

**GENEVA
ACADEMY**

Académie de droit international
humanitaire et de droits humains
Academy of International
Humanitarian Law and Human Rights

WORKING PAPERS

Towards Transversal Standards to Evaluate the Impact of UN Special Procedures

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FEBRUARY 2021

THE GENEVA ACADEMY A JOINT CENTER OF



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INSTITUT DE HAUTES
ÉTUDES INTERNATIONALES
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ACKNOWLEDGEMENTS

As a number of Special Procedures mandates undertake initiatives to better evaluate and understand the impact of their work, a key question that inevitably surfaces is that of how an effective measurement can be made of the results of a mandate's activities such as country visits, communications and expert consultations. Moreover, a further question that arises is whether there exists the possibility of discerning the role that the cooperation and participation of the State has played in contributing toward the successful outcomes for human rights in these instances. Special Procedures is widely acknowledged not just by practitioners and advocates, but also by Member States, for its agility and responsiveness as a mechanism for the protection and promotion of human rights. As such, conducting research on its impact reporting constitutes a crucial element in assisting delivery of ever more user-friendly and accessible means for a diverse audience to access information on the results of activities, and to gauge performance.

This paper complements the research of the Geneva Academy in conjunction with three particular mandates of Special Procedures: the Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and the Working Group on Business and Human Rights. The respective mandates have all been engaged in efforts to determine how to effectively evaluate the impact of their work and have collaboratively shared insights on their progress with one another. To facilitate this effort, and to encourage wider discussion and the dissemination of the results of these activities, the Geneva Academy organised the online expert meeting 'How to evaluate the impact of Special Procedures visits, recommendations and inquiries?' in support of Special Procedure Mandates on November 26th 2020. This event was held in two parts: the first session bringing together Special Rapporteurs, Independent Experts and members of the Working Groups representing twenty different mandates to discuss and share insights and developments with colleagues from OHCHR. The second session of the event proceeded with a broader discussion involving the initial participants engaging with specially invited representatives, including lawyers and advocates from civil society organisations and NGOs, to discuss experiences and share best practice in evaluation activities. This article draws on the informative and very valuable discussions that took place in the course of the online meeting for its appraisal of developments in this sphere.

INTRODUCTION

A mandate-holder's ability to obtain the cooperation of a State is vital in determining the degree to which the mechanism may gain influence and have an impact. In essence, the extent to which a collaborative relationship can form between the parties that to a large degree shapes the extent to which a mandate can affect change and constitute a persuasive pressure to encourage compliance.

A starting point for considering an SR's impact is to find appropriate methods to gauge the degree of cooperation provided by States when engaging with Special Procedures. The responsibility of states is contained in Resolution 60/251, which established the Human Rights Council. Resolution 60/251 adopted by the General Assembly, resolving to create the Human Rights Council, recognises within its preamble the ongoing need for State cooperation, asserting that: ‘..the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings.’¹

Furthermore, the resolution is also important for its provisions that further articulate the expected degree of cooperation required of State, noting inter alia that the Council shall: ‘Work in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society’ The General Assembly also affirmed, with respect in particular to States elected members to the Council, that they: “shall uphold the highest standards in the promotion and protection of human rights, shall fully cooperate with the Council...’² Relevant too in this context, regarding performance measurement in particular, is the mention that the methods of work of the Council ‘..shall be transparent, fair and impartial and shall enable genuine dialogue, be results- oriented, allow for subsequent follow-

up discussions to recommendations and their implementation...’³

In conjunction with the mandate provided by the General Assembly in resolution 60/251, resolution 5/1 of the Human Rights Council, pertaining to the Institution-building of the aforementioned council also articulates the important role of State cooperation for Special Procedures in respect of the review, rationalization and improvement of mandates, asserting that: ‘Decisions to create, review or discontinue country mandates should also take into account the principles of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations’ and, furthermore, that: “In case of situations of violations of human rights or a lack of cooperation that require the Council’s attention, the principles of objectivity, non-selectivity, and the elimination of double standards and politicization should apply.’⁴

In terms of examples of specific references to States assisting the activities of the mandates, the mandate of the Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, established at the 41st Session of the Commission of Human Rights by Resolution 1985/33, states that the Commission on Human Rights: ‘Decides further that the special rapporteur, in carrying out his mandate, shall seek and receive credible and reliable information from Governments, as well as specialized agencies, intergovernmental organizations and non-governmental organizations;’⁵ Resolution 15/21 adopted by the Human Rights Council in 2010 creating the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association adopted calls upon States to ‘cooperate fully with and assist the special rapporteur in the performance of his or her tasks, to provide all necessary information requested by him or her, to respond promptly to his or her urgent appeals and other communications and to

¹ A/RES/60/251, 3 April 2006., Preamble p.2

² A/RES/60/251, 3 April 2006., paras 5 & 9

³ A/RES/60/251, 3 April 2006., para. 12

⁴ A/RES/60/251, 3 April 2006., paras. 63 & 64

⁵ UN Doc. E/CN.4/RES/1985/33, p.72

consider favourably his or her requests for visits;⁶

Resolution 17/4 of the Human Rights Council, establishing the Working Group on the issue of human rights and transnational corporations and other business enterprises, contains a similar provision with respect to the Council articulating the responsibilities of governments and other entities to facilitate the activities of the mandate. It affirms the Human Rights Council: ‘Encourages all Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors, including non-governmental organizations, as well as the private sector to cooperate fully with the Working Group in the fulfilment of its mandate by, inter alia, responding favourably to visit requests by the Working Group;’⁷ The need for cooperative and constructive dialogue underpins the basis for a positive relationship, refuting the notion that an adversarial approach might avail. Indeed, research has suggested that best practices and success stories in this regard invariably reflect a close cooperative relationship being established between mandate-holders and governments.⁸

Further elucidation of the responsibilities of the States to cooperate with Special Procedures are the requirements articulated within the provisions of Human Rights Council resolution 5/2, which articulates the Code of Conduct for Special Procedures Mandate-holders.⁹ Of particular significance in the preamble to the Code of Conduct is the reaffirmation of the principle within resolution 60/251 that the promotion and protection of human rights ‘should be based on the principles of cooperation and genuine dialogue’.¹⁰ Moreover, the Code of Conduct further resolves to reiterate the importance of State cooperation in noting in its preamble, with reference to the Open-ended

Intergovernmental Working Group tasked with its drafting, that:

‘Considering that this code of conduct is an integral part of the review, improvement and rationalization called for in General Assembly resolution 60/251 that, inter alia, seeks to enhance the cooperation between Governments and mandate-holders which is essential for the effective functioning of the system,

Considering also that such a code of conduct will strengthen the capacity of mandate-holders to exercise their functions whilst enhancing their moral authority and credibility and will require supportive action by other stakeholders, and in particular by States,’¹¹

Human Rights Council resolution 5/2 proceeds to reiterate the scope of the State’s responsibilities to effectively cooperate with mandate holders by noting additionally, that the Council:

‘Taking note of the deliberations and proposals of the Open-ended Intergovernmental Working Group on Review of Mandates,

1. *Urges* all States to cooperate with, and assist, the special procedures in the performance of their tasks and to provide all information in a timely manner, as well as respond to communications transmitted to them by the special procedures without undue delay;’¹²

Resolution 16/21 adopted by the Human Rights Council in 2011 also refers, with respect to

⁶ A/HRC/RES/15/21, Preamble, recital 6

⁷ A/HRC/RES/17/4, Preamble, recital 7

⁸ Marc Limon & Ted Piccone, Human Rights Special Procedures: Determinants of Influence—Understanding and Strengthening the Effectiveness of the UN’s Independent Human Rights Experts (2014), Available at <http://www.brookings.edu/research/reports/2014/03/19-un-human-rights-experts-evaluation-piccone>, p.16

⁹ A/HRC/RES/5/2, 2007, Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council

¹⁰ See: A/HRC/RES/5/2, preamble, recital (e). Note: the preamble also reasserts the provisions of 60/251 relating to “constructive international dialogue and cooperation”.

¹¹ A/HRC/RES/5/2, preamble, recital (g).

¹² A/HRC/RES/5/2, preamble, recital (g).

the working methods of Special Procedures, to the requirement that States cooperate, stating:

‘In line with Council resolution 5/2, States should cooperate with and assist special procedures in the performance of their tasks and it is incumbent on mandate holders to exercise their functions in accordance with their mandates and in compliance with the code of conduct.’

And:

‘States are urged to cooperate with and assist special procedures by responding in a timely manner to requests for information and visits, and to study carefully the conclusions and recommendations addressed to them by the special procedures.’¹³

In 1998 already, in the framework of the Human Rights Council’s predecessor, the Commission on Human Rights, Special Procedures adopted Terms of Reference for country visits by mandate holders to States and territories following the meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission and of the advisory services programme which took place in May 1997.¹⁴ These initial Terms of Reference outlined *inter alia* the need for contacts with central and local authorities of all branches of Government, confidential and unsupervised contacts with civil society, media, witnesses and other private persons. Also, of particular importance is that the Terms of Reference affirm the prohibition on reprisals by Government with respect to persons who have been in contact with

mandate holders. At the twenty-third annual meeting of Special Procedures, mandate holders resolved to update these Terms of Reference, reflecting the fact that certain terms were no longer in use, and to reflect developments that had occurred since their initial formulation in 1998.¹⁵

SUCCESSES IN EXPANDING EVALUATION

To date, OHCHR has sought to classify results that reflect the nature of change occurring broadly within a society (such as a change in policy adopted by a government), and also on an individual level. Evidence of these changes can be determined not just from documentation and other forms of information disseminated, but also from changes in activities that may not formally be announced that lead to the circumscription or complete end of activities that result in the violation of human rights.¹⁶ In addition, changes of this nature may also effect positive changes that improve protective measures that better safeguard human rights. Furthermore, the work of the mandates thus far has also furnished examples of cooperative efforts to provide governments with guidance to help in the adoption or improvement of standards that protect human rights.¹⁷

Another example of a successful intervention that may be included in an assessment of impact is that of an amelioration of the conditions under which the United Nations operates within a country directly resulting from the activity of a mandate under Special Procedures. As noted by Special Procedures, the difference that the work of Special Procedures can make, and how to

¹³ A/HRC/RES/16/21, paras. 23 & 26

¹⁴ E/CN.4/1998/45, Appendix V

¹⁵ Revised Terms of Reference for country visits by Special Procedures mandate holders of the United Nations Human Rights Council (based on Appendix V, E/CN.4/1998/45).

¹⁶ See, for example: OHCHR, Making a difference: Special Procedures of the Human Rights Council, Available at: <https://www.ohchr.org/EN/HRBodies/SP/Pages/Making-a-difference.aspx>. See also: OHCHR, Good Practices of human

rights and the environment report, Available at: <https://www.ohchr.org/EN/Issues/Environment/SREnvironment/Pages/GoodPractices.aspx>.

¹⁷ See, for example: OHCHR, COVID-19 Guidance, 2020, Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>. See also: OHCHR, COVID-19 and Special Procedures, Available at: <https://www.ohchr.org/EN/HRBodies/SP/Pages/COVID-19-and-Special-Procedures.aspx>

document, has been at the centre of significant discussion. The impacts of the work of the mandates can take many forms, such as, *inter alia*, the revision of a law; the adoption of a new policy decision; the change in the mind-set of a country toward a specific issue; a positive outcome for specific individuals; the documentation and the end of a specific human rights violation or the prevention of it; a successful contribution to UN processes such as migration or climate change; the development of new standards or, more generally, and the raising of awareness on human rights issues and facilitating dialogue and advocacy on these issues.¹⁸ Other positive impacts may also include a mandate's engagement empowering the voiceless and vulnerable groups, and a reduction in the protection gap for those whose human rights are at risk.

Many Member States have taken an interest in sharing experiences within the Human Rights Council as to how the work of Special Procedures has aided their efforts to protect and promote human rights. States have shared insights as to the efficacy of the activities undertaken by the mandates and helped to improve human rights in their country (for example, the benefits of a particular country visit, the insights provided by a report presented to the government).

