Ministry of Foreign Affairs of the Netherlands

IOB Evaluation

Evaluation of Dutch support to human rights projects

2008-2011

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December 2012

Preface

The Netherlands has a reputation to uphold in protecting and promoting human rights in the world. For decades, human rights have played a leading role in Dutch foreign policy. In its international human rights policy, the Netherlands draws from its – not entirely undisputed – status as a relatively liberal and progressive country, especially when it comes to acknowledging the rights of lesbian, gay, bisexual and transgender individuals (LGBT).

The Netherlands' Ministry of Foreign Affairs applies several strategies and instruments for implementing its international human rights policy, one of which is support to human rights projects. To this end, in 2008 a Human Rights Fund was established and in addition, bilateral funds have been made available for supporting human rights projects.

This evaluation report presents the findings of an assessment of Dutch support to these human rights projects during the period 2008 – 2011. The evaluation has been conducted by the Policy and Operations Evaluation Department (IOB) of the Dutch Ministry of Foreign Affairs and consists of five country case studies (Kazakhstan, Nigeria, Palestinian Territories, Sri Lanka and Zimbabwe) and a desk study. It is meant to be one of the building blocks for the upcoming human rights policy review scheduled for publication in the course of 2013.

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The principal research question of the evaluation was whether project support had helped to achieve the objectives of the human rights strategy and the overall conclusion is that this was indeed the case. Dutch supported projects have contributed to protection of human rights defenders, promotion of the rights of women and LGBT individuals and promotion of freedom of expression. In addition, various projects have provided assistance to victims of torture, human trafficking and other human rights violations. Findings of this evaluation also show that the Netherlands holds a prominent and leading position in addressing human rights issues, especially concerning the rights of LGBT people, a topic often shunned by others because of its sensitive nature. Some issues for improvement have been identified, such as the need for better project coordination among partners, and the requirement to give more attention to the sustainability of the projects.

IOB senior evaluator Marijke Stegeman and IOB researcher Saskia Hesta have compiled the synthesis report on the basis of the underlying country reports. Four country studies were contracted out to an evaluation team from Human European Consultancy. Team leader Marcel Zwamborn was also responsible for the Sri Lanka case. Sara Guillet conducted the Kazakhstan study, Mervat Rishmawi did the study on the Palestinian Territories, and Rob Watson was responsible for the Zimbabwe study. In all country studies a national expert was involved. IOB (Marijke Stegeman and Saskia Hesta) carried out the desk study and the Nigeria country case.

The evaluation has been guided by a reference group, consisting of representatives of the Multilateral Organisations and Human rights Department (DMM) at the Netherlands Ministry of Foreign Affairs: Alexandra Valkenburg, head of the human rights division, deputy head Dewi van de Weerd, and senior policy officer Christien Aben. Policy officers from the regional

desks at the Ministry, Maartje Peters and Andrea Nederlof, have also provided valuable input. Martha Meijer and Lydia van de Fliert were the external experts to complete the reference group. IOB senior evaluators Nico van Niekerk and Bas Limonard have peer reviewed the ToR and final report. All have provided us with invaluable comments.

Special thanks go to the embassy staff – both in the five countries selected as case studies, and in the countries selected for the desk study – who have put a lot of time and effort into sending project documentation, facilitating the country visits, participating in the interviews, and finally, elaborately scrutinising and commenting on the draft reports. I would sincerely like to thank all for their cooperation and openness.

Last, but certainly not least, I would like to extend my gratitude to those organisations that are carrying out human rights projects under extremely difficult, if not dangerous circumstances. It is those people who are willing to stand up for those who suffer, who deserve our utmost respect and appreciation.

The final responsibility for the content of the publication rests with IOB.

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Abbreviations

ACHPR	African Charter on Human and People's Rights
AIV	Advisory Council on International Affairs
APT	Association on the Prevention of Torture
CAT	Convention against Torture and other Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CMEV	Centre for Monitoring Electoral Violence
CRC	Convention on the Rights of the Child
DRC	Democratic Republic of the Congo
EFCC	Economic and Financial Crime Commission
ESC	Economic, social and cultural (rights)
EU	European Union
GALZ	Universitas voluntary association Gays and Lesbians of Zimbabwe
ICC	International Criminal Court
ICCPED	International Convention for the Protection of All Persons from Enforced Disappearance
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICHR	Palestinian Independent Commission for Human Rights
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
IJP	International Justice Project
IOB	Policy and Operations Evaluation Department
IOM	International Organization for Migration
LGBT	Lesbian, gay, bisexual and transgender (individuals)
LLRC	Lessons Learnt and Reconciliation Commission
LTTE	Liberation Tigers of Tamil Eelam
MDC	Movement for Democratic Change
MFA	Ministry of Foreign Affairs
MFS	Co-financing system
MP	Member of Parliament
MRF	Human Rights Fund
NCD	NGO Development Center
NGO	Non-governmental organisation
NRO	Netherlands Representative Office to the Palestinian Authority
OSCE	Organization for Security and Co-operation in Europe
OHCHR	Office of the High Commissioner for Human Rights
RPE	Order on Periodic Evaluations and Policy Information
SADC	Southern African Development Community
SDN	Stakeholder Democracy Network

SERAP	Socio-Economic Rights and Accountability Project
UN	United Nations
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNRWA	United Nations Relief and Works Agency
UPR	Universal periodic review
USAID	United States Agency for International Development
WCLAC	Women's Centre for Legal Aid and Counselling
ZANU-PF	Zimbabwe African National Union - Patriotic Front

Main findings and issues
for the future

1   Introduction

The Universal Declaration of Human Rights, the two covenants on civil and political rights (ICCPR) and economic, social and cultural rights (ICESCR), the two optional protocols and the international conventions on human rights urge governments to respect, protect and fulfil human rights, and make them a legitimate concern of the international community. In 2007, the Netherlands issued a human rights strategy setting out how its government planned to address these international human rights concerns. The strategy, which defines targets, priorities and instruments, was updated in 2011, putting more emphasis on selectivity and effectiveness.

In 2008, a Human Rights Fund was established to support projects in all countries that did not have a development relationship with the Netherlands. Bilateral funds were available for project support in countries with which the Netherlands had a development relationship. In 2011, in line with the selectivity proposed in the updated human rights strategy, the number of countries eligible for project support was substantially reduced.

This evaluation assesses human rights projects carried out in the period 2008-2011, financed either bilaterally or through the Human Rights Fund.[1] To this end, an in-depth study was carried out in five countries: Kazakhstan, Nigeria, the Palestinian Territories, Sri Lanka and Zimbabwe, complemented by a desk study of twelve projects in other countries. The evaluation had a dual objective: to account for the resources spent on human rights programmes and projects, and to identify issues for future attention in human rights programmes and projects.

The principal question addressed is: to what extent has Dutch funding of programmes and projects helped achieve the objectives of the human rights strategy? The evaluation therefore considered whether the projects were relevant in the context of the country, whether they were consistent with the Netherlands' human rights strategy, whether they were consistent with other Dutch efforts in the field of human rights and to what extent the envisaged objectives had been achieved.

Data collection methods included a desk study of the literature, Dutch policy papers and project documents. In addition, an in-depth study was carried out in five countries, consisting of a document review and interviews with a variety of stakeholders, including embassy staff, project officers, human rights experts and, where possible, representatives of the target groups. The desk study included interviews by telephone with embassy staff and project officers to verify the findings of the document review. More details of the questions addressed, the selection of countries and the data collection methods will be presented in chapter 1 and appendix 2.

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[1]   Projects that started after the introduction of the country list (July 2011) could not be included in the selection, because they had not yet been completed at the start of the evaluation.

2   Overall conclusion

As regards the principal question – whether project support had helped achieve the objectives of the human rights strategy – the conclusion is that it did. The projects that were studied and visited contributed to the protection of human rights defenders, the promotion of the rights of women and of lesbian, gay, bisexual and transgender (LGBT) individuals and the promotion of freedom of expression. In addition, assistance was provided to victims of torture, human trafficking and other human rights violations. At the structural level, some projects helped to bring legislation more in line with international standards. Despite this overall positive conclusion, however, the findings also point to some issues for improvement.

3   Main findings

This section sets out the main findings, while the next section presents a number of issues that might potentially guide future project support.

1)   All projects were relevant in the context of the country and in the framework of the Netherlands' human rights policy.
In all the countries included in the evaluation serious violations of internationally agreed human rights standards occur on a regular basis. The projects did address these violations, most of which are also priority themes of the Netherlands' human rights strategy. In most cases the choice of projects appeared to have been determined by the need for protection of rights in the country in question. In some cases, the project's complementarity in relation to the project portfolio of other stakeholders was also taken into consideration, though most project proposals did not include information on complementarity.

2)   The Netherlands plays a prominent and often leading role on human rights issues, both in an EU context and bilaterally.
In the countries included in the in-depth study the Netherlands undertook initiatives on human rights issues both in an EU context and bilaterally, albeit to varying degrees. Dutch involvement in human rights is valued as professional and constructive. The role of the Netherlands in Zimbabwe is an outstanding example of this.

3)   Overall, other Dutch human rights efforts tend to be coherent with project support. In a few cases there is evidence that political efforts enhanced a project's effectiveness.
Political efforts, either in the framework of the EU or bilaterally, generally reinforced the projects, though not always to the same degree. Political efforts for the protection of human rights defenders are the most prominent example. These efforts included reactions to incidents, such as the arrest of human rights defenders. Such efforts were coherent with project support aiming at facilitating the work of these human rights defenders. In the Palestinian Territories, however, there was also an example of incoherence. Despite its support to the prevention of settler violence, the Netherlands also blocked the release of an internal EU document on this violence.

There are a few cases where political efforts have had a positive influence on project perfor-mance (synergy). In the project on legal reform in Kazakhstan, for instance, it was found that political support for the project had a strong impact on its implementation. Occasionally, it could be argued that project support and political efforts were mutually beneficial.

4) About three-quarters of projects were effective, but sustainability is a matter for concern.

The effectiveness of the projects was evaluated by looking at the output and by assessing whether the envisaged outcomes had been achieved.[2] In many projects the evaluators had to reconstruct the intended outcomes and occasionally the output too. Most projects succeeded in achieving the majority of the envisaged output, for example the intended number of people trained or the publication of educational material. As regards the realisation of the (reconstructed) outcomes, in over three-quarters of the projects either evidence was found that some or all of the objectives had been achieved, or it could be convincingly argued that the projects had contributed to the outcomes. Factors that enhanced effectiveness included the capacity of the implementing organisation and the timeliness of the project.

Some projects aimed to set up structural arrangements that would be sustained after the conclusion of the project. This implies that provisions should be made to guarantee their continuation. However, no such provisions were made, thus compromising the sustainabil-ity of the arrangements.

5) The protection and promotion of the rights of lesbian, gay, bisexual and transgender people has a prominent place in both the political efforts of and project support provided by the Netherlands.

Both the LGBT communities and other actors in the field of human rights know that the promotion and protection of the rights of LGBT people is a priority in Dutch human rights policy. When possible and appropriate, the Netherlands carefully communicates its concerns about discrimination against and exclusion of LGBT people in its bilateral contacts. Silent diplomacy is regarded as preferable to public statements. This attitude is valued by the LGBT communities as the most effective strategy. The projects supported, most of which were implemented by single-issue organisations, also contributed to the protection and promotion of the rights of LGBT people.

6) Political efforts are usually well coordinated. Coordination of project support varies.

Political statements are largely communicated to the government through EU channels. Statements and dialogues with the government are prepared and communicated in EU working groups on human rights, often with the participation of several like-minded countries. The countries differ in terms of the level of coordination of project support by donor representatives. In the Palestinian Territories coordination is formalised, whereas in other countries there are informal mechanisms with varying levels of efficacy.

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[2]   Chapter 1 provides information on the definition of the evaluation criteria and on the rating system.

7)   The quality of many project proposals is still unsatisfactory.

Most project proposals clearly define the envisaged activities and outputs. However, the envisaged outcomes are frequently either absent or too broadly defined. The ultimate goal, an improvement in the human rights situation, is often confused with smaller-scale outcomes that can be realised during implementation. Furthermore, the term 'outcome' is often mistaken for 'output' in project proposals. This misuse of terminology is usually repeated in the appraisal memorandums. Another shortcoming of the proposals is that they barely address the issue of sustainability.

4   Issues for the future

1)   The relevance of support for projects will increase if more attention is paid to complementarity with the themes and interventions of other actors.

The choice of themes and interventions is largely guided by the human rights situation. However, more consideration could be given to the portfolio of other actors. This could either involve reinforcing the efforts of other actors (synergy) or addressing themes that are not being addressed by other actors (complementarity). This implies that project proposals and appraisal memorandums should pay more attention to the justification for the choice of themes and types of intervention. It would also mean that existing coordination mechanisms for human rights should include project support and that the Netherlands' representatives in working groups on human rights need to have sufficient knowledge of the projects.

2)   There is room for more synergy between political efforts and project support.

The evaluation results are certainly positive in regard to Dutch political efforts in the field of human rights, both in an EU context and in bilateral contacts. A few examples of synergy between these efforts and project support were demonstrated, but in other cases it was difficult to find any relationship between project support and the political arena. There is room for more synergy and good practices (such as Kazakhstan) could serve as examples.

3)   The emphasis on promoting and protecting the rights of LGBT people is a good example of specialisation in an area that many other actors neglect.

The Netherlands' involvement in and approach to promoting human rights is well known and appreciated by various human rights actors, including the LGBT community. The Netherlands has adopted the good practice of applying universal human rights standards in homophobic environments. The choice of the type of project and implementing organisa-tion – single-issue organisations or general human rights organisations – depends on the situation. A specialised LGBT organisation may be preferable when a project concerns legal work, which requires profound knowledge on the rights of LGBT people. Low-key activities implemented by general human rights organisations may be a good option in regions with very adverse views on LGBT people. General human rights issues could serve as an entry point for cautiously addressing the rights of LGBT people. Nigeria has provided an example.

4) The emphasis on immediate results means that interventions envisaging longer-term results tend to be avoided.

Improving the human rights situation involves a wide variety of interventions, such as monitoring and documenting violations, awareness-raising, training in human rights standards, assisting victims, amending legislation and prosecuting perpetrators. Some of these interventions generate immediate results, but other results are either less visible or become apparent only in the longer term. In regard to combating torture, it has been observed that the projects emphasise the assistance to victims. Preventive activities, that do not easily yield results, tend to be neglected. It is recommended to ensure complementarity between projects with a worldwide scope that address prevention of torture and bilaterally supported projects.

5) A greater focus on sustainability, where applicable, will enhance effectiveness.

Projects that include setting up structural arrangements should take into consideration whether these arrangements can be maintained after the conclusion of the project. Core funding to human rights organisations is another way of obtaining more sustainable results at the institutional level.

6) There is room for improvement in the quality of project proposals.

Project proposals and appraisal memorandums should clearly define short- or medium-term objectives, being careful not to confuse the term 'output' with 'outcome'. It is recommended that careful consideration be given to the question of whether these outcomes are realistic, given the activities and outputs, the duration of the project and the budget available. The issue of sustainability should also be addressed where applicable. The quality of project proposals will be enhanced by providing technical support for making sound proposals, including a problem analysis, objectives, outputs, activities and indicators. More interaction between embassy staff and the implementing organisation during the implementation phase could also contribute to better results.

1

Introduction

This chapter first provides concise background information on the evaluation. Then the major research questions, the scope of the study and the data collection methods will be presented.

1.1   Justification

The Order on Periodic Evaluations and Policy Information (RPE 2006) states that policy areas should be regularly reviewed.[3] An evaluation of Dutch policy in the field of human rights (article 1 in the Budget) is due in 2013. The evaluation of human rights projects presented here is one of the building blocks of this policy evaluation, focusing on a single instrument (project support). Other building blocks will include an assessment of projects financed through the UN and EU channels and a review of political efforts aimed at promoting and protecting human rights.

1.2   Background

The Universal Declaration of Human Rights and the subsequent human rights conventions urge governments to respect, protect and fulfil human rights, and to make them a legitimate concern of the international community.

The Dutch human rights strategy for foreign policy (2007) announced an enhanced policy focus on human rights, and stated that these rights would form an integral part of relations with other countries. The strategy describes the most important human rights forums and defines priorities and targets (see next chapter). In 2011 the strategy was updated, with some changes in priorities.

During the period under evaluation, the following sources of funding were available for human rights programmes and projects:

- Human Rights Fund (MRF), a fund for the protection of human rights worldwide whose establishment was announced in the 2007 human rights strategy. It is intended for human rights projects in countries that had not been included among the partner countries for Dutch development cooperation by 2008. In 2011 the allocation policy became more focused, limiting the number of countries and prioritising countries where gross violations occur.[4]
- Bilateral funds in the Netherlands' development cooperation partner countries.
- MATRA Fund.[5]
- Co-financing system (MFS), Strategic Alliances with International NGOs or the Trade Union Co-financing Programme.
- Support for the Office of the High Commissioner for Human Rights (OHCHR) and other UN channels.

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[3]   Government Gazette 2006, no. 10. In 2012 the order was revised and a number of questions were added or amended. Government Gazette 2012, no. 18352.

