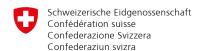
OSLO+2

Report of the third informal meeting of development partners on: 'The contribution of human rights and development cooperation to prevention'

Held on 8-9 June 2022, Montreux, Switzerland

Montreux 2022





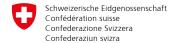


Table of Contents

Endnotes

Acronyms	3
Executive summary	4
Introduction	6
Part I: Mobilising the Human Rights Council and its mechanisms to contribute to 'upstream' prevention	S
Part II: Reform of the UN Resident Coordinator system, Country Teams and UNSDCFs – putting human rights 'up front' and an 'all pillar' approach to prevention	15
Part III: The economic or business case for prevention – investing in human rights	20
Part IV: Human rights-based approaches to development cooperation (including for prevention)– latest developments and sharing good practice	23
Conclusions ande next steps	25
Annex 1: Oslo+2 Outcome	29

OSLO+2 Montreux 2022

OSLO+2 | ACRONYMS

Acronyms

CCA Common Country Analysis

DCO United Nations Development Coordination Office

ERT Emergency Response Team

GA United Nations General Assembly

GANHRI Global Alliance of National Human Rights Institutions

NHRI National Human Rights Institution

NGO Non-Governmental Organisation

ODA Official Development Assistance

OECD Organisation for Economic Co-operation and Development

OHCHR Office of the High Commissioner for Human Rights

PDA Peace and Development Adviser

SDG Sustainable Development Goal

UN United Nations

UNCT United Nations Country Team

UNDP United Nations Development Program

UNFCCC United Nations Framework Convention on Climate Change

UNFPA United Nations Population Fund

UNHCR United Nations High Commissioner for Refugees

UNICEF United Nations International Children's Emergency Fund

UNSDCF United Nations Sustainable Development Cooperation Framework

UPR Universal Periodic Review

Executive summary

On 8-9 June 2022, the Swiss Federal Department of Foreign Affairs (Peace and Human Rights Division, and Swiss Agency for Development and Cooperation), with the support of the Universal Rights Group, convened a meeting of bilateral and multilateral development partners in Montreux, Switzerland, to consider the contribution of human rights and development cooperation to the prevention of crises and conflicts.

As with previous 'Oslo+' meetings, the gathering provided a space for bilateral and multilateral development agencies to share good practices for evolving 'human rights-based approaches to development,' while also adding a new dimension linked to international peace and security, namely:

How to mobilise bilateral ODA funds to drive progress with the national implementation of States' international human rights obligations, and their Sustainable Development Goal (SDG) commitments, as a central contribution to building national 'resilience' and thus to preventing serious human rights crises and violent conflicts, including in fragile States.

To do so, the meeting considered the role of development actors in the realisation of human rights and the achievement of the SDGs' central promise to 'leave no one behind,' as a critical contribution to the prevention of serious human rights violations, crises, and conflicts. It also looked at existing early warning/early response systems at international and regional levels.

Mobilising the Human Rights Council and its mechanisms to contribute to 'upstream' prevention

Human rights violations are amongst the principal root causes of conflict, and thus to achieve long-term peace and security, it is imperative that the international community strengthen the enjoyment of human rights, thereby building national resilience and preventing crises and violent conflict.

Initiatives like the Secretary-General's 'Our Common Agenda' and his 'Call to Action for Human Rights,' establish a clear link between human rights promotion and protection, sustainable development's goal of 'leaving no one behind,' and prevention.

Participants agreed that in order to strengthen the enjoyment of human rights around the world, thereby addressing 'resilience weak spots' and preventing crises and conflicts, all three pillars of the UN (as well as the wider international system) must be mobilised in an integrated manner. Said integration includes the UN development system, international financial institutions, and bilateral development actors.

Turning to early warning, participants drew attention to the importance of the new generation of UN Common Country Analyses, and to Human Rights Council (Council) resolution 45/31 which, *inter alia*, seeks to strengthen OHCHR's early warning capability.

OSLO+2 | EXECUTIVE SUMMARY

Reform of the UN Resident Coordinator system, Country Teams and UNSDCFs

There was broad acknowledgement that the 'mainstreaming' of human rights into and across the UN's work on development and security has made significant advances over the past five years. Ban Ki-moon's 'Human Rights Up Front' initiative has been followed by sweeping reforms to the UN development system and enhanced efforts in New York and Geneva to place human rights at the centre of Antonio Guterres' prevention platform.

One important result of these steps has been to 'normalise' the systematic integration of UN human rights recommendations into the UN's country level programming (e.g., through UNSDCFs).

In addition to integrating support for human rights and SDG implementation at national level, recent UN reforms have also seen UN Country Teams (UNCTs), backed by headquarters, 'get much better at rights-based prevention analyses, including the identification of priority human rights and protection risks, and hardwiring that understanding into the assessments that form the basis of UN engagement with States, especially fragile States.'

The 'mainstreaming' of human rights into and across the UN's work on development and security has made significant advances over the past five years.

The economic or business case for prevention – investing in human rights

According to one economist present at Oslo+2, it is better and more cost-effective to intervene at an early stage (in a preventative sense) even where the risk of conflict is low or where forecasts turn out to be erroneous, than to 'intervene too late, allowing the country to fall into the conflict trap.'

While participants agreed that 'the business case for prevention is clear,' they also noted several challenges. One is that it is difficult to prove that such a strategy has been successful – because, by definition, if it is successful then nothing happens. A second challenge is that it is relatively easy to convince politicians to 'act and to spend money when a crisis or conflict is on CNN, but relatively difficult to convince them to spend money to prevent something that has not yet happened – especially considering the short election cycles faced by democratic politicians.'

Human rights-based approaches to development cooperation (including for prevention)

The last session of the Oslo+2 meeting provided the traditional 'Oslo+' platform for bilateral and multilateral development agencies to share evolving good practices and lessons learnt in the design and implementation of rights-based approaches to development cooperation.

Participants heard presentations about developments in, *inter alia*, France, Denmark, Belgium, Finland, Germany, and the European Union.

