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A Human Rights- and Results-Based Management Approach to United Nations Development Cooperation at the Country Level

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Executive Summary

Results-based management (RBM) and the human rights-based approach (HRBA) are two programming principles of UN common development cooperation at the country level. The findings of this research seem to corroborate the assumption that while complementary, their concurrent application can generate tensions that, if ignored, threaten to reverse the hierarchy, turning RBM, in theory an enabling tool, into the ultimate ruling principle of UN programming.

The paper examines the tools and wealth of experience accumulated by the UN in implementing RBM and the HRBA in light of the tensions identified in the existing literature. Firsthand data has been gathered through semi-structured interviews with UN Resident Coordinators and an online questionnaire for development and human rights practitioners of United Nations Country Teams (UNCTs). While the samples are not representative, the evidence gathered is enough to draw some general conclusions and helps to illustrate the arguments developed in the paper.

The discourse on the complementarity of both programming principles highlights the role of the HRBA in defining relevant content and of RBM in ensuring an effective process for UN common development cooperation. In implementing these principles, however, the UN places the emphasis on the role of human rights as a means, rather than as an end, and it is the accountability, rather than the effectiveness perspective of RBM, that prevails. The role of the HRBA as a broad framework for a UN theory of change for development cooperation has not yet permeated UN programming guidelines and discourse outside the human rights world. An RBM model that emphasizes accountability and external reporting, rather than effectiveness and internal learning, is more likely to lead to tensions with the HRBA**,** as it increases the pressure for attribution, numbers and low-hanging fruits.

The United Nations has developed separate guidelines and methodologies for the application of both RBM and the HRBA. In order to fully implement the HRBA, the UN needs to go beyond the separate approaches that are currently employed and move instead towards a comprehensive programming framework: “A Human-Rights and Results-Based Management Approach to United Nations Development Cooperation at the Country Level.” Such a framework should address the potential tensions to ensure that RBM remains the enabling tool that it is meant to be and programming contributes to the effectiveness and the relevance of the UN at the country level.

Summary of recommendations

1. Develop one single UN Programming Manual that provides guidance on the basis of all programming principles.
2. Ensure the HRBA, as the basic framework for a theory of change for UN development cooperation, permeates all UN programming guidelines and documents. This implies identifying human rights as constitutive of the goal of development cooperation and having both duty-bearers and rights-holders as the subjects of the outcomes.
3. Clearly reflect the international commitments which constitute the mandate of the organization at the top of the results chain of the UN programming documents. Those international commitments should not be limited to the relevant SDGs, but also include the relevant international human rights recommendations, which could then be monitored with the UNDAF.
4. Expose the possible perverse effects of RBM and clearly delimit its role to ensure not only the effectiveness, but also the relevance of UN development cooperation.
5. Ensure UN programming frameworks provide the space for UNCTs to define advocacy results and better integrate advocacy as part of their strategies to attain specific outcomes.
6. Weigh resources used in fundraising efforts against the potential benefits of those funds, recognizing that some of the most transformative changes to which the UN might contribute require few financial resources and instead demand adequate expertise and an investment of time.
7. Further explore ways to work with partners who may be unable to comply with RBM requirements but might have the appropriate mandate or represent groups with which the organization needs to engage to achieve human rights development goals.

PART I. Introduction

The fields of development and human rights have traditionally evolved along parallel tracks. After the two fields finally met in the 1990s, the human rights-based approach (HRBA) was forged as an attempt to bring both worlds closer together. Since the development world focused on programming and spoke the results-based management (RBM) language, the human rights-based approach was essentially conceptualized as a programming tool. When the United Nations (UN) took steps at the beginning of this century to improve the coordination of its development activities at the country level, it adopted a new set of common programming tools and identified both the human rights-based approach and results-based management as among its five common programming principles.[1] Three of these principles, which include the human rights-based approach, gender equality and environmental sustainability, are defined as "normative principles," while the other two, namely results-based management and capacity-building, are described as "enabling principles." According to the UN guidelines, all five principles are complementary and "necessary for the effectiveness of UN-supported country programming."[2] An increasing number of voices, however, are highlighting tensions in the simultaneous application of the HRBA and RBM, and some are even arguing their incompatibility.

This paper examines the tools generated and the wealth of experience accumulated by the UN in operationalizing both the human rights-based approach and results-based management in light of the tensions identified in the existing literature. Although this paper does not find evidence of an unresolvable contradiction between the HRBA and RBM, it does conclude that their concurrent application generates tensions that, if ignored, threaten to reverse the hierarchy and transform results-based management, which is theoretically an enabling tool, into the ultimate ruling principle of UN programming. Therefore, in order to fully operationalize the HRBA, the UN needs to move beyond the current separated approach towards a comprehensive programming framework: "A Human Rights- and Results-Based Management Approach to United Nations Development Cooperation at the Country Level."[3] Such a framework must address these potential tensions to ensure that RBM remains the enabling tool it is meant to be and that programming contributes to improving the effectiveness as well as the relevance of the UN at the country level.

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[1] UNDG (2007). *Guidelines for United Nations Country Teams on Preparing Common Country Assessments (CCA) and United Nations Development Assistance Frameworks (UNDAF)*. In addition to HRBA and RBM, the UN has identified three other programming principles which are beyond the scope of this paper, namely capacity-building (an enabling principle), gender equality and environmental sustainability (normative principles).

[2] UNDG (2010). *Application of the Programming Principles to the UNDAF*, Guidance Note.

[3] Note that while an analysis of the other programming principles is beyond the scope of this paper, the ultimate goal should be to have one single programming framework encompassing all five principles.

Scope and methodology

The scope of this paper is an exploration of the interplay between the HRBA and RBM as strategic programming principles of the United Nations Country Teams (UNCTs), or in other words, within the context of UN efforts to coordinate its development activities through the United Nations Development Group (UNDG). A thorough review of the strategic programming of the specific UN entities is therefore beyond the scope of this study. Moreover, it should be noted that this paper does not seek to provide a comprehensive overview of the HRBA or RBM concepts and methodologies, but instead provides an analysis of their interaction. Consequently, only those aspects of the HRBA and RBM that are relevant to this specific purpose are considered.

Finally, the rich, complex and fascinating debate regarding whether and to what extent human rights and development converge or continue in parallel tracks is beyond the scope of this study. References to on-going discussions in that area will only be made to the extent that they provide the context to better understand the interaction between the HRBA and RBM.

There is little to no literature on the interplay between the HRBA and RBM in development cooperation. Worthy of mention, however, is the 2012 UNICEF global evaluation on the application of the HRBA[4], the writings of P. Gready[5] and the research published by the Leuven Centre for Global Governance Studies on the integration of human rights in development cooperation.[6] While each of these texts includes interesting and explicit references to the subject, none focus exclusively on the relationship between the HRBA and RBM. A number of human rights workers and development practitioners have criticized the negative impact of RBM on their respective fields of work. For most of these authors, human rights and development still constitute two distinctive areas of work, so their texts do not specifically refer to the HRBA.

On the human rights side, the literature is somewhat limited, yet the report of the International Council on Human Rights Policy on assessing the impact of human rights work deserves special mention.[7] On the development side, the literature is extensive and growing. Many development practitioners and researchers are critical of RBM and are exposing its limitations for

[4] UNICEF (2012). *Global Evaluation of the Application of the Human Rights-Based Approach to UNICEF Programming*.
[5] See P. Gready and W. Vandenhole (2012). "Human Rights and Development in the New Millennium: Towards a Theory of Change," London: Routledge.
[6] See D. D'Hollander, A. Marx and J. Wouters (2014). "Integrating Human Rights in EU Development Cooperation Policy: Achievements and Challenges." Working Paper No. 134. Leuven Centre for Global Governance Studies; D. D'Hollander, A. Marx and J. Wouters (2013). "Integrating Human Rights in Development Policy: Mapping Donor Strategies And Practices." Working Paper No. 108. Leuven Centre for Global Governance Studies.
[7] ICHRP (2012). "No Perfect Measure**:** Rethinking Evaluation and Assessment of Human Rights Work" (Report).

development cooperation. Although not formulated on the basis of the HRBA, these critiques seem especially pertinent when considered from a human rights perspective. Various critical reviews are of particular relevance for this paper, including those of J. Vähämäki, M. Schmidt and M. Molander,[8] the writings of A. Natsios,[9] former head of the U.S. Agency for International Development (USAID) and those of Rosalind Eyben,[10] former Chief Social Development Advisor of the United Kingdom's Department for International Development (DFID). A complete list of the literature reviewed can be found under the references chapter.