[4]   House of Representatives 2010-2011, 32 735 no.1.

[5]   Intended for countries in Eastern and Southeast Europe. Projects have been included in table 2.2; however, the final project selection for this evaluation did not include projects supported by this fund.

- Support through the EU channel.
- Other funds.

1.3   Aim of the evaluation and questions addressed

This project evaluation had a dual objective:

- To account for the resources spent on human rights programmes and projects from the MRF, the MATRA Fund and bilateral funds in countries with which the Netherlands has (or had) a development cooperation partnership.
- To identify issues for future attention in human rights programmes and projects.

The central question under investigation is:

- To what extent has Dutch funding of programmes and projects helped achieve the objectives of the human rights strategy?

The assumption is that effectively implemented projects will help to achieve the strategy's objectives, and that a project's contribution to the human rights strategy increases when supported by other efforts in the field of human rights. The questions below, grouped under evaluation criteria, concern the individual projects.

Ex-ante policy relevance
- Does the project respond to a serious human rights issue, defined according to internationally agreed standards, in the country concerned? On what grounds has the project been funded?
- Does the project fall under one of the priority themes of the Netherlands' human rights strategy?

Policy coherence and coordination
- To what extent do other human rights efforts (diplomacy, statements, etc.) pursue the same objectives as those of the project?
- To what extent did Dutch political and other efforts on human rights-related themes actively affect the project's failure or success in achieving its objectives?
- To what extent is this project consistent with human rights projects funded by other donors?

Effectiveness
Questions under this heading concern the production of the output and the extent to which the project's intended outcomes have been achieved, or the extent to which the project has helped to create suitable conditions for the intended outcomes to be obtained. The project's contribution to improvements in the human rights situation at national level (impact) is not covered by this evaluation, because the overall human rights situation is determined by a variety of factors beyond the scope of the Netherlands' involvement in human rights, including project support.

Output
- Does the project plan identify the project's intended outputs in terms of, for example, number of people trained or production of educational material?
- If not, can the intended output be identified on the basis of the activities carried out? Occasionally, a project did not define its expected outputs, but it was possible to reconstruct them on the basis of the activities and the budget.
- To what extent has the intended output (whether explicit or presumed) been achieved?
- What factors influenced the project's failure or success in achieving the intended output? Possibilities include political obstruction and lack of capacity.

Outcome
- Were the project's intended outcomes clearly described? Possible outcomes include, for example, applying human rights standards and the adoption of legislation.
- If not, can the intended outcomes be identified on the basis of the activities and the intended outputs? Apparently, in many project proposals the distinction between planned activities and desired outcomes is not clearly defined. It is, however, possible to reconstruct the likely intentions on the basis of the outputs.
- At what level are these outcomes defined: improving the situation of individuals or groups, informing the public, lobbying or changing institutions?
- To what extent have these outcomes been achieved?
- To what extent have conditions been created that increase the margins for sustainability (if applicable)?
- What factors influenced the project's failure or success in achieving the intended outcomes? Factors include the timeliness of the project in the political context.
- What unexpected positive or negative effects did the project have?

Fostering favourable conditions
- In countries in conflict: to what extent did the project contribute to peace and security and/or to achieving development objectives?

1.4 Details of evaluation criteria

Relevance
This evaluation criterion is concerned with the extent to which the objectives of an intervention are consistent with beneficiaries' requirements, country needs, global priorities and partners' and donors' policies.[6] In this evaluation the criterion is assessed in terms of responding to serious human rights violations[7] in the country and in the framework of Dutch human rights policy.[8] As the countries involved in the study face many

[6] DAC definition; http://www.oecd.org/dac/evaluationofdevelopmentprogrammes/2754804.pdf.
[7] In this study, serious human rights violations are defined as concerning those acts in respect of which states have an obligation under international human rights conventions (adaptation of the definition of the Council of Europe; http://www.coe.int/t/dgi/publications/others/h-inf_2011_7en.pdf).
[8] In this study, serious human rights issues are defined as those issues that contravene international human rights conventions and soft law.

serious human rights problems, the projects will almost always address one of these. In this evaluation, therefore, other aspects have also been included, such as complementarity with interventions by other international actors, potential effectiveness and whether there was a spin-off effect for other human rights efforts. If all partners limit their involvement in human rights to the same theme, addressing this theme may become less relevant and other themes could become more relevant. One example of complementarity between interventions would be a project to combat torture that only provided assistance to victims gaining more relevance if other organisations were to deal with the prevention of torture and/or the prosecution of perpetrators. It would be less relevant if it were one among many projects providing assistance, while prevention and prosecution were not addressed at all. Complementarity is thus closely linked to coordination.

Potential effectiveness is also related to relevance. It is not advisable for support to be given to a project on a certain issue in the absence of good proposals and/or professional implementing organisations. A viable strategy would then be to invest in capacity building for human rights organisations, thus ensuring that sensitive issues are supported and small organisations are strengthened.

Another important aspect of relevance lies in the fact that project support may influence other human rights efforts by the Netherlands. Most notably, it may enable the Dutch Embassy to acquire information from NGOs that would not be accessible otherwise. This information may help focus political efforts.

Coherence and coordination

In this study coherence is defined narrowly and relates only to other human rights efforts undertaken by the Netherlands either bilaterally, in an EU framework or in multilateral forums, addressing the same areas of concern as the projects. Table 1.1 presents a non-exhaustive list of policy instruments that may have a positive or negative influence on performance.

Table 1.1	Human rights policy instruments at country level
Multilateral/regional	Interventions in the Human Rights Council and other multilateral or regional forums regarding the country in question
	Contribution to Universal Periodic Review (questions, responses, etc.)
EU	Contribution to preparations for EU interventions in the Human Rights Council and other multilateral or regional forums regarding the country in question
	Contribution to preparations for EU human rights dialogue with the country in question
	Contribution to preparations for EU demarches in the country in question
	Contribution to preparations for EU public statements regarding the country in question
	Contribution to preparations for EU silent diplomacy

Bilateral	Bilateral demarches
	Public statements (speeches; newspaper articles; television)
	Mentioning human rights in dialogues on other themes
	Silent diplomacy
	Business events on corporate social responsibility

Source: Compiled by IOB on the basis of policy documents

As regards coordination, this study seeks to assess how the Netherlands has coordinated its political interventions and its project support with other stakeholders in the field of human rights. In principle the coordination of political efforts aims to enhance their effects. However, as joint demarches or statements are always a compromise, they may in fact end up weaker than envisaged by the Dutch negotiators.[9]

Effectiveness

In examining effectiveness, the project's compatibility with the EU guidelines on human rights for the specific theme was first assessed, if applicable.[10] The envisaged outputs and outcomes were then compared with the outputs and outcomes obtained. Table 1.2 shows the rating process.

Table 1.2 Assessment of effectiveness		
Output (immediate results)	**Outcome (medium-term results)**	**Score**
Envisaged outputs fully or almost fully realised	Realisation of output contributed to the realisation of most of the envisaged outcomes	Highly effective ++
Envisaged outputs fully or almost fully realised	Realisation of the output contributed to the realisation of some of the envisaged outcomes	Sufficiently effective +
Envisaged outputs almost fully realised	No evidence of contribution to the realisation of envisaged outcomes	Moderately effective +/-
Envisaged outputs insufficiently realised or not realised at all	No evidence of contribution to the realisation of envisaged outcomes	Not effective -

Source: Compiled by IOB on the basis of IOB 2009

Assessing effectiveness by rating on the basis of results obtained makes it possible to compare different projects. However, it has also its limitations. Firstly, we must bear in mind that comparing results obtained with envisaged results gives the projects with easily

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9   AIV 2011 explores this disadvantage further, referring to a 2006 study.
10   Council of the EU 2009.

obtainable, defined and measurable results an 'advantage' over those projects that are aiming for more complex and often long-term results. Secondly, we must take into account the fact that projects are implemented in different circumstances. Projects implemented in an adverse environment are at a 'disadvantage' compared to those implemented in a more favourable environment. It is easier to introduce legislation on the rights of LGBT people in Chile than in Zimbabwe. Finally, we must not forget that human rights entail an obligation to respect, protect and fulfil human rights and prevent violations. Moderately effective projects may still therefore be justified on moral grounds.

Efficiency

Efficiency measures output in relation to input. It is an economic term which signifies whether the desired outputs have been achieved using the fewest resources possible.[11] Measuring this criterion implies a comparison with alternative approaches. In this study project efficiency was not systematically assessed, because it was considered impossible to compare each project with possible alternatives. The literature on human rights projects is not conclusive when it comes to the best approaches. However, in some cases the efficiency criterion was taken into consideration in the assessment of effectiveness. In the case of assistance to victims, for example, a rough estimate of costs per case was considered when assessing effectiveness.

Sustainability

The criterion 'sustainability' is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has ceased.[12] The issue of a project's sustainability is strongly related to its effectiveness and is therefore dealt with in relation to that criterion. In this study, the question of sustainability is considered applicable when a project includes institutional arrangements, such as a referral system for victims or the establishment of a shelter. The sustainability criterion might also be applicable if a project includes a 'train the trainers' component for community development. It is not considered applicable in relation to providing medical, psychological or legal assistance for victims of human rights violations or human rights defenders. These activities are considered moral obligations that have an intrinsic value. Sustainability is also considered inapplicable in the case of core funding or partial funding of the core activities of human rights NGOs, because they cannot be expected to survive without external funding.

[11] http://www.oecd.org/dac/evaluationofdevelopmentprogrammes/daccriteriaforevaluatingdevelopmen-tassistance.htm. The exclusion of this criterion was decided on in advance, see appendix 2.
[12] http://www.oecd.org/dac/evaluationofdevelopmentprogrammes/daccriteriaforevaluatingdevelopmentassistance.htm.

1.5 Scope, data collection methods, data analysis and limitations

Scope

The evaluation period is 2008-2011. The study was limited to projects financed from the MRF and bilateral funds. However, Latin America was excluded from the country studies, because a country study on human rights had already been planned in the framework of a broad-ranging IOB Latin America evaluation.[13] On the basis of a preliminary study conducted in early 2011, five countries in the other regions (Kazakhstan, Nigeria, Palestinian Territories, Sri Lanka and Zimbabwe) were selected for in-depth study and twelve projects were selected for a desk study.[14] The selection of the projects was based on a substantiated choice, aimed at regional diversity, inclusion of all themes and reasonable financial coverage. All priority areas in the 2007 human rights strategy and the 2011 update were represented in the selection. The total budget for the projects that were included in the five in-depth studies was EUR 8.3 million and the total budget covered by the desk studies was EUR 7.2 million. The selection covered 8% of the projects and 10% of the total budget. More details of expenditure on the different themes will be presented in the next chapter.

Data collection methods and data analysis

Two data collection methods were employed: document review and interviews. The most important written sources were the published literature, reports by human rights organisations, Dutch multi-annual strategic plans for the five countries included in the study, correspondence between Dutch embassies and the Ministry of Foreign Affairs (MFA) in The Hague and documents on the specific projects. A wide range of key stakeholders were interviewed in the five countries. Respondents included government officials, representatives of the Dutch Embassy and of other donor countries, human rights experts and people involved in the projects. Wherever possible, representatives of the project's target groups were also interviewed.

In the desk study, projects were assessed on the basis of the project documents. EKN representatives and project staff were also interviewed by telephone to verify the findings.

A form was completed for each individual project (appendix 3). We opted to present the findings on each individual country when it came to 'relevance' and 'coherence', the reason being that relevance and coherence are situation-specific, and thus country-specific. Some general statements on relevance and coherence will be made concerning the projects included in the desk study. As regards effectiveness, we opted for a thematic presentation of the evaluation results, since human rights policy has a thematic focus. In addition, presentation by theme allowed the results of the in-depth study and the desk study to be integrated.

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[13] The results will be included in the human rights policy evaluation, due in 2013.
[14] Some adjustments were made to the selection after the update of the human rights strategy had been published.

Limitations

Due to the great variety of projects and the large number of countries where projects have been carried out, it was not possible to study a statistically representative sample. We therefore opted for a stratified selection based on arguments, with the aim of providing a good illustration of all themes and regions.

As stated above, 'coherence' was more narrowly defined than in evaluations of development cooperation.[15] It was not possible to systematically address the question of whether the projects were coherent with efforts in other areas of foreign policy, such as economic diplomacy. Only anecdotal information is available on this matter.

In the field of human rights, the issue of attribution is a complex problem. The human rights situation is defined by many factors and it is difficult, if not impossible, to define the net contribution of projects to changes in the human rights situation (impact). Nor is it possible to construct a control group for most projects. One example is the contribution to adaptations in the legal framework for the protection of human rights. A project's contribution to draft legislation (output) and the adoption of the legislation (outcome) can be assessed, but its implementation may be a long-term process that is beyond the project's scope. Furthermore, a study cannot assess future developments. Immediately after a project has come to an end, there may be no evidence that the envisaged outcomes have been obtained. However, conditions may have been created that contribute to improvements in the longer term. This potential contribution can only be expressed in term of plausibility.

1.6   Outline of the study

Chapter 2 will briefly describe Dutch policy in the field of human rights and the guidelines for implementation pertaining to the Human Rights Fund. This chapter also presents an overview of the human rights projects financed in the period 2008-2011. Chapter 3 will address the relevance of the projects and their coherence with other human rights efforts undertaken by the Netherlands, either bilaterally or in an EU context. Chapter 4 discusses effectiveness, each section covering a different thematic area. Chapter 5 elaborates on some general issues and dilemmas related to the projects.

[15]   OECD DAC defines coherence in the context of development cooperation as follows: working to ensure that the objectives and results of a government's development policies are not undermined by other policies of that government which impact on developing countries, and that these other policies support development objectives, where feasible.

2

Human rights policy

Human rights are enshrined in international conventions and declarations. The ratification of human rights conventions urge governments to respect, protect and promote human rights. Governments are expected to avoid violating these rights themselves and to prevent them from being violated by non-state parties. Governments are also responsible for creating conditions for the fulfilment of human rights. This chapter describes how these issues are addressed in Dutch human rights policy in foreign relations. It also provides an overview of one of the policy instruments: financial support for human rights projects. The most important findings are:

- Human rights policy has been consistent over the period under evaluation. However, since 2011 the policy has become more selective in terms of its focus and priorities.
- As a consequence, the number of countries eligible for Dutch project support has substantially decreased and some countries with a bad track record on human rights are excluded from project support.

2.1   Human rights strategy

During the period under evaluation two policy documents were published and presented to Parliament, the substance of which is briefly summarised below.

Human rights strategy 2007
Universality and indivisibility are the leading principles of the Netherlands' human rights strategy. Nevertheless, the strategy focuses on issues where a Dutch contribution is needed most. The aim is to use resources as effectively as possible. The following themes are emphasised: the abolition of the death penalty; the ban on torture and on cruel and inhuman treatment; human rights and religion; women's rights; children's rights; and combating discrimination on the basis of sexual orientation.[16] Protecting human rights defenders is also a priority. The human rights strategy identifies the forums in which the Netherlands will participate and the instruments that will be deployed (the Netherlands' strategic approach). The strategy also states that working with civil society is essential, and calls for joint efforts with international, national and local human rights organisations.

Human rights strategy 2011
The 2011 policy letter 'Responsible for Freedom: Human Rights in Foreign Policy' updates the 2007 human rights strategy. It states that Dutch policy will focus on areas where freedom, security and prosperity will be mutually reinforced. The new policy's priorities are: freedom of expression and internet freedom; freedom of religion and belief; equal rights for everyone (particularly the rights of LGBT individuals and the eradication of violence against women); combating systematic, gross violations of human rights; support for human rights defenders; human rights in conflict situations; core labour standards; corporate social responsibility; and the contribution of human rights to development. In contrast with the 2007 strategy, children's rights are no longer a priority, and more attention

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[16]   House of Representatives 2007-2008, 31 263, no. 1: 33-60.

will be paid to freedom of expression and internet freedom and to countries where gross violations are occurring. Compared to the 2007 strategy more emphasis is given to selectiveness and effectiveness. Dutch efforts will be concentrated on issues where the Netherlands can make a difference, pursuing a division of labour between like-minded countries, both EU member states and other countries, and international agencies.[17]
On paper, the 2011 strategy is largely a continuation of the 2007 version. However, it has been pointed out in public and parliamentary debates that human rights have become a less important element of Dutch foreign policy. In parliamentary debates, the Minister of Foreign Affairs has stressed more than once that 'megaphone diplomacy' should be avoided.[18]

As a consequence of the new selectiveness, the number of countries eligible for project support in the field of human rights has fallen substantially.

One much debated example of focusing on effectiveness are the pilot projects applying the receptor approach. This not very precisely defined approach stresses that cultural factors should be taken into consideration in a project's implementation. These pilot projects started in 2012 and have not been included in this evaluation.[19]

Multi-annual strategic plans

In countries where human rights violations frequently occur, the human rights strategy is usually further specified in country-specific multi-annual strategic plans or, in some countries, in annual plans. These plans include a description of the human rights situation and the major issues that will be addressed in Dutch policy, including project support. Various countries, including some where the in-depth studies have been carried out, have drawn up a specific human rights strategy, defining broad policy areas for both political and project support.[20]

2.2   Financial support to programmes and projects

In the period 2008-2012, the total amount spent through the Human Rights Fund, both Official Development Aid (ODA) and non-ODA, was roughly EUR 115 million or EUR 20-25 million per year. Figure 2.1 gives an overview. Expenditure is lower for 2012, because at the time of writing (mid-November) expenditure during the last six weeks could not be included.