The mandate holders have also discussed and shared perspectives on how to effectively evaluate and measure impact in relation to their work. Indeed, in addition, the annual report of Special Procedures activities provides details of the level of engagement of the Member States and has also been made more expansive as to provide more information and specific details relating to, for example, the communications

sent by mandates and responses provided by Member States.¹⁹

The website of OHCHR also now includes further information on the progress being made on cross-cutting issues such as climate change, new technologies and migration. Special Procedures mandate holders regularly address thematic issues and crises of common interest through individual or joint actions.²⁰ OHCHR has also further assisted the ability of different stakeholders to measure progress and assess impact of the mandates under Special Procedures through improvements to the Universal Human Rights Index, which provides access to country-specific human rights information emanating from international human rights mechanisms in the UN system: the Treaty Bodies, the Special Procedures and the Universal Periodic Review (UPR). The index aims assist States, national human rights institutions, civil society organizations, and United Nations partners with the implementation of human rights recommendations stemming from the aforementioned mechanisms. The database also provides a tool for the user to assess how the legal interpretation of international human rights law is evolving.²¹

¹⁸ See further: See, for example: OHCHR, Making a difference: Special Procedures of the Human Rights Council, Available at: <https://www.ohchr.org/EN/HRBodies/SP/Pages/Making-a-difference.aspx>

¹⁹ See further: OHCHR, Communications reports of special procedures, 2020, Available at: <https://www.ohchr.org/en/hrbodies/sp/pages/communicationsreportssp.aspx>

²⁰ OHCHR, Cross-cutting Thematic Issues, Available at: <https://www.ohchr.org/EN/HRBodies/SP/Pages/CrosscuttingThematicIssues.aspx>

²¹ See further: OHCHR, Universal Human Rights Index, Available at: <https://www.ohchr.org/en/hrbodies/pages/universalhumanrightsindexdatabase.aspx>

COMPLIMENTARY ACTIVITIES AT THE MANDATE LEVEL ON ASSESSING IMPACT

The work of the mandates on developing assessment tools has highlighted scope for improvement of measurement tools and indicators. In addition, research to date has also underscored that knowledge management is an important consideration where systematic and effective sharing can improve the efficiency of evaluation exercises. Cross-fertilisation of ideas between the Special Procedures mandates can be developed so as to more widely share the learnings and experiences for the benefit of other stakeholders.²² One assumption that might be also raised at this point is that governments are not, per se, 'black boxes', rather, they are institution-based: as such, thinking and development of assessment of impacts needs to take this important consideration into account.

Ongoing work conducted by the individual mandates on assessing impact also aims to further develop the means to conduct statistical evaluations, using simple frameworks, that measure Member States' cooperation vis-à-vis requests made from the mandate holders for engagement on particular issues or concerns. These evaluative exercises aim to determine the overall quality of the cooperation achieved with respect to a mandate and a Member State. With this approach, Member States may be asked to reflect on the effects of their engagement with Special Procedures mandates, and to assess whether cases that are raised are effectively resolved from their perspective. This process may also therefore raise awareness amongst the Member States as to how their own internal

processes are functioning, and therefore offer a positive benefit in providing a mechanism that aids their own assessment of performance.

Further work by mandate holders is also underway to gauge and evaluate the responses of governments to thematic reports, and to country visit reports. It should be noted that this assessment process is one which requires significant resources to undertake effectively this evaluative activity, particularly as the measurement of impact in-country of a broader thematic report (for example, on policies and with respect to a State's activities) can prove especially complex, and thus also time consuming, particularly as Member States also require an adequate period of time to coordinate their responses. Since 2016, the Working Group on Arbitrary Detention (WGAD) has had in place a process whereby it reports on whether a case of arbitrary detention has been established and, in addition, the WGAD also reports on the follow up from the government concerned, as well as from other relevant sources. Furthermore, this follow-up procedure provides for the measurement and evaluation as to whether its opinions are being implemented following its intervention in a case.²³ Of relevance in this context too is the resolution establishing the mandate of the Working Group on Arbitrary Detention, which contains a provision that requires Member States to must submit a report, within a after two-year timeframe, to the WGAD on the extent to which the recommendations of a country report have been implemented. The WGAD makes every effort to have the States fulfil this requirement. Again, as has been noted by other mandates within Special Procedures, a key challenge for the WGAD is inevitably that of capacity: the mandate continues to have a

²² The Special Rapporteur on the human rights to safe drinking water and sanitation, for example, hosted an open call for input with stakeholders being invited to submit their contributions by responding to a questionnaire. This initiative has promoted other mandates to determine how they might implement similar surveys. See further: OHCHR, The Special Rapporteur on the human rights to safe drinking water and sanitation host open call for input, 26 December 2019. Available at: <https://www.unwater.org/the-special-rapporteur-on-the->

[human-rights-to-safe-drinking-water-and-sanitation-open-call-for-input/](https://www.unwater.org/the-special-rapporteur-on-the-human-rights-to-safe-drinking-water-and-sanitation-open-call-for-input/)

²³ For further information on the mandate of the Working Group on Arbitrary Detention and its activities in respect of the issuance of opinions, deliberations and other work - see: OHCHR, Working Group on Arbitrary Detention - Index, 2020. Available at: <https://www.ohchr.org/en/issues/detention/pages/wgadindex.aspx>

substantial docket of cases including urgent actions and individual opinions.

The mandate of the UN Independent Expert on violence and discrimination based on sexual orientation and gender identity has also conducted a review the impact of its work. This research has highlighted how monitoring and evaluation is a constant process, and that this activity can prove beneficial as an integral planning exercise of the mandate. Crucial to this process has been the acknowledgement of the value of stakeholder involvement in developing the assessment of impact. The exercise has also highlighted how weaknesses in monitoring and evaluation might stem from an opacity in how the mandate is performed, according to the current UN Independent Expert, Victor Madrigal-Borloz (in particular, where the strategy and perspectives of the mandate are not made visible to the other stakeholders).²⁴

Efforts by the mandates to review the impact of their work have also proven beneficial in terms of their facilitation of the transition between successive holders of a mandate, smoothing the transition. Frameworks developed for assessing impact therefore have an added benefit in assisting the development of a more systematic approach to delivering the changeover between mandate holders. Further work on the evaluation of impact is also progressing that will enable effective measurement of positive impacts on, where appropriate, improving the stability of the political situation in-country, and to determining how these effects can be monitored for change on an ongoing basis. Efforts are also being made to develop a methodology to more effectively assess the impact of the work of mandates at the thematic level, particularly as regards the measure in-country and at the

grassroots for the tangible effects of activities. However, in this respect it should be noted that work to date has highlighted how, as actors and governments change, it can prove difficult to ascribe impact and determine cause and effect.

DEVELOPING THE EVALUATION OF THE ACTIVITIES OF MANDATE HOLDERS

Objective evaluation exercises should aim to incorporate the means to develop an understanding of both the intended and unintended results of activities, and their impact on stakeholders. While this evaluation may initially be construed as a procedure primarily to gauge the attainment of results and to appraise institutional performance, its capacity as an impartial guide and assessment to enact change, and to support accountability, must also be appreciated. Measurement and the assessment of impact also proves valuable in respect of it providing opportunities to establish programmatic priorities by gauging the scope and the relative weight and urgency of different issues; this ancillary function can in turn therefore facilitate planning, prioritisation and resource allocation. Mandate holders have however also highlighted that their work also reflects a longer-term perspective, and that it may be very difficult to measure and evaluate shifts in the culture of attitudes toward human rights.