In addition to the abovementioned literature, I have drawn upon my own experiences gained during more than twenty years of work with the United Nations Office of the High Commissioner for Human Rights (OHCHR) as an important source of information for this paper. As a result of my career path, I haven been in a privileged position to observe the evolving and complex interplay between the HRBA and RBM. On the one hand, as a human rights officer, I have devoted a substantial amount of my professional time to promoting the mainstreaming of human rights into the work of UNCTs.[11] This has required me to confront and address many of the questions and concerns of United Nations development practitioners seeking to apply the HRBA to their work. On the other hand, in my role as OHCHR's planning officer over the last six years, with increasing levels of responsibility, I have been tasked with transforming a human rights institution into a fully results-based management organization.[12] Hence, it is also in this capacity that I have been working to address the questions and concerns of United Nations human rights officers who are attempting to apply RBM to their work.

The tensions between the two programming principles that have been highlighted by the existing literature and/or identified through my own experiences constitute the starting point of this research. More specifically, they provide a critical lens for the review of UN common programming documents[13] and serve as the basis for the formulation of two information

[8] J. Vähämäki, M. Schmidt and M. Molander (2011). "Review – Results-Based Management in Development Cooperation."
[9] A. Natsios (2010). "The Clash of Counter-Bureaucracy and Development." Washington: Center for Global Development.
[10] R. Eyben (2013). "Uncovering the Politics of Evidence and Results. A Framing Paper for Development Practitioners." Published on the web page of 'The Big Push Forward' (2011). "Stuff Happens:' The Risks of a Results Agenda, From Poverty to Power" – Oxfam Blog, edited by Duncan Green (2010). "Hiding Relations: The Irony of 'Effective' Aid." European Journal of Development Research, Vol 22.
[11] This experience includes the delivery of numerous HRBA trainings for UNCTs, both for OHCHR and for the United Nations System Staff College, including in the context of United Nations Development Assistance Framework retreats; assessing the HRBA in Uruguay as a "One UN" pilot country for Action 2; and working with the United Nations System Staff College on the revision of the UNDG's HRBA common learning package.
[12] According to the last Joint Inspection Unit review of OHCHR: "Many interviewees from the Secretariat, Member States and oversight bodies indicated that OHCHR has made progress in recent years towards improving Results-Based Management and incorporating a results-based approach into its policies and work processes." Joint Inspection Unit (2014), Review of management and administration of the Office of the United Nations High Commissioner for Human Rights, JIU/REP/2014/7.
[13] Among the UNDG policy documents, guidelines and training packages on strategic programming reviewed, the following have been especially relevant for this research: the Common Understanding among UN agencies on the Human Rights-Based Approach to Development Cooperation (2003); UNDAF Guidelines (2010); the Guidance Note on the Application of the Programming Principles to the UNDAF (2010); the Results-Based Management Handbook (2011); the Human Rights-Based Approach Common Learning Package (2011); and the Standard Operating Procedures for Countries Adopting the "Delivering as One" Approach (2014).

gathering tools, namely semi-structured interviews with United Nations Resident Coordinators and an online questionnaire for UNCT's development and human rights practitioners.

In consultation with the United Nations System Staff College (UNSSC) and the UNDG's Human Rights Working Group (UNDG-HRWG), a total of 40 RCs were selected as a result of their knowledge and experience in applying both RBM and the HRBA, with geographic diversity taken into account. Of the 40 individuals who were approached, 13 responded positively and agreed to being interviewed. Interviews lasted approximately one hour and were primarily conducted via Skype and applied a qualitative semi-structured interview technique. Many of the questions were formulated in an open and broad manner to provide space for multiple avenues of enquiry and to ensure interviewees had a great deal of leeway in responding and pursuing topics in accordance with their own experiences.

The online questionnaire was distributed through the UN Human Rights Policy Network (HuriTALK) and the UN Coordination Practice Network (CPN). A total of 42 UN colleagues responded to the questionnaire, 88 per cent of whom had had at least 5 years of professional experience with the UN. There was a well-balanced knowledge of the HRBA and RBM among respondents, with 57 per cent reporting they felt equally prepared on both principles, and an equal percentage (19 per cent) who felt more prepared with one of two principles. All regions were fairly well represented, with the exception of Western Africa. The majority of respondents held positions with the RC's Office (29 per cent), UNDP (26 per cent), OHCHR (18 per cent) and UNICEF (13 per cent).

Annex 1 includes the list of questions used for the semi-structured interviews with RCs and Annex 2 reproduces the results of the online questionnaire.

As a final caveat, it should be noted that while this paper is founded on more than 20 years of professional experience in this particular field of work, the research was conducted within the context of a four month sabbatical project, which clearly limited the extent of the review of existing literature. Furthermore, the responses of the interviews with the RCs and the online questionnaire do not constitute a representative sample and therefore cannot be extrapolated to UNCTs as a whole. Instead, the firsthand data gathered through these tools serves to illustrate the arguments outlined.

Concepts and complementarities

Development and Human Rights

	Development	Human Rights
Languages	Economists- numbers	Lawyers- standards
Methodologies	Capacity building	Advocacy
Approaches	Constructive-partnership Discrete Practical	Naming - adversarial Public Idealistic

Figure 1. Development and human rights

It is not a coincidence that we refer to development workers as practitioners and to human rights workers as activists. Both worlds evolved in parallel with different languages, methodologies and approaches. Development has been traditionally shaped by economists and numbers and deemed to be more practical and evidence-based. The human rights field, however, has been dominated by lawyers and international legal standards and is considered more idealistic and value-driven, "having its legitimizing anchor in law rather that in ownership or effectiveness."[14] In general, development practitioners seek to constructively engage and build partnerships with governments in discreet ways, whereas human rights workers are characterized as having a confrontational approach, which has in the public exposure, the naming and shaming, its main weapon.

As previously mentioned the debate about whether human rights and development should converge or continue as parallel tracks is not closed. Nevertheless, the starting point for this study is the UN's position which was clearly articulated in 2005 by former Secretary-General, Kofi Annan, when he asserted, "we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights."[15]

When the two worlds finally met, it was evident that the consequential paradigm change and new conceptual framework required the creation of a business model that could reflect this different reality. It is in this context that the human rights-based approach to development

[14] W. Vandenhole (2012). "Overcoming the Promotion-Protection Dichotomy, Human Rights-Based Approaches to Development and Organizational Change within the UN at Country Level," in P. Gready and W. Vandenhole, "Human Rights and Development in the New Millennium: Towards a Theory of Change," Routledge.
[15] See A/59/2005.

cooperation emerged. Since the development world focused on programming and spoke the results-based management language, the HRBA was subsequently defined in programming terms.

Consensus around the common UN programming principles first emerged in 2006 during the inter-agency discussions related to revising the guidelines for the preparation of the United Nations Development Assistance Framework (UNDAF). The 2007 guidelines that grew out of those discussions identified five guiding principles,[16] namely a human rights-based approach; gender equality; environmental sustainability; results-based management; and capacity development.

The Human Rights-Based Approach – the UN Common Understanding

The integration of human rights and development has taken different shapes at different times. The Organisation for Economic Co-operation and Development/World Bank has undertaken a thorough review and categorization of the different approaches to human rights in development programming.[17] According to that categorization, summarized on the table below, the human rights based-approach can be differentiated from other forms of integration of human rights into development because it considers human rights to be more than just a mean value, but also a constitutive goal of development. In other words, for the HRBA, human rights are both a new way of doing development (*instrumental approach*) and a new vision for development (*normative approach*).

Table 1: Donor approaches to integrating human rights

Implicit human rights work	Human rights projects	Human rights dialogue	Human rights mainstreaming	Human rights-based approaches
Agencies may not explicitly work on human rights issues and prefer to use other descriptors (empowerment or general good governance). The goal, content and approach can be related to other explicit forms of human rights integration rather than "repackaging".	Projects or programmes directly targeted at the realisation of specific rights (*e.g.* freedom of expression), specific groups (*e.g.* children) or in support of human rights organisations (*e.g.* in civil society).	Foreign policy and aid dialogues include human rights issues, sometimes linked to conditionality. Aid modalities and volumes may be affected in cases of significant human rights violations.	Efforts to ensure that human rights are integrated into all sectors of existing aid interventions (*e.g.* water, education). This may include "do no harm" aspects.	Human rights considered constitutive of the goal of development, leading to a new approach to aid and requiring institutional change.

Source: OECD/World Bank (2013)

Figure 2. Approaches to integrating human rights and development

[16] UNDG (2007). "Guidelines."
[17] OECD/World Bank (2013). *Integrating Human Rights into Development. Second Edition: Donor Approaches, Experiences and Challenges*. World Bank Publications.

In 2003, UN agencies meeting in Stamford, Connecticut in the context of widespread UN reform, adopted a common understanding of the human rights-based approach to development cooperation and programming. The Stamford Agreement has three main pillars:[18]

1. "All programmes of development cooperation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments."
2. "Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process."
3. Development cooperation contributes to the development of the capacities of 'duty-bearers' to meet their obligations and/or of 'rights-holders' to claim their rights."

In short, contrary to the purely instrumental discourse of the aid effectiveness agenda,[19] which sees human rights as contributing to the effectiveness of development cooperation, the HRBA conceives human rights as both a constitutive goal of development (Stamford's first and second pillars) and a means of undertaking development cooperation (third pillar).