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[17] Though the evaluation includes implementation of projects in 2011 and (occasionally) the first months of 2012, the projects have mostly been designed before 2011. The policy review (2013) will include projects designed in 2011 and 2012.
[18] The policy review due in 2013 will elaborate on Dutch policy in more detail.
[19] House of Representatives 2011-2012, 32735, no. 68 sets out the various criticisms put forward, pointing mainly to the risk of cultural relativism. The fact that the local context has always been taken into account has also been mentioned. See also: House of Representatives 2011-2012, 32735, no. 48, House of Representatives 2011-2012, 32735, no. 50 and House of Representatives 2011-2012, 32735, no. 70.
[20] Where relevant, these strategies will be described in chapter 3.

Figure 2.1 Expenditure from Human Rights Fund (MRF) 2008-2012, in EUR
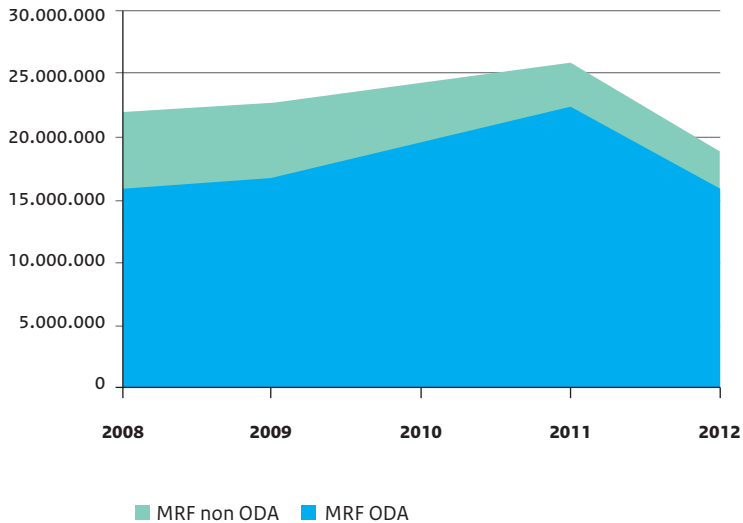
Source: Ministry of Foreign Affairs

As it had initially been decided that projects funded through the bilateral channel and the MATRA fund should also be included in the evaluation, a different overview has been drafted for the period 2007-2010 (table 2.1), including the Human Rights Fund, the bilateral funds and the MATRA fund.[21] This table is based on both the Ministry's information system and an exploration of the content of the projects. It shows that, over four years, total expenditure through the three channels was about EUR 153 million.

The division into thematic categories follows the priority areas of the 2007 human rights strategy, supplemented by an 'other' category, which consists of projects related to rule of law, anti-corruption, election observation, documentation and/or providing information on human rights, core support for human rights organisations and projects that cover more than one thematic priority area.

[21] The final selection does not include MATRA projects.

Table 2.1 Themes addressed in human rights projects; 2007-2010				
Theme	**No. of projects**		**EUR x1000**	
Death penalty	2	0%	211	0%
Torture	9	2%	3,800	2%
Freedom of religion	2	0%	957	1%
Women's rights	79	17%	27,392	18%
Children's rights	29	6%	16,024	10%
LGBT	16	3%	2,286	1%
Human rights defenders	72	15%	29,715	19%
Freedom of expression	49	10%	16,546	11%
Human trafficking	5	1%	1,579	1%
Other	205	44%	54,487	36%
Total	**468**	**100%**	**152,997**	**100%**

Source: preliminary study.

Projects with global or regional scope that cover a number of countries are selected and managed at the Ministry of Foreign Affairs. Funds are allocated after a call for proposals and a bidding procedure. These projects include support to organisations that carry out projects that are likely to be complementary to the bilateral channel. In this evaluation, two projects with a global scope and one regional (in Asia) project have been assessed on the basis of documents and interviews.

At bilateral level, there is no prescribed procedure and projects can be selected either after a call for proposals or directly. The implementing organisations must meet a number of administrative criteria in order to avoid inadequate project management. Most of the bilateral projects in this evaluation were selected without a call for proposals. Kazakhstan is the exception.

3

Relevance, coherence and coordination

The findings on relevance, coherence and coordination are country-specific and are thus presented for each individual country. Each section will start with a brief description of the human rights situation and Dutch policy, followed by a summary of the projects included in the evaluation and other Dutch efforts in the field of human rights. The results of the desk study will be presented in a separate section. The most important findings are:

- As regards relevance: all projects respond to serious human rights violations in the countries concerned and the majority of projects include one or more priorities in the Netherlands' human rights strategy.
- Overall, political efforts in the field of human rights, either in the EU framework or bilaterally, are coherent with project support, albeit to varying degrees.
- The coordination of political efforts is good in most cases. Coordination of project support varies and in some countries there is room for improvement.

3.1   Relevance, coherence and coordination

The relevance of a project is determined first and foremost by the country context. The most important question is whether the project addresses serious human rights violations in the country concerned. Table 3.1 gives an overview of these violations. Table 3.2 lists the conventions that the country has **not** signed or ratified.

Table 3.1	Human rights situation in five countries
Country	**Major human rights concerns**
Kazakhstan	Torture by security forces and in detentions centers Restrictions on freedom of religion Restrictions on freedom of expression
Nigeria	Torture by policy and security forces and in detention centers Extremely long pre-trial detainment Violation of social and environmental rights in the Niger Delta Corruption resulting in lack of access to social rights and justice Human trafficking Homophobic legislation and social environment
Palestinian Territories	Violence and torture by Israeli forces Use of administrative detention by Israeli authorities Torture by Palestinian security services Israeli settlement policy resulting in lack of access to land, housing and economic and social rights Violence against women
Sri Lanka	Inadequate support to internally displaced persons (IDPs) and returnees and forced returns/ forced encampment; Torture and extra-judicial killings Restrictions on freedom of expression Violence against women and gender inequality Restrictions on independence of judiciary and prosecution
Zimbabwe	Political violence by state or state-supported actors Torture by security forces and police Homophobe legislation and social environment

Source: summary of the description in sections 3.2-3-6.

Table 3.2	Conventions and protocols that are not signed or ratified	
	International conventions or protocols that are not signed[22]	**International conventions or protocols that are signed but not ratified**
Kazakhstan	2nd opt. prot. (death penalty) ICCPR IC migrant workers Rome statute ICC	Opt. prot. ICESCR
Nigeria	1st and 2nd opt. prot. ICCPR Opt. prot ICESCR	Opt. CRC (armed conflict)
Palestinian Territories*		
Israel	1st and 2nd prot. ICCPR Opt prot ICESC Opt prot CEDAW Opt. prot. CAT IC forced disappearance	Rome Stat. ICC signed; but declared not to ratify
Sri Lanka	2nd opt. ICCPR Opt. prot. ICESCR Opt. prot. CAT IC against forced disappearance IC migrant workers Rome Statute ICC	
Zimbabwe	1st and 2nd prot. ICCPR Prot. ICESCR Opt. prot. CEDAW Opt. prot. CRC CAT Opt. prot CAT IC against forced disappearance IC migrant workers	Rome statute ICC

* The Palestinian Territories have not been considered an independent state and have not been able to ratify international treaties.

Source: Amnesty International 2012.

Relevance has also been assessed in the framework of the Netherlands' human rights policy. The question addressed was whether the project covered one of the priorities mentioned in the human rights strategy.

[22] Included are ICCPR; ICESC; CEDAW; ICAFRD (racism); CAT; ICCPED (disappearances); CRC; ICRMW (migrant workers) and Rome Statute on ICC. Source: Amnesty International 2012; countries were (not) party by 2010. For comparison: The Netherlands has signed, but not ratified opt. prot. ICESCR. Became party to IC against forced disappearance in 2011 and has signed, but not ratified the IC for the protection of migrant workers.

3.2   Kazakhstan

Human rights situation

Kazakhstan is party to most international human rights instruments and has been cooperating with international human rights mechanisms over the past decade.[23] In 2008 the country ratified the Optional Protocol to the Convention against Torture and Other Inhuman or Degrading Treatment or Punishment (CAT). In 2009 the UN Special Rapporteur on Torture was invited to visit the country and Kazakhstan complies with the obligation to submit periodic reports to UN treaty bodies. There is a vibrant and committed civil society in Kazakhstan, including human rights defenders.

During the past decade, Kazakhstan has made important commitments on democratisation and human rights, particularly in the context of campaigning for the chairmanship of the Organization for Security and Co-operation in Europe (OSCE) in 2010. Significant improvements have been made in torture prevention, with the establishment of Public Monitoring Commissions in 2005. However, torture and other maltreatment by security forces continue to be reported.

Freedom of religion has been seriously undermined, as religious minorities have faced acts of hostility from senior national and local officials as well as from the media. Their premises have been raided and their members interrogated. Freedom of expression has been restricted by law, resulting in severe limitations on the freedom of the media. Media outlets are extensively controlled by the government and are neither pluralistic nor editorially independent.

Kazakhstan is a destination for sex trafficking of women and girls from Central Asia and some other regions. To a lesser extent, Kazakhstan is also a source and transit country for sex trafficking of women and girls. Kazakhstani women and children are trafficked to various countries and women and girls from rural Kazakhstan run the risk of being trafficked to urban areas of the country. Men, women and children from Central Asia are subjected to forced labour in domestic service and farming (pasturing and harvesting) in Kazakhstan. The government of Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking. It is however making significant efforts to do so.[24]

Dutch human rights policy

Stability in the region is endangered by the situation in neighbouring countries like Afghanistan, bringing potential for disruption. The Dutch Embassy monitors political developments in Kazakhstan, particularly as regards political reform, the human rights situation and the democratisation process. As far as human rights are concerned, annual plans in the period 2007-2010 focused on freedom of expression, freedom of religion, development of the law and support for civil society.[25]

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[23]   Information on human rights from various sources, including the annual reports of Amnesty International and Human Rights Watch (2008), and OSCE reports.
[24]   http://kazakhstan.usembassy.gov/tip2011.html.
[25]   Annual plans Astana 2007, 2008, 2009 and 2010. MFA archive.

In 2008 an internal policy paper defined the focus more precisely, along with a number of additional issues for prioritisation, including combating human trafficking, attention for vulnerable groups, combating corruption, strengthening the capacity of government and contributing to fair elections.[26]

Dutch policy in Kazakhstan is largely rooted in the EU's strategy in Central Asia, which is set out in the European Community Regional Strategy Paper for Assistance to Central Asia for the period 2007-2013, also referred to as the EU-Central Asia Strategy. This document states that 'at bilateral level, the EU's relations with Central Asian states are based on three pillars: political dialogue, trade and economic relations and cooperation in a variety of sectors'.[27] The EU cooperation agreement with Kazakhstan includes a human rights clause which establishes a clear link between human rights objectives and other policy objectives by stating: 'respect for democracy, principles of international law and human rights (…) underpin the internal and external policies of the Parties and constitute an essential element of partnership and of this Agreement'.[28]

Since 2003, the Embassy has supported a Central Asian Human Rights and Peacebuilding Programme, under which the Netherlands has supported the development and promotion of human rights and peacebuilding in the region by making financial assistance available for activities in this field. The Embassy issues a call for proposals, detailing its policy objectives, and selects about five projects a year on average.

Projects

A total of EUR 0.8 million was provided in financial support for eleven projects in Kazakhstan in the period 2008-2011. The majority (7) of the projects funded were human rights projects that addressed multiple themes. The other projects were concerned with combating torture, freedom of religion, freedom of expression, and human trafficking.

The evaluation in Kazakhstan covered five of these projects with a total budget of EUR 0.5 million. One project aimed at **preventing torture**, an important human rights issue because – despite improvements – cases of torture in detention centres continue to be reported. The project was designed to improve monitoring of the observance of the rights of detainees and suspects in pre-trial detention and at police stations, thus contributing to a reduction in torture. The project interventions are fully in line with the EU guidelines on the prevention of torture.[29] The need for such interventions is also echoed in the concluding observations of the UN Committee against Torture in 2008 and by the Committee on Social and Economic Rights in 2010. This committee urged the government 'to provide protection

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[26] Embassy strategy 2008-2010, Central Asia Human Rights and Peacebuilding Programme. MFA archive.
[27] EU-Central Asia Strategy: 3.
[28] 1999/490/EC, ECSC, Euratom (1999); article 2.
[29] Council of the European Union 2009 Guidelines Human Rights and International Humanitarian Law. http://consilium.europa.eu/uedocs/cmsUpload/QC8308123ENC.pdf. Details per theme will be presented in the next chapter.

and rehabilitation services to victims and to prosecute offenders'.[30] The project was carried out by a public human rights foundation and included a review of the legislation on detention, the development of model monitoring practices, training of monitors and unexpected visits to detention facilities.

Another project aimed at **combating human trafficking**. It addressed the issue that, despite a growing awareness of human trafficking and improvements in the legislation to combat trafficking, there had been no improvement in protection of victims by governmental agencies. When the project started, they had to rely on the International Organization for Migration (IOM) and its partner organisations. The project mainly aimed to protect victims and, to a lesser extent, address the legal dimension and prosecution. It was in line with the EU Guidelines Human Rights and Humanitarian Law (see next chapter). The International Organization for Migration (IOM) carried out the project. The most important component was the provision of return, medical, reintegration and legal assistance for victims of trafficking at various NGO-run shelters, as well as the establishment of a shelter in an area where there was none.

The third project aimed at strengthening **freedom of expression** by training bloggers. This was a project with limited scope that planned to improve the skills of internet bloggers and establish a network of bloggers. It thus sought to broaden news sources, but did not aim at structural improvements. The project was carried out by a Kazakhstani human rights organisation.

Two projects have been categorised as 'other'. One of these projects aimed at **legal reform in the field of freedom of religion, freedom of assembly and association, and freedom of information**. These rights were subject to legal restrictions. Since Kazakhstan was campaigning for the OSCE chairmanship, the project was able to take advantage of the momentum, as legal reform was required. The project was carried out by US-based watchdog Freedom House and included the building of a coalition of seven human rights NGOs that monitored the implementation of new legislation.

The other project aimed at **awareness-raising on human rights** among the public. It was a response to a situation where few, if any, independent media were reporting on human rights. The project was also implemented by Freedom House and included the development of a website and publication of an electronic bulletin and newspaper dedicated to human rights.

Political efforts
Between 2007 and 2010 the Netherlands used the following additional instruments and forums to promote human rights in Kazakhstan.

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[30] Document E/C.12/KAZ/CO/1, 21 May 2010. A similar conclusion was issued by the Committee Against Torture, see document CAT/C/KAZ/CO/2, 12 December 2008.

At the multilateral level, the Netherlands was involved in the Universal Periodic Review of the human rights situation in Kazakhstan conducted by the UN Human Rights Council.[31] During the review, it presented three recommendations to Kazakhstan.[32] The Netherlands also participated in the OSCE human dimension implementation meetings.

The Netherlands frequently initiated efforts to promote human rights in an EU context. It focused mainly on monitoring legal cases and on freedom of expression and freedom of religion.

At the bilateral level, the Netherlands was one of the most active EU countries in promoting human rights, as acknowledged by civil society representatives interviewed in the course of the evaluation. A number of approaches were taken: the Dutch Human Rights Ambassador visited Kazakhstan and a number of prominent legal cases were closely followed and discussed in bilateral talks.[33] A good example is the involvement of the Netherlands during Kazakhstan's OSCE Chairmanship.

Many human rights initiatives are coordinated with other countries, since the Netherlands is a member of an informal human rights working group of like-minded countries.[34] The members discuss human rights issues among themselves or with officials from Kazakhstan. They also coordinate their human rights monitoring activities, to ensure regular attendance at certain trials on a rotational basis and visits to detention centres where human rights defenders are held. Such coordination efforts are key to ensuring close monitoring of the human rights situation.

Relevance

All the projects responded to important human rights violations in Kazakhstan and were thus relevant in the country context. All addressed one or more priorities of the Netherlands' human rights strategy and were thus also relevant in the framework of Dutch policy.

However, the project to combat human trafficking mostly provided assistance to victims and included few efforts to prevent the practice. Given the fact that the government of Kazakhstan is making serious efforts to comply with the minimum standards for the

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[31]   The review of Kazakhstan was held on 12 February 2010 by the UN Working Group on the Universal Periodic Review in Geneva.

[32]   Recommendation 21: To revise its legislation on criminal libel, to limit defamation awards and to refrain from restricting access to the Internet (Netherlands); Kazakhstan (KZ) replied that it would 'examine' the recommendation. Recommendation 56: To take measures to limit the powers of public prosecutors and bring criminal procedure into greater conformity with article 14 of the International Covenant on Civil and Political Rights (Netherlands); KZ replied that it 'supported' the recommendation. Recommendation 73: To extend the rights enjoyed by traditionally established religions to believers of non-traditional religions, and to enable them to carry out their peaceful activities free from govern-ment interference (Netherlands); KZ replied that it 'supported' the recommendation.