Crucially, if we want to correlate the transformations that take place in societies with

²⁴ With regard to the mandate of the UN Independent Expert on violence and discrimination based on sexual orientation and gender identity, it was noted that its early development adopted a rather visionary approach in conducting interactions with stakeholders to explain the purpose and activities of first three years of his mandate. This work has since been developed so as to engender the necessary accountability of the mandate. In this regard, the UN Independent Expert also noted that the monitoring and evaluation processes should not be an end in itself, rather that it should achieve meaningful change and engage where

necessary with the relevant political processes. Monitoring and evaluation processes can also prove effective vehicles for dialogue, for planning, and for ensuring accountability in the execution of the work plans of mandates. *Note:* Input provided in the Expert Meeting (online) in support of SP Mandates: How to evaluate the impact of Special Procedures visits, recommendations and inquiries? Thursday, 26th November 2020, hosted by the Geneva Academy of International Humanitarian Law and Human Rights.

the work of the Special Procedures mandates, we need to better understand how observations on the tangible improvements to people's welfare can be effectively and accurately measured. In this respect it is vital to engage national and local practitioners on the ground when looking to find solutions to the challenges inherent in measuring impact: these partners are very often better equipped to ascertain the most viable routes for conducting evaluation activities. In particular, their local knowledge can facilitate measurement of roots causes of change and their resultant effects, and to ascribing the appropriate linkage to efforts and activities that determine outcomes: all these interdependent variables require due consideration. Also important is the observation provided from research to date on the assessment of impact which has highlighted how governance in Member States is most often poly-centric, and thus this phenomenon needs to be taken into account when reviewing the many levels on which change can be achieved and, later, observed and evaluated.

The implementing processes for assessing impact can also aid in more robustly formalising a hierarchy of concerns to disseminate to the human rights community and may encourage proactive communication with other stakeholders. This practice can assist in fostering a culture of greater introspection and, concurrently, contribute toward transparency. Engagement in analysis, particularly with respect to evaluating impact and discerning attribution, also proves highly beneficial in rendering insights as to how to assess and deploy more effective strategies to tackle issues of concern with a forward-looking approach i.e., pre-emptively, rather than in a reactive manner.²⁵

CONSIDERATIONS IN DEVELOPING AN ASSESSMENT'S METHODOLOGY

Critical in assessing and measuring impact should be an awareness that, in appraising the results and outcomes of activities, there must be included a meaningful assessment of the delivery of actual outcomes (and their alignment with pre-defined objectives)²⁶. One might also add in this context that the demonstration of causality, the link between actions and outcomes, may prove complex to plausibly establish (especially in areas such as influencing policy or capacity building) considering the complex nature of the process of change. Indeed, the attribution and linkage of favourable outcomes to specific actions and events can prove especially difficult to discern with the requisite degree of objectivity when there exists pressure to demonstrate success and provide evidence of positive impacts. In the longer term, there exists a risk of evaluation activities potentially developing self-referential feedback loops that encourage activities that produce readily identifiable positive outcomes, or produce results that are more straightforward to measure and quantify.

Human rights defenders have identified the concern that evaluating impact in relation to the activities of mandates such as those covering civil and political rights, including freedom of peaceful assembly and association, may prove especially complex – developing appropriate indicators and measuring successful interventions and activities is likely to prove challenging. Furthermore, advocates for human rights working in particularly difficult environments have stressed that a key element requiring measurement is that of human contact

²⁵ See further: Kate Desormeau & Michael Ignatieff, "Measurement and Human Rights: Tracking Progress, Assessing Impact", A Carr Center for Human Rights Policy Project Report, Summer 2005, Available at: www.hks.harvard.edu/cchrp/mhr/

[publications/documents/MeasurementReport2005.pdf](#), p.10

²⁶ Gorvin, I., Producing the Evidence that Human Rights Advocacy Works, *Journal of Human Rights Practice* Vol 1, 3, 2009. p. 481

i.e., has the mandate holder met human rights defenders, have they personally been engaged in conversation with victims of human rights abuses? The impact of this dialogue, the human interaction, can prove complex to measure and evaluate.

Developing indicators for particularly complex issues such as involuntary disappearances is especially sensitive: even the quantitative analysis aspect of this work can prove challenging. The Working Group on Enforced or Involuntary Disappearances has developed a systematic procedure of follow-up reports and sends back recommendations after a country visit to stakeholders including governments. It should be noted, however, that somewhat counter-intuitively that unresolved cases can in theory prove indicators of success e.g., with regard to involuntary disappearances, after a country visit more people may come forward to lodge petitions or highlight cases: thus, the visibility of the issue increases, indicating a positive impact of the work of the mandate. As another example, a benefit of conducting an assessment of a country visit is that it may allow a mandate to determine the value of the activity and prioritise further visits, given limitations of resources and funding for these activities. It was also noted that the assessment exercises may also have difficulty in measuring the unforeseen successes that often stem from a country visit: for example, talking with families and NGOs can simply improve the visibility of a particular issue to communities: these sorts of concerns are extremely difficult to gauge against an indicator. Civil society has highlighted the value of such country visits to express solidarity: this is a further element therefore that requires assessment, despite the difficulty of quantifying this intangible aspect of support. NGOs have stressed too that country visits by the mandates provide opportunities for enhanced engagement and dialogue with government institutions and civil society and have also noted that the work of the mandates can help civil society in deterring strengths and weaknesses in their work.

A further challenge for assessment of impact in certain jurisdictions also stems from the lack of remedies available to victims of human rights abuses, and that this may render it difficult to record a meaningful impact of an intervention. A further indicator of success and impact can be media engagement, particularly as regards publicising human rights violations: publicity of this nature can have a significant impact in raising broader awareness of human rights concerns and can afford greater protection of those at risk from human rights violations. It has been noted by civil society activists that publicity of this nature can indeed save lives: this preventative aspect therefore must be taken into account when conducting evaluation and the assessment of impact of the work of the mandates. In addition, it has been stressed by NGOs that behind-the-scenes interventions by mandates can save lives, particularly in jurisdictions with poor detention facilities or where the death penalty is in place. Examples have also been provided by human rights defenders of detainees being released before court hearings in special courts for those charged with terrorism offences, due to the intervention of the mandates: those charged later had their cases heard in district courts on reduced charges.