Results-Based Management: The UN definition

The primary purpose of results-based management is twofold. On the one hand, RBM aims to improve the *effectiveness* of programmes by shifting the focus towards desired results and gathering relevant data to inform decision-making. On the other hand, the definition of expected results and the reporting against those results increases transparency and serves as an important *accountability* tool.

The UNDG's Results-Based Management Handbook of 2011 defines results-based management as "a management strategy by which all actors, contributing directly or indirectly to achieving a set of results, ensure that their processes, products and services contribute to the achievement of desired results (outputs, outcomes and higher level goals or impact). *The actors in turn use information and evidence on actual results to inform decision making on the design, resourcing*

[18] United Nations (2003). "Report of the Second Inter-Agency Workshop on Implementing a Human Rights-Based Approach in the Context of UN Reform,, Stamford, USA. In addition, the Stamford Agreement notes that programming should be informed by the recommendations of international human rights bodies and mechanisms; and further specifies the following human rights principles: universality and inalienability; indivisibility; interdependence and interrelatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of law.
[19] High-Level Forums on Aid Effectiveness: Rome (2003), Paris (2005), Accra (2008) and Busan (2011).

and delivery of programmes and activities as well as for accountability and reporting."[20]

The italics have been added to highlight an important element of this definition. Indeed, emphasis is placed on the role of RBM to improve both effectiveness through learning and accountability through performance reporting. This was not the case with previous UN programming documents[21] which privileged the accountability aspects of RBM over those of effectiveness. The issue is not innocuous since, as will be further explored in following chapters, there is evidence of friction between these two stated purposes of RBM.[22]

Complementarities between the HRBA and RBM

According to the UNDG "Guidance Note on the Application of the Programming Principles,"[23] the UN five common programming principles, which include the HRBA and RBM, are interrelated, complementary and necessary for effective UN programming at the country level. The UNDG Guidance Note characterizes the HRBA as a "normative principle and RBM as an "enabling principle." Normative principles provide "ways to connect international norms and standards and agreed development goals to the development process," while RBM is described as a "means to make the normative principles operational," including by "helping to demonstrate effectiveness and accountability for the use of UN system resources."[24] The RBM Handbook further notes that "[w]hile RBM is a management tool to help reach a desired result; a human rights-based approach is a framework that helps define the results and the process by which results are achieved."[25] In general terms, UN programming documents present the HRBA as value charged and RBM as a neutral tool.

The complementarity of the two approaches is generally described as follows: the HRBA provides guidance on the content of the results - the what – contributing to their relevance, while RBM ensures that those results are achieved - the how – in an effective way. An overwhelming majority of the RCs interviewed and questionnaire respondents shared this understanding. In fact, only two respondents to the questionnaire considered the two principles to be incompatible and most RCs expressed initial surprise at the suggestion.

[20] UNDG (2011). *Results-Based Management Handbook*.
[21] See, for example, the UNDG-Results-Based Management Terminology (2003).
[22] See J. Vähämäki et al. "Results-Based Management in Development Cooperation."
[23] UNDG (2010). "Application of the Programming Principles."
[24] Ibid. UNDG (2010). Enabling principles are based on the Triennial Comprehensive Policy Reviews (TCPR) of the UN system, the outcome of the 2005 World Summit and the aid effectiveness agenda (2005 Paris Declaration; 2008 Doha Declaration on Financing for Development; 2008 Accra Agenda for Action; and 2011 Busan Partnership for Effective Development Cooperation) with their focus on national ownership and accountability.
[25] UNDG (2011). "Handbook

The complementarity is primarily evident when the HRBA defines the results and RBM improves effectiveness. When the UN operationalizes these approaches, however, it is more often the case that the HRBA is used as a means, rather than as an end and that RBM is focused more on accountability than effectiveness.

As will be argued in subsequent chapters, the discrepancy between the complementarity discourse and the UN's operationalization of the HRBA and RBM principles may have contributed to some of the tensions between the two programming principles. Indeed, despite the existence of a UN common understanding on the HRBA, the UN continues to be dubious about the implications of establishing human rights as a constitutive goal of development, and of HRBA as a UN theory of change to development cooperation. Similarly, the external push, mainly from donors, for an RBM accountability perspective, has increased the pressure for cumbersome reporting on expenditures and short-term quantifiable results, thereby shifting the focus away from a learning and effectiveness RBM perspective.

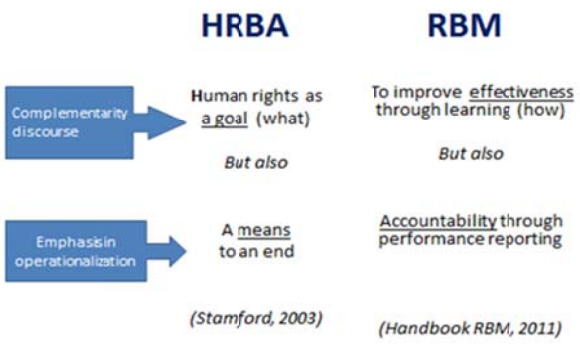

Figure 3. Complementarity discourse versus actual implementation

Part II. Potential tensions

As previously stated, the overwhelming majority of UN staff consulted through this research noted that they consider the human rights-based approach and results-based management to be complementary frameworks. We are therefore far from the results of academic research which have identified a "rights- and results-based framework" as "a contradiction in terms" or suggested that RBM is a "spoiler rather than a facilitation of change," in particular with regards to human rights.[26] However, while agreeing with their complimentary nature, half of the respondents to the questionnaire acknowledged the existence of tensions between the two approaches and approximately 43 per cent noted that RBM needs to be refined to better serve the HRBA.

Among RCs, the recognition of tensions between the two approaches was less evident. Many expressed surprise when confronted with the question. The prevalent discourse was that RBM should not govern the implementation of the HRBA and that tensions could only exist if the UN "did not have the right people in place." Since RCs were self-reporting and were selected on the basis of their knowledge of the HRBA and RBM, a positive bias towards a commitment to the organization's mandate was to be expected. Nevertheless, it became clear during the interviews that even "having the right people" with the "right commitments" to the organization's mandate might not be enough when staff are pressured by specific UN organizations and donors to apply a simplistic and quantitative version of the RBM approach. Furthermore, the interviews demonstrated the importance of providing clear guidelines, incentives and accountability mechanisms to ensure that the application of these two approaches is not left to the discretion of individuals.

HRBA as a broad framework for the UN theory of change for development cooperation

The HRBA constitutes a broad framework for the UN's theory of change for development cooperation. This theory of change, which is based on the UN's common understanding of an agreed UN common programming principle, has not yet permeated the UN's programming guidelines, manuals and discourse outside the human rights world. The following slides, which show the UN chain of results, exemplify this statement. Figure 4 reproduces a slide from the updated version of the UNDG common learning package on a HRBA[27] and Figure 5 is taken from the UNDG Handbook on Results-Based Management. [28] Both were published by UNDG in 2011.

[26] W. Vandenhole, "Overcoming the Promotion-Protection Dichotomy, Human Rights-Based Approaches to Development and Organizational Change within the UN at Country Level," in P. Gready and W. Vandenhole (2012), *Human Rights and Development in the New Millennium: Towards a Theory of Change*, Routledge.
[27] UNDG (2011). "Updated UN Inter-Agency Common Learning Package on a Human Rights-Based Approach to Programming." See also OHCHR's Theory of Change in "OHCHR's Management Plan 2014-2017."
[28] UNDG (2011). "RBM Handbook."

Only the UNDG common learning package translates the Stamford agreement on the HRBA into a chain of results.

The results chain of the UN RBM Handbook (Figure 4), places "changes in conditions" at the level of the impact/goal rather than "changes in the realization of human rights" or "changes in the quality of life" which would have at least situated the person at the centre of development. The intermediate result, otherwise known as "outcome," is defined as a "change in capacity and performance of the primary duty-bearer." The reference to "duty-bearers" shows an attempt to apply the language of the HRBA and to contextualize the RBM manual within the context of the UN's work. Yet, there is no reference to the "capacities of rights-holders", clearly mentioned with the duty-bearers as fundamental actors in the third pillar of the Stamford agreement. These omissions from the RBM Handbook are not accidental. The Handbook is rather reflecting and reinforcing two important gaps in the implementation of the HRBA by UNCTs.

The following pages will highlight the tensions between the HRBA and RBM in relation to the key elements of a theory of change, that is, in terms of the definition of: 1) the goal to be pursued; 2) the intermediate results that are needed to achieve that goal; and 3) the partners and types of interventions that are essential to achieving those intermediate results.

