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HUMAN RIGHTS BASED APPROACH IN THE CONTEXT OF A SOCIETY IN TRANSITION – EXPERIENCES FROM MACEDONIA

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Disclaimer

The views expressed herein are those of the authors and do not necessarily reflect the official position of either the Ludwig Boltzmann Institute of Human Rights or the Austrian Development Cooperation

List of Abbreviations

ADA	-	Austrian Development Cooperation
BIM	-	Ludwig Boltzmann Institute of Human Rights
CSO	-	Civil Society Organizations
EU	-	European Union
HRBA	-	Human Rights Based Approach
JIM	-	Joint Inclusion Memorandum
LED	-	Local Economic Development
LLG	-	Local Leadership Group
LSG	-	Local Self Government
MDG	-	Millennium Development Goals
MLSP	-	Ministry of Labour and Social Policy
NGO	-	Non-governmental organizations
OMC	-	Open Method of Coordination
PDG	-	Peer Discussion Groups
SEA	-	Secretariat of European Affairs
SNV	-	Dutch Development Organization
UNDP	-	United Nations Development Programme
UN OHCHR	-	United Nations Office of the High Commissioner of Human Rights

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OVERVIEW OF THE BIM PROJECT ON POVERTY REDUCTION AND HUMAN RIGHTS IN MACEDONIA

The Ludwig Boltzmann Institute of Human Rights (BIM) is an independent research, training and counseling institute under the umbrella of the Ludwig Boltzmann Society.

The primary focus of BIM is human rights research, both on national, European and international levels. BIM is also engaged extensively in human rights teaching and training and its staff are regularly acting as advisors and trainers for the Austrian and foreign authorities in the fields of human rights, the rule of law and democratization. In addition, BIM is regularly requested to comment and give advice on draft legislation, thereby providing a link between the academic community and practitioners. Therefore, a considerable part of the work is devoted to fundamental empirical research along the side with project implementation. Through co-operation with international and national institutions and non-governmental organizations (NGOs), BIM strives to provide relevant studies, analysis and data on human rights issues in areas such as international law, politics, education and the media.

Amongst a number of other projects BIM-FV hosts the Centre polis focusing on Human Rights and Civic Education in schools and serves as National Focal Point within the Racism and Xenophobia Network (RAXEN), reporting to the Fundamental Rights Agency (FRA), formerly known as European Monitoring Centre on Racism and Xenophobia (EUMC).

Main focus of BIM activities in Macedonia was the implementation of the project Human Rights and Poverty Reduction in Macedonia funded by the Austrian Development Cooperation through piloting the UN OHCHR Principles and

Guidelines on Human Rights Approach in Poverty Reduction Strategies in partnership with UNDP-Macedonia, Ministry of Labor and Social Policy (MLSP) and the Secretariat of European Affairs (SEA). The general project objective has been implementing the human rights based approach (HRBA) in poverty reduction and supported the creation of the MDG-based strategies for social and economic development on both national and local level.

In 2005 Macedonia officially gained the candidate status for the accession to the European Union. Since then, the complex preparation for EU accession has gained much more political momentum and a window of opportunities to implement the HRBA. Through the same project, BIM participated in the preparatory phase of elaboration of the Joint Inclusion Memorandum (JIM) – a strategic document referring to the main challenges and political measures related to poverty and social exclusion, which the Macedonian Government (through MLSP) is obliged to adopt within the EU accession process. BIM's role, through implementing the model of Open Method of Coordination (OMC), was to strengthen the informed participation of civil society by ensuring adequate expertise for specific nationwide focus group discussions, supporting the collection of relevant data both at local and national level, as well as to propose recommendations, mechanisms and indicators for measuring poverty reduction and greater social inclusion by defining them with the stakeholders and using examples from Austria and other EU member states.

At local level, BIM has conducted human rights based development activities in seven selected municipalities (Strumica, Negotino, Gostivar, Brvenica, Makedonski Brod, Demir Kapija and Rosoman) aimed at strengthening the capacity of the Local Self-Government (LSG) and other main stakeholders to include vulnerable and poor in the elaboration of the local development strategies, primarily through:

- Elaboration of a baseline study on poverty in the selected municipalities;

- Elaboration of a set of tools for identification of vulnerable and poor;
- Organization of trainings and workshops on the elaborated tools;
- Organization of Peer Discussion Groups (PDGs) with the representatives of the most marginalized social groups; and
- Funding of micro-projects to ensure the implementation of HRBA in the elaboration of local development plans.

One of the activities envisaged with the BIM project on Human Rights and Poverty Reduction in Macedonia, implemented in close collaboration with UNDP project on MDG-based planning, was disaggregated data collection (quantitative and qualitative, through surveys and interviews with focus groups) and analysis, including socio-economic mapping and identification of specific vulnerabilities in the communities, utilizing the tools¹ for the human rights based approach developed by UNDP/BIM in order to collect the required data needed to assess the situation in the most comprehensive manner.

