
AID HAITI CAN BELIEVE IN: A HUMAN RIGHTS-BASED APPROACH TO FOREIGN ASSISTANCE

April 15, 2009

As the international community gathers to renew its partnership with and pledge assistance to Haiti, it must ensure that lessons from past assistance efforts are incorporated into current endeavors. This week's conference should lead to coordinated donor assistance and empowerment of the Haitian government to manage the aid it receives and to hold donors accountable for their commitments. Today we urge donor states, international financial institutions and the Government of Haiti (GOH) to adopt and use a human rights-based approach to development, actively ensuring the goals of transparency, accountability, capacity development, participation, and non-discrimination. We further urge that the post-conference disbursement process comply with the principles set out in the Paris Declaration on Aid Effectiveness.¹

A human rights-based approach to development empowers the people of Haiti as rights-holders and ensures that they are the agents of their own development.² This approach creates the avenue for the voices of the people of Haiti to be heard. When properly implemented, this framework will enable the people of Haiti to play an active role in the development of their country: to express their priorities, make demands on their government and donors, have a say in how those demands are met (how projects are designed and implemented) and ensure that there are effective methods for communities to communicate with donors and implementing agencies to report problems or concerns.

A rights-based approach recognizes the Government of Haiti as the primary guarantor of these rights. The GOH developed a detailed Reconstruction and Economic Recovery Plan for the donor conference, based on the Poverty Reduction Strategy Paper and the Post-Disaster Needs Assessment, which outlines specific priority areas that lack funding. The GOH will rely on the pledges made at the conference to fulfill its obligations to the people of Haiti, in light of its budgetary constraints. Thus, in line with a rights-based approach, donor countries should follow through on pledges made at the conference and ensure that disbursement of funds is consistent with the commitments made at the conference and the priorities identified by the GOH. Failing to do so might lead to the GOH's inability to fulfill the rights of its citizens. To ensure that all parties live up to their commitments, it is necessary to have a publicly available, central means to track the disbursement of pledged funds.

TRANSPARENCY

Transparency in both governmental actions and donor activities is necessary for a human rights-based approach. International entities should have mechanisms in place to increase the transparency of their work in Haiti, for example through publications, websites, and other communications that document the status of project implementation and detail if and how allocated funds are being spent. This will shed light on any inefficiencies of foreign assistance, such as wasteful overhead costs, over-priced and ineffective technical assistance, improper contracting, and the misuse of aid for political purposes, which significantly hamper the positive power of foreign assistance. This information should be available in Haitian Kreyòl and should not be limited to those with access to phone and internet. Instead, strategies for transparency should take into consideration the unique communication needs of the people of Haiti, encompassing the use of radio, community meetings, and popular education vehicles such as posters.

Transparency requires the timely publication of information on all phases of project development and implementation, in a manner accessible to Haitians from of all sectors of society.

ACCOUNTABILITY

While the GOH is the primary guarantor of the rights of Haitians, donors are also accountable under international human rights law. Donors must take reasonable measures to find out how their donations have been used by implementing agencies and should be held responsible if their donations impede access to rights. These obligations derive from customary international law and cannot be avoided through non-participation in particular treaties. Good practice is for donors to conduct assessments to ensure that their assistance does not have negative effects, to undertake a human rights assessment of their planned support to ensure it is best targeted to improve access to rights, and to conduct further evaluations once financial transfers have taken place to monitor continued impacts on human rights.

Accountability requires mechanisms through which the community is able to report problems and access remedies. They must be locally focused and easily accessible.

¹ The Paris Declaration on Aid Effectiveness was endorsed on March 2, 2005 at the Second High Level Forum on Aid Effectiveness. Over 100 ministers and heads of agencies committed their countries and organizations to the goals of aid harmonization, alignment, and management for results with monitorable indicators. The vast majority of the governments and agencies participating in the April 2009 Donors' Conference have signed the Declaration.

² In 2003, the UN development agencies formulated and adopted a "Common Understanding" of the rights-based approach to ensure that funds and programs apply consistently a human rights-based approach to programming at global and regional levels, and especially at the country level.

CAPACITY DEVELOPMENT

Foreign assistance and cooperation should contribute to the development of the capacities of “duty-bearers” to meet their obligations and of “rights-holders” to claim their rights. Donors must empower the GOH so it may fulfill the rights of its people and, thus, should work hand in hand with the state.³ In the past, donors have often created parallel project implementation structures, thus weakening the capacity of the Haitian government to improve basic rights for all. The current weakened state of Haiti’s public infrastructure is due in part to years of development funds flowing almost entirely to NGOs that do not actively partner and coordinate with the GOH.

Capacity Development requires that all actions undertaken by the international community enhance the ability of the Haitian state to fulfill its duty to realize the human rights of all Haitians.

PARTICIPATION

A human rights-based approach requires a high degree of participation from the entire spectrum of Haitian society, including local communities, civil society, minorities, rural populations, and women. Such participation must be active, free, and meaningful; perfunctory contact with program beneficiaries is not sufficient. Further, participation must occur at each level of the development process, from the initial needs assessment and project identification to project planning, implementation and evaluation. The recognition by the GOH of the importance of participation in the National Growth and Poverty Reduction Strategy Paper (DNSCRP) is a positive step, but a commitment to broad-based, meaningful participation should be maintained throughout the implementation and evaluation stages; this includes supporting the capacity of civil society participating in the monitoring of the DNSCRP to report back to communities on progress of the DNSCRP.

Participation requires that information about projects be easily accessible to the community and that opportunity for meaningful input be provided to all, from the outset of a project through to completion

NON-DISCRIMINATION

A human rights-based approach requires each actor to ask: who is vulnerable, and on what basis? The answers must then inform programming: particular attention must be paid to groups that have been historically excluded from the political process and prohibited access to basic services, including women, children, rural populations, the disabled, and the poorest sections of society.

Non-discrimination requires that the poorest and most vulnerable of Haiti are targeted for priority assistance and empowerment. Conscious outreach and inclusion is required.

PARIS DECLARATION ON AID EFFECTIVENESS

Many of the recommendations above are included in the Paris Declaration on Aid Effectiveness. Specifically, we urge all parties engaged in assistance to Haiti to:

- Provide—and follow through on—more consistent and multi-year commitments on aid flows to the GOH;
- Periodically assess, qualitatively and quantitatively, progress at country-level in implementing agreed commitments on aid effectiveness;
- Broaden participation of the GOH, to respect GOH leadership and help strengthen capacity to exercise it;
- Use Haiti’s own institutions and systems to strengthen the country’s sustainable capacity to develop; and
- Enhance mutual accountability and transparency in the use of development resources.

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