[33]   Information collected from the Embassy during the field mission suggests that human rights are no longer raised by the Netherlands at bilateral meetings. Dutch concerns in this field are promoted through EU initiatives.

[34]   Including the USA, Canada, Norway, Switzerland, the EU Delegation and some EU Member States.

elimination of trafficking, but has not yet fully succeeded, prevention is an important issue. Project documents do not provide information on whether and how the issue of prevention has been addressed.

Coherence and coordination

Initiatives for the promotion of human rights in multilateral forums, in an EU context and in bilateral contacts support the projects. Priority is given to the themes addressed in the projects, and actions at the political level are therefore coherent with project support. In addition, political efforts are well coordinated and there is a coordination mechanism to ensure that the various actors in the field of human rights are aware of the efforts of the other stakeholders.

The political support for the project on legal reform was found to have had a strong impact on its implementation. Stakeholders stressed the need for such initiatives and acknowledged the role of the Netherlands' leading role in moving human rights issues forward. There was no evidence of any similar initiative, which should be considered a good practice, in the other projects.

Conclusion

The projects were relevant in the context of the country and in line with the Netherlands' human rights strategy. Dutch political efforts on the issue of human rights are coherent with the project support. In one case, evidence was found that the political efforts enhanced the project's effectiveness. The coordination of political efforts and projects is good.

3.3 Nigeria

Human rights situation

Nigeria has signed and ratified all the important human rights instruments. However, numerous reports of human rights violations have been received, including extrajudicial killings and torture. Impunity is rife. For decades, Nigeria has been riven by inter-communal, political and sectarian violence.[35] Bombing and targeted killings in the northern states by the Islamic terrorist group Boko Haram are frequent and the government uses heavy-handed tactics to respond to these attacks. The Nigerian police force is undisciplined and has little capacity for criminal investigation. It is implicated in frequent human rights violations, including extrajudicial killings, torture, arbitrary arrest and extortion-related abuses. The police almost routinely solicit bribes from victims to investigate crimes and from suspects to drop investigations. Prison conditions fall short of UN standards for the treatment of prisoners. Many prisoners face years of detention without prosecution and/or conviction.

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[35] This section is based on the Human Rights Watch annual report 2012, unless indicated otherwise. http://www.hrw.org/sites/default/files/related_material/nigeria_2012.pdf.

Oil production in the Niger Delta – involving both the government of Nigeria and subsidiaries of multinational companies, as well as some Nigerian companies – has brought impoverishment, conflict, human rights abuses and despair to the majority of the people living there. Decades of oil spills — caused by multinational oil company operations, sabotage of pipelines, and the bunkering (theft) of crude oil — and widespread gas flaring have left the Niger Delta heavily polluted. A UN report of August 2011 found that oil pollution in the Ogoniland region of Rivers State may require the world's largest clean-up operation ever and the government makes little effort to address the environmental damage.[36] Pollution and disputes, particularly over land rights, have led to severe conflict, including attacks and kidnappings. Attacks on oil facilities have declined since the 2009 amnesty. Underlying problems in the Niger Delta have not however been addressed or resolved, threatening the sustainability of the relative peace the amnesty programme has brought. Pollution and environmental damage are severe and have resulted in violations of people's right to health and a healthy environment and their right to an adequate standard of living. The contrast between the wealth generated by oil for the few and the deepening poverty of many, and the destruction of livelihoods, have fuelled discontent and conflict.[37]

Corruption is pervasive in Nigerian society and deprives many people of access to basic services, including access to justice.[38] One example is Rivers State, one of the wealthiest oil-producing states, where embezzlement of public funds has prevented the improvement of health and education services. Corruption also fuels political violence and electoral fraud.

The majority of the Nigerian population are deprived of adequate access to justice. Obstacles include delays, the costs of litigation, complex legal rules and procedures, and a lack of knowledge of legal matters. The average duration of a trial, from the issuing of a summons to the point when a final judgment is delivered by a court, is eight years, and in many instances exceeds ten years.[39]

Nigeria has acquired a reputation for being one of the worst countries in Africa for human trafficking, with both cross-border and internal trafficking. It is a source, transition and destination country. The victims are primarily women and girls, but also boys, who are trafficked for the purpose of sexual exploitation, forced labour and organ harvesting. Domestic capacity to effectively fight human trafficking is low.

Nigerian society is deeply religious and homosexuals face discrimination everywhere. Nigeria's federal criminal code punishes consensual homosexual acts by up to 14 years in prison. In states applying sharia law, consensual homosexual acts between men are punishable by death (stoning), and by flogging and six months' imprisonment in the case of women.

[36]   http://www.unep.org/newscentre/default.aspx?DocumentID=2649&ArticleID=8827.
[37]   Amnesty International 2009. Http://www.amnesty.org/en/library/asset/AFR44/021/2009/en/3be47dff-af1f-4c8e-b7a6-960d229644f7/afr440212009en.pdf.
[38]   Human Rights Watch 2011.
[39]   http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1366943.

In terms of its human rights infrastructure, Nigeria has a semi-public human rights commission and a number of international NGOs and Nigerian NGOs are active in the field of human rights. The most important bilateral partners are a limited number of EU countries and the USA, Switzerland and, to some extent, Australia. The EU and the UK provide by far the largest proportion of funding for human rights projects and both support projects on legal reform in the criminal justice sector. Switzerland has a limited budget for supporting projects, but has nonetheless initiated an annual bilateral human rights dialogue with Nigeria.

Dutch human rights policy

During the period under evaluation, human rights were one of the six Dutch priority areas in bilateral relations with Nigeria. Other areas included safety and stability in the Niger Delta, migration and support for Dutch businesses in Nigeria. The Dutch strategy on human rights emphasises support for Nigerian civil society, combating corruption and promoting corporate social responsibility among Dutch enterprises.[40] It defines the Niger Delta as a priority area and seeks to complement the efforts of other donors and Dutch NGOs.

In 2011 the priorities were further specified. Financial support would focus on combating corruption, women's rights, the rights of LGBT persons, combating human trafficking, freedom of expression and environmental rights. It was also stated that priority would be given to those geographical areas where the Netherlands had the most important economic and political interests, namely the Niger Delta, Plateau State and Lagos State.[41]

Projects

In the period 2008-2011 the Dutch Embassy supported 10 projects, providing a total of EUR 6.5 million. About half the projects and financial value concerned the rule of law and corruption. One major project was in the field of human trafficking, and two substantial projects focused on women's rights. The other projects were related to support for human rights defenders and their organisations, LGBTs, and promoting respect for freedom of expression.

The evaluation in Nigeria included five of these projects with a total budget of EUR 3.8 million. The first was the project aimed at combating **human trafficking.** It included small development projects designed to prevent trafficking, the establishment of a referral system, and assistance for victims of trafficking. Human trafficking is a serious concern for Nigeria. The Netherlands is one of the destination countries for people trafficked from Nigeria, but trafficking within Nigeria is also a major problem. Between 2000 and 2007 Nigeria developed a holistic counter-trafficking response, with a new legal and administrative framework to prevent and prosecute trafficking in persons and to protect victims. In 2003 the National Agency for the Prohibition of Traffic in Persons (NAPTIP) was established. However, there was no properly functioning referral system in place at the start of the project. The project was carried out by the International Organization for Migration (IOM).

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[40]   Abuja. Multi-annual strategy plan 2006-2009. MFA archive.
[41]   Abuja. Annual plan 2011. MFA archive.

Several Nigerian NGOs were involved in its implementation, including one that provides legal assistance to victims and one that runs a shelter for victims.

Another project aimed to promote **corporate social responsibility** by fighting corruption in the private sector. Corruption is rampant in Nigerian politics and business and it deprives people of access to services.[42] A Nigerian institution, the Economic and Financial Crime Commission (EFCC), has been established to investigate cases of corruption in the public sector, but not in the private sector. The United Nations Office on Drugs and Crime (UNODC) carried out the project and both governmental institutions and an association of private companies were involved. The partners involved in the project are important stakeholders in the Nigerian business community. The project included training courses and the establishment of a complaints system.

A third project aimed at protecting the rights of **lesbian, gay, bisexual and transgender** (**LGBT**) **individuals**. Homosexuality is illegal and Nigerian society is considered homophobic. A popular bill that would criminalise anyone who entered into, witnessed or assisted a 'same sex' marriage was passed by the Senate in 2011, but must still be voted on by the House of Representatives and signed by the President. Since 2006 the introduction of this and similar legislation has fuelled already existing bias, stigma and intolerance against LGBT individuals. The LGBT community does not operate publicly and could not react openly to the proposed introduction of the legislation.[43] The project was carried out by a London-based international human rights organisation and included training and the establishment of a network of LGBT activists. It also involved the media, to encourage newspapers to publish more objective articles on LGBT people.

The other two projects are categorised as 'other'. One of them aimed at improving **the human rights situation in the Niger Delta**. The project had four focus areas: human rights awareness and documentation, women's rights in society, environmental rights, and a media advocacy platform. Various formal and informal civil society organisations were involved in the implementation, including women's groups and community organisations. The activities included the production of audiovisual material on human rights violations, the development of a legal project on gender equality and the appointment of women's ambassadors to promote gender equality. The project was carried out by a London-based NGO that also receives funding from other sources, including Cordaid. Most staff on the Niger Delta project were Nigerian.

The other project addressed **corruption at the magistrates' courts** in Lagos State. Corruption is rife in the legal system, thus depriving the poorer sections of the population of access to justice. It appears to be more widespread at the lower levels of the legal system than at higher levels, because detection levels are lower. This project was carried out by a Nigerian NGO.

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[42] Transparency International indicators for corruption in Nigeria are unfavourable.
      http://www.transparency.org/country#NGA_PublicOpinion.
[43] Interview representative Nigerian human rights organisation.

Political efforts

Human rights are included in the annual ministerial meetings between Nigeria and the EU. In addition, there is a local EU-Nigeria human rights dialogue. Human trafficking is discussed during an annual Nigeria-EU dialogue on migration and development.

The Netherlands is actively involved in the EU human rights working group that deals with human rights affairs, including the local human rights dialogue. The Dutch contribution is valued as professional and effective. However, notwithstanding the efforts of the Netherlands and a limited group of other EU member states, some respondents were of the opinion that the dialogue had not been very successful. It had brought about a serious commitment from Nigerian government, but as yet this had not been translated into tangible improvements. Both the Nigerian government and the EU agree on the need to implement international human rights standards, but so far the implementation of joint communiqués has lagged behind.

In May 2012 the Dutch Human Rights Ambassador visited Nigeria, focusing on the freedom of religion, the situation in the Niger Delta and the rights of LGBT people.[44]

All public statements on human rights are prepared and made public in an EU context. Nonetheless, there are examples where the Netherlands has brought up issues publicly. The preferred method of communicating concerns is through silent diplomacy, however, and human rights issues are raised in contacts with the Nigerian government when necessary and possible. In addition, the Netherlands has contacts with the national human rights commission and a number of human rights NGOs.

The Netherlands has opted for a careful approach as regards the human rights of LGBT people, encouraging discussion of the issue during the local human rights dialogue, without directly confronting the Nigerian partners. The Dutch position on the inclusion of the human rights of LGBT in the dialogue is well known and valued by other EU member states. The issue is also raised in a cautious manner in bilateral contacts with the Nigerian government. Other EU member states, the national human rights commission and human rights groups consider silent diplomacy much more effective than a confrontational approach. Confrontation is considered counter-productive in Nigeria. It encourages politicisation of the issue and fuels the idea that homosexuality is 'an issue of western countries'.[45]

Human rights violations in the Niger Delta have been a source of concern to the Netherlands and its involvement is closely linked to Anglo-Dutch multinational oil company Shell. Issues are raised with central and state governments and with the oil companies operating in the delta. There is an active relationship between the Netherlands

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[44] House of Representatives 2011-2012, 21236, no. 51.
[45] Following the statement by UK Prime Minister David Cameron that adoption of the 'same sex law' could lead to withdrawal of UK aid, the issue was discussed in newspapers and the Nigerian Tribune wrote 'the UK will deliberately want to drag Africa into the dragnet of the endorsement of gay rights'. http://tribune.com.ng/index.php/editorial/31339-cameron-and-same-sex-marriage.

and NGOs based in the Niger Delta. The Embassy believes that its experience and long-term involvement mean the Netherlands has both a responsibility and added value when it comes to human rights in the Niger Delta. The national human rights commission, other EU member states and human rights organisations in the delta are generally well aware of the Netherlands' concerns. Occasionally, the Netherlands has publicly voiced concerns about human rights violations in the Niger Delta. These interventions are appreciated and considered effective.

The other issues covered by the projects (human trafficking, corruption, access to justice) have also been brought up in contacts with Nigerian government officials. Since this generally takes the form of silent diplomacy, it is difficult to assess whether and how the different issues were brought up. Documents and respondents could not provide details on the Netherlands' specific role as regards these human rights issues.

Relevance

All projects addressed important human rights violations in Nigeria, but none addressed the gross human rights violations by the security forces and in pre-trial detention centres. However, other partners, most notably the EU, the UK and Switzerland, support the justice sector. Both the EU and the UK have made considerable funds available for this purpose. Taking into consideration the budget available, the Embassy's selection of themes that are not adequately addressed in the project portfolios of other partners was a logical choice. For example, there is little support from other donors for the promotion of LGBT rights. However, in the view of the majority of Nigerians, the LGBT project might not be relevant.[46]

The projects were also relevant in the framework of Dutch human rights policy. Three projects addressed one of the priorities listed in the human rights strategy and one project, the Niger Delta project, included women's rights. Access to justice is strongly related to these priorities. For example: when women's rights have been violated, it is important that they have access to justice.

Coherence and coordination

All themes addressed in the project are also brought up in bilateral contacts with the government of Nigeria and in the framework of EU human rights policy. It is likely that efforts in the political arena made at least some contribution to the achievement of the project's objectives. For example, in Nigeria, Dutch silent diplomacy to promote the protection of the rights of LGBT people may have contributed to an environment in which the press now disseminates more objective information on LGBT issues. Dutch political efforts with regard to the Niger Delta probably increased the effectiveness and influence of the Niger Delta project.

Whenever a demarche or public statement on human rights violations is considered appropriate, the content is discussed by EU members and a few like-minded countries.

[46] Information provided during interviews with representatives of donor countries and various human rights organisations.

Existing coordination mechanisms include EU working groups and ad hoc thematic meetings with like-minded partners. Coordination of project support is less evident than coordination at the political level. To a certain extent, countries are aware of the efforts undertaken by other countries. However, hardly any evidence could be found that the Embassy had discussed complementarity with other donors before deciding to support a project. There are a few exceptions though, such as the project to combat human trafficking, which is co-financed by Italy and Norway. At the time of the evaluation an informal working group with like-minded countries active in the field of human rights was being set up to address the need for better project coordination.

Conclusion

The projects were relevant in the context of the country and in the framework of Dutch human rights policy. Other human rights efforts by the Netherlands, either bilaterally or in an EU context, are coherent with project support. In one case, it can be argued that the political efforts contributed to the project's effectiveness. Political efforts are well coordinated. There is room for improvement in the coordination of project support.

3.4 Palestinian Territories

Human rights situation

The human rights situation in the Palestinian Territories is complex. A UNDP report describes the situation as a crisis of human dignity in which the population is denied the basic rights to security, self-determination, movement and access to employment and basic services.[47] The human rights situation worsened during the period under evaluation, especially in the Gaza Strip, where Hamas came to power in 2007, followed by an Israeli blockade and several Israeli attacks.

Israel remains in effective control of the West Bank and the Gaza Strip. It has ratified most international human rights conventions and, according to various UN bodies, is responsible for respecting these international human rights conventions in these areas. However, Israel disputes the applicability of human rights law in the West Bank and Gaza. The Palestinian Territories have not been considered an independent state and have not been able to ratify international treaties. As a member of the League of Arab States, the Territories have ratified the Arab Charter on Human Rights.

During the period under evaluation, human rights violations by both the Israeli authorities and the Palestinian Authority were reported. Hamas also committed human rights violations. Palestinian political parties or factions and Israeli settlers are also responsible for abuses.

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[47] UNDP 2009.

The violations by the Israeli authorities include restriction of movement, resulting in unemployment, poverty and food insecurity.[48] The construction of the separation barrier (referred to as 'the Wall') has deprived many Palestinians of their land and jobs. It thus has a negative impact on the economy of the West Bank. Forced evictions and demolition of houses by the Israeli government are frequent occurrences, mostly as a consequence of the construction of Israeli settlements. Settlers are also responsible for violence against Palestinians, including beatings, stone throwing and damage to crops.

Hundreds of Palestinians, including children, continue to be held in administrative detention in Israeli prisons, without charge. Despite Israeli court rulings on torture and ill-treatment, these practices continue to be used against Palestinian detainees. Extrajudicial killings have also been reported. Impunity remains the norm for violations by Israeli soldiers and other authority forces, and by settlers.