The main objective was to assess which MDG-related services (education, health, social aid, etc.) the municipalities are offering to their citizens, and double-check who is using which services, and if there is an adequate participation in the decision-making processes at local level, consequently if there are any patterns of social exclusion. Different methods have been used, as questionnaires and interviews to identify tasks and knowledge, skills and abilities, and other

characteristics required for the development of local strategies. This had the advantage of enabling BIM to collect more detailed information from a larger number of people. The collected data were used to identify those social groups which are most marginalized and experience multiple discrimination thus envisage suggestions for possible ways to integrate the vulnerable and poor in the process of local development planning. Furthermore, the data gathered will serve as a basis for the planning of future project activities or follow-up projects. It will also serve as a monitoring and evaluation tool. Its use will help to measure the impact of the project and lessons learned.

In addition, a set of training sessions for the members of the Local Leadership Groups (LLGs) from the seven selected municipalities have been conducted. The target audience was composed of representatives of the local self-government, civil society and business sector. The importance of the training sessions was in introducing the participants with international and national human rights legal framework in the Republic of Macedonia, possibilities for identification of vulnerable and poor social groups, principles of equality and non-discrimination, as well as the need for respect of the progressive realization of human rights, inclusiveness of civil society and strengthening responsibilities at all governmental levels.

In order to underline the most common problems faced by vulnerable and poor citizens, make an assessment of their needs and rights and propose adequate solutions to be included in the local development plans, PDGs in each of the abovementioned municipalities have also been organized.

In order to measure the impact of the HRBA implementation and within the frame of an Incentive Seed Funds (human rights relevant micro-project grants) component, BIM has awarded seven micro-projects in each of the topical municipalities. The awards were meant to support the implementation of the priorities included in the local economic development strategies of the respective municipalities, aimed

¹ The method was adopted to the United Nations Development Program Toolkit on How to Integrate a Human Rights Based Approach and Gender Mainstreaming in Local Governance (draft by Barbara Kühhas, Karin Lukas, Elena Ruiz), Bratislava, 10 January 2007. It included meetings and interviews with local NGOs – adjusted Civil Society Checklist (CSO), representatives of municipalities – Interview Guideline for Political Functionaries (IGPF), local branch offices of decentralized national institutions – Interview Guideline Services (IGS), and other relevant stakeholders dealing with specific vulnerable groups – Vulnerability Groups Checklist (VGC).

at poverty reduction and greater social inclusion of vulnerable and poor citizens.

NECESSITY TO FOCUS ON RIGHTS

International human rights law has been designed to protect the full range of human rights required for people to have a full, free, safe, secure and healthy life. The right to live a dignified life can never be attained unless all basic necessities of life – work, food, housing, health care, education and culture – are adequately and equitably available to everyone. The Vienna Declaration and Programme of Action (Part II, para. 98) states that there must be a concerted effort to ensure recognition of economic, social and cultural rights at the national, regional and international levels...The World Conference on Human Rights affirms that extreme poverty and social exclusion constitute a violation of human dignity and that urgent steps are necessary to achieve better knowledge of extreme poverty and its causes, including those related to the problem of development, in order to promote human rights of the poorest, and to put an end to extreme poverty and social exclusion and to promote the enjoyment of the fruits of social progress. It is essential for States to foster participation by the poorest people in the decision-making process by the community in which they live, the promotion of human rights and efforts to combat extreme poverty (part I, para. 25).

Economic, social and cultural rights are fully recognized by the international community and throughout international human rights law. Although these rights have received less attention than civil and political rights, far more serious consideration than ever before is currently being devoted to them. The question is not whether these rights are basic human rights, but rather what entitlements they imply and the legal nature of the obligations of States to realize them. At minimum, the national and local authorities must consider international human rights law, such as CESCR, an interpretative aid to domestic law and ensure that the later is interpreted and applied in a manner

consistent with the provisions of international human rights instruments ratified by the State. The ultimate effectiveness of these instruments should be contingent on the measures taken by the Governments to give actual effect to their international legal obligations.

Economic, social and cultural rights are designed to ensure the protection of people as full persons, based on a perspective in which people can enjoy rights, freedoms and social justice simultaneously. Despite the significant progress in addressing problems of human deprivation and in spite of continued global economic growth and development, the massive scale of marginalization raises serious questions, not only for development, but also of basic human rights.

In Macedonia, attention to social inclusion and poverty reduction, including respect for diversity and human rights, is timely as accelerated economic growth makes the social divide more visible, vulnerabilities increase due to price increase, social services are yet unreformed and the international community recognizes social inclusion and stable economic growth as part of country's development agenda.

Insert photo

I

Why Policy Solutions and Lessons Learned?

Considering that BIM project on Poverty Reduction and Human Rights in Macedonia is nearing its completion, BIM has decided to deduct the lessons learned and prepared a set of policy solutions for further consideration of all relevant stakeholders.

The lessons learned grasp upon relevant experiences, both positive and negative, BIM has learned during the implementation of the topical project at local and national level. It critically examines the issues that have had a favorable impact over the implementation process, but also assess the factors that have been seen as a disadvantage during the implementation process and manner in which BIM has dealt with.