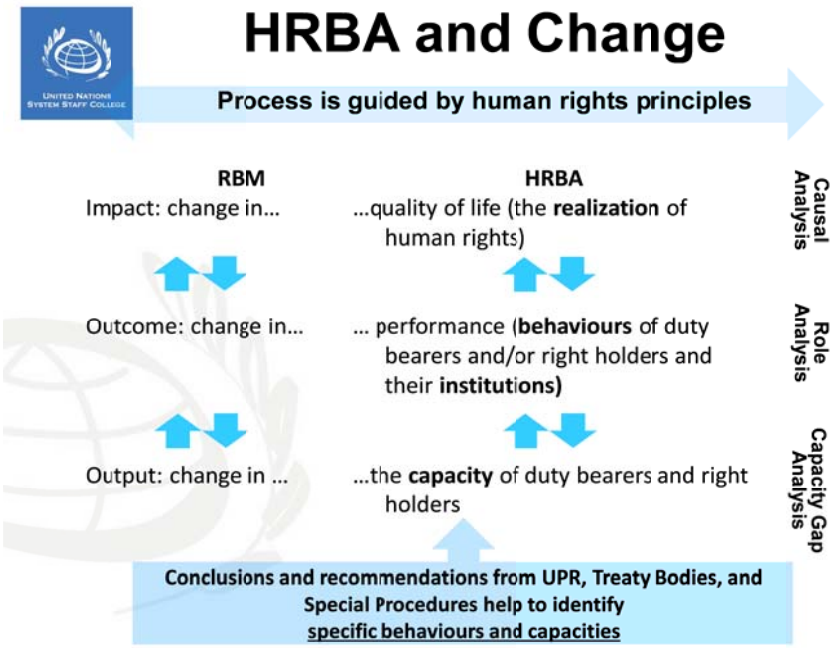

Figure 4. Slide from the UN HRBA common learning package.

TABLE 1. Changes reflected in results at different levels

Changes in conditions			
IMPACT	• MDGs • Social • Economic	• Cultural • Civil Society	
GOAL	• Environmental • Political		
Results are primarily nationally owned			
Changes in capacity and performance of the primary duty-bearers			
OUTCOME	• Changes in Behaviours & Attitudes • Social Action • Viability • Institutional	• Policy Formulation • Decision-making • Norms, Knowledge • Efficiency	• Competencies • Opinions • Standards
United Nations contributes at this level			
What all implementers produce			
OUTPUTS	• Goods & Services • Change in Skills & Capabilities • Systems • Evaluations	• New Products • Reports • Publications Produced	
National actors, United Nations and donors			
What all implementers do			
ACTIVITIES	• Develop Curriculum • Train • Evaluate • Recruit	• Procure • Facilitate • Develop Action Plans • Work with Media, etc.	
Primarily national, often supported by United Nations and other partners			
What all stakeholders invest in			
INPUTS	• Human or Financial Resources • Personnel • Equipment	• Technology • Time	
led by national actors			

Figure 5. Table from the UNDG, Results-based Management Handbook.

TENSION 1: DEFINING THE GOAL OF DEVELOPMENT COOPERATION

The international level: a missing layer in UN programming documents

The top of the theory of change is defined by the UN common understanding on the HRBA as the "realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments." The UN programming guidelines and documents, however, place national development priorities at the top of the results chain, define the roles of UNCTs in terms of their support to governments to implement those national priorities and primarily establish the accountability of UNCTs *vis- à- vis* national governments. There seems to be a layer of results that is missing from the United Nations programming documents at the country level: the international commitments, among them human rights, which are at the core of the mandate of the organization.

One element that all development schools have in common is the recognition of the importance of national ownership as a sound development principle. National ownership has been strongly emphasized in the Triennial Comprehensive Policy Reviews (TCPR) of the UN system and in the aid effectiveness agenda, including through the Paris Declaration (2005), the Accra Agenda for Action and the Doha Declaration on Financing for Development (2008) and the Busan Partnership for Effective Development Cooperation (2011). In fact, the emphasis of these processes on the importance of RBM has brought the concepts of RBM and national ownership closer together.

Similarly, the HRBA's emphasis on participation and accountability places significant importance on national ownership in development processes. From the HRBA perspective, however, national ownership can never prevail over international human rights standards or be used as an excuse to relinquish responsibilities to implement the UN's international mandate. UN programming guidelines and tools are far from clear in this regard and depict an organization that appears to have no particular agenda and is able to support governments with whatever development priorities they deem most appropriate. And yet, the UN has an agenda that is defined by the international community and forms the basis of its mandate. Failure to make that role evident not only makes the implementation of the HRBA difficult, it has the potential to compromise the work of the UN for future generations. As one Resident Coordinator put it, "it is important that civil society actors understand that we can say no to a government if what it is requested of us does not fit within the UN parameters." This point may seem obvious to many, but the fact that such an important aspect of the UN work is not clearly stated on its principal programmatic tools raises serious concerns.

A United Nations Development Assistance Framework results matrix which has at its top the national development priorities sends the wrong message to UN staff, governments and populations at large. A UNDAF, which places relevant international commitments at the top of its results matrix, would help to clarify to Governments the UN's role, as a partner, but within the context of an agreed international agenda. It would also help to explain the role of the UN to local populations, not just as an ally of governments, but also as an objective guardian of internationally agreed standards. Finally, it would help UN staff to better understand their roles and what is expected of them. Several of the interviewed RCs emphasized the importance of hiring staff members who are not "value-neutral," but are committed to the mandates of the organization. It is difficult to ask this of staff members if the programming guidelines do not clearly outline the mandate they are supposed to help implement.

It must be noted that there is a vast difference between defining the role of UNCTs as "supporting governments to implement their national development priorities," and "supporting governments in the implementation of the international commitments at the country level." As depicted in Figure 6 below, the difference between the two statements is extremely important from the HRBA perspective.

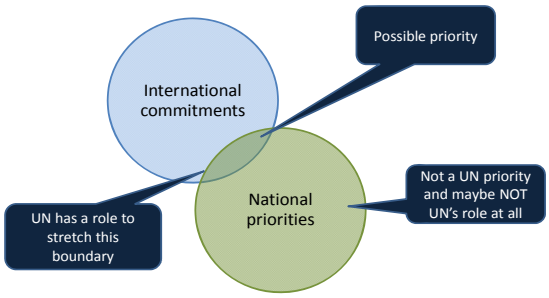

Figure 6. The Role of United Nations Country Teams.

As Figure 6 shows, ensuring that the international commitments are visible at the top of the UN common country programmes would evidence to all:

1. That there could be national development priorities which the UN should not support because they are contrary to international agreed standards and commitments. This is a

fundamental principle of the HRBA which states that human rights standards and principles should guide UN programming at all stages. The recent United Nations Due Diligence Policy and the Rights Up Front Initiative indicate that in the human rights context, overstating is essential.

2. That the UN has an important role to play in engaging governments in a discussion on the realization of internationally agreed standards and commitments at the national level, independently of whether or not those commitments have been identified as a priority by the current government of a specific country.

Despite the important steps taken by the UN system to secure the position of human rights as a central pillar of its work, this fact does not come across clearly in the UNDAF guidelines. For instance, the first paragraph of the guidelines regarding the selection of outcomes reads: "[a]fter reviewing all national development priorities, and then agreeing on which national development priorities are appropriate for UN action, the UNCT, in consultation with all relevant stakeholders, must agree on a set of outcomes to support each national development priority."

In addition, the RBM Handbook continually refers to the need to "balance(s) the pursuit of international norms and standards with the achievement of national development priorities." Is "balance" really the appropriate verb here? According to the definition of the Oxford dictionary, this would mean "offsetting the value of" international norms with the achievement of national development priorities or "equalling the effect or importance" of both. Balancing the pursuit of international norms and standards with the achievement of national development priorities seems to place the mandate of the organization and the criteria for effectiveness on the same level of importance.

Both the HRBA and RBM emphasize the role of accountability in development cooperation, but accountability to whom and according to what standards? When respondents to the questionnaire were asked to organize the accountabilities of UNCTs in order of importance, the responses were equally distributed between a prioritization of rights-holders (40 per cent), national governments (31 per cent) and the organization (governing bodies, UNDG) (30 per cent). Similar responses were given by the interviewed Resident Coordinators.

The RBM Handbook clearly states that UNCTs "are accountable to governments for overall contribution to the national development objectives" (page 4). In this context, accountability is understood as an effective and efficient use of resources. The concept of accountability as

defined in the UN common understanding, however, refers to States and other duty-bearers as "answerable for the observance of human rights." It could be argued that the United Nations is the personification of the collective subject in the United Nations Charter ("we the peoples") and that the international agreements are the manifestation of its voice. The HRBA to development requires first and utmost a clear commitment and accountability towards that collective subject. The United Nations is first and foremost accountable to that international subject ("we the peoples") and must hold States responsible for their international commitments.

What international commitments? MDGs or Human Rights?