Abuses by the Palestinian authorities include torture and other forms of ill-treatment by security forces during arrest and interrogation. Persons are arbitrarily detained by the security forces in the West Bank and in the Gaza Strip for their political affiliation as well as for practising their right to freedom of expression. Often no charges are brought against the detainees and lawyers and relatives are denied access to them. The right to freedom of assembly has also been violated. Violations committed by Hamas include the violation of the right to life. The Hamas government continues to issue death sentences without guarantee of a fair trial.

Gender discrimination and violence against women are other important human rights issues. Violence against women is on the rise in the Gaza Strip and is certainly higher than in other countries. Courts often impose lenient sentences on perpetrators.
In terms of a human rights infrastructure, there is an independent human rights commission that both documents violations and has a role as ombudsman (it also receives Dutch funding). There is also a vibrant human rights NGO community and some of the organisations are linked to international human rights organisations. The EU and a limited number of member states and other countries are important actors, both politically and in the form of project support.

Dutch human rights policy

The Netherlands Representative Office to the Palestinian Authority (NRO) was established soon after the signing of the Oslo Accords. It is located in Ramallah. The Netherlands is a relatively large donor and provides support for a number of human rights organisations. Dutch policy highlights the importance of an Israeli-Palestinian peace process based on a two-state solution.

The NRO's multi-annual strategic plan for 2008-2011 defines the Palestinian Territories as a fragile state, due in large part to the occupation and its impact on state-building and the

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[48] Information in this section is based on http://www.ochaopt.org/documents/ocha_opt_fragmented_
lives_annual_report_2012_05_29_english.pdf, http://www.ohchr.org/EN/Countries/MenaRegion/
Pages/PSIndex.aspx, and http://www.btselem.org/.

establishment of the rule of law. In terms of good governance and human rights, the plan defines an increase in respect for human rights by both the Palestinian Authority and the government of Israel, resulting in a reduction of human rights violations, as a strategic goal. The strategic results expected include improved monitoring, strengthened human rights NGOs, a structured human rights dialogue with the Palestinian Authority, an informal group on human rights and quality input to EU interventions.

The plan also stresses the need for a political dialogue, for institution- and capacity-building, for contacts with the private sector and for support to civil society. The strategic plan also includes objectives in the field of humanitarian aid and support to the United Nations Relief and Works Agency (UNWRA). In addition to good governance and human rights, the Netherlands also aims to contribute to economic growth and to improvements in the functioning of the security sector.

The multi-annual strategic plan for 2012-2015 states that human rights support will be continued, emphasising the priority themes of the 2011 update of the Dutch human rights strategy. In line with the previous plan, support to NGOs will be channelled through a like-minded donor secretariat, in order to improve its impact.

The EU has a regular dialogue on human rights with the Palestinian Authority, and it has defined a country human rights strategy for the Palestinian Territories. This addresses both measures taken by the Israeli authorities and the conduct of the Palestinian Authority. The Netherlands seeks to ensure that the local EU strategy on human rights issues is balanced and unified. The NRO participates in meetings on human rights and chairs the EU-Palestinian Authority working group on justice.

One important element of the EU strategy is the monitoring mechanism for cases brought against human rights defenders by the military and civilian administrations of the government of Israel and the Palestinian Authority. The mechanism involves representatives of the EU member states attending selected court hearings in cases against human rights defenders.

Projects

In the period 2008-2011 thirteen projects were supported, with total funding of EUR 10 million. These projects focused on combating torture, abolition of the death penalty, women's rights, children's rights and multiple themes.

The evaluation included five of these projects, with a combined budget of EUR 2.3 million. One project involved a core contribution to the Palestinian Independent Commission for Human Rights (ICHR). Three projects consisted of a core contribution to the programme of Palestinian human rights NGOs. These NGOs also receive funding from a variety of other countries. The fifth project was a 'real' project in the sense that funding was provided for a specific activity: supplying video cameras for the documentation of human rights violations.

The Netherlands supports the ICHR through a donor consortium. ICHR is a semi-governmental institution that has a dual role as human rights commission and ombudsman. Since

the start of the project, human rights violations have increased and the authorities' approach has been fragmented. ICHR has intensified the monitoring and processing of complaints. It also visits prisoners in the West Bank and Gaza.

One of the three NGOs that received core funding is a centre involved in treatment and rehabilitation for victims of torture. It provides professional medical and counselling services for victims of torture and politically motivated violence in the West Bank.

The second NGO is a centre providing legal and counselling services for women. The Dutch contribution consisted of core funding for the 2008-2009 action plan. The NGO is an independent grassroots organisation that promotes and protects women's social and legal rights. It addresses the causes and consequences of gender-based violence as well as the gender-specific effects of the increasing militarisation associated with the Israeli-Palestinian conflict.

The third NGO is concerned with children's rights. The Palestinian section of Defence for Children International received core funding for its 2007-2009 action plan. Its mission is to promote and protect the rights of Palestinian children in accordance with the United Nations Convention on the Rights of the Child.

The only 'actual' project supported was a video cameras project. It is an extension of the project 'Shooting Back: Civilians as Video Advocates'. Funds are earmarked mostly for purchasing hardware for the documentation of violations in the form of first-person testimonies, for education through the distribution of the videos and for increasing the number of investigations of human rights violations. It is being implemented by an Israeli human rights NGO that addresses violations of human rights by Israeli forces and Israeli settlers.

Political efforts

The NRO has frequently reported on the Israeli Palestinian conflict, settler violence, the consequences of the separation barrier ('the Wall'), the political situation in the Palestinian Territories and human rights issues.

The Netherlands is committed to a comprehensive peace agreement, including the establishment of two states that will exist side by side in peace and security. The Netherlands expressed this view during ministerial and other high-level visits to Israel and the Palestinian Territories, in an EU context and in bilateral contacts between the NRO and the Palestinian Authority. Since many of the human rights violations are rooted in the Israeli-Palestinian conflict, these efforts are coherent with the support for human rights projects. This section will not however describe details, focusing instead on efforts more directly related to the projects included in the evaluation.

Occasionally, the Netherlands has raised its concerns over settlement expansion and the Minister of Foreign Affairs expressed concern about the decision by the Israeli government

to legalise three settlements that had previously been regarded as unlawful.[49] On the other hand, in 2012 the Netherlands blocked the release of a report by EU Heads of Mission in the Palestinian Territories on settlement violence. This report reveals the increased violence of settlers towards Palestinian civilians, reaching 411 incidents in 2011. The Minister of Foreign Affairs argued that in order not to obstruct policy making in Brussels, as a rule EU Heads of Mission's reports are internal and confidential documents. The report on settler violence leaked to the press. The Netherlands made a general procedure reservation on this report and called on the EU partners to ensure confidentiality of EU Head of Mission's reports.[50]

In the same period, the Netherlands expressed a preference for an EU vote against a Human Rights Council resolution regarding a fact finding mission on settlements. The Minister argued that this resolution would not be conducive to the peace process. During EU-discussion, the Netherlands agreed to abstain. However, the EU could not come to a common agreement on the issue (six abstentions; two voted for the resolution). The Minister clarified and defended the Dutch position in a Parliamentary debate.[51]

The Netherlands is one of the bigger donors to security sector reform. It was involved in the preparations for a conference on this theme. Areas of concern include the demarcation of the tasks of the police, the intelligence services and the security forces, and the creation of oversight mechanisms for the security sector. Reforms include attempts to improve conditions and practices in detention centres, in order to help prevent violence, torture and other forms of ill-treatment at these centres. The Netherlands' involvement in the reform is coherent with its project support for human rights organisations.

Human rights issues have been brought up during ministerial visits, in an EU context and in bilateral contacts. Following the increase in arrests of human rights defenders in 2010, an EU mechanism was installed to monitor these cases, with a team consisting of the EU representative, the local embassy of the EU presidency and one member state in rotation. The Netherlands assisted in the monitoring of trials as part of this mechanism. Representatives of the NRO also visited areas where non-violent demonstrators against the separation barrier had been arrested. This policy is fully coherent with support for human rights NGOs and with support for the documentation of human rights violations.

In 2011 the NGO Monitor, a Jerusalem-based organisation with a mission to provide information and analysis and to promote discussion of the reports and activities of NGOs claiming to advance human rights and humanitarian agendas, issued a report on Dutch support for Israeli and Palestinian NGOs, provided either directly or through civil society organisations.[52]

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49   House of Representatives 2010-2011. Appendix to the Proceedings. Appendix 749.
50   House of Representatives 2011-2012. 23432, no. 329.
51   House of Representatives 2011-2012, 26150, no. 114; House of Representatives 2011–2012, 23 432, no. 332.
52   http://www.ngo-monitor.org/article/promoting_israel_s_isolation_switzerland_sweden_denmark_ netherlands_funding_for_ndc_and_ngos. The report provides details on NGOs, including three organisations that have been assessed in this evaluation, arguing that these were contradictory to the Dutch position in regard to Israel and the peace process.

The financing of a Dutch civil society organisation (ICCO) that had supported an NGO which promoted a boycott prompted a number of questions from Dutch Members of Parliament. The Minister responded that support for organisations that promote actions contradictory to Dutch policy was not acceptable and that ICCO risked budget cuts in the future, thus compromising the organisation's independence.[53] This response did not result in a subsequent annulment of the grant decision.

Relevance

Taking into consideration the human rights situation described above, all projects were relevant in the country context. Each NGO has a specific area of work, and together they address the most important human rights violations. All projects were also relevant in the framework of Dutch human rights policy when they started. However, children's rights are no longer listed among the Netherlands' priority areas.

The NGO that works with torture victims mainly provides assistance to victims. Though prevention of torture, including the application of human rights standards and the prosecution of perpetrators, is part of the centre's work programme, it did not receive sufficient attention. It is not known whether other NGOs specifically addressed these issues and thus filled the gap. The work of the women's centre aiming to combat violence against women is fully in line with Security Council Resolution 1325 that calls on all parties in armed conflict to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse.

Coherence and coordination

The Netherlands' political interventions regarding Israeli settlements include statements that are coherent with the project support. However, they also include an example of incoherency, e.g. the blocking of the report on settlement violence as described above.[54] Other political efforts were mostly coherent with support for the work of the independent human rights commission and the work of the video cameras project. It is not possible to say on the basis of the information available whether the specific themes addressed in the projects, such as violations of women's and children's rights, were brought up in the bilateral contacts between the NRO and the Palestinian Authority.[55]

Human rights interventions at political level are usually coordinated in an EU framework. In 2008 a like-minded donor secretariat was established with the aim of improving coordination of project support. NGOs have expressed concern that they will lose the opportunity to receive core funding and that the funding will gradually become more project-based, challenging the sustainability of the organisations.

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[53] House of Representatives 2010-2011. Appendix to the Proceedings. Appendix 1255.
[54] The field study was carried out in the Palestinian Territories and the Dutch Embassy in Tel Aviv was excluded from involvement.
[55] This issue was not addressed during the interviews, and the document study was limited to outgoing NRO correspondence (Berichtenverkeer).

It is likely that Dutch political efforts had some positive influence on the work of the ICHR and B'Tselem. It is also likely that the documentation of violations supported the political efforts. It was not possible to assess whether there was any synergy between the work of other NGOs and Dutch political efforts.

The question of the extent to which projects contributed to the peace process and to improved security in the Palestinian Territories is difficult to answer because it is not possible to isolate the role of projects from a variety of other political factors. It is likely that the projects helped to create more favourable conditions for peace and security, and they certainly helped mitigate the negative impact of the conflict. Some evidence of a reduction of violence was found on a smaller scale. The documentation of violations with video cameras has in some cases led to a reduction in settler violence.

Conclusion

All projects were relevant in the context of the human rights situation in the Palestinian Territories. Most projects addressed a variety of issues, including urgent human rights violations. The projects were also relevant in the context of Dutch human rights policy. The Netherlands' political interventions regarding Israeli settlements are partly coherent with the project support, though they did contradict it to some extent. Other political efforts reinforced the projects, especially those aimed at the promotion and protection of human rights defenders.

3.5   Sri Lanka

Human rights situation

For decades, the human rights situation in Sri Lanka was dominated by the conflict between the government and the Liberation Tigers of Tamil Eelam (LTTE). In mid-2006, the conflict erupted into full-scale fighting. At the beginning of 2008 the government intensified its military operations, resulting in the defeat of the LTTE in May 2009. The cost of the conflict in terms of human rights violations was huge, and included mass displacement of civilians, disregard for the rule of law, arbitrary arrest, torture and extrajudicial killings, suppression of dissent and child recruitment by the LTTE. Many of these concerns persist to this day.

Torture and extrajudicial killings continue to be reported, allegedly perpetrated by the security forces and also various paramilitary groups. A Lessons Learnt and Reconciliation Commission (LLRC) was installed by the government, but it has been criticised for its limited mandate and alleged lack of independence. There are still few signs of effective investigations of human rights violations by the authorities. In March 2012 the UN Human Rights Council adopted a resolution calling upon the Sri Lankan government to implement the recommendations of the LLRC.

Critical journalists and human rights defenders are branded as 'unpatriotic elements', creating an atmosphere of intimidation, fear and insecurity.

In addition to human rights issues related to the conflict, there are other concerns such as exclusion and discrimination on various grounds and gender inequalities, including gender-based violence and the denial of children's rights. Homosexuality is still a criminal offence in Sri Lanka and there is no acknowledgement of the rights of LGBT people in society.

The lack of respect for human rights has been aggravated by the adoption of an amendment to the constitution in 2010 repealing the authority of the Constitutional Council to appoint members to independent positions and commissions. This amendment compromised the independence of the judiciary and prosecuting authorities, as well as that of other institutions that are important to the promotion and protection of human rights: the Human Rights Commission, the Election Commission, the National Police Commission and the Commission to Investigate Allegations of Bribery or Corruption.

In terms of a human rights infrastructure, many Sri Lankan NGOs are active in the field of human rights, with a track record extending back over many years. Quite a few of these NGOs liaise with international human rights NGOs or UN institutions and bodies with a mandate to promote and protect human rights. The most important bilateral donors are the European Commission and several EU Member States, including Germany and the United Kingdom. Important donors outside the EU are the United States of America (USA), Australia, Norway and Switzerland.

Dutch human rights policy

The 2008-2011 multi-annual strategic plan for Sri Lanka stated that, against a backdrop of diminishing development cooperation, the human rights situation and humanitarian issues would remain at the top of the Dutch Embassy's agenda. Private sector development, more emphasis on the shared cultural heritage, consular affairs and export promotion were other priorities listed in the plan.

The focus on human rights and humanitarian issues was set out in a strategic paper in 2009, including an analysis of the national framework. The strategy identified options for both political and technical interventions. At political level the interventions included bilateral and multilateral demarches, dialogue and public statements. The technical interventions included project support and the following priorities were identified: human rights defenders, strengthening the legal framework, reconciliation, and human rights violations not related to the conflict. Each priority area was further specified. A range of activities were planned in respect of human rights defenders, including the establishment of an EU working group, the coordination of financial support for human rights defenders, the creation of a safe house mechanism and support for NGOs. The strengthening of the legal framework comprised a series of activities, with the main focus on bilateral assistance to NGOs. Reconciliation included dialogue, the strengthening of civil society organisations and support for grassroots activities through NGOs. Issues not directly related to the project included socioeconomic rights, women's rights and the rights of LGBT people.

Since 2011 Sri Lanka has no longer been eligible for new project support in the field of human rights. By 2013 no financial resources will be available for this purpose.

Projects

A large number of small-scale projects (32) were supported in Sri Lanka, with total funding of just EUR 1.2 million. About half of these projects involved promoting respect for freedom of expression, especially the monitoring of elections, and another nine projects concerned support for human rights defenders and their organisations. Projects concerning other human rights and women's projects constituted the remainder of the projects financed. Finally, one LGBT project (Colombo Pride) was supported.

The evaluation covered five of these projects with a total budget of EUR 0.3 million. The first project aimed at improving safety and security for **human rights defenders**. It was implemented by an international NGO. It had a number of other donors, including the EU, Switzerland, Norway and USAID. The project focused on training in risk reduction, the strengthening of networks and the direct protection of human rights defenders. It also included capacity-building for governmental human rights institutions.

Another project aimed at reducing **gender-based violence** by promoting preventive measures and by improving the quality of services available for victims. It was implemented in an area with a high number of internally displaced people. They live in poor socioeconomic conditions and there is a high level of gender-based violence in the area, threatening the health and lives of women and children. The project addressed both the individual level, by providing assistance to victims, and the community level, by conducting awareness-raising activities. The project was implemented by a Sri Lankan NGO.

A third, very small, project addressed **the rights of LGBT people,** who face discrimination and legal restrictions in Sri Lanka. The project aimed to increase awareness of the rights of LGBT people among the general public and to build a network in the LGBT community. The project was carried out by a Sri Lankan NGO and consisted of help with the organisation of a gay pride event.

Two projects were categorised as 'other'. One of these projects was designed to provide judges with a sound understanding of **international law** and to encourage debate on the functioning of the criminal justice system in Sri Lanka. The independence of the judiciary is compromised in Sri Lanka and the criminal justice system does not operate in line with international standards. The project was implemented by The Hague Forum for Judicial Expertise. It consisted of a training course in international law for judges in The Hague and a workshop at the judges' institute in Sri Lanka.

