indicate how your development cooperation programmes integrate the role of human rights defenders and the notion of a safe and enabling environment in recipient countries. How do you use the expertise of human rights defenders on the ground to design, implement, monitor and evaluate your development cooperation programmes? How do you address security/protection concerns where necessary?

Ireland's approach to the integration of the role of Human Rights Defenders is informed by the UN Declaration on Human Rights Defenders and the EU Guidelines on Human Rights Defenders. This Declaration was adopted by consensus by the UN General Assembly in 1998, and remains the normative basis for international efforts for human rights defenders. The Department of Foreign Affairs and Trade has developed its own Guidelines for Embassies on engaging with and protecting Human Rights Defenders while the Irish Aid Civil Society Policy has as its primary objective to support an enabling environment for civil society to organise and engage with government and its own broader constituencies. Ireland engages with HRDs in a number of different ways.

Grants and assistance are provided to Human Rights centred organisations (both centrally and through our country programmes), to organisations with an explicit focus on Human Rights Defenders such as Frontline Defenders and Civicus; and to organisations which facilitate the participation of Human Rights Defenders in UN processes including the Universal Periodic Review.

Ireland also provides political support to HRDs through the special Humanitarian Visa System for Human Rights Defenders as risk and through political engagement by Irish Ministers and Ambassadors – individually or in cooperation with other EU and donor countries – in Irish Aid's nine Key Partner Countries. Ireland, with Spain, is one of only two EU member states that have a dedicated humanitarian visa scheme for human rights defenders. The aim of Ireland's scheme is to provide a fast -track approach to processing applications to facilitate recognised HRDs to travel to Ireland for short stays (three months maximum) for the purpose of respite, and because of temporary safety issues. A high degree of confidentiality is maintained around the scheme and around individual cases, given the circumstances involved.

We also consistently lead in negotiating resolutions at the United Nations General Assembly to ensure human rights defenders can operate in an environment free from hindrance and insecurity. Ireland actively promotes the work of Human Rights Defenders at the Human Rights Council. We have acted as burden sharer on behalf of the European Union to secure the renewal of the special procedures mandate for Special Rapporteur on the situation of Human Rights Defenders and on resolutions which ensure that the spirit of the 1998 Declaration on Human Rights Defenders is adhered to. Ireland also engages in various other international fora such as in the area of development effectiveness and is an active member of the Informal Donor Group on Civil Society Engagement.

Human Rights Defenders are also involved in the development of Irish Aid Country Programmes and in monitoring the overall implementation of the programme. In 2012, the government undertook an extensive review of its principal development policy which involved a highly participatory public consultation process which has since been recognised as an example of good practise on policy making. In addition, NGOs regularly engage with the Department of Foreign Affairs and Trade through a mechanism known as the DFAT NGO Standing Committee on Human Rights.

8. Please kindly describe how your development cooperation policy is harmonized with other priorities, such as your human rights obligations and trade or security interests?

The Irish Government recognises the importance of ensuring complementarity between Irish interests overseas. This has been clarified in recent years for example through the Africa Strategy of the Department of Foreign Affairs and Trade which seeks to enhance and maximise Ireland's engagement in Africa around three pillars: Economic, Political and Development.

Responding to the changing context in many developing countries and to the recognition that a sustainable and just world cannot be brought about through official development assistance alone, Ireland's new Policy for International Development applies all Irish Government Departments. This seeks to ensure that any inconsistencies between Irish Government interests or policies and the objectives of Ireland's development cooperation can be identified and, where possible, minimised or resolved. To build on this, an Inter-Departmental Committee on International Development will be strengthened over the coming period and will report on a biennial basis to Parliament on progress made and challenges in applying an all of government approach to international development.