Introduction

Oslo+2 was convened on 8-9 June 2022 by the Swiss Federal Department of Foreign Affairs (Peace and Human Rights Division and Swiss Agency for Development and Cooperation), with the support of the Universal Rights Group in Montreux, Switzerland. The meeting of bilateral and multilateral development partners was held to consider the contribution of human rights and development cooperation to the prevention of crises and conflicts.

This was the third informal meeting of development partners on strengthening support for the national implementation of human rights recommendations, following an inaugural meeting in **Oslo** in 2018¹ and a second meeting in Stockholm in 2019.² Additionally, a digital meeting³ was organised in 2020, specifically focused on responses to the COVID-19 pandemic.

Oslo+2, as with Oslo and Oslo+1, provided bilateral and multilateral development agencies with a space to share good practices regarding the evolution of 'human rights-based approaches to development,' while also adding a new dimension linked to international peace and security, namely:

How to mobilise bilateral ODA funds to drive progress with the national implementation of States' international human rights obligations, and their Sustainable Development Goal (SDG) commitments, as a central contribution to building national 'resilience' and thus to preventing serious human rights crises and violent conflicts, including in fragile States.

In order to achieve this goal, participants considered development actors' role in the realisation of human rights and the achievement of the SDGs' core promise of 'leaving no one behind,' as key contributions to preventing

serious human rights violations, crises, and conflicts. **Oslo+2** participants further examined early warning and response systems that already exist at international and regional levels.

The conference, as with previous **Oslo+** meetings, pursued a multi-stakeholder approach by involving and considering the contributions of more than 50 representatives of States (development agency and/or foreign ministry officials),⁴ OHCHR, UNDP, UNICEF and other UN agencies, programmes and entities,⁵ as well as OECD, the World Bank, NHRIs,⁶ NGOs,⁷ and academia.⁸

Building national 'resilience' and preventing serious human rights crises and violent conflicts, including in fragile States

Fragility, crises, and conflicts are among the biggest obstacles to achieving the mutually-reinforcing goals of the full enjoyment of human rights and the achievement of the SDGs by 2030. It is estimated that by 2030, countries affected by fragility, gross and systematic human rights violations, and/or violent conflict, will be home to almost half of the world's extreme poor. Violent conflict also drives 80% of all humanitarian needs and reduces GDP growth by two percentage points per year, on average.

In 2018, the World Bank and UNDP published the 'Pathways for Peace' report, ⁹ which called upon the international community to shift its focus from reacting to violent conflicts to preventing them from happening in the first place. Using political and economic analyses, the report shows that such an approach would save thousands of lives, safeguard international development gains, and save the States concerned as well as the

OSLO+2 | INTRODUCTION

international community billions of dollars – by pivoting the cost of recovery and reconstruction towards investing in inclusive, rules-based societies, where human rights are respected and where no one is 'left behind.'

Building on this work, in September 2020 the OECD published a Working Paper on 'Conflict Prevention in Fragile Contexts,'¹⁰ The Paper which concluded that the prevention of violent conflict in fragile contexts is cost-effective and works. The key challenge, according to the OECD, is to translate 'recent policy commitments [on] prevention [e.g., the Secretary-General's prevention agenda, and Human Rights Council resolution 45/31] into practice.'

Consequently, the international community, including bilateral and multilateral development partners, should re-orientate investments from reaction to prevention, especially by building societal resilience through 'joined up' progress with human rights and SDG implementation, but also by investing in early warning and early response capacity. Recommendations generated by the UN human rights mechanisms should feed into UN Sustainable Development Cooperation Frameworks (UNSDCF) the national level as a central contribution to building national resilience, and thereby preventing human rights violations. Moreover, the early warning/early response capacity of the UN system should be enhanced to prevent the escalation of crises. Both are central points in the 'Call to Action' on human rights, while prevention is also one of the twelve areas for action in 'Our Common Agenda.'

For example, in his 'Call to Action,' the Secretary-General explains that 'human rights considerations' are central to [the UN] prevention agenda. 'Indeed,' he says, 'there is no better guarantee of prevention than for member States to meet their human rights responsibilities [...] There is a well-documented correlation between a society's enjoyment of and commitment to human rights — including non-discrimination — and its resilience to crisis.'

The early warning/early response capacity of the UN system should be enhanced to prevent the escalation of crises.

A similar vision also underpins ongoing work at the Council (e.g., via resolution 45/31) to 'operationalise' the body's prevention mandate under paragraph 5f of GA resolution 60/251, and to reform the way in which it delivers human rights technical assistance and capacity-building support under item 10 of its agenda. On the last point, a report by the Secretary-General 'analysing the current system-wide delivery and financing of, and existing gaps in, technical assistance and capacity-building that support the implementation by States of their international human rights obligations and commitments,' and making recommendations on improving and scaling-up such assistance 'with a view to building national resilience," was presented to the Council at its forty-ninth session in March 2022.





Key questions and objectives

Oslo+2 considered, *inter alia*, the following questions:

- 1. How can we make the case for the mobilisation of development cooperation to support the implementation of States' human rights obligations and commitments, as a central contribution to building national resilience?
- 2. What are the benefits, for international peace and security, and for sustainable and broad-based development, of shifting to a human rights-based approach to prevention, especially 'upstream' prevention?
- **3.** How can States' engagement with the international human rights mechanisms, in combination with their cooperation with the UN development system on SDG implementation, inform risk analyses and thus help international development partners identify 'resilience weak spots'?
- **4.** What early warning systems exist, at international, regional and national levels, to pick up the 'smoke' (i.e., patterns of human rights violations) that may indicate a coming conflagration? How to empower national

- actors, including NHRIs and NGOs, to feed early warning information into relevant UN processes? How to turn early warning into early action?
- **5.** How can we use data to track human rights progress at national level, but also positive or negative trends in a country's resilience/ fragility?
- 6. What role can/should development agencies play in helping build the economic/business case for prevention e.g., that (according to 'Pathways for Peace') one dollar spent on prevention saves sixteen dollars in conflict response/damage?
- 7. What are the likely impacts of the Secretary-General's reforms of the UN development system and the security pillar on the domestic implementation of States' international human rights obligations and commitments? What is the latest 'state-of-play' with the integration of the recommendations of the human rights mechanisms into UNSDCFs, and into the common country analyses undertaken by UN Country Teams?