Thus, while the value of assessing the effectiveness of activities is clearly extremely important, it is equally critical at the same time to maintain a perspective that recognises the broader, and perhaps less tangible or readily appraisable, aims conducive to the attainment of the promotion and protection of human rights. This concern inevitably requires sufficient deliberation to avoid the propensity toward modifying behaviours that tend to deliver outcomes that, at least in the short term, deliver results that prove advantageous for the ease with which they can be quantified and positively evaluated.²⁷

²⁷ Gorvin, I., Producing the Evidence that Human Rights Advocacy Works, *Journal of Human Rights Practice* Vol 1, 3, 2009. p. 483

DEVELOPMENT OF EVALUATION PROCEDURES AT THE UN LEVEL

Evaluative assessments are increasingly central to programmatic evaluation in many intergovernmental organisations and are considered a vital aspect of discerning how activities are to be prioritised and resourced, both in the short and long term. Within the context of the work conducted at the United Nations on the adoption of a framework for evaluation and monitoring, the United Nations Evaluation Group's (UNEG) *Norms and Standards for Evaluation*, published in 2005, constituted a key milestone both within the UN system and amongst other stakeholders in the international community.²⁸ UNEG is a unique inter-agency professional network targeted toward promoting and strengthening evaluation in to further improve the effectiveness, efficiency, impact and sustainability of the UN system's work.

The UNEG's experts in evaluation sought to provide guidance to evaluation exercises by developing policies and instruction on operational activities based on the best practice of its members. They represent an important landmark in elaborating a consistent approach to developing an institutional framework to management of the evaluation function, conduct

and use of evaluations. The initiative stemmed from the General Assembly's resolution A/RES/59/2501 in December 2004, that recommended further development of system-wide cooperation to enhance evaluation, harmonize and simplify the implementation of methodologies, standards, norms and cycles of evaluation.²⁹

A particularly salient point made within the guidance is that an essential requirement of any appraisal activity, including those intended to measure impact, is that 'evaluation objectives must be realistic and achievable, in light of the information that can be collected in the context of the undertaking.' The UNEG guidance also underscores the importance of determining the relevant scope of the evaluation, which must be defined clearly.³⁰

While the original guidance has served as a key reference for evaluators across the globe, and has proven successful in both strengthening and harmonising evaluation practices, it was subsequently revised and updated in 2016 in order to retain its significance for practitioners in guiding evaluation processes, reflecting both changes in the application and practice of evaluation, and also to attest to shifts in global, regional and national contexts.³¹ Work on consolidating the standards on evaluation practice stemmed from the General Assembly resolution 69/237 on "Building Capacity for the Evaluation of Development Activities at the Country Level." The updated norms included

²⁸ See: UNEG, Standards for Evaluation in the UN System, April 2005, UNEG/FN/Standards, Available at: https://vopetoolkit.ioce.net/sites/default/files/resources/5.3.1e7_uneq_standards_2005-final.pdf

²⁹ General Assembly resolution A/RES/59/250, December 2004, Document A/C.2/59/L.63 of 17 December, paragraph 69. Available at: https://library.un.org/sites/library.un.org/files/itp/1430-201404101445265312601_0.pdf

³⁰ According to the Standards for Evaluation, the design of an evaluation should include the following elements: 'Context for the evaluation; Purpose of the evaluation; Scope (outlining what is covered and what is not covered by the evaluation); Evaluation criteria (inter alia relevance, efficiency, effectiveness, impact, sustainability); Methodology – approach for data collection and analysis

and involvement of stakeholders; Products and reporting; Use of evaluation results, including responsibilities for such use.' See further: UNEG, Standards for Evaluation in the UN System, April 2005, UNEG/FN/Standards, Available at: https://vopetoolkit.ioce.net/sites/default/files/resources/5.3.1e7_uneq_standards_2005-final.pdf, Standard 3.5, pp.11-12. For further specific detail on developing scope and critical indicators, see also: UNEG, UNEG Quality Checklist for Evaluation Terms of Reference and Inception Reports, UNEG/G (2010)1, 2010, Available at: <http://www.uneval.org/document/detail/608> at p.3

³¹ See: United Nations Evaluation Group (2016). Norms and Standards for Evaluation. New York: UNEG. Available at: <http://www.unevaluation.org/document/download/2787>.

human rights and gender equality (Norm 8)³² to be integrated into all stages of evaluation.³³ Notably, the resolution emphasises the importance of building capacities for the evaluation of activities at country level. The resolution seeks to change the prior approaches such that greater interaction and cooperation amongst relevant partners, including those of the UN System and the national and international stakeholders, is attained to better coordinate efforts and strengthen the Member States' capacities for evaluation.

Significantly, the resolution emphasised that national ownership and national priorities form a foundation for building national capacities to manage and oversee evaluations.³⁴ The revised recommendations *articulate general norms that sustain and validate the conduct of evaluation in addition to institutional norms that are intended to direct the management and governance of evaluative functions; the corresponding standards within the framework for evaluation activities contribute towards the application of these normative principles.*

CREATING SUITABLE INDICATORS FOR USE IN EVALUATING IMPACT

An indicator is a key statistical measure selected to aid describing (*indicate*) a situation concisely, track progress and performance, and act as a guide to facilitate decision making. States can use human rights indicators to evaluate their own progress in implementing human rights and compliance with the international treaties, and they also furnish civil society with practical instruments with which to monitor progress and ensure accountability.

Appraisal using indicators requires both qualitative and quantitative measurements, with the weighting attributed to either reflecting in each case the best possible approach to contextualising the scope and magnitude of the issues under consideration. The determination of measurements is frequently framed in respect of three types of indicators: structural conditions (e.g. constitutions and legal structures), process (for example, programmes that implement the policy), and outcomes (the actual influence observed on human rights) is most often imbalanced in the human rights community, such that an importance is most commonly ascribed to structural conditions and process,

³² Norm 8: Human rights and gender equality:

12. The universally recognized values and principles of human rights and gender equality need to be integrated into all stages of an evaluation. It is the responsibility of evaluators and evaluation managers to ensure that these values are respected, addressed and promoted, underpinning the commitment to the principle of 'no-one left behind'. See further: See: United Nations Evaluation Group (2016). Norms and Standards for Evaluation. New York: UNEG. Available at: <http://www.unevaluation.org/document/download/2787>, p.23