At the same time, BIM draws certain conclusions that came to be realized in the course of its activities in Macedonia, thus proposes adequate policy solutions that might orient future activities of all relevant stakeholders in the field of human rights, social inclusion and economic development.

BIM believes that this booklet would be a useful input for all relevant stakeholders in creating policy-oriented solutions and realizing cross-sectoral programmes that tackle vulnerable social groups, poverty reduction and related rights-based topics.

II

Value and Future Use of the Elaborated Identification Tools

Value of the Employed Identification Instruments

(1) **Interview Guideline for Political Functionaries** was used through interviews with people actively involved in leading positions in the local political systems of the municipalities, in order to identify tasks and knowledge, skills and abilities, and other characteristics required for development of local strategies. Its general aim was to get the answers to a number of important questions, which helped us to diagnose the current situation in the community and to draw general hypotheses about who might be the vulnerable groups in the municipality, the ways in which they experience vulnerability, and why they are vulnerable.

(2) **Interview Guideline Services** was used through interviews with people actively involved in leading positions in the neighboring units of local self-government (mesni zaednici), health, educational and social welfare systems in the selected municipalities. It involved communities and other stakeholders in the municipality in an in-depth examination of vulnerabilities within their local community, thereby highlighting the perceptions, attitudes and values of local community members and empowering and motivating people to take appropriate action thus gaining a deeper understanding of the challenges that vulnerable people face.

Policy solution

These tools were developed by BIM – Vienna in order to give UNDP - Macedonia a first screening before doing the household survey. Although both of the abovementioned tools are qualitative in nature and provides indication of vulnerabilities, these tools doesn't really provide full dimension of vulnerability, which turns to be particularly difficult in case when official estimates and figures are not available or sufficient. Therefore, **they should be used always in combination with complementary tools aimed at collecting quantitative data. This will enable better**

assistance to the government officials in shaping adequate measures and allocating necessary resources aimed at addressing the priorities of vulnerable communities.

(3) Civil Society Organizations Tool (CSO) helped us to identify CSOs existing in the municipality and gather information on their operations, capacity and effectiveness in order to use them in the best way, thus incorporate them to the local development process. The checklist was used to map out and gather information on the different aspects of the operations of CSOs and their capacity gaps. Information was gathered through interviews with the key informants from the local CSOs and/or by consulting the municipal records. Gathered information was used in prioritizing the issues to be addressed with the local development strategies.

Policy solution

Considering the particular importance of capacity assessment of local CSOs, this tool **should be permanently utilized at local level**, so as to articulate the possible role of each of the assessed CSOs in the process of social inclusion of marginalized and vulnerable social groups and their involvement in the definition and elaboration of the local development strategies, which on the other hand is likely to ensure a high level of sustainability to the entire process.

(4) Vulnerable Groups Checklist assisted us in the identification of potentially vulnerable groups and the types of issues that these groups may face. It ensured that the concerns of whole categories of people who are not immediately visible on first assessment of the municipality are not overlooked. It guaranteed a meaningful participatory approach to assessment to those who are typically marginalized (e.g. women, persons with disabilities, national minorities, Roma, displaced persons/ returnees/ refugees, children, elderly, trafficked persons, migrant workers and asylum seekers, detainees, HIV positive individuals, homosexuals and very poor/homeless) and whose issues were not necessarily voiced

either by themselves or by the state authorities or other resident on their behalf. It also ensured that information gathered is relevant to human rights indicators or couched in the human rights framework thus the needs of men and women are equally taken into consideration in the process of the local development planning.

Assessment teams/researchers should use the list as a quick reference checklist for the types of questions to be asked in order to identify the most vulnerable groups. The list does not claim to be exhaustive and is intended to be a living instrument that teams/researchers can adapt according to the experience and relevance in the field. As a result, it should be used rather as a guideline than to be stick to it rigidly. Similar questions should also be asked to other groups under each sector depending on what emerges as a priority in the municipality under assessment. Assessment teams/researchers are encouraged to add their own questions/comments or even go further beyond and explore the root-causes.

When answering the questions in the list, one needs to explain how such conclusions were reached and assessed (e.g. is this an impression formed during the filed visit? Was information gathered from NGOs or the general public? Was there any focus group discussion conducted?). References and sources for answers need to be provided. Synergy with analysis of National and International Legal Framework (Tool 2) is highly recommendable.

Policy solution

This tool was taken from the RMAP project in Bosnia, another example of a post-conflict country facing various forms of poverty.² Although the Checklist is one of the most comprehensively elaborated tools, its content **should be adapted to the specificities of the region/country where implemented**. At the same time, **it should be enriched with targeted questions referring to particular vulnerable group**.

² <http://rmap.undp.ba>

(5) **Peer Discussion Groups** were conducted in a form of tailored-made focus groups that corresponded to the real problems/needs faced by particular target groups pre-defined as “vulnerable and poor” by the respective LLGs and selected in collaboration with the municipalities and representatives of the local NGOs. It provided first-hand qualitative data and an in - depth examination regarding the topical issue thus ensuring the meaningful participation of all stakeholders in the process of elaboration of MDG-based local development plans. It also helped us to underline the most common problems faced by otherwise “invisible” social groups that for variety of reasons were not included in the LLG and risked remaining “forgotten victims” thus find out how to integrate their needs into the local development planning.