The other project aimed at improving the quality and credibility of the 2010 presidential **elections**. It was implemented by the Centre for Monitoring Electoral Violence (CMEV). The project included pre-election field visits, training for election monitors, monitoring during and after the elections and the publication of a final report. By publishing the findings, the project also aimed to promote the right to freedom of expression.

Political efforts

As stated above, the Embassy issued a human rights strategy paper, defining both political and technical interventions. This section describes how the intended political interventions were put into practice.

In 2008 the Embassy organised and facilitated a fact-finding mission by the Human Rights Ambassadors of the Netherlands, Sweden and Spain.[56] It made numerous interventions to address human rights violations, including calling upon the Government of Sri Lanka to implement the three UN human rights conventions as required by the EU as a condition of granting Sri Lanka favoured status under the GSP+ (General System of Preferences) scheme.[57]

Furthermore, in close cooperation with various other diplomatic missions, the EU and the UN, the Embassy visited court sessions of the trial against journalist J.S. Tissainayagam (Tissa). In September 2009 the High Court in Colombo sentenced Tissa to 20 years' imprisonment for writing and publishing articles criticising the government's treatment of Sri Lankan Tamil civilians affected by the war.[58] He was pardoned in 2010. The Embassy also supported a Human Rights Day event organised by the UN.

In 2009, 2010 and 2011 the Embassy continued to use the instrument of diplomatic intervention, both formal and informal, as it had in 2008, and to call upon the government to respect and protect human rights. The Embassy's assessment was that the combination of formal demarches and use of informal contacts was effective in obtaining tangible results.[59] The release of Tissa in 2010 was seen as an illustration of the effectiveness of such an approach. In its contacts with the government the Embassy emphasised that an 'all-inclusive peace process' would need to include addressing and resolving human rights issues relating to the armed conflict and its aftermath.

One important but often less visible element of the human rights instruments used by the Embassy is the gathering of information on the infrastructure for promoting and protecting human rights, on the position and attitude of the government of Sri Lanka, and facts and figures relating to the implementation of human rights. Apart from underpinning its own policy with evidence-based information, the information is also useful for the Netherlands' representation at the UN human rights bodies in Geneva and New York.

The reduction of Dutch staff entails that Dutch policy officers are usually involved in the political efforts, while project assessment and monitoring are dealt with by locally hired

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[56] Annual report 2008 Colombo. MFA archive.

[57] The three UN Conventions were the International Covenant on Civil and Political Rights, the Conventions against Torture and the Convention on the Rights of the Child. The EU eligibility criteria for GSP+ include effective implementation of these UN human rights conventions. http://trade.ec.europa.eu/doclib/press/index.cfm?id=515.

[58] Amnesty International http://www.amnesty.org/en/news-and-updates/news/sri-lanka-jails-journalist-20-years-exercising-right-freedom-expression-20090901 .

[59] Annual reports Colombo 2009, 2010 and 2011. MFA archive.

staff. Due to this division of labour, coordination and exchange of information between policy officers and project staff may not always be sufficient to ensure mutual reinforcement of project support and political efforts, for example when project officers are not attending human rights working groups where issues related to the projects are tabled.

Relevance

All projects responded to important human rights violations in Sri Lanka and all addressed issues that are labelled as priorities in Dutch human rights policy. The training of judges, not mentioned in the priority themes, has helped improve the human rights infrastructure, which is highlighted as important in the human rights strategy.

Coherence and coordination

In its demarches and dialogue with the government the Embassy addressed some of the themes dealt with in the projects. The political interventions for human rights defenders are the most striking example. On other themes, such as gender-based violence and the rights of LGBT people, no evidence of political interventions could be found.

The project related to human rights defenders benefited from other efforts by the Embassy, such as safe housing and transport to other countries. These actions are fully in line with the EU guidelines on human rights defenders. At the same time, experience of the political interventions on behalf of human rights defenders allowed the project's activities to be improved.

In terms of the relationship between human rights policy and the peace process, for many years the human rights agenda was dominated by concerns generated by the war. However, little evidence could be found that the Netherlands' human rights policy and the Embassy's contribution to the peace process had been mutually reinforcing. The Netherlands had little leverage over either party in the conflict and the cessation of the military activities has not resulted in a substantial reduction in human rights violations.[60]

An EU human rights working group coordinates the human rights efforts of various actors. Representatives of like-minded diplomatic missions, such as Norway and Switzerland, and other countries, like the US, are invited to attend and participate on a regular basis. Representatives of diplomatic missions perceive the Netherlands as a very active player in this working group. The most important example of coordinated efforts is the co-financing of the project to protect human rights defenders. Coordination of support for the protection of the rights of LGBT people also takes place within the EU working group. Coordination with other actors is less evident in the other projects included in the evaluation.

Conclusion

The projects included in the evaluation addressed serious human rights violations and were thus relevant in the context of the country. They were also relevant in the framework of Dutch policy. Political efforts in the field of human rights were coherent with the project support,

[60]   Interview and http://www.amnesty.org/en/library/asset/IOR80/004/2012/en/257791cf-5e56-4c5e-a402-6459eb0fe4fa/ior800042012en.pdf.

but it was not possible to ascertain whether they covered all themes addressed in the projects. The work with human rights defenders was an example of synergy between political efforts and project support. Coordination of political efforts for human rights and project support for human rights defenders is good; coordination was less evident in the other projects.

3.6 Zimbabwe

Human rights situation

Zimbabwe has ratified a range of human rights instruments, including conventions related to children, women, refugees, trafficking and labour. Zimbabwe ratified the International Covenant on Civil and Political Rights (ICCPR) in 1991 and the African Charter on Human and People's Rights (ACHPR) in 1986. It has not ratified the ICCPR First and Second Optional Protocols, which respectively relate to the UN Human Rights Committee's complaints mechanisms and the commitment by States not to enforce the death penalty. Nor has Zimbabwe ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, though it has indicated its willingness to do so.

The political situation in Zimbabwe is highly unstable. The country has a culture of violence, fear and lawlessness, coupled with declining democratic institutions. The Zimbabwe Constitution provides for free elections and the country has various laws related to elections.[61] Electoral rights remain a key area of concern in Zimbabwe, however. The previous elections led to violence and an involuntary power-sharing agreement between the two main political parties (ZANU-PF and the MDC). The lack of impartiality among electoral bodies in Zimbabwe is well documented.[62]

There are frequent reports of politically motivated arbitrary arrests and detentions and forced evictions. The police undermine the political activities of political parties, blocking meetings or failing to act when political opponents attempt to disrupt meetings.[63] The country is also grappling with a high rate of poverty and inequality.[64]

Allegations of torture and other ill-treatment committed with impunity against human rights defenders, political activists and ordinary civilians by state or state-sponsored actors are the most pressing concerns raised by the Universal Periodic Review (UPR) process on Zimbabwe.[65] The UN Special Rapporteur on Torture also remains concerned about the serious and credible allegations of torture, ill-treatment and inhuman prison conditions in Zimbabwe.[66] There are currently no formal mechanisms to protect human rights defenders.

[61] Electoral Act, Political Parties (Finance) Act, Referendums Act and Zimbabwe Electoral Commission Act.
[62] Hanzi 2011: 99-215.
[63] Amnesty international 2012: 372-3. http://files.amnesty.org/air12/air_2012_full_en.pdf.
[64] http://genderindex.org/country/zimbabwe. Zimbabwe came 118th out of 146 countries with data in the gender inequality index.
[65] Submissions by NGOs. Report of the Working Group on the UPR of Zimbabwe tabled at the 19th Human Rights Council session in March 2012. http://www.ohchr.org/EN/HRBodies/UPR/Pages/ZWSession12.aspx.
[66] Submissions by NGOs. Compiled by SR. Report of the Working Group on the UPR of Zimbabwe tabled at the 19th Human Rights Council session in March 2012. http://www.ohchr.org/EN/HRBodies/UPR/Pages/ZWSession12.aspx.

Consensual same-sex sexual acts by adult men are illegal under the *Criminal Law (Codification and Reform) Act* and there is little recognition of the rights of LGBT individuals in Zimbabwe.[67] Government leaders are reported to use hate speech against LGBT persons and concerns have been expressed that gay rights activists are targeted for arrest and detention. The UN Human Rights Committee and UN Country Team have noted with concern that LGBT persons are subjected to discrimination.[68] There is currently no legal protection of the rights of LGBT people in Zimbabwe.

Dutch human rights policy

The Netherlands' policy in Zimbabwe is focused on human rights and political and economic transition. The Dutch Embassy has long played an important role in Zimbabwe, and is widely recognised for its long-standing support for human rights, which started in 1994. The overall aim of policy is to assist in the development of a democratic Zimbabwe that promotes and protects human rights, thus restoring the balance between the three branches of government (legislature, executive and judiciary), and between the state and civil society.

Human rights policy focuses on providing support for NGOs and/or multilateral agencies that help protect and promote human rights and mitigate human rights violations by creating an environment conducive to dialogue and participation.

The Netherlands also works with international and regional organisations on human rights issues in Zimbabwe. Examples include the Netherlands' position on the appropriate measures (sanctions) positions instituted by the EU, and on the Kimberley Process and the sale of Zimbabwean diamonds in Europe. Both positions aimed to improve transparency and respect for human rights, and complement the work of the Dutch Embassy in Zimbabwe.

Projects

In the period 2008-2011, 13 projects were supported in Zimbabwe with a total value of almost EUR 3 million. These projects were concerned with combating torture, women's rights, the rights of LGBT people, human rights defenders and organisations, freedom of expression, the rule of law, election observation and multiple themes.[69]
The evaluation included five of these projects with a total budget of EUR 2.4 million. The first aimed at **combating torture**. The Universal Periodic Review of Zimbabwe (2011) defined torture and other ill-treatment committed with impunity by state actors and state-supported actors as one of the most pressing concerns. Repressive laws are applied to suppress political dissent and human rights defenders face unlawful arrest, detention and

[67] GALZ (2012) Abuse and Harassment of Lesbian, Gay, Bisexual, Transgender, and Intersex Individuals in Zimbabwe in 2011. Report produced by GALZ, May 2012.

[68] Submissions by the Zimbabwean Human Rights Organisations and Amnesty International to the Zimbabwe UPR. Summary on Zimbabwe.

[69] Due to the fact that the pre-study was conducted in 2009-2010, projects funded from 2010 onwards have not been included in the description of the total project portfolio. However, the country studies on Zimbabwe and Nigeria were added later and projects with a start date of 2010 were therefore taken into account. For Zimbabwe this includes two LGBT projects that started receiving funding in 2010.

torture by the police.[70] The project aimed to provide medical, psychological and rehabilitation services to victims of torture and improve their access to domestic and international justice. It also aimed to restore the social capital of the victims and prevent torture. The project was implemented by a Zimbabwean NGO.

Another project aimed at protecting **human rights defenders** by promoting the human rights provisions in the constitution. Human rights defenders are reported to face serious human rights violations, including arbitrary arrest, unlawful detention, politically motivated charges, and even torture in police custody. In May 2011 human rights activists were arrested for convening a workshop on torture.[71] The project also hoped to implement international human rights standards by increasing respect for the law and restoring confidence in the law and the criminal justice system. The project was implemented by the Zimbabwean non-profit organisation Zimbabwe Lawyers for Human Rights and consisted mostly of training and handling cases.

Two projects aimed at protecting the rights of **LGBT** people. LGBT people in Zimbabwe face legal restrictions on their sexual relationships, as well as discrimination and hate speech. One of the projects planned to document and record violations of the rights of the LGBT community and to raise awareness and strengthen the capacity of the media and the judiciary to appreciate, uphold and protect the human rights of LGBT people. It was carried out by Zimbabwean grassroots organisation Sexual Rights Centre and consisted mostly of training and awareness-raising campaigns. The other project was carried out by the universitas voluntary organisation Gays and Lesbians of Zimbabwe (GALZ).[72] It focused on teaming up with other civil society organisations in order to incorporate alternative language that promotes the rights of LGBT individuals into their submissions to the constitutional review commission.

The fifth project was an **election observer mission** for the presidential run-off election and House of Assembly by-election in 2008. The immediate pre- and post-election period in Zimbabwe was characterised by a tense and volatile political environment and there were reports of intimidation and violence in all provinces. The overall mandate of the mission was to make an independent, impartial and objective assessment of the electoral process in Zimbabwe.

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[70] Submission by UN country team in the compilation report UPR Zimbabwe. Interviews with representatives of the civil society.

[71] Amnesty International 2012: 373. Human Rights Watch 2012. http://www.hrw.org/world-report-2012/world-report-2012-zimbabwe-0 .

[72] Under Zimbabwean common law a universitas is a legal person or entity.

Political efforts

The Dutch Embassy has been a key supporter of the political transition that started in 2009, focusing on human rights, elections and the reduction of political violence. It is well positioned vis-à-vis the government to support a dialogue between different actors and to build bridges in a context where trust and cooperation are rare commodities. The Embassy is able to play this role because of its long-standing commitment to human rights and the credibility it enjoys in this role. It is seen as well-informed and 'closer to the ground' than other donors.

Box 3.1   *View of a Zimbabwean organisation on the Dutch involvement in human rights*

> "Of all the donors here, the Dutch Embassy has the reputation of being the most open, informed and engaged – whereas most donors are so busy that they cannot leave their offices and have to rely on funding proposals and reports for their information".

Source: interview

The Embassy plays a proactive and often leading role within the EU and, together with the EU delegation, is a focal point for EU human rights policy. The Ambassador raises human rights issues regularly in meetings with the government. The Embassy also organises informal lunches with ambassadors from the Southern African Development Community (SADC), where subjects discussed include the human rights situation. It hosts a number of events, including the annual celebration of Human Rights Day, highlighting various themes, such as children's rights (2010) and social and economic rights (2011), and has played an exemplary role in behind-the-scenes support for the rights of LGBT people.

Relevance

All projects included in the study responded to important human rights violations and were thus relevant in the context of the country. However, not all important human issues were addressed in the project portfolio. Illicit diamond mining and trading have led to gross human rights violations, but were not addressed in the projects that received support. In addition, the project that aimed at combating torture mostly provided assistance to victims. It was less engaged in the prevention of torture. It was not possible to establish whether other projects filled this gap.

All projects addressed themes that are labelled priorities in the Netherlands' human rights strategy and the projects were thus relevant in the framework of Dutch policy.

Coherence and coordination

All themes dealt with in the projects were also covered by political interventions, in both a UN and an EU context and bilaterally. In the case of human rights defenders, there was evidence of synergy between political efforts and the project. It is also likely that Dutch silent diplomacy on the rights of LGBT people contributed to the project's success.

The Netherlands has been at the forefront of coordination with the EU and other major donor countries. Important donors participate in a Human Rights and Governance Group and the Embassy co-chairs the subgroup on political violence. Dutch coordination efforts are described as highly proactive and effective. One example of good coordination lies in the fact that Dutch project support deliberately does not include women's rights, because other partners already address this issue. There is, however, no formal cooperation or pooled funding for project support.

Zimbabwe is a priority country for many human rights actors, including Netherlands-based NGOs. The Embassy has taken on an important role in coordination between Dutch organisations working in Zimbabwe, in order to facilitate information exchange and cooperation.

Conclusion

All projects included in the evaluation were relevant, both in the country context and in the framework of the Netherlands' human rights policy. Project support was coherent with political efforts and there was a clear example of synergy between the two instruments. The Netherlands continues to play a prominent role in coordination with other donors and with Netherlands-based civil society organisations. Political efforts are well coordinated and project support is coordinated informally.

3.7   Desk study

This section presents the findings of the desk study, illustrated by some examples, though it does not mention all individual projects. The chapter on effectiveness will include a table that lists all individual projects.

Relevance

Overall the choice of projects implied a response to important human rights violations in the countries concerned. A few examples will be highlighted. A project entitled 'Tomorrow is a New Day' was carried out in the Democratic Republic of the Congo (DRC). In 2009, when the project under review started, rape by the military was a frequent occurrence and insecurity was on the increase. The project aimed at protecting civilians and strengthening military-civilian relations. The most important activities included training for committees, the organisation of joint civil-military activities and the production and distribution of a wide variety of educational material, such as radio broadcasts and a mobile cinema. The project responded to urgent problems and was relevant in the country context.

Another example is the land rights project in Angola. In the post-conflict situation, the law on land tenure was flawed. Land laws recognised rights on the basis of occupation and allowed the state to grant leasehold rights in the form of concessions. However, the law contained ambiguous provisions which gave rise to conflicts. The project aimed at reconciling, mitigating and avoiding conflict over land tenure. The Dutch project helped the Angolan authorities establish secure formal land rights for displaced people and former combatants. It also aimed to increase women's access to land tenure. The project responded to urgent problems and was therefore relevant in the country context.

Roughly two-thirds of the projects included in the desk study directly addressed one of the priority areas of the Netherlands' human rights strategy. Most other projects included one of the priority areas. The projects were therefore also relevant in the framework of Dutch human rights policy.