³³ See also the in-depth guidance handbook 'Integrating Human Rights and Gender Equality in Evaluations', intended as a field guide to improve human rights and gender equality-responsive evaluation in the UN system.: UNEG, Integrating Human Rights and Gender Equality in

Evaluations, August 2014, Available at: <http://www.unevaluation.org/document/detail/1616>. The guidance draws on the review of developments and practices both within and outside the UN system to update an earlier guide of 2011 on the promotion and the implementation of human rights and gender-responsive evaluation practice. See also: UNEG, Good practices for integrating gender equality and human rights in evaluation, April 2017, Available at: <http://uneval.org/document/detail/1452>

³⁴ See: UNGA Resolution A/RES/69/237, Building capacity for the evaluation of development activities at the country level, A/RES/69/237, Available at: https://www.un.org/ga/search/view_doc.asp?symbol=a/res/69/237&referer=/english/&Lang=E

frequently at the expense of providing sufficient scope to effectively evaluate outcomes.³⁵

The assessment of the impact of advocacy in influencing change requires evaluation of both process and impact, reflecting its different dimensions and phases. While advocacy has a significant focus on external effects, gauging the internal dimension has also been a priority for certain organisations in the non-governmental sector in the human rights sphere. In addition to measuring impact, this approach also aims to inform and shape strategy. Indicators are increasingly employed in the monitoring of human rights and, as this practice broadens, a greater volume of resources and expertise are allocated to the formulation of measurements intended to objectively discern human rights performance. Indeed, some have ventured to suggest that this approach has led to the development of a culture in human rights monitoring in which indicators, benchmarks and statistical measurement increasingly dominate activities.³⁶

Indicators have been established by OHCHR to aid the measurement of progress in the implementation of international human rights norms and principles. The conceptual and methodological framework is increasingly utilised by governmental and non-governmental actors as a practical tool to support establishing both a quantitative and qualitative frame of reference to gauge advances in realising human rights.³⁷

Interestingly, one aspect that appears to have garnered relatively little attention over time has been the consideration of the principle of opportunity cost in relation to resource

allocation.³⁸ Opportunity cost, in economic terms, is the possibility of achieving greater benefits had you taken a different option. It may also refer to any real cost in terms of things forgone (e.g., time, output) that could provide us with a certain level of utility.³⁹ Of particular importance here is that ‘utility’ as a concept is broadly defined; this proves critical to fully appreciating the possible value of opportunity cost in the context of decision making vis-à-vis human rights monitoring.

CASE STUDY: ACTIVITIES OF THE WORKING GROUP ON BUSINESS AND HUMAN RIGHTS ON THE ASSESSMENT OF IMPACT

To date, the efforts of the Working Group on Business and Human Rights have included analysis to evaluate the progress made by the mandate thus far, and to develop a roadmap for future activities and to discern possible priorities, and opportunities for outreach. This process of evaluation has involved soliciting inputs from all the stakeholders the group’s mandate interacts with and, in addition, with others whom the mandate’s work may influence their activities. The work of the WG B&HR on assessing impact also continues to review the important development of human rights due diligence methodology to the mandate and its

³⁵ Kate Desormeau & Michael Ignatieff, “Measurement and Human Rights: Tracking Progress, Assessing Impact”, A Carr Center for Human Rights Policy Project Report, Summer 2005, Available at: www.hks.harvard.edu/cchrp/mhr/publications/documents/MeasurementReport2005.pdf, p.11

³⁶ David McGrogan, Human Rights Indicators and the Sovereignty of Technique, *European Journal of International Law*, Volume 27, Issue 2, May 2016, Pages 385–408, <https://doi.org/10.1093/ejil/chw020>

³⁷ See further: UN Office of the High Commissioner for Human Rights (OHCHR), Human Rights Indicators: A Guide to Measurement and Implementation, 2012,

HR/PUB/12/5, available at: <https://www.refworld.org/docid/51a739694.html>

³⁸ A review of the literature returning a paucity of discourse relating to this concern; this despite the issue being listed as a concern amongst practitioners in the non-governmental sphere as early as 2003. See further: HURIDOCs, What is monitoring? (2003) Available at: <https://www.huridocs.org/wp-content/uploads/2010/08/whatismonitoring-eng.pdf>, p.9

³⁹ Alex C. Michalos (ed.), Springer Encyclopedia of Quality of Life and Well-Being Research, 2014, Available at: https://link.springer.com/referenceworkentry/10.1007%2F978-94-007-0753-5_2016

engagement with stakeholders: human rights due diligence frameworks are increasingly being used by businesses in the private sector, reflecting a growing awareness of the Guiding Principles.

A key consideration for the WG B&HR has been the increasing recognition of the importance of promoting human rights and their protection in the business sector. In Europe especially, governments are conscious of the need to further strengthen the gains made to date in the corporate responsibility sphere, with moves afoot to bring in new legislation in several jurisdictions. This activity requires evaluation and measurement to help determine the impact that the work of the WG B&HR is making to these efforts. The mandate has been working with the different stakeholders, including industry bodies, governments and UN agencies using a polycentric approach, and 'leading from behind', thus encouraging the stakeholders to take the initiative forward themselves. However, the WG has noted that this method may have scalability issues in the longer term as progress is made.

A Brazilian NGO, Conectas,⁴⁰ has engaged in impact measurement through a number of evaluative exercises in connection with the work of the WG B&HR, culminating in the publication of guidance reports for stakeholders that have aided the raising of awareness on business and human rights in Brazil. The methodology of the Conectas appraisal included developing a qualitative analysis of the measurement and uptake of the recommendations made by the WG B&HR. Its 2015 report made certain observations, with the NGO noting that there existed gaps in terms of the implementation of the recommendations of the WG B&HR, and in terms of developing accountability mechanisms too. It was also noted in the first report that Conectas published that most recommendations of WG received unsatisfactory response as the Brazilian business community were not very

aware of the recommendations, nor of the UNGPs.

Conectas has been involved in further work that reviews the response of businesses in Brazil following recommendations made by the WG B&HR mandate. The follow-up report by Conectas in 2018 included a survey sent to businesses through the country's business networks such as the Global Compact, and to other trade groups connected to CSR activities. This survey received 60 responses that outlined how large and medium-sized businesses were indeed developing policies, but that these weren't yet deeply rooted in their business models. Further themes that the survey revealed were those of a lack of transparency, poor understanding of the relevant issues by senior management, and that communities still lacked consultation when businesses engaged in new activities. The activities engaged in by Conectas regarding evaluation and monitoring impact highlighted that there exists a need for greater outreach with businesses and with government, particularly as regards monitoring implementation of recommendations from the WG B&HR mandate, and the review of the development of the means to ensure greater accountability.