Selection of the appropriate methodology was of the utmost importance for establishment functional focus group. Some of the participants, due to sensitivity of their status as impoverished social group, were not always willing to actively take part in the discussions and initially manifested indifferent, hostile and sometimes aggressive attitudes, or even asked for money. Those risks should be anticipated in order to neutralize them, but must not discourage in proceeding with the agenda. Probably, the most appropriate model would be setting the focus group without attendance of NGOs or public institution representatives’ whose presence might hinder the objectivity of participant’s statements and negatively influence the overall course of the discussion. However, the existing NGO network and local public sector could serve as possibly the best indicator in assessing and selecting the target group.

Another important aspect is organizing the focus group within the selected municipality rather than bringing people out of their living environment. This will be the most cost-effective option, but also approach that will enable us to get closest to the target group and assess its needs to the fullest extent possible. Previous on-site filed trips to individual beneficiaries are also highly recommended. The maximum number of the participants per focus group should not exceed 15 persons and should last not more than two hours.

One should also think about possible replacement in a case of inability of selected participant to attend the focus group. Each of the participants should be treated with equal dignity.

Policy solution

PDGs should be more focused towards addressing the needs and priorities of the pre-identified vulnerable groups without any formal representation (within the Municipal Council or through an NGO/CBO membership), and they **should be institutionalized as a permanent consultation mechanism** to respective Municipality.

In addition, **the role of the Neighboring self-governments (mesna zaednica) should be strengthen** since they had a potential to serve as a sustainable, demand-driven form of citizen’s participation, complementing the occasional public hearings organized by municipality or CSOs.

Value of the Outputs of Employed Identification Instruments

(1) **Household Survey on Poverty in the Pilot Municipalities of Gostivar, Negotino and Strumica**³ had the potential to support the planning and implementation process of human rights based local development programmes in the selected pilot municipalities. Main objective of the study was to provide data that may orient future local human rights and MDG based development plans in these municipalities, mainly through identifying vulnerable and poor and the most severe forms of poverty this part of the population has to face.

Moreover, the household survey has a capacity building elements in order to increase awareness for the need of conducting vulnerable analysis and provide local NGO representatives with essential skill to perform surveys for

³ www.univie.ac.at/bim/macedonia

identification of the needs of poor and marginalized groups. Thus, the survey in pilot municipalities was conducted by local NGO activists and coordinated by local human rights expert.

The assessment was based on analyses of a pre-identified group of potentially poor and vulnerable households, taking into consideration the practical knowledge of UNDP-Macedonia about the local poverty situation acquired in their ongoing work within these municipalities. Although the study represents a numeric expression of life circumstances in poor and vulnerable households in the selected municipalities, it has no statistical relevance since the sample was not statistically representative due to the limited budgetary resources. Therefore, the assessment analyses have to be read and understood as information about the poverty situation within selected group of households with an expected possibility that incidence and prevalence of different forms of poverty might turn relatively high compared to the overall population. Notwithstanding the abovementioned, the information provided with this study showed which aspects of poverty are especially severe within selected group of households, and according to which criteria these households are differently affected by poverty than others.

Policy solution

If conducting similar surveys in future, **considerable attention should be dedicated on building the sample and choosing a representative one**, so as not to be disregarded by the competent authorities at a later stage, and at the same time provide the most accurate information.

(2) **The Baseline Study on Identification of Vulnerable and Poor in the Municipalities of Demir Kapija, Rosoman, Brvenica and Makedonski Brod**⁴ provided a summary of the outcomes that resulted from the previously research conducted by UNDP-Macedonia local

consultants. The information provided in the Baseline Study showed which aspects of poverty are especially severe within the selected municipalities, and according to which criteria these municipalities are differently affected by poverty than others. At the same time, the Baseline Study provided a qualitative expression of the living conditions of the vulnerable and poor in the selected municipalities. It provided data that may orient future local human rights based development plans in the selected municipalities. The objective was to narrow down the research so as to identify the vulnerable groups and the causes to their vulnerability in the selected local areas. Furthermore, this Study investigated the situation of vulnerable groups with regard to their access to local services and decision making, in order to identify concrete actions to redress vulnerability in the municipality. The summarized data have the potential to support the planning and implementation process of human rights based local development programmes in the selected municipalities.

Policy solution

Despite the fact that the Baseline Study has been appreciated by majority of BIM local interlocutors and frequently quoted in various policy documents, it has a potential shortcoming in gathering substantive statistical data. Therefore, any future replication should mean **taking advantage of using the appropriate tools thus including an analysis of responsible duty-bearers and rights-holders**.