Coherence and coordination

In the in-depth studies it was possible to gather information on other Dutch human rights efforts from documents and from interviews with a variety of stakeholders. In the desk study, only the Embassy's annual plans and the project documents were studied, supplemented by telephone interviews with the Embassy and the implementing organisation. Given the limited data collection method, in most cases no clear evidence could be found that the themes addressed in the projects were also brought up during other interventions.

Project documents rarely provide information on the activities of other stakeholders and most respondents could not answer questions on coordination with other stakeholders at the start of the project. Therefore, no conclusions can be drawn on coordination with other actors.

3.8   Conclusion

All countries included in the evaluation face serious human rights problems. Not surprisingly, the projects responded to these problems and were relevant. Most projects were also relevant in the framework of Dutch human rights policy.

The evaluation found a few examples where a theme was deliberately chosen because it was not included in the portfolio of other donors, or not chosen because it was already being dealt with by another donor. Such deliberate selection adds to the relevance of project support. However, project proposals often provide little information on complementarity with projects supported by other partners. More attention to complementarity would enhance the quality of project proposals and lead to increased relevance.

Relevance is also related to coherence. Overall political efforts in the area of human rights were coherent with project support, albeit to varying degrees. The studies provided evidence of a few cases of synergy between political efforts and project support, in the sense that political efforts had a positive influence on the project's effectiveness. In other cases, it could be argued that political efforts had a positive influence. In Nigeria, for example, it is likely that the effectiveness of the LGBT project was enhanced by the political efforts. In addition, support for projects helps enhance contacts between Dutch embassies and human rights NGOs, thus providing the embassies with additional sources of information. Contacts with civil society can feed the discussions on human rights with the government, either bilaterally or in an EU context. Kazakhstan, Sri Lanka and Zimbabwe all provide examples. Contacts with NGOs may contribute to the effectiveness of political efforts on human rights. However, it is difficult to illustrate this contribution with concrete examples, because many other factors determine the results of these political efforts.Table 3.3 summarises the findings for relevance, coherence and coordination.

Table 3:3   Summary of findings on relevance and coherence

	Relevance in country context	Relevance to Dutch human rights policy	Complementarity with projects supported by other donors	Coherence with political efforts	Coordination
Kazakhstan	Relevant	Most project included priorities	Unknown	All themes also addressed by political efforts. Example of synergy.	Political efforts and project support coordinated.
Nigeria	Relevant	Most projects included priorities	Example of complementarity	All themes also addressed by political efforts. Synergy likely in one case.	Political efforts coordinated. Projects insufficiently coordinated, but informal mechanism recently introduced.
Palestinian Territories	Relevant	All projects included priorities	Unknown	Political efforts partly coherent with project support.	Political efforts coordinated. Formal mechanism for project support.
Sri Lanka	Relevant	Most projects included priorities	Unknown	Themes partly addressed by political efforts. One example of synergy.	Political efforts coordinated. Project support partly coordinated.
Zimbabwe	Relevant	All projects included priorities	Example of complementarity	All themes addressed by political efforts. One example of synergy.	Political efforts and project support coordinated. No formal mechanism.

4

Effectiveness of human rights projects

This chapter assesses the effectiveness of the projects included in the evaluation. It is organised by theme. Effectiveness, one of the evaluation criteria, has been assessed by comparing the envisaged outputs and outcomes with the outputs and outcomes achieved. Factors that contributed to the results or lack thereof were also considered. The most important findings are:

- Almost all projects succeeded in achieving their envisaged outputs.
- In many projects, no clear and realistic outcomes were defined, so the outcomes had to be reconstructed. There is room for improvement in the quality of project proposals.
- In about three-quarters of the projects effectiveness is rated satisfactory or good.
- The sustainability of the results is an issue of concern.

4.1   Freedom from torture

The human rights strategy 2007 refers to the EU guidelines for the prevention of torture and stresses the need to combat torture and to reach an absolute ban, as well as the importance of monitoring as an essential part of the fight against torture. These guidelines state that combating and preventing torture and ill-treatment will be considered a priority in bilateral and multilateral cooperation for the promotion of human rights, including in collaboration with civil society. This involves both legal issues and training. One field of activity is providing reparation for the victims of torture and ill-treatment and their dependents, including fair and adequate financial compensation as well as appropriate medical care and social and medical rehabilitation.[73]

The 2011 update does not include torture as a focal point, though it does remain a priority for the Netherlands as an EU member. Cases of torture and other ill-treatment have been reported in all the countries included in the in-depth study. Two of these countries (Kazakhstan and Nigeria) have ratified the Convention against Torture (CAT) and its optional protocol; Sri Lanka has ratified the CAT, but not the optional protocol, and Zimbabwe is among the countries that have not signed the CAT.[74]

Three projects (in Kazakhstan, the Palestinian Territories and Zimbabwe) had freedom from torture as their main theme. In some other projects, for example the promotion of human rights in the media, it was one of the themes that were addressed. Table 4.1 summarises the main features of the three anti-torture projects and presents the most important findings. The findings will be explained below.

| 65 |

Table 4.1   Projects on preventing and combating torture

Name	Country	Duration	Budget EUR	Objectives	Effectiveness
Monitoring obser-vance of rights of detainees and suspects in pre-trial detention and at police stations	Kazakhstan*	09-09 - 09-10	70,080	To strengthen the public monitoring of detention facilities and the monitoring of respect for the rights of persons under arrest.	Effective at the individual level and at policy level, by feeding into legislative reform. Effectiveness: ++
Core support for the treatment and rehabilitation centre for victims of torture	Palestinian Territories	01-06 - 12-08	850,780	To create a Palestinian society that rejects and combats the culture of torture, political violence and impunity.	Planned outputs delivered: clients treated; therapy groups formed; training and media appearances. Outcomes: clients treated and rehabilitated. Primary and secondary prevention insufficiently addressed. Effectiveness: +
Counselling service unit	Zimbabwe	10-09- 03-10	96,032	To provide medical, psychosocial and rehabilitation services for victims of organised violence and torture, and give victims access to justice, as well as campaign for the eradication of torture.	Effective in the provision of services and access to justice; less effective in rehabilita-tion; not effective in preventing torture. Effectiveness: +

* Outreach also included Uzbekistan, Tajikistan and Kyrgyzstan.
Source: Project documents and interviews.

Effectiveness

The terms 'output' and 'outcome' were not always used consistently in the project proposals and the appraisal memorandums, and not all outputs were expressed in quantitative terms. However, it was possible to reconstruct the desired outcomes on the basis of the project proposals. Narrative reports, supplemented by interviews, revealed that all projects succeeded in achieving most of the outputs in terms of training and unannounced visits to detention centres. The projects also achieved their desired outcomes in terms of assistance to victims.

One example is the project on the prevention of torture in Zimbabwe. It achieved significant attendance at its counselling services during the six months it received support, with a total of 4,328 clients. In addition to providing assistance, the organisation documented abuses and sent reports to the United Nations Special Rapporteur on Torture, making 117 submissions in the period October 2009 – March 2010. However, the organisation was less successful in obtaining financial compensation and economic development for the victims.

The project in Kazakhstan was more effective in achieving the envisaged outcomes. It did manage to feed into the legislative reform process and contributed to the improvement of conditions in detention, bringing them in line with international standards. Factors that contributed to the effectiveness of this project were both the personality of the director and the timeliness. It started a year after Kazakhstan ratified the optional protocol to the CAT, which requires the establishment of a national prevention mechanism.

The project in the Palestinian Territories was effective in the provision of services. A growing number of victims of torture with medical and/or mental problems received treatment, some of it at home. The services are provided with professionalism, integrity, respect and sensitivity. However, there is room for improvement regarding the prevention of torture. Senior staff members are not adequately versed in the requirements of international law and the state's obligations in relation to torture. The organisation had to depend on other organisations for its law enforcement training.

In conclusion, all projects achieved the planned outputs to a great extent. The project in Kazakhstan also achieved the envisaged outcomes. In Zimbabwe and the Palestinian Territories the desired outcomes were partly achieved. The most important reason for the partial failure in Zimbabwe lay in the fact that the envisaged outcomes were far from realistic and beyond the scope of the project. In the Palestinian Territories staff were insufficiently trained in the prevention of torture.

4.2 Human rights defenders

The commitment to actively assist human rights defenders and their work, using all available political and diplomatic instruments, and to provide financial support, is clearly expressed in Dutch human rights policy. This commitment was put into effect in all countries included in the in-depth study, either in the form of direct support to human

Table 4.2	Projects on human rights defenders					
Name	**Country**	**Duration**	**Budget EUR**	**Objective**	**Effectiveness**
Improving the safety and security of human rights defenders	Sri Lanka	08-09-07-10	80,000*	To improve safety and security of human rights defenders.	Effective in achieving protection in individual cases and increasing capacity of HR defenders and groups. Overall safety situation has not improved. Effectiveness: +
Human rights facility **Lawyers for human rights**	Zimbabwe	09-07-06-11	1,946,320	Promotion of human rights provisions in the constitution and implementation of international human rights standards	Effective in handling cases and conducting training. Increased exposure of perpetrators. Effectiveness: ++
Rehabilitation plans for political prisoners	Myanmar	12-09-12-11	70,000**	Improvement of the situation of (former) political prisoners and their families.	Effective in providing assistance and documenting prison conditions. Effectiveness: +

*Project co-funded by other donors; total budget EUR 369,222.
**Follow-up to previous Dutch support.
Source: Project documents and interviews.

rights defenders or as a component of projects that addressed human rights issues. The EU has developed guidelines for supporting human rights defenders. These include monitoring and reporting and promoting respect for human rights defenders in third countries and multilateral forums. They also include supporting human rights defenders, as well as NGOs that promote and protect the work of human rights defenders, through activities such as capacity-building and public awareness campaigns, and facilitating cooperation between NGOs, human rights defenders and national human rights institutions.[75]

Three projects included in the evaluation (Sri Lanka, Zimbabwe and a desk study project in Myanmar) address human rights defenders as major theme. Table 4.2 provides an overview. The results will be clarified below. Various other projects include protection and/or capacity building of human rights defenders as one of the project components.

Effectiveness

The projects under review had different goals, ranging from very broadly defined and far from realistic goals, such as increased safety or the implementation of human rights standards, to specific goals, such as the improvement of the situation of current and former political prisoners and their families. The projects did not define the desired outcome and in one case not even the envisaged output, but it was possible to reconstruct both the expected outcomes and (where relevant) the output on the basis of the proposals.

The projects obtained good results in terms of achieving output. In Zimbabwe, the lawyers handled two hundred cases, twice the planned number. However, for reasons outside the scope of the project, huge backlogs of cases in the court exposed human rights defenders to long periods of detention. About one thousand people in rural areas were trained in human rights, including teachers, diamond miners and victims of human rights violations.

In Myanmar, the project proposal did not define the number of ex-political prisoners to be assisted. The narrative accounts suggested that almost a hundred ex-political prisoners had received medical support and almost 300 children of current and former political prisoners received support for their education. Taking into consideration the budget, the fact that many other activities were carried out, and the adverse circumstances, this is considered a good output. One of the reasons for the good results is that the implementing organisation, internationally recognised as highly professional, has long-standing experience of assisting political prisoners.

In Sri Lanka, the implementing agency claimed to have improved the safety and security of more than 200 human rights defenders, several local NGOs and three media organisations, and substantiated this with figures. The organisation also claimed to have helped human rights defenders report human rights violations to the authorities, including the reporting of the grievances of internally displaced people to the military. In addition, the organisation

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[75]   http://www.consilium.europa.eu/uedocs/cmsUpload/16332-re02.en08.pdf.

helped 16 journalists to report their cases to the human rights commission.[76] The reports do not make it clear whether and to what extent the activities contributed to the envisaged goals.

In Zimbabwe, the prosecution of perpetrators may have contributed to a decrease in disappearance cases. No evidence could be provided that training contributed to an improved awareness of human rights, or that the project had contributed to the application of international human rights standards. In Sri Lanka, the reconstructed outcomes in terms of improved security were obtained at the individual level, but the overall situation had not improved. In Myanmar, the human rights situation appears to have improved considerably in recent years. The press releases and other documentation from the implementing organisation may have contributed to these changes, but it is not possible to provide evidence to substantiate this. It is however likely that the project activities contributed to outcomes at the individual level. Educational support for the children of political prisoners will probably help these children to attain better living conditions.

In conclusion, the projects were effective in providing direct assistance to human rights defenders, and improving their conditions. In Zimbabwe, the project also contributed to the increased exposure of perpetrators. No evidence that the projects contributed to broader improvements could be found, however.

4.3 Freedom of expression

The Netherlands' human rights strategy insists on the importance of freedom of expression and places a great deal of emphasis on media diversity. It therefore supports media diversity in those countries where the media is one-sided and where there is a need for alternative sources of news. In addition, training for journalists is supported in order to raise the standard of free journalism. Internet freedom was added as a priority area in 2011.

Freedom of expression is recognised as a human right in article 19 of the International Covenant on Civil and Political Rights (ICCPR), which states that everyone has the right to freedom of expression and that this right includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice.[77] Promotion of freedom of expression in third countries is not included in the EU guidelines on human rights.

Three projects that aim at freedom of expression were included in the evaluation (a project in Kazakhstan, a desk study project with global scope, and a desk study project on Iran).

Table 4.3 provides an overview and the results will be further elaborated below. Some other projects, most notably those aimed at legislative reform and the two projects on election observation, included freedom of expression as one of their themes (see section 4.6).

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[76]   Narrative report 2010: 6-8.
[77]   http://www2.ohchr.org/english/law/ccpr.htm.

Table 4.3   Projects on freedom of expression

Name	Country	Duration	Budget EUR	Objective	Effectiveness
Blogging seminar	Kazakhstan*	11-09- 01-10	7,438**	To strengthen freedom of opinion in Central Asia through capacity-building and by establishing a network of bloggers.	Training was provided as planned and small grants were awarded to support blogging projects. The envisaged network of newly trained bloggers was not established. Effectiveness: +/-
International freedom of expression exchange	Global	01-08 03-09	102,225	To improve advocacy; to enhance capacity of organisations, to extend the reach of information.	Output obtained: number of alerts increased; quality of information improved; anecdotal evidence of release of imprisoned journalists as results of campaigning. Effectiveness: +
Shahrzad	Iran***	12-07- 12-10	1,351,200	To promote media diversity, freedom of expression and human rights, in particular women's rights. To inform the outside world about Iran.	Newspapers and newsletters published as envisaged. Training, conferences and debates not realised. Little information on outcome level. Effectiveness: +/-

* Outreach also included Uzbekistan, Tajikistan and Kyrgyzstan.
**The project also received funds from Dutch NGOs, with a total budget of EUR 20,473.
***Implementing organisation based in the Netherlands.
Source: Project documents and interviews.

Effectiveness

The project in Kazakhstan and the project with a global scope had clearly defined and realistic goals. The planned activities were carried out and the envisaged output was achieved. The Iran project achieved only some of the planned outputs, because it did not succeed in obtaining sufficient additional funding. However, a glossy publication on Iran was produced and distributed in lieu of some of the planned output. The implementing agency claimed that it was successful in informing a broader public. The organisation also carried out weekly surveys on gender issues.

The picture is mixed when it comes to the envisaged outcomes. In Kazakhstan, no evidence could be provided of any follow-up to the activities. There is some anecdotal evidence that campaigns associated with the global project contributed to the release of imprisoned journalists. In Iran, severe restrictions on freedom of expression meant it was impossible to establish the outreach of the project. For example, the organisation uses many different websites. It was not therefore possible to assess to what extent the published newsletter had been accessed online. On the positive side, the organisation claims that the results of the surveys on gender issues have been adopted by various women's organisations and the media.

In conclusion, the envisaged output was fully achieved in two projects and mostly achieved in another. Achievement of the desired outcomes was verified in some cases, mostly by anecdotal evidence. The project in Kazakhstan was very small and this may explain the lack of follow-up results. In Iran, the adverse situation and the lack of additional funding were the most important factors in the lack of success.

4.4 Women's rights and human trafficking

Under the heading 'Equal Rights For All', the Netherlands' human rights strategy includes a detailed section on women's rights, focusing on violence against women and on human trafficking. Human trafficking is also covered in the 2008 EU guidelines on violence against women and girls and combating all forms of discrimination against them. The guidelines include the drafting of human rights reports, the promotion of women's rights in international forums, and bilateral and multilateral cooperation. This cooperation aims at supporting programmes designed to give victims redress, rehabilitation and access to care, as well as for prevention and capacity-building.[78]

Six projects on women's rights were included in the evaluation. Four projects addressed women's rights in general and/or violence against women (projects in the Palestinian Territories and Sri Lanka, and desk studies of projects in Albania and Afghanistan). Various other projects included women's rights as one of their components. One example is a project in the Democratic Republic of the Congo that aimed to prevent human rights violations by the military, including rape and violence against women. Two projects addressed human trafficking (in Kazakhstan and Nigeria). Table 4.4 presents an overview, and will be discussed below.

[78]   http://www.consilium.europa.eu/uedocs/cmsUpload/16173cor.en08.pdf.