A key finding of the review of the impact of the recommendations made by the WG B&HR and of other Special Procedures mandate holders was that they needed to better establish links with affected communities, and that these connections were also vital for effective reporting and engagement at the grassroots. It was also noted that the process of developing a methodology used to conduct the evaluation was challenging, requiring an adaptive approach as the project progressed.

As part of its mandate to promote the UNGPs, the UN Working Group on Business and Human Rights is currently undertaking a project to determine the course for the next decade of action on business and human rights.⁴¹ One particular challenge during the novel coronavirus pandemic in 2020 has been the

⁴⁰ See further: Conectas, 'About Us', 2020, Available at: <https://www.conectas.org/en/about-us/>

⁴¹ See further: OHCHR, UN Guiding Principles on Business and Human Rights at 10, Available at:

<https://www.ohchr.org/EN/Issues/Business/Pages/UNGPsBizHRnext10.aspx>

difficulty of measuring the impact of consultations that take place online: these discussions do not easily allow for the development of clear indicators, nor to establish impact of the activity at the grassroots level in-country. The WG B&HR is also working with several partners in the legal sector on developing mapping activities: one review considers the trends and patterns emerging from business sectors as to the impact of the UNGPs on their activities, the second considers the current state of litigation globally with regard to cases being brought in connection with human rights violations and business activities. Working with the WG B&HR, the law firm DLA Piper has been engaged in identifying patterns and trends in the communications with businesses of the mandate from 2011 onwards, to help identify trends that can assist and support the project 'UN Guiding Principles on Business and Human Rights at 10'.⁴² The work of the evaluation exercise has also reviewed the complaints to businesses made by other SP mandates and has categorised and indexed each complaint, included whether references are made to the UNGPs. The work has also identified and reviewed within the complaints mention of activities such as country visits, National Contact Point complaints filed, and responses from businesses.

FURTHER CHALLENGES FOR APPRAISAL IN DETERMINING SUITABLE HUMAN RIGHTS INDICATORS

Research has also been conducted with regard to the challenge of developing methodological approaches to evaluate the broader impact of

human rights litigation outside of the courts. The study by Donald and Mottershaw developed indicators that established correlation between legal judgments with changes, and subsequent implementation, in public policy, and to measurable empirical outcomes experienced by rights holders in communities directly connected to the judgment.⁴³ Crucially, this research highlighted in its findings the importance of apprehending how different legal, policy and social factors would in turn influence the ability to apply insights gained from the evaluation of impact in efforts to change individual or institutional behaviours in the longer term. Notably, the study highlighted in its conclusion that the evaluation of litigation and the effects rendered by judgments was significant for its verdict that litigation itself proved most effective when pursued in conjunction with other activities to affect change.

An additional consideration is the principle of the indivisibility and interdependence of human rights⁴⁴, which may also present challenges in respect of attribution that ties an intervention to a distinct impact. One must also note at this juncture that, due to the interdependence and indivisibility of human rights, it is also necessary to consider the challenges this presents in developing suitably nuanced and precise indicators that reflect the respective elements that contribute toward the constitution of each distinct right. In essence, the application of a methodology that strives to impute or assign measurements to impacts may render inconsistencies where the relationship between rights is complex to discern. Research to date on this topic has been limited but has nonetheless underscored the difficulties inherent in applying analysis of a quantitative nature to distinguish the interrelatedness of rights.⁴⁵ Further research may well be necessary to better understand the

⁴² OHCHR, UN Guiding Principles on Business and Human Rights at 10, Available at: <https://www.ohchr.org/EN/Issues/Business/Pages/UNGPsBizHRsnext10.aspx>

⁴³ See further: Alice Donald, Elizabeth Mottershaw, Evaluating the Impact of Human Rights Litigation on Policy and Practice: A Case Study of the UK, *Journal of Human Rights*

Practice, Volume 1, Issue 3, November 2009, Pages 339–361, <https://doi.org/10.1093/jhuman/hup019>

⁴⁴ General Assembly Resolution 32/130, A/RES/32/130 (1977)

⁴⁵ Soiffer, S. (Stephanie), and Dane Rowlands. "Examining the Indivisibility of Human Rights: A Statistical Analysis". *Journal of Human Rights* (January 5, 2017): pp. 1–18. doi:10.1080/14754835.2016.1255549.

implications should evaluations reviewing the impact of activities be more widely implemented. Undeniably, a significant test for conducting successful evaluations of impact in the human rights sphere is the challenge of applying methodologies that endeavour to calibrate the value of complex programmes. For example, the measurement of an amalgamation of different processes that contribute toward capacity building may prove comparatively elaborate and impenetrable. The same holds true for the notion of achieving empowerment and fostering agency in individuals and groups.

DEVELOPMENTS IN EVALUATION MECHANISMS IN THE HUMAN RIGHTS SPHERE

A notable project within the domain of impact evaluation is the Human Rights Measurement Initiative (HRMI), a long-running multi-disciplinary global research collective that has undertaken to develop indicators which furnish cross-nationally-comparable human rights data for civil society, researchers, and States to utilise.⁴⁶ Furthermore, HRMI has developed a methodology to allow comparison of a country's performance on key economic and social rights using indicators that benchmark against the achievements of other countries at similar levels of development. Rather than adopt classical socioeconomic indicators, the approach incorporates the perspectives of duty-bearers and rights-holders while integrating the principle of progressive realisation. The methodology represents a significant progression in methodological terms, though still has yet to integrate all key human rights principles; it

⁴⁶ See further: K Chad Clay, Ryan Bakker, Anne-Marie Brook, Daniel W Hill, Jr, Amanda Murdie, in *Journal of Peace Research*, October 2020, Available at: <https://humanrightsmmeasurement.org/wp-content/uploads/2020/11/JPR-Manuscript-HRMI-CPR-2020.pdf>

⁴⁷ See further: Susan Randolph, Sakiko Fukuda-Parr and Terra Lawson-Remer "Economic and Social Rights

currently omits to include indicators that effectively measure civic participation, non-discrimination and equality.⁴⁷

An ongoing research study developing indicators that has established a similar methodology is the Varieties of Democracy (V-Dem) Project, though its scope is a narrower in terms of the measurement of rights as it is primarily a social science tool. Moreover, the V-Dem project adopts a less uniform approach to tying definitions relating to the respective human rights in international law. The V-Dem database constitutes an effort to develop conceptualise and measure democracy through the application of theoretical and methodological expertise to quantifying information obtainable in official documents, such as government records, and also includes indicators based on subjective assessments of compliance with de jure rules, and measurements of an array of political practices. The particular benefit of the approach of developing a database with a multidimensional and disaggregated dataset is that it allows researchers and practitioners to explore relationships between specific facets of processes connected with democratisation over long periods of time, ostensibly affording a more nuanced analysis than indicators to date have permitted.⁴⁸

CONCLUSIONS

There remains a concern that indicators may in time metamorphose from being a tool of measurement to a paradigm, representing a shift towards methods of evaluation that over emphasise the importance placed on performance or, more drastic, the notion that 'return on investment' supplant the premise that

Fulfillment Index: Country Scores and Rankings", in *Journal of Human Rights*, volume 9, No 3 (2010), pp. 230-61.