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OSLO+2 | PART I

Part I

MOBILISING THE HUMAN RIGHTS COUNCIL AND ITS MECHANISMS TO CONTRIBUTE TO 'UPSTREAM' PREVENTION

All participants agreed that human rights violations are amongst the principal root causes of conflict, and thus to achieve long-term peace and security, it is imperative that the international community strengthen the enjoyment of human rights, thereby building national resilience and preventing crises and violent conflict. As one speaker noted, 'human rights abuses are the spark that ignites conflict, and thus if we are serious about preventing conflict, we must address this central root cause.'

Initiatives like the Secretary-General's 'Our Common Agenda' and its calls for a new social contract are essential to rebuilding trust; embracing a comprehensive vision of human rights; adopting a new agenda for peace, with greater investment in prevention and peacebuilding; and rethinking how we respond to violence. Likewise, the Secretary-General's Call to Action for Human Rights establishes a clear link between human rights promotion and protection, development's 'leaving no one behind,' and prevention.

The findings of the World Bank-UNDP Pathways for Peace report were also recalled during discussions: violent conflict is primarily driven by factors such as inequality, exclusion, and lack of participation in decision-making. With current events like the war in Ukraine demonstrating how the world is interconnected and interdependent, 'human rights offer a global framework that helps to identify who is at risk of being left behind, what the next crisis will look like, and where it might occur, and how to prevent it from happening.'

Participants agreed that in order to strengthen the enjoyment of human rights around the world, thereby addressing 'resilience weak spots' and preventing crises and conflicts, all three pillars of the UN (as well as the wider international system) must be mobilised in an integrated manner. That includes the UN development system, international financial institutions, and bilateral development actors, which together need to pursue and support integrated progress with the implementation of States' international human rights obligations and commitments, and the realisation of the SDGs' promise to 'leave no one behind.' In that regard, several speakers welcomed the Secretary-General's rights-based reforms of the UN development system, steps taken by the Council to link human rights and prevention (as well as human rights and the SDGs), and moves by bilateral development agencies to design and implement rights-based approaches to development cooperation.

Turning to early warning, a participant drew attention to the importance of the new generation of UN Common Country Analyses (CCA). These seek to bring all relevant UN actors around the same table to collate information about States' security, human rights and sustainable development situations, and thus identify the signs of potential crisis or conflict.

A number of participants also drew attention to **'Oslo+'** meetings as an ideal platform for bilateral and multilateral development partners to share information and good practices on both these elements of prevention (i.e., pursuing a rights-



based approach to development in order to build resilience and address the root causes of conflict, and using patterns of human rights violations as an early warning sign of crisis).

Linkage between the three pillars of the UN

Many speakers acknowledged the significant progress made over recent years, at the UN and amongst development actors, in acknowledging and leveraging the interlinkages between human rights, sustainable development, and peace and security. That includes the Secretary-General's prevention agenda and development system reforms, the Call to Action and Our Common Agenda, the twin Security Council-General Assembly resolutions on sustaining peace, the

Council's resolutions on 'human rights and the 2030 Agenda' and 'the contribution of the Human Rights Council to prevention,' and steps taken by bilateral donors to integrate UN human rights recommendations into country programming.

These and other related steps, it was noted, are expected to contribute to more resilient societies and thus to the prevention of crisis and conflict.

That said, much remains to be done. That includes securing greater investments in the UN's human rights pillar ('human rights is one of the three pillars of the UN, not its third pillar'), strengthening formal and informal linkages between the Human Rights Council and Security Council, and effectively implementing the sustaining peace resolutions, as well as the Human Rights Council's resolutions on prevention.

OSLO+2 | PART I

The Human Rights Council and the UN human rights mechanisms

There was broad agreement that, notwithstanding the Council's work on prevention (especially the adoption of resolution 45/31), the body is still overwhelmingly orientated towards reacting to crises and conflicts (even if the latter should be the purview of the Security Council) rather than preventing them from happening in the first place. As one speaker noted, the Council's machinery 'still tends to only spring into action once a conflict has started,' and is still focused on 'preventing bad situations from getting worse [rather than] preventing bad situations from occurring in the first place.'

One speaker made an impassioned plea for OHCHR and Council Member States to finally implement resolution 45/31. 'The resolution sets out a comprehensive framework for shifting the human rights system from a reactive to a preventative approach to human rights violations and crises. Yet two years later almost no part of the resolution had been implemented.'

Others, while agreeing with this sentiment, asserted that the Council and its mechanisms are still making a useful contribution to prevention. For example, resolution 48/13 recognising the human right to a clean, healthy, and sustainable environment will help address 'one of the key root causes of conflict.'

Another speaker explained that the Council possesses another mechanism with an avowedly preventative function: the confidential complaints procedure. This is effectively an early warning system, designed to identify patterns of human rights violations. However, he acknowledged that the procedure is not currently fulfilling this role. A further speaker noted that Special Procedures have also been asked to integrate an early warning function into their work (especially in the context of their country visits). In some cases, they have indeed played this role, yet their warnings are too often ignored.

Another drew attention to the early warning potential of the UPR – which covers every UN member State and is based on reports on the human rights situations in those countries by governments, the UN system, and civil society. Another participant responded, however, that the UPR has a cycle of 4.5 years, and is thus not well suited to picking up on the early warning signs of crisis in a timely manner.

Many participants argued that Special Procedures, the UPR and Treaty Bodies play a more relevant and useful role in 'primary prevention' - i.e., in helping build national resilience and addressing the root causes of crises and conflicts. These mechanisms are adept at identifying human rights resilience 'weak spots' in a country, and at providing recommendations (either expert advice in the case of Treaty Bodies, or political advice in the case of the intergovernmental UPR mechanism) on how the concerned State might address those weak spots. Using the kinds of approaches discussed and shared at Oslo and Oslo+1, bilateral and multilateral development partners can then work with the State concerned to support the implementation of those recommendations - thereby strengthening the enjoyment of human rights, powering progress towards the SDGs, and helping to build national resilience. A further speaker agreed with this analysis yet called for UPR recommendations to be phrased in 'development language' - to help build 'common literacy' between the human rights and development communities.

