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Background

The Stockholm Environment Institute (SEI) is an international non-profit research institute with several centers across the world, including the SEI Asia Center based in Bangkok. SEI tackles environment and development challenges, bridging science to policy and practice to develop solutions for a sustainable future for all. Our approach empowers people for change for the long term: research excellence and engagement with partners are at the heart of our efforts to set new agendas, build capacities, and support better decision-making. SEI places a strong emphasis on gender equality and human rights principles as values guiding our work, ensuring they are integrated across our research and engagement with partners.

SEI Asia, with the support from the Swedish Government (Sida), has been implementing the Strategic Collaborative Fund (SCF) programme since 2018 to enhance the current 2030 Agenda efforts in Asia and the Pacific. SCF aims to foster regional cooperation and policy dialogue for sustainable development through capacity-building, knowledge sharing and increased collaboration. The events funded by SCF gather representatives from government, private sector, civil society, research or academic institutions and development partners to ensure an inclusive and substantive dialogue. Human rights and gender equality are central to SCF, as it champions regional and inter-regional cooperation for transboundary environmental policy development. Based on specific contexts, SCF-supported events should benefit the Asia-Pacific region, particularly marginalised groups including those living in poverty, women, youth, children, migrants, ethnic minorities and other environmentally vulnerable groups. SEI and the Raoul Wallenberg Institute (RWI) are jointly supporting the integration of gender equality and human rights into the SCF2 programme, including through coaching and support of grantees.

This guidance note aims to support applicants to integrate human rights and gender equality in the design of their SCF2 project proposals.

Introduction

Human rights are universal -- they apply to everyone regardless of their gender, race, ethnicity, sexual orientation, religion, location, wealth, degree of education, health status and other socially constructed identities. While these rights are inherent in all persons, power dynamics between and within social groups can create social inequalities that result in situations of privilege and vulnerability (Ribot 2013). For example, gender remains a critical factor impacting people’s rights, opportunities and power, while also intersecting
with other social identities and statuses (Cho, Crenshaw, and McCall 2013; Lykke 2010) to create even greater vulnerabilities.

Environmental degradation also affects human rights as some groups are more vulnerable to frequent and intense disasters than others. According to [insert source], marginalised groups or those who are food insecure or have limited access to natural resources, are already less likely to be able to adapt to environmental changes. This vulnerability often means exclusion from decision-making – i.e. the rights and needs of those already marginalised remain overlooked by governance processes, further hindering their potential to exercise their human rights. Consequently, development projects and climate action that do not take into account human rights and gender equality risk reinforcing pre-existing inequalities (Pross et al. 2021; UNGA 2018).

When planning and implementing interventions, including multi-stakeholders dialogues, it is crucial to be mindful of existing inequalities and power dynamics to address, and to integrate considerations for human rights and gender equality into every step of the project (UNEA 2019). The SCF2 programme encourages applicants to demonstrate how their projects will contribute to better human rights protection and gender equality at both policy process and outcome levels.

This note aims to guide applicants in conducting a context analysis to identify human rights issues and gender inequalities, and to design their event in a way that will enable marginalised groups to meaningfully participate in the dialogue. This approach should lead to better environmental and social outcomes.

Conceptual framework

This document synthesizes several existing approaches and guidance notes related to human rights-based approaches and gender analysis. These are:

- The Sida Thematic Areas Briefs on Human Rights Based Approaches (Sida 2015)
- The SEI-wide guidance note on Integrating Gender and Social Equality into Sustainable Development Research (Segnestam 2018)
- The SUMERNET Critical Gender Analysis Guidance Note (Vigil, Pross, and Resurrección 2020)
- SUMERNET Ethics Guide (Pearson and Boyland 2020)

Such approaches often focus either on human rights or gender equality; sometimes they consider both but as separate components instead of integrating them in a coherent way. Building on the methodology developed by SEI in a UN Women report entitled Climate Change, Gender Equality and Human Rights in Asia – Regional Review and Promising Practices (Pross et al. 2021), this document offers a framework where an intersectional analysis is mainstreamed into a human rights-based approach. The key components of a human rights-based approach can be categorized into two groups: substantive rights and procedural rights,

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1 The Sustainable Mekong Research Network (SUMERNET) is an initiative for research and policy engagement which focuses on water insecurity in the Mekong Region. SEI Asia is the Secretariat of SUMERNET. For more information, see https://www.sumernet.org/
as further developed in table 1 below. The approach integrating human rights and gender analysis is represented in figure 1.