As shown above, UN programming documents place national development priorities at the top of the results chain and do not clearly reflect the international commitments which constitute the mandate of the organization. Having those commitments reflected in the results matrix of UN country programmes would indeed be fundamental to fostering the application of the HRBA, but it may not be enough. It is one thing to say that as an international organization with an international mandate, UN common programming at the country level should place the agreed international commitments at the top of its results chain. It is yet another thing to assert that those international commitments must be human rights norms. While the HRBA establishes the furthering of human rights as a goal for all UN development progammes, the one dominant agenda for UN development actors is the Millennium Development Goals (MDGs), or the Sustainable Development Goals (SDGs), as they will be called in the post-2015 world.

Despite the clear statement that came out of Stamford, the idea that human rights are a constitutive goal of the United Nations development framework is far from generally accepted. The interviews with Resident Coordinators revealed the pervasive persistence of the conceptual division between the development and human rights worlds. Human rights work continues to be seen as a parallel field, identified with a certain set of rights, namely civil and political rights, and a certain type of intervention, namely, naming and shaming. Even if all RCs agreed that human rights constitute an important part of the work of the UN, several questioned if UNCTs, which "need to focus on the development work," were the best suited to deal with human rights issues.

The fact that the HRBA is defined as both a means and an end has unquestionably contributed to the confusion. The current UNDAF guidelines do not clearly distinguish between the enabling and normative principles. "The Country Teams are required to apply the five programming

principles… Together, these programming principles constitute a starting point and guide for the country analysis, as well as for all stages of the UNDAF..."[29]

The UNDG RBM Handbook presents the achievement of MDGs among the possible impact of country programmes, while the programming principles, including the HRBA, are described as means for the achievement of the MDGs. This is also the way it is represented on the UNDAF guidelines which note: "[u]sing RBM, the UNCT ensures that its resources contribute to a logical chain of results that increase in complexity and ambition higher up the logical chain from outputs to outcomes and then impacts, which are MD/MDG-related national priorities."[30]

During an interview, one of the RCs who had repeatedly asserted and given examples of his commitment to the HRBA stated, "I am currently trying to ensure that the national development plan reflects the draft SDGs, but what do I do now with human rights?" A lesson learned from the recent experience of MDGs is that these are global targets which need to be contextualized and disaggregated for each specific country. The UN common understanding on the HRBA states that the recommendations of the international human rights instruments should inform the programming of UNCTs. These recommendations provide an essential starting point for contextualizing the MDGs, but if this is not obvious to a committed RC, their centrality needs to be further emphasized and relevant questions and answers need to be included in the UNDAF preparation guidelines.

The UNCT of Guatemala is putting in place a system which could become a good practice in this regard. Their system ensures the linkage of each UNDAF outcome, and even lower levels of results, with the relevant SDG as well as with the specific recommendations of international human rights instruments. This not only ensures the visibility of the international level, but also entails that the monitoring of the UNDAF includes the monitoring of the implementation of the recommendations issued by the international human rights mechanisms. Such a system could additionally facilitate the reporting of the UNCT and the government to those mechanisms. A similar system is already in place at OHCHR. The classification of the recommendations of the international human rights mechanisms in accordance with the SDGs could further facilitate this task. This could be done through the Universal Human Rights Index, an online database providing easy access to country-specific human rights information emanating from the international human rights mechanisms.

[29] Interestingly, the 2004 UNDAF guidelines, which did not yet recognize the HRBA as a principle per se, clearly stated: "[f]or the United Nations system, this means that cooperation programmes focus on the realization of the rights of all citizens, and that human rights principles are applied in cooperation programmes."
[30] UNDG (2010). "UNDAF Guidelines."

TENSION 2: DEFINING INTERMEDIATE RESULTS

Is RBM really neutral?

Results-based management is generally described as a neutral framework offering a process and a structure to achieve results by providing, among other things, objective information for decision-making. As defined in the Guidance Note on the Application of the Programming Principles, "RBM does not prescribe the substance of results, over which the other four principles will have greater influence."[31] Different development schools have started to question this neutrality, arguing that the politics, the tools and/or the actual application of RBM affects the content and the nature of the development results prioritized.

According to the 2010 Guidelines for UNCTs to prepare their UNDAFs, UNCTs should prioritize those outcomes that "[a]re specific, realistically achievable and measurable, so that the UN is accountable for their achievements."[32] Some development practitioners argue that, by prioritizing results which are **S**pecific, **M**easurable, **A**ttainable and **T**ime-bound, (using the famous **SMART** acronym), we might be prioritizing results which are not **R**elevant, or from the HRBA point of view, rights-based. These authors argue that the strict application of RBM can lead to decisions which would be contrary to good development practices, leading organizations to prioritize results which can be easily delivered in a short time frame and can be easily quantified, but at the expenses of those key transformational changes that development cooperation should be aiming for, the type of changes that a HRBA to development would likely prioritize and which require time to show.

More than half of those answering the questionnaire indicated that RBM affects UNCT's results and that priority is often given to those programmes that are easier to measure and can be delivered within a short time frame. Many of the RCs interviewed spontaneously described RBM as a neutral tool that does not affect the UNCTs priorities. During the course of the interviews, however, many revealed that they are under increasing internal and external pressure for information on RBM-related "results which can be attributed and counted" and several provided examples of how human rights results had been de-prioritized as a consequence of this pressure. One RC provided an example in which the pressure to deliver a concrete result, namely the passing of a law, took precedence over the need to further advocate for certain changes or to ensure the appropriate participation of stakeholders.

Several RCs also indirectly reported on the impact of RBM on the formulation of the UNCTs

[31] UNDG (2010). "Application of the Programming Principles."
[32] UNDG (2010). "UNDAF Guidelines."

priorities as a result of pressure from donors. In a very interesting and well-illustrated paper, A. Natsios, former head of USAID, argues that funding for democracy and governance programmes has decreased because "development officers focus on what they can measure"[33] in order to comply with the demands of what he calls the "counter-bureaucracies."[34] Indeed, RCs highlighted a lack of funding as one of the main obstacles to UNCT prioritization. One RC reported that important human rights outcomes outlined in their UNDAF could not be implemented due to an inability to secure resources, while another similarly noted that an absence of resources made it impossible to put in place programmes to address gaps they had identified through a vulnerability atlas. These examples seem to confirm the fears within the human rights sector that the 'value for money' evaluations conducted by donors are increasingly driving resources towards 'what is measureable' instead of 'what matters.'[35]

The focus on RBM's accountability perspective might not be helping

One of RBM's primary practical challenges lays in the tradeoffs between the two uses of results information, namely accountability and management.[36] The two perspectives are to some extent directed toward different types of data or results. An RBM model that emphasizes accountability and external reporting rather than effectiveness and internal learning would seem more likely to generate tension with the HRBA**,** as it increases the pressure for attribution, numbers and low-hanging fruits.

By no means should this be read as an attempt to diminish the importance of accountability. In reality, it could be argued that management improvement and accountability are two sides of the same coin, but while the former emphasizes the accountability towards rights-holders (learning), the latter emphasizes accountability to intermediaries, that is, the donors (reporting).

If there is something that characterizes the origins of RBM, it is the emphasis on learning. As early as the 1950s, Peter Drucker noted that when managers analyze a situation and act on the basis of results, they are significantly more successful than when they make decisions based on budgets and operation programmes. The programme approaches developed in the late 1960s, 1970s and 1980s, including the Logical Framework Approach, emphasized the implementation of activities according to a planned schedule, as well as financial, planning and cost accounting.

[33] Natsios, A. (2010).
[34] "A relatively durable government agency whose principal mission is to monitor, criticize, and improve the performance of other government agencies…through a set of budgeting, oversight, accountability, and measurement systems ." W. T. Gormley (1996). Counter-Counter-bureaucracies in Theory and Practice*. Administration & Society* , 28(3), 276.

[35] ICHRP (2012).
[36] See Flint, M. (2003), *Easier Said Than Done: A Review of Results-Based Management in Multilateral Development Institutions*. Herefordshire: Michael Flint & Partners; and Binnendijk, A. (2000), "Results-Based Management in the Development Cooperation Agencies: A Review of Experience." DAC Working Party on Aid Evaluation.

As described by J. Vähämäki, "RBM represents a return to the notions of Drucker and his insistence on successful result orientation as a mind-set and a perspective on management, rather than a precise set of instructions."[37] Paradoxically, an RBM accountability model can easily defeat the purpose that RBM was meant to fulfil and can instead cause organizations to count and attribute funds and activities instead of results.

The UN's prioritization of accountability *vis-a-vis* management improvement in the implementation of RBM is not new. As indicated in a 2008 RBM evaluation: "[o]verall, the literature demonstrates that most organizations are succeeding to institutionalize RB**P** (results-based planning), and that they are moving quickly towards results-based reporting. But agencies are having a more difficult time with the use of results information for management decision-making at country level."[38] A study of the United Nations Evaluation Group on the role of evaluation in RBM[39] found that RBM has not developed into a management tool, but is perceived by management and programme managers as a technical reporting exercise. While the 2010 UNDAF guidelines are trying to move the organization towards the "management for results" model, which uses information gathered for decision-making and learning,[40] much more needs to be done to counter balance the external pressure.