Finally, several participants noted that the Council's various accountability mechanisms (e.g., commissions of inquiry, fact-finding missions), even if they are not seen as prevention tools, do in fact play a preventative role (on the grounds that impunity encourages human rights violations, including gross and systematic

violations). Notwithstanding, the question was asked of whether these accountability mechanisms should elevate their prevention role further, by also focusing their reports on the root causes of conflict. Another participant replied that, indeed, a few mechanisms (e.g., on Burundi and South Sudan) have taken this step.

'Reinvigorating' Item 10

One area where the Council can and should play a more assertive role in boosting resilience as a contribution to prevention, is through the more efficient and effective delivery of capacity-building and technical assistance. It was noted by several participants that the Council has largely failed to fulfil this crucial part of its mandate since its establishment in 2006. To-date, support has only been extended 'to a few countries that have suffered from natural disasters or civil war,' and even in those cases the Council has merely established Independent Expert mandates — which assess capacity-building needs but do not actually deliver assistance.

To rectify these failings and build a more efficient and effective agenda item 10 (the Council's agenda item on capacity-building and technical assistance), participants at Oslo+2 presented a new cross-regional initiative to 'reinvigorate' item 10 by establishing an open intersessional voluntary platform where States can request international support for human rights implementation and receive offers of support from their peers, update colleagues on progress, and share good practices. This platform will seek to build upon the pilot project conducted in 2020 by Norway, Singapore and URG. In addition, the proposed reforms of item 10 might consider the establishment of a 'small projects trust fund' to help meet the requests of developing States, and/or a roster of experts to help implement projects. Recipient countries would be expected to return one year later to update the Council on progress. A resolution beginning a process of consultations with States and other stakeholders on these and related ideas was presented by Thailand, Norway and others at the Council's 51st session in September 2022.





UN Voluntary Fund for Technical Cooperation in the Field of Human Rights

One speaker pointed out that the UN also possesses a number of human rights technical assistance trust funds: the LDCs and SIDS trust fund on participation at the Council; two UPR trust funds – one covering participation (travel) and one supporting the implementation of recommendations (though only the former is functioning effectively); and the UN Voluntary Fund for Technical Cooperation in the Field of Human Rights.

A representative of the Board of Trustees of the latter Fund explained that four of the seven 'components' for efficient technical cooperation, identified to guide the Trust Fund's work, are directly relevant to prevention (especially 'upstream' prevention), namely: following up on the implementation of recommendations by the UN human rights mechanisms; linking human rights implementation with the achievement of the SDGs; participation; and the integration of human rights recommendations into UN country programming.

This led to a debate over the need for a new trust fund (one of the ideas being considered in the context of revitalising item 10) – would it not be better to make better use of the existing funds? Some argued that it would (including by improving the operation of the UPR implementation fund). Others pointed out that two of the existing funds are focused only on participation, one doesn't work effectively and is under-resourced (and in any case only focuses on recommendations from one of the mechanisms – UPR), and the UN Voluntary Fund for Technical Cooperation in the Field of Human Rights delivers a relatively small number of large projects, and is thus not well

suited to responding to a large number of small project funding requests (as is envisioned in the item 10 reform proposals).

Finally, there was much discussion about the importance of increasing financing to allow the Council and its mechanisms to function more effectively - including through improved followup on the implementation of recommendations. Participants argued that even though recent years had seen a slight increase in regular budget funding for the human rights pillar ('from around 3% to 4%'), this is 'still far too low.' Another added that even a doubling of this figure would still be insufficient considering the centrality of human rights for both sustainable development and long-term peace and security. One speaker urged members of the Human Rights Council to introduce new initiatives/resolutions on human rights financing, to place greater pressure on the General Assembly and the Secretary-General.

Even though recent years had seen a slight increase in regular budget funding for the human rights pillar ('from around 3% to 4%'), this is 'still far too low.'

OSLO+2 | PART II

Part II

REFORM OF THE UN RESIDENT COORDINATOR SYSTEM, COUNTRY TEAMS AND UNSDCFs – PUTTING HUMAN RIGHTS 'UP FRONT' AND AN 'ALL PILLAR' APPROACH TO PREVENTION

There was broad acknowledgement that the 'mainstreaming' of human rights into and across the UN's work on development and security has made significant advances over the past five years. Participants identified Ban Ki-moon's 'Human Rights Up Front'¹² initiative as an important turning point in that regard. That has been followed by sweeping reforms to the UN development system, and enhanced efforts in New York and Geneva to place human rights at the centre of António Guterres' prevention platform (e.g., sustaining peace, Human Rights Council resolution 45/31, the Call to Action on human rights, Our Common Agenda, strengthened Regional Monthly Reviews).

One important result of these steps, according to participants, has been to 'normalise' the systematic integration of UN human rights recommendations into the UN's country level programming (e.g., through UNSDCFs). Previously, 'there was a great deal of nervousness, among Resident Coordinators about pushing a human rights agenda.' Today, however, 'there is a far greater understanding in UNCTs that leveraging their host State's engagement with the UN human rights mechanisms, and helping the State implementing the resulting recommendations, can help power progress towards the SDGs leaving no one behind, and helps build national resilience – thus preventing crises and conflicts.' Others agreed, adding that another contributing factor to this positive trend has been 'an increased willingness or confidence on the part of Resident Coordinators to talk to governments about human rights [in a positive, human rights promotion sense] and thereby to build trust with policymakers.'

This broad understanding (i.e., that the UN system has improved its performance in terms of integrating human rights recommendations into UNSDCFs, but that is much room for improvement, is backed up by data from the UN's SDG Information Management System. This is particularly true for UNCTs that have in-country human rights advisors in place (see below).

Another speaker added that, in addition to integrating support for human rights and SDG implementation at national level, recent UN reforms have also seen UNCTs, backed by headquarters, 'get much better at rights-based prevention analyses, including the identification of priority human rights and protection risks, and hardwiring that understanding into the assessments that form the basis of UN engagement with States, especially fragile States.' A Resident Coordinator added that, in her opinion, UN country presences have also improved their ability to integrate human rights considerations into humanitarian and peacebuilding actions.