Tool 2

National and International Human Rights Legal Framework⁵

Tool 2 has been developed in 2006 jointly by BIM (international part) and UNDP (domestic part) with an aim to underline the added value of HRBA and support the implementation of the applicable national laws in spite of EU accession,

⁴ www.univie.ac.at/bim/macedonia; www.zels.org.mk

⁵ www.univie.ac.at/bim/macedonia; www.undp.org.mk

achieving MGDs, social inclusion and poverty reduction efforts in Macedonia. It is structured in a way that includes an overview of the human rights treaties ratified by the Macedonian government, in addition to the instruments and mechanisms for domestic human rights protection. It highly corresponds with the MDGs, EU social inclusion agenda and the UN OHCHR Principles and Guidelines on Poverty Reduction.

Although it is useful as a referent tool (having elaborated full range of standards, targets, indicators and check-lists), it should be seen as a living instrument that needs constant update and adaptation to particular issue/sector/vulnerable group. More precisely, it should include in-depth comparative analysis of the applicable EU legislative framework with relevant domestic legislation, with a particular focus on most important issues (e.g. employment, housing, education, gender, health and/or vulnerable groups as people with disabilities, children etc.).

This might necessitate the enactment of secondary legislation indispensable if economic, social and cultural rights are to be made real since the laws alone are not sufficient response at a national level. Namely, the application of the tool showed that administrative, judicial, policy, economic, social and educational measures and many other steps should be adopted by the Macedonian Government in order to ensure these rights to all its citizens and their right to pursue freely economic, social and cultural developments, including freedom to carry on economic, social and cultural activities seen as a fundamental prerequisite for the effective guarantee and observance of individual human rights and pivotal in securing and strengthening human rights protection measures nationwide.

Policy solution

The Legal Framework document should be seen as a living instrument that **needs to be constantly updated and include all the relevant major legal advances.**

Also, considering the EU accession status of the Republic of Macedonia and the commitments undertaken by the Macedonian Government

thereof, **it should be more focused on applicable EU legal framework** rather than being elaborated solely through the lens of the MDGs.

Tool 3

How to Make Local Economic Development Functional for All: HRBA to Poverty Reduction Strategies

Tool 3 showed as an excellent tool and should be definitely included as a referent material for relevant local actors dealing with local economic development.

Policy solution

The tool **should be translated into national language(s) and perhaps be adapted into a more user-friendly version**, so as to be easily readable above all for competent Municipal officials.

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III.

Lessons Learned and Policy Solutions

In order to achieve more sustainable effectiveness of the overall process of the strategies' development, relevant local actors should remain committed to the use of HRBA programming tools. Drawing on the legal and practical expertise of BIM and other development partners, and by issuing specific legislative, policy and other suggestions and recommendations, relevant local actors could better assist the responsible government officials on how to more effectively secure economic, social and cultural rights of the citizens.

Relevant local actors, through various projects and programmes, has been supporting the process of local development planning in selected municipalities. While a great deal of success has been achieved, through a comparative analyses of already adopted local development strategies it can be concluded that there is still a considerable lack of incorporating human dimension aspects into the local strategic planning and programming. Therefore, relevant local actors should tend to fully effectuate created supply-driven approach to development issues and programmes that will ultimately lead to a **greater emphasis being given to the reflection of human rights perspectives and full utilization of rights-based approach in elaboration of LED strategies**. Responsible local actors should ensure that all relevant findings, comments and recommendations with regard to human rights are considered and included in the process of strategies' elaboration.

Best practice

BIM played an important role in piloting HRBA in the elaboration of the local development plans. In order to facilitate the finalization of the strategies and in close cooperation with UNDP-Macedonia, BIM supported the local leadership groups (LLGs) in the selected municipalities (and the pool of

UNDP-Macedonia local consultants) though conducting three set of trainings focused on:

- Applicable human rights standards and available legal mechanisms for implementation of the MDGs;
- Identification of vulnerable groups and instruments to strengthen their role in the elaboration of inclusive strategies ; and
- Inclusion of gender perspectives when proposing development policies

The target audience was composed of representatives of the local self-government, civil society and business sector. The importance of the training sessions was in introducing the participants with international and national human rights legal framework in Republic of Macedonia, possibilities for identification of vulnerable and poor social groups, principles of equality and non-discrimination, as well as the need for respect the progressive realization of human rights, inclusiveness of civil society and strengthening responsibilities at all governmental levels.

BIM staff has also revised the final versions of the local development plans in the pilot municipalities, so as not to leave them merely 'economically' oriented but also incorporate human dimension aspects to a greater extent, thus consequently provided advice in defining specific policies and activities aimed to improve the socio-economic situation of the vulnerable and poor. Particular attention was dedicated to identifying and incorporating human rights and related national and international legal standards, as well as main strategic goals elaborated by representatives of the LLGs and applicable indicators into the strategies.

In addition, the process of action planning of already prepared LED strategies was completed in Gostivar, Strumica and Negotino, with active participation and contribution of the LLG members from these Municipalities. Although the LED strategies envisaged the projects with social components, during the prioritizing process of the most important projects, the LLG members were always selecting projects with economic

component. Therefore the SNV (Dutch Development Organization) Advisors who led this process were steering the LLG members to use HRBA having in mind the inclusion of vulnerable groups in the LED projects. However, at the end of the action planning process the participants acknowledged the benefits of the HRBA and social component in local development planning process.