A majority of the respondents to the online questionnaire noted that the UN adopted RBM mainly to improve the effectiveness of its work. When asked about the actual contribution of RBM to the UN's work, however, a majority of respondents instead referred to improved accountability. In fact, 70 per cent and 60 per cent of the respondents stressed that not enough time is allocated for learning and evaluation, respectively, while 40 per cent stated that the time devoted to reporting is excessive.

During the interviews, many RCs also confirmed they had experienced pressure to report on "results" that can be quantified and attributed. As described by one of the RCs, there is a current push "to move down the ladder of results towards more quantifiable, tangible, verifiable and short-term results," reflecting an ongoing "debate between the politicians, pushing for verifiable results, and the development authorities and practitioners which insist on keeping them at the outcome level." The issue has become more complicated as it appears that politicians seem to be winning the battle. According to A. Natsios, the tension between "accountability and control versus good development practice has now been skewed to such a degree in the U.S. aid system

[37] J. Vähämäki, et al, (2011). "Review."
[38] OIOS (2008). *Review of Results-based Management at the UN*. Washington, DC: OIOS.
[39] UNEG (2007). *The Role of Evaluation in Results-Based Management*.
[40] See UNDG (2010). How to Prepare an UNDAF: Guidelines for UNCTs, and UNDG (2014). Standard Operating Procedures for Countries Adopting the "Delivering As One" Approach.
[40] Natsios, A. (2010). *The Clash of Counter-Bureaucracy and Development*. Washington: Center for Global Development.

(and in the World Bank) that the imbalance threatens programme integrity."[41]

In the words of another RC, "I am more often requested financial information and information on deliverables than about results." Furthermore, as several RCs highlighted, the allocation of resources is often based on purely financial data, such as expenditures rates or the meeting of fundraising targets. And yet, they argue, some of the most transformative outcomes to which UNCTs have contributed require little financial, but long-term, investments. Interestingly, one RC noted that the most transformative change to which the UNCT had contributed in the country - the passing of a transparency law - was invisible for the successive UNCT programmes.

UN guidelines reflect the fact that the complex nature of development makes it impossible to attribute the achievement of outcomes to one single specific actor. However, in the context of financial competition for limited resources, development agencies are increasing the pressure for results that can be attributed ("value for money"). RCs reported the push from their own agencies to report on results that could be clearly attributed to them. This kind of demand is shifting the focus from reports on results (outcomes and outputs) to reports on activities and expenditures, which are much easier to attribute.

In addition to the problem of attribution, which is acerbated in the case of human rights results, claiming human rights results can be politically sensitive and problematic. While donors might want to be able to attribute a human rights result to a specific UN programme which they have funded, national governments are unlikely to want to see their UN counterparts claiming these results as a consequence of their work. A good example of this is the Human Rights Programme of the UN Secretary-General's Strategic Framework.[42] The Framework primarily includes indicators of activities, rather than indicators of outputs and outcomes (called expected accomplishments), due to the reluctance of Member States to accept outcome indicators which they often see as infringements on their national sovereignty.

The focus on activities, outputs and financial reporting is not the original purpose of RBM, however, this tendency seems to be unfolding under the RBM umbrella, as reported by several reviews of development agencies. As reported by one individual interviewed during a recent review of the Canadian International Development Agency, "we've had to spend hours going through with CIDA officials if the work day in Malawi should be 7.5 hours or 7.75 hours and what should go on the timesheet. To me that's supply management. It's enormously time consuming and it makes no difference to the lives of [our beneficiaries] and rural communities

[41] Natsios, A. (2010).
[42] See A/C.3/67/L.73* and A/69/16.

at all. I find that this nitty gritty focus on little things like counting minutes and inputs, although CIDA says its interest is in results, the opposite is the case. They are input obsessed and detail accounting obsessed…"[43]

The role of the UN in middle-income countries, which have now become a majority of States, is under debate. In the context of these debates, the UN should assess the cost opportunity of pursuing fundraising efforts which might divert its limited time and resources from the areas where it has a comparative advantage and specific mandate, as could be the case of human rights.

What happens with Relevant results which are not SMART?

Human rights officers argue that a crucial part of the human rights work is keeping the "flame burning," particularly during the "rainy seasons" when it is clear that results are unlikely and while waiting for the right moment for the "fire" to spread. This is indeed a major role of the international human rights programme, which provides the umbrella or the shelter under which, during difficult periods, national human rights initiatives can hibernate and grow.

When confronted with RBM, human rights officers frequently argue that UN interventions can be justified in essential areas where the organization has a comparative advantage, due to its mandate and international commitments, even if it is difficult for the UN to deliver a result at the outcome level within the programming cycle. For example, a specific group might be subject to structural and systematic discrimination and exposed to certain vulnerabilities, making it a critical human rights issue which must be addressed to foster development of the county. But the situation of this group or its mere existence might be ignored or denied by the government. The situation might be highlighted through the HRBA assessment of the UNCT, yet will not be included in the UNDAF if it is unlikely that the UN could contribute to any major breakthroughs at the outcome level within the limited time frame of a programming cycle.

To these arguments, RBM experts, including many of the RCs interviewed, would respond that it should always be possible to define realistic intermediate results. I tend to agree with RBM and development practitioners that "working for the right cause" is not enough and that in order not to lose perspective and ensure that progress is really being made, the UN must be able to define the changes it is pursuing "by maintaining the burning flame."

[43] Nazarko, N. (2014). "The Hand that Feeds: NGOs' changing relationship with the Canadian International Development Agency under the Competitive Funding Mechanism." Thesis submitted. School of International Development and Global Studies.Faculty of Social Sciences.University of Ottawa.

In order to practically address these concerns, two types of intermediate results can be envisaged for difficult areas where institutional, legislative or behavioural changes are unlikely to be realized within the time frame of a UN programming cycle:

1. "The increased involvement/awareness of civil society actors on the issue", that is outcomes having rights holders as the subject; and/or
2. "The increased recognition of the problem by the government or the inclusion of the issue on the political debate/agenda," that is, outcomes resulting from advocacy work.

However, as will be explained in more detail below, it is unlikely that current UNCT's programming documents integrate these kinds of "intermediate" results.

a. <u>The capacities of duty-bearers, but also rights-holders!</u>

The third pillar of the UN common understanding on the HRBA states that development cooperation should contribute to enhancing the capacities of "duty-bearers" to meet their obligations and of "rights-holders" to claim their rights. In RBM and programming terms, this is a description of the intermediate results to which the UN programmes should contribute in order to pursue the desired goal. The emphasis on results from both types of actors is one of the contributions of the HRBA, as it forces development practitioners to focus on both sides of the coin. In the words of one of the interviewed RCs, "[w]hile RBM is something we use on a daily basis, the HRBA is something we do at the analysis stage and then forget." Indeed, different reviews demonstrate that the HRBA has influenced the way UNCTs undertake their country analyses, including by identifying those that are especially vulnerable or suffer discrimination in relation to a specific issue (rights-holders) and those that have a responsibility to do something about it (the duty-bearers), and by analyzing existing gaps that are impeding the ability of some to claim their rights and of others to fulfil their obligations. It would seem, however, that translating these assessments into concrete outcomes in the UNCT programmes has proved much more difficult.

A recent revision of the UNDAFs by the UNDG's Human Rights Working Group showed that "[a] strong emphasis is (also) often placed within this outcome area on supporting the capacity of duty-bearers, through support to parliamentarians, the judiciary and national and local governmental institutions to better promote and protect human rights. However, only a few UNDAFs simultaneously address the capacity of rights-holders to claim their rights."

Why do so few UNDAFs include outcomes aimed at increasing the capacity of rights-holders to claim their rights? One possible explanation is that the UNDAFs are signed by national governments and some governments are reluctant to see an increase in the capacity of rights-holders to claim their rights as a priority objective of UN programmes. Although questioning the importance of national ownership as a criterion for effective development cooperation is beyond the scope of this study, it is worth noting that a strong emphasis on that criterion, and the narrow interpretation of "national ownership" as "government ownership," could be hindering the UN's implementation of one of the most characteristic aspects of the HRBA.

Another reason for that UNDAF outcomes do not identify rights-holders as primary actors might be because the MDGs, which have had a major influence on the UNDAFs, failed to capture the civil and political rights aspects of development. If this is true, the draft Sustainable Development Goals, which include a goal on governance and participation, could open up new opportunities for UNCTs to include outcomes relating to rights-holders.