⁴⁸ See further: Coppedge, Michael, Gerring, John, Knutsen, Carl Henrik, Krusell, Joshua, Medzihorsky, Juraj, Pernes, Josefine, Skaaning, Svend-Erik, Stepanova, Natalia, Teorell, Jan, Tzelgov, Eitan, Wilson, Steven L. and Lindberg, Staffan I. (2019) The Methodology of "Varieties of Democracy" (V-Dem)1. *Bulletin of Sociological Methodology/Bulletin de Méthodologie Sociologique*, 143 (1). pp. 107-133

concern for rights-holders' welfare predominate.⁴⁹ Concerns regarding resourcing and the cost of implementation of effective systems of evaluation also require consideration. The approach to assessment should therefore include within its perspective an appreciation of the opportunity for results to reinforce learning and reflection and allow scope for consideration as to whether these processes of evaluation are appropriately resourced.

While developing measurements to gauge impact is laudable, the practice should not become overly taxing and resource intensive: the evaluation process one should recall, is a utility that serves auxiliary objectives of greater significance than the actual measurements collected. Furthermore, a preoccupation with evaluation may also risk in the longer term influencing established, well-reasoned perspectives, such that practice tends to focus on the 'false precision' of efforts to quantify the unmeasurable.⁵⁰ At the same time, the history of evaluative assessments of impact is also replete with examples of performance metrics subtly instituting shifts in behaviours that allow greater alignment and fulfilment with the defined targets. Indeed, in this regard, concerns have been raised that evaluation methods and frames of assessment for gauging impact actually exerting a disproportionate pressure on the narratives and practices of human rights work, distorting priorities, objectives and processes.⁵¹

Interestingly, discussion of results-based methodologies has highlighted the risk that efforts to measure impact are limited in their

capacity to account for the broader, unintended positive or negative effects of a specific intervention. The crux of the issue here being the determination of the boundaries placed on measuring impact: for example, a truly inclusive approach might require recognition of the externalities of human rights work. A negative externality in this context might plausibly include the consequence of the carbon footprint linked to a country visit, and its connection (on a much broader scale) with climate change-related human rights violations.⁵² That said, it should be noted that for the individual mandate holders, given the intensity of their schedules on such trips and the large number of interactions that they allow, this associated cost might reasonably be very marginal. The question, then, is where one is to eventually draw the line in attempting to as best as possible objectively determine the scope of impacts. This consideration again highlights the concern that the assessment of impacts avoids initiating methodologies that involve skewed evaluative efforts or, worse still, furtive attempts to conceal that which is less tangible or measurable for the purposes of accentuating the positive. Such a short-term approach only risks undermining efforts to promote transparency and accountability of stakeholders.

In future, the work of Special Procedures and the respective mandates has significant opportunities to highlight the beneficial impacts of their work and to increase the visibility of their successes. These tasks are particularly important as regards sharing positive results in

⁴⁹ Refer, for example, to the World Bank's report 'Human Rights Indicators in Development: An Introduction', which states that human rights indicators: "are central to the application of human rights standards in context and relate essentially to measuring human rights realization, both qualitatively and quantitatively." McInerney-Lankford, Siobhan & Sano, Hans-Otto. 2010. Human Rights Indicators in Development: An Introduction. World Bank Study. World Bank. Available at: <https://openknowledge.worldbank.org/handle/10986/2529>, p.vi. See also: David McGrogan, Human Rights Indicators and the Sovereignty of Technique, *European Journal of International Law*, Volume 27, Issue 2, May 2016, Pages 385–408, <https://doi.org/10.1093/ejil/chw020>.

⁵⁰ Hailey, J. & James R., "NGO Capacity Building: The Challenge of Impact Assessment." 2003 IDPM University of Manchester, INTRAC, p.3

⁵¹ International Council on Human Rights Policy, *No Perfect Measure - Rethinking Evaluation and Assessment of Human Rights Work*, January 2012. Available at: http://www.ichrp.org/files/reports/68/181_evaluating_hr_work_report.pdf, p.3

⁵² See: International Council on Human Rights Policy, *No Perfect Measure - Rethinking Evaluation and Assessment of Human Rights Work*, January 2012. Available at: http://www.ichrp.org/files/reports/68/181_evaluating_hr_work_report.pdf, pp. 3-4; for further examples, see also: Wood, R & Sullivan, C 2015, 'Doing harm by doing good? the negative externalities of humanitarian aid provision during civil conflict', *Journal of Politics*, vol. 77, no. 3, pp. 736-748. Available at: <https://doi.org/>

the protection and promotion of human rights with Member States. Critically, it must also be recognised in this regard that impact can be measured on many levels, and not just at country level. Therefore, due consideration should be given to the impact at the regional and global levels of this work too. Moreover, in this context, one should consider too that many impacts are not simply country-specific in relation to a single action or activity, but also thematic i.e., the work of the mandates can have a wider influence across regions, and indeed across different agencies and amongst the various international organisations. A further aspect of considering the impact of the work of the Special Procedures mandates is therefore the dissemination and availability of the recommendations by mandates to UN country teams and peacebuilding teams. The assessment of impact should thus consider who the intended recipients and beneficiaries of the specific reports might be, and consider the effect that knowledge of the recommendations delivers in terms of informing relevant responses and activities. It is also necessary to consider how the UN can provide feedback from teams in-country to inform the evaluation process. The value of an impact assessment is that it can provide clear, practical guidance in determining the efficacy of the activities of the mandates. An intrinsic core value of the process of assessment as a whole lie in its provision of an outline and concrete steps that can lead to effective change and to eventually to improvements in the protection and promotion of human rights.

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