(1) A rights-based approach should sharpen the moral basis of the work carried out by various stakeholders, including but not being limited to policy makers at all levels, civil society groups, UN Country Teams under the UN Development Agreement Frameworks, direct their attention to the most deprived and excluded, and describe how a political voice of all people and access to information are integral to development. Therefore, human rights perspectives should be fully reflected in all development strategies, **without ranking of vulnerabilities and neglecting to address their needs if the number of persons suffering from particular vulnerability is rather low.** Nevertheless, the economic feasibility of the overall process should be always taken into a due consideration.

More precisely, a rights-based approach views development as a process of realizing fundamental human rights and freedoms thereby putting the vulnerable and poor at the core of the public policy development processes, which seeks empowerment both in the process and in the outcome of LED strategies. On the other hand, the international human rights normative framework has a particular preoccupation with individuals and groups who are vulnerable, marginal, disadvantaged or socially excluded, thus the integration of human rights in LED strategies helps to ensure that the relevant measures give proper attention to those sectors (e.g. health) and/or sub-sectors (e.g. primary health care) that have particular relevance to pro-poor policies, including the particular situation of vulnerable, marginal, disadvantaged and socially excluded individuals and groups.

(2) Efforts to represent needs of vulnerable and poor with no formal representation (i.e. NGOs and/or CBOs) need to be strengthened. The participatory nature of the preparation and implementation of local development strategies should be seen as a precondition for true public ownership of those strategies. More precisely, it requires an active and informed participation of the poor in the formulation, implementation and monitoring of LED strategies, which is crucial and complex human right that is inextricably linked to fundamental democratic principles. It is therefore recommendable that they are elaborated in a ‘bottom up’ rather than a ‘top down’ fashion, and that all actual and potential stakeholders are already involved in the early stage of their elaboration. In a political climate of democratic deficit, the participatory elaboration of strategies and oversight of their implementation is an extremely important exercise for building participatory democracy, which matters also for the transition from conflict to consensus and the improvement of the political culture.

It is highly recommended to **establish permanent consultation mechanisms with vulnerable and poor that don’t have a formal representation and/or to institutionalize the PDGs as a usual practice in the work of the municipalities.** Another option might be **reconstituting the LLGs as a semi-official body that will initiate meetings with local administration and Mayors and deliver the messages from the citizens,** particularly those coming from the vulnerable groups. Such a consultation mechanisms could provide a fruitful platform for policy dialogue among the duty-bearers and rights-holders, maximize the engagement and participation of relevant local authorities, and enable them to develop a better understanding of problems and shortcomings impeding the realization of contested economic, social and cultural rights of its citizens. In this context, it will help local authorities to analyze, identify and find sustainable solutions to many problems faced by individual citizens when trying to claim access to social rights (e.g. social protection, housing, health or education).

Best practice

In order to ensure participation of the most vulnerable and poor in the elaboration of MDG-based local development plans, underline the most common problems faced by those group of citizens, make an assessment of their needs and propose adequate solutions to be included in the local development plans, BIM supported by UNDP-Macedonia local consultants invited the representatives of communities belonging to the categories pre-defined as “vulnerable and poor” and conducted thematic focus groups in each of the seven selected municipalities. The participants were selected in collaboration with the municipalities and representatives of the local NGOs.

It seems, that for the first time in Macedonia people who are experiencing social exclusion and marginalization were involved in the elaboration of the local development plans in their respective municipalities, which clearly shows that priorities of this group of people are hardly taken into consideration without a wider political representation. In fact, groups that for variety of reasons were not included in the LLGs were often “forgotten victims” and their priorities got incorporated in the strategies mainly as a result of the activities carried out by BIM. In one word, PDGs helped to integrate the needs of otherwise “invisible” social groups.

(3) Existing monitoring and accountability mechanisms should be effectively used and/or included where lacking, and addressed with future development activities, since its non-existence is weakening the implementation of the strategies. The primary function of such mechanisms should be to monitor and report on the implementation of the adopted strategies, strive to develop a constructive dialogue with all relevant stakeholders and seek to determine through a variety of means whether or not the priorities contained in the strategies are being adequately applied thus how the implementation

of the strategic priorities could be improved. The reporting requirement should be much more than simply a formalistic commitment and should include the following basic functions: initial review, monitoring, policy (re)formulation, evaluation, acknowledging problems and information-exchange.

Best practice

Another visible impact that was achieved as a result of BIM involvement in the elaboration of MDG-based local development plans in selected municipalities is the inclusion of qualitative and quantitative indicators from the UN OHCHR *Principles and Guidelines on Human Rights Approach in Poverty Reduction Strategies* in the final version of the strategies. The later will serve as benchmarks against which progress in the implementation of the strategies will be measured.

(4) More information about the available mechanisms and institutions for claiming violated rights should be included both in the LED strategies and any other related publications (i.e. Manuals, Codes of Conduct etc.). Strengthening the information flow about the existing mechanisms and institutions for claiming violated rights will help to develop a fuller appreciation of both common problems and possible solutions in realization and full enjoyment of each of the contested rights.