For that to happen, however, it is crucial that the existing programming guidelines clearly reflect the importance of both duty-bearers and rights-holders as outcome subjects. This is not currently the case. The results chain of the UNDG's RBM Handbook reproduced in Figure 5 defines outcomes as "changes in the capacity and performance of duty-bearers," with no reference made to rights-holders. Interestingly enough, the Handbook reproduces the common understanding of the HRBA, with references to right-holders and duty-bearers, but only for information purposes. There is no reference to rights-holders under chapter 6 of the UNDAF guidelines, which outlines the steps that UNCTs need to take to prepare the UNDAF.[44] Instead of using the programming principles to provide guidance for the preparation of the UNDAF, the guidance is provided in RBM terms, while the other programming principles are listed one after another, primarily for information purposes, enabling authors to pick and choose as they wish.

The difficulties in reflecting the results of advocacy

If it is rare to see UNDAF outcomes which identify rights-holders as a subject, it is even more unlikely to find UNDAF outcomes that reflect the intended result of advocacy work. These are results which correspond to priority gaps that have been identified by the international human rights mechanisms and the assessments of UNCTs, but are not a national priority. As previously stated, advocacy work can and should be translated into results-based language in order to enable the UN to develop clear strategies, monitor progress and learn from the experience. Such results could be phrased in such terms as "[t]he right to reproductive health is part of the political debate in the context of the upcoming elections;" or "[t]he negative consequences of

[44] Paradoxically, the only reference to rights-holders in the UNDAF guidelines is under the capacity-development principle.

traditional harmful practices are mentioned in public media;" or "[t]he Government discusses with other stakeholders the situation of minority group Y," a group whose existence had been previously denied. There is currently no place in UN programme documents, however, to reflect these kinds of results. How then can UNCTs be held fully accountable for their role in translating the international commitments at the country level? As one RC expressed it, "there are enough checks and balances regarding the accountability of the organization *vis a vis* its mission, but there are not enough checks and balances regarding the accountability of the UNCTs *vis a vis* governments and this situation can deteriorate if funds increasingly come from governments, as the first accountability is to those that pay the bill."

The results of advocacy work are difficult to report on and almost impossible to attribute. But these are results which can be highly transformative and an area in which the UN could have a major comparative advantage. In the words of one RC, "competition for funds hinders all attempts of the UN to work as One. Money spoils it all. If there is one area in which the One UN could really make a difference is where funding is not that important, that is where the UN tries to move the agenda further."

The current Communicating as One agenda could prove to be a window of opportunity. Within this context, UNCTs could be asked to define "advocacy results." The idea would not be to develop new constraining and work intensive mandatory tools or processes, but rather to create the space for UNCTs and the UN as a whole to identify key advocacy results. The identification of "advocacy results," defined in accordance with the recommendations issued by the international human rights mechanisms, would enable the organization, both within and outside the country, to work towards a common purpose. Almost all RCs referred to the difficulties that even the most committed RCs face in carrying out this type of advocacy role and many called for a more integrated UN strategy that would help UNCTs to feel the backing and support of the organization as a whole. Indeed, as long as the goal defined in the UN common understanding of the HRBA - the realization of human rights - is shared across the whole organization, strategies and roles can vary from country to country.

TENSION 3: DEFINING THE STRATEGY

Selecting the partners

Concerns have been raised that the application of RBM could be having an influence on the selection of the actors with which development cooperation engage. Being able to prepare project proposals that apply RBM concepts and logic has become a precondition of funding. In addition, under the RBM umbrella, development cooperation agencies have established sophisticated systems to ensure accountability and an appropriate use of resources by partners. These systems are usually sensitive to economies of scale. For example, transaction costs tend to be standard in mechanisms that are used to allocate grants, so the larger the grant the more cost-effective the process is. The problem is that not all organizations speak the RBM jargon, have the capacity to comply with the control procedures in place or are able to manage and spend large sums of money within a short period of time.

The first-hand information gathered through this research, however, does not back up some of these assumptions. The majority of the questionnaire respondents and the interviewed RCs do not think that RBM is affecting the type of actors with which the UN engages in development cooperation. Only a couple of the RCs spoke of a possible perverse effect with "a trade-off between those partners capable of preparing good programmes *vis a vis* those that have the right competencies and/or mandate."

Despite the little evidence found that this is a problem, remaining aware of the possible effects of RBM in the selection of partners is the best way to avoid problems. This is especially important from the HRBA perspective, as human rights organizations are less likely to speak the RBM jargon. Furthermore, one would expect local organizations representing discriminated groups and those who are most vulnerable to experience more difficulties in managing large grants or in complying with sophisticated accountability systems and reporting requirements. One RC acknowledged they had to develop a grant system outside the UNDAF in order to work with those partners that "the UN should be really working with, those small organizations which are making a difference." Further research might be needed to look into this issue to determine if there is a real need to put in place alternative systems to enable the UN to engage with these kinds of partners.

Moving away from the protection-promotion dichotomy

RBM aims to ensure that programmed interventions lead to the desired changes or results. "Outputs" are a key link in the results chain that constitutes the RBM strategy to achieve those desired results. As defined in the UN RBM Handbook, outputs are "changes in skills or abilities and capacities of individuals or institutions, or the availability of new products and services that result from the completion of activities." The definition puts the emphasis on capacity changes, which thereby becomes the backbone of UN development programmes at the country level. Indeed, capacity-development is at the core of the aid effectiveness agenda and traditional development work.[45] Yet, as W. Vandenhole argues, empirical evidence does not corroborate the assumption that only capacity-building and dialogue, rather than shaming and naming, works to bring about operational change. According to Vandenhole, the promotion-protection dichotomy reflects the traditional division of labour and "may well be a fundamental obstacle to organizational change, as the corresponding definitions tend to lock up the human rights and development actors in their traditional roles."[46] While RBM in itself would support any type of intervention contributing to the desired result, the chain of results that has been developed under the RBM umbrella makes it difficult to think in terms other than those of capacity-development.

All RCs interviewed asserted the centrality of human rights for the UN's work. Many of them also added that having human rights at the core of the organization's mandate does not necessarily entail that "all UN staff should now become human rights workers." When the RCs referred to human rights in that context, they seemed to be referring to a particular conception of human rights: a set of rights, namely civil and political rights and a type of work, namely advocacy. To a great extent, the discourse of UN development practitioners continues to characterize development as the carrot and human rights as the stick.

And yet, the HRBA aims at bringing these two worlds closer together. The HRBA to development supposes that the whole spectrum of rights - civil, economic, political and social rights – is an integral part of the development goal. In addition, the HRBA to development presumes that the broad spectrum of interventions available to UN staff, including awareness-raising, advisory services, advocacy, capacity-building, monitoring and reporting, is used in the pursuit of that goal.

In fact, it is perhaps due to the irruption of RBM in the human rights field and the inception of the HRBA that most human rights organizations understand the need to expand their strategies

[45] Note that together with RBM and the HRBA, the UN has identified "capacity-development" as another of its five programming principles.
[46] W. Vandenhole (2012). Overcoming the Promotion-Protection Dichotomy.

beyond naming, shaming and monitoring. Even if human rights workers traditionally believed that working for the "right cause" was enough, most human rights organizations have now moved beyond this logic and are questioning their strategies in light of the changes they intend to bring about.[47]

Many of the RCs interviewed argued for a clearer division of work, with UN actors outside the country, preferably OHCHR, taking the lead and having the main responsibility for sensitive and potentially controversial human rights issues/interventions which could endanger UN cooperation with the national government in question. Indeed, while clearly committed to human rights, RCs expressed a certain level of frustration with the apparent lack of understanding by UN Headquarters about the difficult and complex tasks assigned to them. In the words of one RC, "I have always been a human rights champion, but only when I got here did I realize how difficult the task is." The interviews revealed a demand for an organizational strategy that would enable the institution to fulfill its human rights mandate, while letting them play the role they think they are better suited for, that of confidence-building and engagement with national authorities.

Through the One UN and the Human Rights Up Front initiatives, the system is slowly moving towards a common country strategy by helping to define the roles to be played by each actor in every context in order to pursue the HRBA to development. It would be difficult, however, to imagine those roles defined purely along the classical human rights-development divide. In the long-term, no organization, not even a purely human rights-based organization such as OHCHR, can survive by using only the stick. In the long-term, no UNCT will be able to maintain its legitimacy and credibility if it is perceived as only using the carrot and having to relinquish its mandate.

[47] According to OHCHR's Theory of Change: "OHCHR supports standard-setting; monitors and reports on human rights; provides advisory services and implements technical cooperation programmes in collaboration with a range of stakeholders at the national level; and undertakes global and national-level advocacy to promote adoption of and adherence to human rights norms and standards. OHCHR seeks to ensure that these elements complement and reinforce each other in pursuing the realization of its mandate."

TENSION 4: M & E OR MAKING INFORMED DECISIONS

Many will argue that it is only when management uses the data collected through RBM processes to inform its decisions that RBM can prove its real value. Paradoxically, one of the most perverse effects that RBM can have in relation to the HRBA is its use as a tool to "objectively" inform decisions related to the allocation of resources. Data gathered and aggregated through RBM processes constitutes important information for decision-making, but only if taken with extreme caution and as food for thought for the discussion of development and human rights practitioners with a solid understanding of the specific context. Successes are as important as failures for learning, but the use of data extracted from M & E for the allocation of resources is limiting reporting on results to reporting on successes.