One important result, has been to 'normalise' the systematic integration of UN human rights recommendations into the UN's country level programming.

Resident Coordinators and human rights advisors

While there was wide recognition that the UN Resident Coordinator system has significantly strengthened its capacity to pursue a rightsbased approach to development and security (one speaker pointed out that, in addition to better training and tools, this improvement is also the result of 'a broadening of the human resource pool for Resident Coordinator positions - in the past they were heavily drawn from UNDP, whereas today they are increasingly recruited from rights-focused agencies such as OHCHR, UNFPA and UNICEF), participants nonetheless drew attention to the continued importance of stationing human rights advisors in as many UNCTs as possible. 'Human rights advisors play a critical role in advising Resident Coordinators and addressing concerns or doubts about human rights-based approaches, and in building the human rights capacity of, and improving coordination between, the different parts of the UNCT.' According to another speaker, 'where human rights advisors are present,' it has a major impact in terms of 'advancing human rights in the development, humanitarian, and peacebuilding agendas.' One important way in which advisors do so, is by strengthening knowledge and capacity in UNCTs, so that all parts are able to leverage State engagement with the Treaty Bodies, UPR and Special Procedures, and then integrate resulting recommendations into UNSDCFs.

'Human rights advisors, together with improved guidance, training, and incentives from headquarters, have helped move Resident Coordinators from a view of human rights as a possible threat to maintaining a cooperative relationship with their host State, to an understanding of human rights (especially States' own human rights obligations and commitments) as being useful.' Another speaker elaborated on this point, explaining that often in the past

Resident Coordinators thought of their human rights role as being limited to protection (i.e., speaking out – or not – when confronted with serious human rights violations). However, 'today there is a much more nuanced understanding – Resident Coordinators understand that they have a critical role to play in promoting human rights, in cooperation with the government.'

Other participants explained that human rights advisors have also helped UNCTs strengthen their engagement with national/local human rights actors, such as civil society organisations and national human rights institutions (NHRIs).

That said, and while there has been an expansion in the number of human rights advisors deployed around the world, it was pointed out that this is still insufficient to meet the needs of Resident Coordinators and UNCTs, or to achieve the objectives of the Call to Action for human rights and Our Common Agenda. Another participant suggested that there is a need to establish some kind of 'forum for peer exchange on strategic leadership on human rights between Resident Coordinators, human rights advisors, and UN agencies and programmes.'

OHCHR has several mechanisms to strengthen the human rights capacities of Resident Coordinators and UNCTs, including around prevention. That includes training on risk analysis, and the deployment of Emergency Response Teams (ERTs), comprising a human rights officer and an information management officer, which engage with Resident Coordinators through regional offices (and eventually feed into Common Country Analysis - CCAs). In some cases, ERTs have coordinated with Resident Coordinators and Peace and Development Advisers (PDA) to set up prevention analysis platforms.



UN interagency review

Representatives of OHCHR and UNDP presented the recent interagency review assessing the integration of human rights, gender, and the principle of leaving no one behind into the new generation of CCAs and UNSDCFs. The interagency review, which covers twelve UN entities, was conducted in close collaboration with the UN Development Coordination Office (DCO) and consisted of a desk review of the extent to which human rights are properly reflected in UNCT analyses and programming. The review found a considerable level of uptake of human rights into CCAs and UNSDCFs, but also gaps and areas for improvement. The review represents a 'wake up call,' in the words of one participant.

One finding of the review is that while the majority of CCAs integrate the most pressing national human rights concerns into their risk analysis, the uptake of UN human rights recommendations (i.e., from the mechanisms) into UNSDCFs has been less pronounced. As a result, issues like the structural drivers of crisis and conflict, such as discrimination, inequality, and civil and political rights abuses, are often overlooked in UN country programming.

According to those presenting the review, the exercise has helped provide a 'baseline' – showing where the UN system is, and pointing to areas for improvement. To inform such an improvement, a self-assessment tool has been developed for UNCTs, so that they themselves can measure the degree to which human rights considerations and recommendations are being systematically integrated into CCAs and UNSDCFs.

Reference was also made to a recently compiled 'repository of good practices,' which showcases over 60 examples of how Treaty Body and UPR recommendations have been implemented at national level, with UNCT support, and how this

has led to improvements in the enjoyment of human rights, as well as progress towards the SDGs.

The role of human rights in preventing crises and conflicts

Several speakers argued that, in order to strengthen the UN's role in applying a rights-based approach to prevention at national-level, more 'conceptual' work needs to be done to understand how and why respect for human rights leads to greater societal resilience or, conversely, how and why human rights violations can lead to crisis and conflict. Such an analysis should include, for example, 'how human rights promotion and protection prevents the build-up of grievance.'

Others pointed to the importance of changing 'perceptions' about human rights, 'from problem causer to problem solver' and, linked with this, about changing perceptions about the UN human rights system as something that only 'kicks in' once a crisis has erupted (in order to denounce violations), rather than a system that can work with States to build resilience and thus prevent crises in the first place. To illustrate these points, some speakers explained that governments sometimes resist the integration of certain human rights recommendations into UNSDCFs because the issues covered are seen as too 'sensitive' or 'difficult' and they are worried they will be criticised should they make insufficient progress in implementing them.

A further point raised during discussions was that UNCTs, in addition to pushing for the integration of human rights recommendations into UNSDCFs themselves, also have a role to play in building the capacity of domestic civil society, so that they can also press governments to integrate human rights recommendations into UNSDCFs as well as into relevant national policy frameworks.

OSLO+2 | PART II

Another relevant (new) initiative introduced at the **Oslo+** meeting is the 'Surge' initiative, which deploys economists to work with UN development and human rights experts, as well as States, to advise on policies to strengthen the realisation of economic and social rights at national level, and thereby progress towards the SDGs.

Climate and environment

The importance of addressing the three environmental crises (pollution, biodiversity loss, and climate change) as a central contribution to preventing crises and conflicts was repeatedly raised during the meeting. This in turn led to a discussion about the importance of a rights-based approach to addressing these interlinked crises. Participants noted that relevant UN entities have made significant progress over the past decade in 'cross fertilising' across their work streams. The Council's resolutions on environment and climate change, the establishment of Special Procedures mandates covering these issues, the Council's recent recognition of the universal right to a healthy environment, the inclusion of human rights principles and obligations in the UNFCCC's Cancun Agreements and Paris Agreement, OHCHR's work on climate change, and UNEP's work on environmental human rights defenders were all offered examples of this.