BIM has long recognized the important contribution which can be made by civil society sector in the area of information-sharing concerning the enjoyment or non-enjoyment of the specific rights pertinent to particular vulnerable group(s). Civil society sector could play a significant role in reviewing the local development strategies and provide essential and useful input to the formulation of the outcomes. Therefore, **strengthening the civil society sector at local level** should be fundamental prerequisite for collecting and distributing of accurate information thus creating enabling climate for claiming full enjoyment of the specific rights-based entitlements. This will also facilitate public

scrutiny of LSG policies with respect to the strategies' implementation and encourage the involvement of the various sectors of society in the formulation, implementation and review of relevant policies.

Best practice

The overall assessment is that the NGO sector plays a vital role in the enhancement and development of the human rights based approach in poverty reduction, as well as in the strengthening of the human rights of vulnerable and poor in the country. In order to enhance the effectiveness, impact and visibility of the actions undertaken by the human rights NGOs working with vulnerable and poor, help relevant stakeholders to reach sustainability, legitimacy and accountability and achieve concrete results, thus measure the impact of the HRBA implementation, in the course of 2007/08 BIM financially supported NGOs that are working on promotion and protection of the human rights of vulnerable and poor in each of the seven selected municipalities.

The BIM/ADA Incentive Seed Funds component was designed to provide financial support for grass root micro-projects on human rights and poverty reduction activities. They were carried out by civil society organizations aimed to increase support, protection and promotion of the human rights of vulnerable and poor in each of the seven selected municipalities. Successful candidates were local NGOs that proposed the best projects directed towards poverty reduction and greater social inclusion of vulnerable and poor citizens. Beside the limited funds available designated to financially support the aforesaid, crucial part in this process was the determination and the commitment of the NGOs to get involved and take proactive approach in contributing towards the achievement of their mission through achieving the project goal.

The micro-project in Municipality of **Strumica** grasped upon fulfillment of one of the unanimously accepted strategic priorities, which

was the protection of women's health and prevention the spread of breast cancer and other malign diseases among this vulnerable social group. In cooperation with local self-government, public health institution, relevant civil-society organizations and US-based donors, BIM/ADA participated in purchasing the echo-diagnostic equipment to be used for early diagnosing of breast cancer among female population in municipality of Strumica and other neighboring municipalities. BIM/ADA was providing financial support to the Civil Association of Women in Strumica, as a main implementing partner, who was conduct an extensive public awareness campaigning activities all over the Strumica micro-region thus provided most needed share of knowledge and information, particularly targeting the women belonging to endangered and marginalized communities (i.e. women from rural areas, single mothers, Roma women, unemployed and recipients of social welfare assistance etc.). The ultimate effect was providing adequate, qualitative and unimpeded access to health services for all women thus decrease the female mortality ratio both in the region and in the Republic of Macedonia. Out of 1,400 examined women in the course of the project implementation, total of 157 has belonged to the vulnerable women.

The micro-project in Municipality of **Gostivar** was targeting the essential problem faced by the Roma community, both at local and national level, which was equal and non-discriminatory access of Roma children in the educational system. It consisted of a series of educational workshops as a mean to promote the benefits of the education for the Roma community, in addition to stimulating the increased number of graduate Roma students. The project itself had a strong human dimension component (full participation of the vulnerable groups in the implementation of the project, but also full support of school teachers and parents of Roma children) and was also in line with the priorities set on the agenda of the Roma Decade. In the course of 10 conducted workshops, there were 213 participants involved out of which 202 students (169 primary-schools and 33 high-

schools) and 11 teachers. In addition, 11 rounds of meetings with Council of Roma Parents and total of 53 family visits were conducted. The ultimate impact of this project was improvement of the school-record among total of 65 students who well-merited for their upcoming enrolment in the high-school.

The micro-project implemented in Municipality of **Brvenica** created new opportunities for economic development of the Municipality and decreasing unemployment rate through strengthening the Association of Beekeepers, securing conditions for permanent exchange of information and transfer of acquired knowledge, learning new beekeeping methods and technologies, protection of the human environment and increased production of honey among the beekeepers, as well as motivating 11 young people from 5 socially endangered families to join the production process and start a new business that would provide them with future income. The added value of the project was uniting the membership the Association of Beekeepers, both existing producers and beginners, for joint cooperation and finding a more efficient way of marketing beekeeping products (registration of beekeeping products and obtaining the right to use the geographical mark and origin mark).

The micro-project implemented in Municipality of **M. Brod** presented development opportunities of the Porecie region and supported self-employment initiatives among female farmers, unemployed and single mothers through production of healthy organic food and handcrafts, promotion of natural rarities and fostering of alternative tourism. Main activities included: support of income-generation initiatives that contributed towards decrease of the unemployment rate, establishment of the cooperative for education and production of organic food (honey, maroons, nuts, mushrooms, cheese etc.), and promotion and stimulating of rural tourism. The project outcome counted at 17 newly-registered farmers and individual agricultural producers, in addition to 35 newly-registered cooperative's members. The added value of the project can be measured as a means of

improved socio-economic status of vulnerable women and increased awareness among the local population for organic food production and consumption. For further information please visit the following link: <http://www.porecanka.com.mk>.