Recent research shows a tendency of certain development agencies to move away from the most transformative and long-term projects on the basis of RBM arguments or information gathered under an RBM umbrella. Reference has already been made in this paper to the study of A. Natsios, former head of USAID, in which he argues that funding for democracy and governance programmes has decreased due to the tendency of "development officers [to] focus on what they can measure."[48] Another oft-quoted example is the decision of DFID to dissolve the "Civil Society Fund" due to its inability to show "value for money." Other researchers have found similar findings regarding the Canadian International Development Agency[49] and the Swedish development cooperation.[50]

In his paper, Natsios warns against the danger of leaving decisions regarding development programmes in the hands of counter-bureaucracies or programme managers. UN staff members seem to share his concerns. More than half of those who answered the questionnaire noted that UNCTs have too many programme managers and not enough substantive officers. When asked about the competencies of ideal UNCTs in the near future, RCs mentioned solid substantive expertise, sound political judgement and a commitment to the values of the organization. None of them spontaneously referred to programme management.

In the context of strong competition for limited funds, one RC noted with sadness the tendency of UN staff of becoming deskilled due to the need to devote their time to prepare fundraising proposals or report on them. This is particularly worrisome in a context in which the UN is more

[48] Natsios, A. (2010).
[49] See Nazarko, N. (2014). "The Hand that Feeds: NGOs' Changing Relationship with the Canadian International Development Agency under the Competitive Funding Mechanism." Thesis submitted. School of International Development and Global Studies. Faculty of Social Sciences. University of Ottawa.
[50] Samuelsson, A. (2013). "Managing Aid Relationships in the Context of Results-Based Management: A Case Study of Support to Civil Society within Swedish Development Cooperation." A dissertation submitted in partial fulfillment for the degree: Master in Human Rights Practice School of Global Studies, University of Gothenburg, School of Business and Social Sciences, Roehampton University, Department of Archaeology and Social Anthropology, University of Tromsø.

frequently working in middle-income countries, which as was noted by the RCs themselves, are increasingly exigent about the kind of support they expect from the UN. What is at stake is the type of organization the UN wants to become: whether it wants to pursue the fundraising race and measure its success in terms of the funds managed - an area where it is already clearly disadvantaged *vis a vis* other actors - or whether it chooses to preserve its comparative advantage by improving its pursuit of and focus on its international mandates. The organization should not hesitate to question if the UNDAF is the best type of document to define and present the UN common programme in middle-income countries. Some of the RCs interviewed were incredibly blunt in this regard: "it is definitely not in the UNDAF that one finds the real UN priorities in the country."

Contrary to what it is normally argued, closing a programme on the basis of data gathered against a set of defined indicators to measure the achievement of a particular result might be more irrational than rational. If indicators are not showing progress, further assessments might be needed and a discussion might need to take place to understand what is happening. The indicators might not be the most relevant; prevalence could have been given to what can be counted instead of what is important. Evaluations show successes can rarely be limited to the kind of results captured by the indicators incorporated in the design of a programme. The indicators might have been assessed at the wrong time for the programme. As Natsios argues, transformative programmes having an impact on governance structures have a "lag effect," that is, their results are only measurable years after the closing of the programme. Finally, a lack of progress could reveal the need to adjust the strategy, without necessarily having to question the relevance of the programme.

Sshort-term successes might hide long-term failures. Failures and successes need to be seen in light of the wider mission of the organization and not only on the basis of individual projects or programmes. Properly studying and learning from the failures of one projects or programmes can contribute to overall improvements. One does not expect to see a government drastically cut its budget on education as a result of very poor academic results. It would instead be anticipated that an assessment of the situation would be undertaken to try to understand what is happening, followed by a change of strategy which could include an increase in the allocated resources. And yet, this is what seems to be happening in key areas of development, namely those which are crucial from the perspective of the HRBA.

Conclusions and Recommendations

Results-based management and the human rights-based approach are two of the UN programming principles for development cooperation. The findings of this research seem to corroborate the assumption that while complementary, the concurrent application of these two principles can generate tensions that, if ignored, threaten to reverse the hierarchy, turning RBM, in theory an enabling tool, into the actual "master." While the evidence is limited and the samples are not representative, these findings could serve as the basis for future research and provide enough information to draw some preliminary conclusions and outline some recommendations.

The discourse on the complementarity of both programming principles highlights the role of the HRBA in defining relevant content and the role of RBM in ensuring an effective process for development cooperation. When the UN operationalizes these principles, however, it is the role of human rights as a means, rather than as an end, and the accountability, rather than the effectiveness perspective of RBM, that prevail. An RBM model that emphasizes accountability and external reporting rather than effectiveness and internal learning is more likely to enter into tension with the HRBA**,** as it increases the pressure for attribution, numbers and low-hanging fruits. The role of the HRBA as a broad framework for a UN theory of change for development cooperation has not yet permeated UN programming guidelines or discourse outside the human rights world.

The United Nations has developed separate guidelines and methodologies for the application of RBM and the HRBA. At earlier stages, this probably enabled the HRBA to grow and establish itself as a consolidated methodology. Now it is time for the UN to move beyond this piecemeal approach towards a "human rights and results-based management" programmatic framework, a new business model which corresponds to the new development-human rights conceptual framework. Rather than a handbook on RBM and guidelines and training packages for the implementation of the HRBA, what is needed is a **UN** P**rogramming Manual**, informed by RBM, the HRBA and other programmatic principles. Continuing to identify the specific added value of each of these approaches might be interesting for academic purposes, but it is irrelevant for practitioners, who simply need clear guidance that can be easily translated into action. What could be the value of having the different programming principles compete for the ownership of concepts such as participation or gender equity?

The current multiplication of methodologies that need to be known and applied by UN staff complicates and hinders their implementation, most likely at the expense of the HRBA. A

majority of UN staff that responded to the questionnaire developed for this research stated that while existing incentives to apply RBM are adequate (67 per cent) or even excessive (7 per cent), incentives to apply the HRBA are inadequate (70 per cent). RBM guidelines are the main reference. Possible tensions between the two programming principles are likely to be resolved by giving preference to RBM concepts. Furthermore, separate manuals and guidelines for the two programming principles are only likely to perpetuate misconceptions and misunderstandings between the development and human rights worlds.

Summary of recommendations

1. Develop one single UN Programming Manual that provides guidance on the basis of all programming principles.
2. Ensure the HRBA, as the basic framework for a theory of change for UN development cooperation, permeates all UN programming guidelines and documents. This implies identifying human rights as constitutive of the goal of development cooperation and having both duty-bearers and rights-holders as the subjects of the outcomes.
3. Clearly reflect the international commitments which constitute the mandate of the organization at the top of the results chain of the UN programming documents. Those international commitments should not be limited to the relevant SDGs, but also include the relevant international human rights recommendations, which could then be monitored with the UNDAF.
4. Expose the possible perverse effects of RBM and clearly delimit its role o ensure its effectiveness and the relevance of UN development cooperation.
5. Ensure UN programming frameworks provide the space for UNCTs to define advocacy results and better integrate advocacy as part of their strategies to attain specific outcomes.
6. Weigh resources used in fundraising efforts against the potential benefits of those funds, recognizing that some of the most transformative changes to which the UN might contribute require few financial resources and instead demand adequate expertise and an investment of time.
7. Further explore ways to work with partners which may be unable to comply with RBM requirements but might have the appropriate mandate or represent groups with which the organization needs to engage to achieve human rights development goals.

Annex 1

Semi-structured Interview for Resident Coordinators

1. Please explain briefly the extent to which you have been exposed to results based management (RBM) and the human rights based approach (HRBA), both in terms **of training and application**. (Do you feel equally prepared to implement both of them?)

2. Based on your experience, what has been RBM's main **contribution**(s) to the work of the UN at the country level? And HRBA main contribution(s)? Could you provide examples?

3. Based on your experience, what are the basic elements on the basis of which UNCTs and UN presences at the country level make decisions on **priorities**?

4. In your opinion, to whom is the UNCT **accountable**?

5. How do you think RBM and HRBA **complement** each other?

6. Has the UNCT experienced **tensions** in trying to apply both principles? Situations in which RBM and the HRBA seemed to provide contradicting guidance? Please provide examples.

7. To what extent are UNCTs making use of the recommendations of **international human rights mechanisms**? (i.e., framing, shaping, monitoring, advocacy…). What are the incentives and/or the obstacles? Please provide examples.

8. Thinking of the evolving role of the UN at the country level: what would the **professionals** of an ideal UNCT look like (in terms of competencies, knowledge, skills…)? How do those idealized competencies compare to the current situation?

Annex 2

Online survey for UN Human Rights Policy (HuriTALK) and UN Coordination Practice (CPN) networks
(See PowerPoint slides attached)

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