UN recognition of the right to a healthy environment, it was suggested, offers a particular opportunity for UNCTs to link human rights and environmental protection/climate change mitigation and adaptation in country programming, including as a contribution to the SDGs and to preventing future crises (e.g., conflicts over dwindling natural resources).



Part III

THE ECONOMIC OR BUSINESS CASE FOR PREVENTION - INVESTING IN HUMAN RIGHTS

Defining prevention

Participants agreed on the importance of coming to a common understanding of what prevention is — i.e., of 'defining prevention,' as well as of which development projects and programmes can be said to contribute to prevention. This is important, they argued, because it leads to the follow-up question of which ODA projects can be seen as 'an investment in prevention.'

According to a representative from one international organisation, research over the past years has found that donors have different answers to this question, and that there is great uncertainty about the definition of prevention and which types of actions can be said to contribute. For example, does it only mean investing in security sector reform, can all projects designed to help implement human rights be said to contribute to prevention or only some (e.g., when they are focused on addressing discrimination and thus reducing grievance), and can broader development projects such as building schools or hospitals be seen as part and parcel of 'prevention?'

The OECD's suggested approach to defining prevention is to 'back up that definition with a strong theory of change,' by, for example, showing how certain human rights violations (e.g., institutionalised discrimination against certain ethnic groups) have led to past conflicts. 'That logic should then be shared with as many audiences as possible in order to make the business case for prevention and encourage investments in, for example, the implementation of relevant UN human rights recommendations.'

Another speaker explained that such an empirical approach had underpinned the 2018 joint United

Nations—World Bank Group study 'Pathways for Peace.' This was based on an analysis of cases where prevention had been successful, and then tried to identify the reasons for that success. That study had heavily influenced the Bank's approach to and prioritising of prevention. Today, preventing conflict and interpersonal violence is one of the four 'Pillars of Engagement' of the Bank's Strategy for Fragility, Conflict, and Violence (2020–2025). That said, she acknowledged that the Bank needs to do better in terms of integrating human rights analyses into its prevention work including, perhaps, by 'making better use of State and alternative reporting to the UN human rights mechanisms.'

The participant from the OECD also shared his organisation's work in this area. He explained that conflict prevention was a thematic focus of the OECD's 2020 States of Fragility report and continues to be a priority for the International Network on Conflict and Fragility, a group of donors working in fragile and conflict-affected contexts. He revealed that the next States of Fragility report was set to be published in September 2022 and focus, in particular, on: prevention, justice, and peacebuilding; the relationship between fragility and conflict; and how donors might develop programming and financing strategies to effectively contribute to prevention in fragile settings. Turning to the role of human rights in preventing conflicts in fragile countries, he urged States to assign equal importance to the implementation of economic and social rights as they do to civil and political rights, 'since the root causes of conflicts include poverty and unequal access to economic and social rights.'



The economic case for prevention

An economist involved in the Pathways for Peace study explained the economic or business case for prevention and 'early intervention,' saying that 'the cost of a prevention intervention is much lower than the cost of reconstruction.'

He explained that it is better and more costeffective to intervene at an early stage (in a
preventative sense) even where the risk of
conflict is low or where forecasts turn out to be
erroneous, than to 'intervene too late, allowing
the country to fall into the conflict trap.' Others
agreed, noting that a key challenge for prevention
is that it is difficult to prove that such a strategy
has been successful – because, by definition, if
it is successful then nothing happens. However,
even with this challenge in mind, 'efforts to build
resilience by promoting human rights, or to
engage in preventative diplomacy' are in-anycase worthwhile and represent 'good value for
money.'

The economist presented a 'State-based model that integrates predictive machine learning with economic cost simulations to inform decision-making.' The model categorises levels of risk/fragility, using forecasts from conflictforecast.org, into different ranks (i.e., from 1 to 13).

There followed a discussion on the importance of this economic or business case for prevention, especially to convince politicians in donor States to adopt preventative approaches to crisis and conflict. Participants noted that 'while the business case is clear,' the problem remains that it is relatively easy to convince politicians to 'act and to spend money when a crisis or conflict is on CNN, but relatively difficult to convince them to spend money to prevent something that has not yet happened – especially considering the short election cycles faced by democratic politicians.'

An official from the OECD gave an overview of the status of international financing for prevention: in 2020, (the most recent year for which data is available) donors spent 4% of their aid in fragile contexts on conflict prevention, 1.3% on justice, and 0.7% on human rights. By comparison, humanitarian aid to respond to crises accounted for 25% of ODA, meaning that for every dollar spent on prevention, donors spent six dollars on humanitarian responses. It was suggested that 'there is scope for adding a human rights marker or a prevention marker to the analyses of aid spending.' This 'might make it easier for politicians to make the right decisions.'

Another speaker suggested that a way forward could be to not frame such strategies as 'prevention' but rather as long-term capacitybuilding or resilience-building ('upstream' prevention) and 'early warning' or 'horizon scanning' ('downstream' prevention). 'It may be easier to secure political support for these elements separately, rather than under a single 'prevention umbrella,' said one participant. Another added that this might also help vis-à-vis traditional developing country concerns about prevention, which 'is often seen as an excuse for Western military intervention.' Others disagreed, pointing out that the problem in the past has been how prevention has been framed or 'sold' – i.e., as interventionism or as part of the 'responsibility to protect,' rather than as a cooperative approach. There has also been 'a long-standing problem with implementing agreed prevention strategies,' noted another. Council resolution 45/31 offers a good example. 'This resolution took years of patient consideration and negotiation, and yet has not been implemented by OHCHR or by Council members,' according to one participant.

OSLO+2 | PART IV

Part IV

HUMAN RIGHTS-BASED APPROACHES TO DEVELOPMENT COOPERATION (INCLUDING FOR PREVENTION) – LATEST DEVELOPMENTS AND SHARING GOOD PRACTICE

The last session of the Oslo+2 meeting provided the traditional 'Oslo+' platform for bilateral and multilateral development agencies to share evolving good practices and lessons learnt in the design and implementation of rights-based approached to development cooperation.