**Table 1: Key elements of a human rights-based approach.**

<table>
<thead>
<tr>
<th>Substantive human rights</th>
<th>Procedural rights</th>
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<tr>
<td><strong>Substantive human rights</strong></td>
<td><strong>Procedural rights encompass the core principles of good governance that help strengthen democracy</strong> (Anton and Shelton 2011). These include transparency, accountability, participation and access to justice.</td>
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<td>“derive from the inherent dignity and worth of the human person” (Orellana and Macaulay 2014, 11), in other words these are rights to the substance of being human including civil and political rights, as well as economic, social and cultural rights (Shelton 2011). Examples of substantive rights are the rights to life, to privacy and family life, to health, food and water, shelter, decent livelihood and physical integrity. These rights are often recognized in international and legal frameworks. Environmental human rights (such as the right to a clean and healthy environment) are also increasingly being recognized by States and regional agreements (Knox 2019). An overview of the main human rights issues in the thematic and geographical scope of the project is crucial to understand pre-existing challenges, how human rights are affected by environmental changes, and how the project can contribute to mitigate these negative effects. <strong>Using an intersectional analysis to this overview of substantive rights will help identify how different social groups are affected differently by environmental change.</strong> By identifying who are the most vulnerable, the project can <strong>design targeted interventions to redress inequalities and ensure the initiative does not exacerbate pre-existing human rights infringements and vulnerabilities.</strong> Additional measures such as affirmative action may be necessary to redress past imbalances and to level the playing field.</td>
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<td><strong>Procedural rights</strong></td>
<td><strong>Transparency</strong> is crucial to hold duty-bearers accountable for the commitments they made to ensure human rights and gender equality. This encompasses <strong>access to information</strong> so that all relevant stakeholders are aware of such commitments, and of the governance mechanisms in place to implement them. Governance processes should always involve all relevant stakeholders to ensure their needs and priorities are taken into account in decision-making. While <strong>consultation and representation are essential</strong>, only the meaningful participation of all, including women and vulnerable groups, will ensure that the cost and benefits of decisions are shared fairly across social groups. Creating an enabling environment for <strong>meaningful participation entails ensuring access to information, supporting women and vulnerable groups to have their voices heard and encouraging power-holders, including decision-makers to listen to them.</strong> Lastly, <strong>access to justice entails right to fair trial and access to effective remedies (including administrative remedies)</strong> when human rights are not respected, protected and fulfilled by State and non-State actors. A sound understanding of the governance structures and systems in place to ensure commitments to human rights and gender equality is therefore needed to design interventions that can help address the gaps and avoid reinforcing pre-existing inequalities. <strong>An overview of these rights will help identify key stakeholders to be involved in events, the influence they already have in the selected sector, and ways to facilitate the integration of groups that are left-behind in decisions that affect their rights and their environment.</strong></td>
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Guiding questions to integrate human rights and gender equality in SCF2 events proposals.

The conceptualization of an SCF2 project should be based on a thorough analysis of the context and situation in the thematic and geographic focus area of the intervention. This includes a review of human rights and gendered issues, and also a power analysis of the stakeholders and interests at stake in this context. This approach is summarized in figure 1 below. Such analysis will allow identifying critical gaps that can be addressed through the project and ensure that the costs and benefits of the project will be distributed fairly across social groups, avoiding further marginalisation of the most vulnerable. Table 2 offers a set of indicative questions to guide applicants when designing their projects.

*Figure 1: Integrating human rights-based approaches and gender analyses for SCF2 projects.*

<table>
<thead>
<tr>
<th>Human rights-based approach</th>
<th>Intersectional analysis</th>
<th>Context analysis and project design</th>
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<tbody>
<tr>
<td><strong>Substantive rights</strong></td>
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<tr>
<td>Inherent to the substance and dignity of human beings</td>
<td>Whose HR are not respected, protected and fulfilled?</td>
<td>Who is responsible to implement commitments to HR and gender equality?</td>
</tr>
<tr>
<td><strong>Procedural rights</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transparency, accountability, participation and access to justice</td>
<td>Who are the most vulnerable to environmental changes?</td>
<td>Are governance and justice systems allowing vulnerable groups to claim their rights?</td>
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*Table 2: Guiding questions to integrate human rights and gender equality when designing SCF2 projects proposals.*
### Substantive human rights

What are the linkages between the environmental issue on which your event is focusing and human rights/gender equality?

a. Which human rights are affected and how?
   Examples: water management affecting rights to water and sanitation; agricultural practices leading to food insecurity; disaster risk reduction excluding some social groups; urban planning and right to shelter.

b. How does the environmental issue affect gender roles, responsibilities and norms?
   Examples: differentiated access to resources including finance especially during disasters; increased gender-based violence; solutions creating/reinforcing gendered division of labour.

How can your project contribute to human rights and gender equality within its environmental context?
Examples: improve food security; access to water; cleaner environment; lesser vulnerability to disaster risk.

What are the challenges to realizing human rights and gender equality in your project? What are the potential negative impacts of this project on human rights and gender equality and how can these be mitigated?
Example: in communities where men are usually the decision-makers, encouraging women to actively participate in an event can create conflict and violence. This risk can be mitigated by engaging in a dialogue with men and demonstrating how diverse participation will benefit the community as a whole.

### Procedural rights

Is information available and transparent about the environmental issue your event is focusing on? Who has not access to it and why?
Examples: are land use plans available to informal settlers? Is the information available in local languages?

Are decision-making processes inclusive of all social groups? Are there barriers to representation and meaningful participation of vulnerable groups in decision-making linked to this environmental issue?
Example: public consultations held at times when women are performing care and reproductive work.

Are there mechanisms in place to raise complaints and obtain remedies in case of human rights violations and gender inequality with regards to this environmental issue?
Example: fair compensation when land and resources are being seized.

How will your event contribute to better access to information and access to justice?
Examples: raising awareness about existing commitments to human rights and gender equality in an environmental field; building or consolidating civil society movements to hold duty-bearers accountable for these commitments.

How will your event ensure the meaningful participation of women and vulnerable groups?
Examples: capacity-building; provide translation; small group discussions; compensation for participation etc.
Further guidance will be provided to successful grantees on how to integrate human rights and gender equality in each step of the project. Grantees will also be required to take Massive Open Online Courses (MOOCs) and coaching and support sessions provided by SEI and RWI. For more information on gender analysis and human rights-based approaches, please contact Philippe Doneys (philippe.doneys@sei.org) and Victor Bernard (victor.bernard@rwi.lu.se).
References