The micro-project implemented in Municipality of **Rosman** was aimed at reduction of poverty through stimulation of self-employment activities and assured placement of the agricultural products produced by social welfare families selected in consultation with the relevant municipal officials. Main activities included: construction of tomato-fields for 3 social welfare recipients and their family members (total of 11 beneficiaries), trainings for cultivated production of tomatoes, providing secure placement of the produced tomatoes in cooperation with the local business entrepreneurs thus promoting this kind of agricultural activity as a way of income-generation. The numerical expression of the project outcomes counted at 10 tones of tomatoes being produced and sold, in addition to new hectare and half land of tomato production fields being constructed and provided at disposal to the final beneficiaries for free of charge cultivation, guaranteed by a mid-term agreement signed by Municipality of Rosoman.

The micro-project in Municipality of **Negotino** aimed at self-employment of youth from socially endangered families through home-growing of healthy mushrooms (Shiitake). Main activities included: identification of 10 final beneficiaries in consultation with the Social Welfare Centre in Negotino, conducting theoretical and practical workshops for growing mushrooms under home conditions, collaboration with the business sector as a means for ensuring secure placement of the produced goods at the market. The young project beneficiaries were provided with innovative ideas about how to use their free time thus an opportunity to start thinking about developing their own home-businesses. They researched on the Internet and by doing so gleaned information from mushroom farmers from other countries about how they can potentially develop their own private farms and businesses. The beneficiaries were able to apply what they learned from the Internet workshops in their

newly-established mini-farms. As an ultimate outcome, a total of 53 kilograms fresh mushrooms were harvested, along with 7 kilograms dry Shiitake. Fresh mushrooms were sold in Negotino, and dried mushrooms were sold in Skopje, at total income-generation amount of 56,800 MKD. The project also had a shared value component considering the interest for replicating the project activities in other municipalities in Macedonia and Kosovo/a. For further information please visit the following link: <http://www.ekovita.org.mk>.

The main objective of the micro-project implemented in Municipality of **D. Kapija** was the inclusion of unemployed youth in the promotion of the natural resources of the Municipality thus opening a possibility for development of alternative tourism and creating more favorable conditions for inclusion of greater number of youth in the process of fostering the local folklore and tradition. In the course of the project implementation: 1,000 copies of the promotional brochure have been published; 10 young people have been involved in the process of preparation of promotional materials; 2 fisheries tours and 2 camping events have been organized; 10 traditional folklore suits, 10 pairs of traditional folklore pants and 15 pairs of traditional folklore shoes have been purchased for the needs of the Cultural and Artistic Association Mirka Ginova; and around 100 new members who took part in variety of socially-useful activities have been attracted. The basic learning point certainly is the fact that a good management and functional coordination is the only way to provide a successful implementation of a multi-partnership project. The implementation of the project has shown that the cooperation between the public institutions and NGO sector can be established and it can function impeccably providing benefits for the municipal population. For further information please visit the following link: <http://demirkapija.org>.

(5) Although many relevant institutional stakeholders have played an important catalytic role in bringing together at the same table various development partners for improved dialogue and

cooperation, such a modus operandi doesn't necessarily guarantee the sustainability of the overall process of strategies' implementation and in no way creates a precondition for making operational the HRBA at local level. What is most needed is **increasing the sustainability of HRBA mechanisms in the process of social inclusion, economic development and poverty reduction and providing necessary technical assistance and financial support, both to Municipalities and local NGOs, in the implementation of the commonly agreed strategic priorities**. More precisely, capacity building of local actors it is expected rather to build than substitute their capacities. In turn, this might well have an irreversible impact over the possibilities for replication of the overall process whereby the responsible stakeholders would be provided an opportunity to apply the acquired knowledge and skills and exercise their leadership potential.

Best practice

The inclusion of participatory processes in the implementation of donor funded development projects – what is known as “participatory development” is what BIM has been practicing in the seven selected municipalities. The inclusion of local stakeholders in the definition and elaboration of the local development strategies is likely to ensure a high level of sustainability to the entire process.

In general, the LLGs reached a consensus on the importance to strengthen the role of vulnerable and poor in their respective municipalities and improve their socio-economic status. Also, supporting the implementation of local development strategies through funding micro-projects in each of the seven selected municipalities played a vital role both in linking LSG, NGOs and business sector and raising the interest and importance of implementing the HRBA in local development planning.

(6) The availability, quality and non-desegregation of data by gender, age, ethnicity and region were major obstacles in assessing the

development situation. Official data was not always reliable and/or acceptable, especially when there were wide discrepancies between official and independent data. Leading participants in the process consider the accuracy and availability of statistical data as one of the main enabling factors in the implementation of the development programmes. During the project implementation it became apparent that the national capacity to collect analyze and manage regular and reliable statistical data and information needs to be developed. Serious data inadequacies and shortages were identified by BIM from the onset of the process. Therefore, **the overall statistical capacity of the country should be improved and agreement on appropriate method of collection and analyses of the required data should be reached among the relevant stakeholders.**