In 2019, the **French** Government adopted a new Strategy for Human Rights and Development, 'the first of its kind in the country.' As one of its key focuses, the Strategy includes the stipulation that ODA should be used to support the implementation of UN human rights recommendations (e.g., UPR recommendations). It also 'draws a clear link between the realisation of economic and social rights, and the achievement of the SDGs leaving no one behind.'

According to the same speaker, the same principles underpin a 2021 Act focused on programming for inclusive development and tackling global inequalities. Building on the 2019 Strategy, the Act makes clear that 'human rights shall be one of the main pillars of French development policy.' The law includes specific provisions on due diligence. This way, 'development actors are reminded of the necessity to carry out due diligence in order to ensure that actions respect human rights.'

To help realise these legislative advances, staff at France's development agency have started to receive training, developed with civil society partners, on human rights-based approaches to development cooperation. There are ongoing discussions on opening such capacity-building

sessions to relevant ministries as well. This led to a discussion on the important and growing role of French civil society organisations in promoting and supporting human rights-based approaches to ODA. The publication in 2021 of a Study Brief on the 'human rights-based approach within the water and sanitation sector'¹³ was cited as an example of this growing role of French NGOs.

A representative from **Denmark** likewise shared developments in Danish development policy. She explained that those developments are founded upon both law and practice. Regarding the former, Denmark's 2012 law on international development¹⁴ 'embeds human rights, democracy, sustainable development, and peace and security across all development efforts.' Regarding the latter, the 'adaptive management' approach of the Danish International Development Agency 'fosters dialogue and engagement with both rights-holders and duty-bearers, and emphasises governance, the rule of law, and access to justice in its multilateral and bilateral diplomatic efforts.'

A representative of **Belgium** presented their National Development Law,¹⁵ which makes clear that human rights must be prioritised across development cooperation actions, and calls, *inter alia*, for cooperation to focus on helping developing States implement UPR recommendations. He explained that development programming and projects are also grounded in core human rights principles (which he termed the 'MEET' principles - meaningful participation; equality, non-discrimination, and inclusion of marginalised groups; empowerment

and capacity-building; and transparency and accountability). To support the implementation of this human rights-based approach, 'a policy group has been created to map good practices and develop guidelines, conduct training sessions for personnel at the Ministry for Foreign Affairs and the Belgian Development Agency, and integrate human rights analyses into the country's wider bilateral relations.' The policy group is also tasked with 'sharing good practices and lessons learned within the EU working group on the impact of human rights-based approaches.'

A representative of **Finland** spoke of how the State includes 'a human rights impact analysis in the early stages of project evaluation,' while a **German** representative spoke of his country's 'decade long experience in rights-based approaches,' involving both 'specific human rights projects as well as mainstreaming human rights across all relevant programmes.'

The **EU** too is actively integrating a human rights-based approach across its development programmes. An official referred to the new Neighbourhood, Development, and International Cooperation Instrument (NDICI-Global Europe)¹⁶ which contains a mandatory requirement for the

application of a human rights-based approach in programming and implementation; and the European Neighbourhood Policy (ENP),¹⁷which calls for the promotion of conflict- and gendersensitive approaches in all actions and programmes. The EU has also developed an Action Plan on Human Rights and Democracy (2020-2024)¹⁸ and an EU Gender Action Plan (2021-2025),¹⁹ which includes, for example, dedicated markers on women's rights (e.g., 85% of all actions should contribute to gender equality by 2025).

The official also presented the EU's 'human rights-based approach toolbox,' originally developed in 2014 and updated in 2021. This aims to help those involved in delivering development assistance to 'place rights-holders and international human rights obligations and commitments at the centre of development policy and programming, address inequality and discrimination (including based on gender or disability) and focus on those left furthest behind.' The toolbox consists of a formal document as well as an online virtual toolbox, which offers users information, guidance on how to, for example, conduct a stakeholder analysis, and links to relevant resources such as Treaty Body and UPR recommendations.



OSLO+2 | CONCLUSIONS

Conclusions and next steps

Participants at **Oslo+2** reached several conclusions and identified a number of important possible next steps including:

- Fragility, crises, and conflicts are among the biggest obstacles to achieving the mutuallyreinforcing goals of the full enjoyment of human rights and the achievement of the SDGs by 2030.
- Human rights violations are amongst the principal root causes of conflict, and thus to achieve long-term peace and security, it is imperative that the international community strengthen the enjoyment of human rights, thereby building national resilience.
- To do so, all three pillars of the UN, as well as the wider international system, must be mobilised in an integrated manner. That includes the UN development system, international financial institutions, and bilateral development actors, which together need to pursue and support integrated progress with the implementation of States' international human rights obligations and commitments, and the realisation of the SDGs' promise to 'leave no one behind.'
- Recent reports by the World Bank-UNDP and OECD show that shifting the international community's focus from reacting to violent conflicts to preventing them from happening in the first place would save thousands of lives, safeguard international development gains, and save the States concerned and the international community billions of dollars.
- Participants nonetheless noted that 'while this business case is clear,' the problem remains that it is relatively easy to convince politicians to 'act and to spend money when

a crisis or conflict is on CNN, but relatively difficult to convince them to spend money to prevent something that has not yet happened – especially considering the short election cycles faced by democratic politicians.'

- Figures were presented to highlight this challenge. In 2020, donors spent 4% of their aid in fragile contexts on conflict prevention, 1.3% on justice, and 0.7% on human rights. By comparison, humanitarian aid to respond to crises accounted for 25% of ODA, meaning that for every dollar spent on prevention, donors spent six dollars on humanitarian responses.
- Consequently, the international community, including bilateral and multilateral development partners, should re-orientate investments from reaction to prevention, especially by building societal resilience through 'joined up' progress with human rights and SDG implementation, but also by investing in early warning and early response capacity.
- Recommendations generated by the UN human rights mechanisms should feed into UNSDCFs at national level, as a central contribution to building national resilience, and thereby preventing human rights violations.
- There was broad acknowledgement that this
 is increasingly happening in practice. One
 important result of these steps, according
 to participants, has been to 'normalise' the
 systematic integration of UN human rights
 recommendations into the UN's country level
 programming.
- Notwithstanding, it remains important to continue to take steps to 'change perceptions'

about human rights, from 'problem causer to problem solver' and, linked with this, about changing perceptions about the UN human rights system as something that only 'kicks in' once a crisis has erupted (e.g., to denounce violations), rather than a system that can work with States to build resilience and thus prevent crises in the first place.

- Despite some progress, representatives of OHCHR and UNDP presented the findings of a recent interagency review assessing the integration of human rights, gender, and the principle of leaving no one behind into the new generation of CCAs and UNSDCFs, which identified important gaps and areas for improvement.
- One important way to secure those improvements is to station human rights advisors in as many UNCTs as possible. In that regard, there were repeated calls for donors to provide greater financial support to the UN Human Rights Mainstreaming Fund.
- Moreover, the early warning/early response capacity of the UN system should be enhanced to prevent the escalation of crises. To some degree this is happening, for example via the new generation of UN Common Country Analyses (CCA) and through the actions foreseen in Council resolution 45/31, however this remains insufficient.
- Although prevention is increasingly a priority for the UN and its member States, that political commitment is not being translated into concrete action. For example, two years after its adoption, Council resolution 45/31 has not been effectively implemented.
- An important opportunity exists to boost the contribution of the UN human rights system

to prevention through reform of the Council's work on technical assistance and capacity-building (agenda item 10). An initiative to 'revitalise' item 10 was presented, and a relevant draft resolution is expected to be tabled in September 2022.

- The importance of addressing the three environmental crises (pollution, biodiversity loss, and climate change) as a central contribution to preventing crises and conflicts was repeatedly raised during the meeting. This in turn led to a discussion about the importance of a rights-based approach to addressing these three interlinked crises.
- UN recognition of the right to a healthy environment, it was suggested, offers a particular opportunity for UNCTs to link human rights and environmental protection/climate change mitigation and adaptation in country programming, including as a contribution to the SDGs and to preventing future crises (e.g., conflicts over dwindling natural resources).

Human rights violations are amongst the principal root causes of conflict, and thus to achieve long-term peace and security, it is imperative that the international community strengthen the enjoyment of human rights, thereby building national resilience.

OSLO+2 | CONCLUSIONS

Human rights-based approaches to development cooperation (including for prevention) – latest developments and sharing good practice

Oslo+2 Outcome

The last session of the Oslo+2 meeting provided the traditional 'Oslo+' platform for bilateral and multilateral development agencies to share evolving good practices and lessons learnt in the design and implementation of rights-based approaches to development cooperation. The session included presentations from France, Denmark, Belgium, Finland, Germany, and the EU. Participants recognised important progress, yet called for the more consistent application of rights-based approaches. Regarding the latter point, one participant proposed the establishment of an informal working group that would meet between Oslo+ meetings.

At the end of the meeting, participants at Oslo+2 agreed on an informal outcome document summarising (in a non-exhaustive manner) some key conclusions and recommendations from the meeting (see Annex 1).





OSLO+2 | ANNEX1

Annex 1: OSLO+2 Outcome

Participants²⁰ at the third meeting of development partners **(Oslo+2)** on 'the contribution of human rights and development cooperation to prevention,' gathered in Montreux, Switzerland from 8-9 June 2022, highlighted a number of key points, including:

- Preventing human rights violations and violent conflicts saves lives and resources, is cost-effective and protects development gains.
- Inclusive and sustainable development (including its social, economic, and environmental dimensions), anchored in human rights, gender equality and leaving no one behind, and that places individual rights-holders at the centre, helps build national resilience and provides the best defence against human rights violations, crises, and violent conflict.
- The fulfilment of States' international human rights obligations and commitments, including through the implementation of the recommendations issued to States by the three main UN human rights mechanisms (Special Procedures, Universal Periodic Review and Treaty Bodies), and the implementation of the 2030 Agenda for Sustainable Development, are interrelated and mutually reinforcing, and serve to build national resilience.
- Development cooperation plays an important supportive role in that regard.
- Greater international policy coherence is required to better bridge development, human rights, humanitarian, and peace actions, and thereby contribute to conflict prevention by addressing underlying factors of fragility, conflict drivers and risks, and by supporting States in their duty to respect, protect and fulfil human rights.
- Effective prevention strategies should also aim at enhancing social cohesion through investments in inclusive governance, rule of law, equitable delivery of social services, inclusive institutions, peacebuilding, sustainable and transparent management of natural resources and revenues, and equal economic opportunities.
- UN Member States and all relevant parts of the UN system should actively consider and, where appropriate, follow-up on:

- The report of the Secretary-General to the 49th session of the Human Rights Council analysing the current system-wide delivery and financing of, and existing gaps in, technical assistance and capacity-building that support the implementation by States of their international human rights obligations and commitments, including his recommendations to improve and scale-up the system-wide delivery and financing of such assistance with a view to building national resilience.
- The UN Secretary-General's 'Call to Action for Human Rights' and 'Our Common Agenda,' in which he calls for a revitalised, comprehensive, and overarching prevention agenda and for every UN presence to be made a centre of context-specific prevention expertise, with the capacity to better link peace and security, human rights, gender equality, climate, and development, and focusing on factors that can give rise to grievances and cause instability.
- Human rights-based approaches to the delivery of development cooperation enjoy a number of advantages, including: they are country-led (being based on States' own international obligations and commitments, freely entered into); promote national ownership (being based on States' own engagement and cooperation with the human rights mechanisms and with the High-Level Political Forum); allow development cooperation to be focused on national 'resilience weak spots' (i.e., areas where States are falling behind in their efforts to achieve inclusive and sustainable development, anchored in human rights); and encourage the participation of rights-holders.
- Multilateral and bilateral development partners are increasingly adopting and implementing such human rights-based approaches to development cooperation, as an important contribution to promoting and protecting human rights around the world, to achieving inclusive and sustainable development, and to preventing human rights violations, crises, and violent conflict.

Endnotes

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