Table 4.4 Projects on women's rights					
Name	**Country**	**Dura-tion**	**Budget EUR**	**Objective**	
Core support for women's legal aid and counselling centre	Palestinian Territories	05-08 - 12-09	145,946	To promote and protect women's social and legal rights	Emergency protection provided; training; study on constitution completed and media campaign on findings. Women's centre is at the heart of debates on protection of women, legal reform and community debate, and it provides unique services. Effectiveness: ++
Quality response to gender-based violence against women and children	Sri Lanka	08-10- 07-11	38,000	To reduce gender-based violence among internally displaced people (IDP) through preventive measures and improvement of the quality of services available to the victims.	Outputs achieved: workshops; material developed. Outcome: mechanism established for complaints and for settlement of disputes. No information on quality of services. Effectiveness: +
UN programme on gender equality	Albania	11-08- 12-11	900,000	To adapt and implement legislation on gender equality and domestic violence.	Most outputs achieved. Adaptation of legislation realised. Likely contribution to implementation. Effectiveness: +
Improvement of human rights of Afghan women through capacity-building	Afghan refugees in Iran	06-08- 12-09	107,321	To improve income-generating capacity of women and empower women.	Output achieved: schools, training, equipment. Outcome unknown. Effectiveness: +
Combating trafficking in persons; prevention of trafficking and protection of victims	Kazakhstan Central Asia	01-07- 11-09	251,143	To help combat trafficking by providing protection and support for trafficking victims.	Output: shelters established. Outcome: victims supported in shelters, but low attendance. More commitment from government, but no tangible changes. Effectiveness: +/-
Counter-trafficking initiative Nigeria	Nigeria	01-08- 31-12	1,400,000	To reduce human trafficking in Nigeria by providing assistance and establishing a referral system.	Output: assistance provided for victims. Small projects carried out, such as installing water supplies. Outcome: number of victims assisted was low. Referral system not sustained. Effectiveness: +/-

Source: Project documents and interviews.

Effectiveness

All projects had defined, specific, though not always quantified outputs. The proposals were less clear in terms of envisaged outcomes and in most cases the outcomes had to be reconstructed.

Overall, most projects succeeded in achieving the envisaged outputs. Projects that aimed to support women directly were able to report the number of women assisted. For example, the women's centre in the Palestinian Territories reported that in 2009 27 women and five children received emergency assistance, and that 283 women were provided with legal and social services, with 140 cases taken to court and 140 women helped to bring cases to court themselves.[79] This project also achieved its other envisaged outcomes. Among other things, the centre contributed to the development of legislation related to violence against women. One shortcoming, however, was that the centre's input was not always framed in terms of human rights law.

Projects that included training and workshops, reported on the material produced and distributed and on the number of training courses given and the number of participants attending. In terms of projects that aimed to combat human trafficking, in both Kazakhstan and Nigeria assistance was provided for victims, but the numbers were rather low, given the scope of the problem and the considerable budget involved.

Some data on tangible results were made available for the assessment of outcomes. The adaptation of legislation in Albania was the most prominent example. Another example was the empowerment of internally displaced women in Sri Lanka, which prompted them to appeal to the authorities to provide a hospital.

In other cases, the extent to which the desired outcomes had been achieved could not be demonstrated. This is not surprising in the case of small-scale projects that worked in difficult conditions (Afghan refugees), because it is difficult to follow up training activities in such circumstances. This project was rated sufficiently effective, however, because it is likely that the practical training the women received improved their chances of finding employment.[80]

In conclusion, the envisaged outputs were generally fully achieved and some tangible outcomes were obtained.

4.5 Rights of lesbian, gay, bisexual and transgender individuals

The protection of the human rights of lesbian, gay, bisexual and transgender (LGBT) individuals is a major priority in the Netherlands' human rights policy. One of the main purposes of the policy on the rights of LGBT individuals is to seek to abolish the criminalisa-

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79   Women's Centre for Legal Aid and Counselling (WCLAC) annual report 2009. Archive MFA.
80   An interview with a representative of the implementing organisation provided a few examples.

tion of consensual sex between people of the same sex, to combat discrimination on the grounds of sexuality and to promote social acceptance of homosexuality. Actions include diplomacy, both bilaterally and through the Embassy or the EU channel; visits by the Human Rights Ambassador; project-based support for local NGOs; and capacity-building for local NGOs.

Numerous international instruments stipulate that LGBT people have the same human rights as all individuals, which include the right to non-discrimination and the enjoyment of their rights.
The EU has adopted a toolkit for the protection of the rights of LGBT individuals. It includes encouraging third countries to adopt a culture of general respect for and recognition of the work carried out by human rights defenders, including those who defend the rights of LGBT people. Priority should be given to work in countries where there is a poor record of respect for human rights defenders in general and even more so for defenders of the human rights of LGBT people. Particular attention should be paid to situations where legislative changes and the imposition of criminal sanctions have had a negative impact on the work carried out by human rights defenders in relation to the human rights of LGBT people. Practical tools include consulting civil society organisations on how to mainstream LGBT and encouraging them to promote LGBT rights.[81]

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The evaluation includes five projects on the rights of LGBT individuals (in Nigeria, Sri Lanka, two in Zimbabwe, and a desk study on Chile). Table 4.5 presents an overview, and the projects will be discussed below.

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[81]   http://www.consilium.europa.eu/uedocs/cmsUpload/st11179.en10.pdf. The guidelines were not yet available when most of the projects were carried out.

Table 4.5	Projects on the rights of lesbian, gay, bisexual and transgender individuals					
Name	**Country**	**Duration**	**Budget EUR**	**Objective**	**Effectiveness**	
Global rights	Nigeria	04-09 - 04-12	85,000	To expose abuses against individuals based on their sexual orientation, gender identity or expression. To improve the capacity of local activists.	Output achieved: training, media monitor reports, legal assistance. Outcomes partly obtained: newspapers report more objectively. No evidence that network has expanded. Effectiveness: +	
Colombo Pride	Sri Lanka	06-10 - 08-10	3,300	To increase awareness among general population and networking among LGBT community.	One-off event realised as planned. Part of a broader strategy to raise awareness of LGBT rights. Effectiveness: ++	
Gays and Lesbians of Zimbabwe	Zimbabwe	09-10 - 09-11	39,521	To strengthen capacity to fight homophobia. To incorporate language that promotes LGBT rights into submissions to the constitutional review commission.	Outputs achieved: workshop, distribution of materials. Outcomes partly achieved: arrest of activists condemned in some newspapers. No protection of LGBT rights under the law. Effectiveness: +	
Sexual rights centre	Zimbabwe	07-09 - 06-11	37,265	To enable LGBT community to defend, articulate and exercise their human rights. To document violations. To raise awareness.	Outputs achieved: training, but less than planned. Articles published as planned; more radio programmes than planned. Outcomes: some prominent leaders opening up about being gay. Increased engagement by civil society in promoting LGBT rights. Effectiveness: ++	
Reduce discrimination on the basis of sexual orientation and gender identity.	Chile	05-09 - 07-10	27,067	To help combat discrimination against LGBT and to stimulate public debate on the rights of LGBT individuals	Outputs obtained: publicity and project for legislation. Outcome: public debate intensified. Municipal ordinance against discrimination adopted. Effectiveness: ++	

Source: Project documents and interviews.

Effectiveness

The projects achieved most of their planned outputs in terms of training, media roundtables and radio programmes and, in one case, a gay pride event. With the exception of the project in Chile, all projects were carried out in a homophobic environment. The long-term goals set out in the project proposals, such as increased knowledge and tolerance or legal reform, were therefore rather unrealistic. Box 4.1 presents the example of Zimbabwe.

Box 4.1   *Gays and Lesbians of Zimbabwe (GALZ)*

The project had two goals that differed somewhat in scope.

• To strengthen the organisation's capacity to fight homophobia
• To contribute to submissions to the constitutional review commission, in order to incorporate language promoting the rights of LGBT persons into the constitution.

Institutional capacity-building was achieved largely through training and the distribution of IEC material to members of the organisations.

The contribution to the constitutional process involved meetings with civil society organisations and the documentation of violations. One of the results was that two civil society organisations released statements in national newspapers condemning the arrest and detention of members of GALZ, bringing the rights of LGBT people to the attention of the general public.

However 'there is a long way to go before the general public and law enforcement agencies recognise the protection of rights of LGBT people under the law'.

Source: Narrative reports and interview.

Most projects were carried out by organisations that have long-term strategies. The activities and the outputs achieved are likely to have contributed to the long-term strategies for legal reform and changes in society's attitude towards the rights of LGBT people. Cooperation with other civil society organisations appears to be an important factor in raising public awareness of the rights of LGBT individuals. In conclusion, the projects achieved most of the envisaged outputs and helped to create conditions for long-term change.

4.6   Other themes and projects covering multiple themes

The category 'other themes and multiple themes' included 17 projects with a combined budget of EUR 5.8 million. One project ('Movies that Matter') covered a number of countries and one had a regional scope (prevention of the death penalty in Southeast Asia). The others were limited to one country.

Two projects related to election observation (Sri Lanka, Zimbabwe). One project addressed the

death penalty (a priority area in the 2007 strategy), one focused on children's rights and one on corporate social responsibility.[82] Thirteen projects covered several priority areas simultaneously or addressed other themes, including the rule of law, core support for human rights organisations, anti-corruption and the prevention of violence among the military.

This section presents the findings on the effectiveness of these projects, which are summarised in table 4.6 and illustrated by case studies.

Effectiveness

Most project proposals included clearly defined envisaged outputs, though they were not always expressed in quantitative terms. The proposals were less clear when it came to defining the envisaged outcomes. The gap between goals and outputs was huge in more than one case. It cannot be expected that a few training courses will lead to substantial improvements in the human rights situation. The evaluators therefore attempted to reconstruct the envisaged intermediate goals (outcomes) on the basis of the proposals.

Many of the project reports stated that considerable outputs were achieved, and it was possible to verify the results during the in-depth studies and interviews. However, if the envisaged outputs were not defined in quantitative terms, no strict comparison with the intentions in the proposal was possible. Examples of quantified outputs achieved are the number of training courses and participants, the number of polling stations monitored and irregularities reported, the number of human rights violations reported, and the production and distribution of advocacy and educational material. As regards the outcomes (reconstructed or otherwise), in 13 of the 16 cases it could be argued that the projects had at least partly achieved the intended outcomes. Table 4.7 presents a summary and the results will be explained below.

One example of a moderately effective project was the training of judges in Sri Lanka. The judges received the training according to plan, but no information could be made available on any follow-up. It is not therefore known to what extent the judges applied the knowledge of international standards they had acquired or whether the trained judges helped spark a debate on the criminal justice system in Sri Lanka.

Nigeria provides another example. The project on combating corruption at the magistrates' courts in Lagos State reported substantial improvement in the terms and conditions of the magistrates, assuming that this would contribute to preventing corruption. However, this tangible result could not be linked directly to the project.

In 13 projects, it was either possible to demonstrate that at least some of the envisaged outcomes had been achieved, or that the achievement of the outputs was likely to have contributed to the achievement of at least some of the desired outcomes (reconstructed or otherwise). The project on election observation in Sri Lanka is an example where some

[82] The theme 'children's rights' is under-represented among the projects evaluated because they were not labelled a priority area in the 2011 strategy update. The theme 'death penalty' is over-represented in order to ensure that at least one project was assessed.

Table 4.6	Summary of effectiveness of projects on other themes		
Country	**Project**	**Theme**	**Effectiveness**
Kazakhstan	Human rights, reform and democratisation	Freedom of religion Freedom of expression	+
	ALM Media and human rights	Distribution of information on human rights	+
Nigeria	ABJ SDN / Groundwork	Women's rights Environmental rights	++
	SERAP magistrates' integrity	Corruption Rule of law	+/-
	UNODC Transparency in business transactions	Corruption Corporate social responsibility	+
Palestinian Territories	RAM B'Tselem video cameras	Documentation of violations	++
	RAM ICHR Core support 2008-2010	Human rights violations	+
	Defence for Children core funding	Children's rights	+
Sri Lanka	Monitoring of presidential elections 2010	Election observation	++
	Judges' Institute – international law	Rule of law	+/-
Zimbabwe	HAR human rights facility 2008	Election observation	+
Global	Movies that Matter	Information on human rights	+
Desk - Asia region	IJP Southeast Asia project (death penalty)	Death penalty	+/-
Desk - Angola	Land rights	Land rights	+
China	Information and participation rights	Access to information	+
Democratic Republic of the Congo	Search for Common Ground/ Tomorrow is a New Day	Women's rights Human rights violations by the military	++
Democratic Republic of the Congo	KSS Carter Center - rule of law	Human rights violations by the police	+

Source: Narrative reports and interviews

longer-term tangible results were obtained. Election monitoring, which is not provided for in the country's electoral law, has now been recognised as a legitimate activity of civil society and systematic recording of incidents and irregularities provides information that may be useful in future elections. However, the project did not manage to prevent the misuse of state media in favour of the incumbent government.

Boxes 4.2, 4.3 and 4.4 provide other examples of tangible outcomes. Box 4.2 presents the results of the project 'Tomorrow is a New Day' in Ituri, one of the project's focus areas in the Democratic Republic of the Congo, as demonstrated in a survey and confirmed by focus group discussions. Box 4.3 shows an example from Kazakhstan, where the desired outcomes were partly achieved. The first and the last outcomes were achieved, but the second and the third were not. Box 4.4 presents the outcomes of a project in the Niger Delta that included four areas of work.

Box 4.2   *Views on the military in Ituri, Democratic Republic of the Congo*

	Baseline data 2010	Follow-up survey 2011
Military causes insecurity	37% of respondents	18% of respondents
Living alongside the military is fine	22% of respondents	48% of respondents
Situation has improved over the last six months		64% of respondents

Source: Project evaluation 2012.

Box 4.3   *Kazakhstan: human rights, reform and democratisation*

Outcomes:

1. Civil society is effectively involved in the monitoring of new legislation. Mixed working groups have been set up at ministries. Civil society involved in legislative process. NGO capacity increased.
2. New legislation on freedom of religion, freedom of assembly and freedom of information has not been adopted.
3. Kazakhstani government **neither** developed **nor** implemented a chairmanship strategy for the human dimension.
4. Members of the OSCE receive regular information on Kazakhstan's performance and are able to exert constructive pressure on Kazakhstan.

Stakeholders, including civil society organisations, emphasise that, even though most of the legislative battles were lost, it was important that civil society was involved so that the process was more transparent.

Source: Narrative reports and interviews.

Box 4.4 *Nigeria: Groundwork*

Key outputs and outcomes:

- Human rights awareness and documentation: many cases of violations were documented. The network of human rights monitors helped reduce the threats faced by human rights defenders. Regulatory agencies and oil companies reviewed policy and practice.
- Women's rights: visibility of women in their communities increased. Contribution to a proposed equal opportunities bill for the Rivers State House of Assembly.
- Environmental rights: project played a central role in the formation of the National Coalition on Gas Flaring and Oil Spills in the Niger Delta. The coalition is a recognised voice in the local, national and international debate on environmental rights.
- Collaborative media advocacy platform: media production skills shared with hundreds of disadvantaged residents in Port Harcourt, capital of Rivers State. Mobile cinemas showed films made in and with local communities across the city.

Source: Groundwork: final narrative report.

4.7 Conclusion

The overall assessment of the projects' effectiveness is positive. In almost all projects, most of the planned activities were carried out according to plan and most envisaged outputs were achieved. Results vary when it comes to project outcomes. In more than three-quarters of the projects either some evidence could be found that the desired outcomes had at least partly been achieved, or it could be convincingly argued that the projects had contributed to these outcomes. Factors that contributed to project success included the capacity of the implementing organisation and the timeliness of the project. One weak point lay in the fact that insufficient consideration was given to the sustainability of initiatives to install structural mechanisms, such as referral systems.

5

Discussion

This chapter identifies issues that are common to various projects and explores whether the findings allow for conclusions to be drawn on these issues.

5.1   Relevance

The countries involved in the study all face serious challenges in the promotion and protection of human rights and it is not surprising that all projects responded to one or more of them. All projects were therefore relevant in the context of the major human rights concerns in the country. Almost all projects also address one of the priorities of the Netherlands' human rights strategy and were thus relevant in the framework of Dutch policy. However, as discussed in chapter 1, relevance is also related to other factors, such as complementarity with other efforts and potential effectiveness. Relevance also includes the question: relevant to whom? This section explores these aspects.

Universality of human rights versus cultural environment

The universality of human rights was a guiding principle of the Netherlands' 2007 human rights strategy. While the 2011 update did not reject this principle, it was remarked in the debate that the receptor approach focused heavily on the political and cultural environment (too heavily in the view of some MPs).[83]

In the countries included in the in-depth study, international human rights standards guided project support to a greater extent than the political and cultural environment. The most prominent example is Dutch political support and funding for the promotion of the human rights of LGBT people. In Zimbabwe and Nigeria, the environment is definitely homophobic, and most Zimbabweans and Nigerians consider promotion of the rights of LGBT individuals irrelevant. Human rights conventions and soft law, however, include the protection and promotion of the rights of LGBT people and the Netherlands is justified in using international standards as the guiding principles for its support.

Preference for civil and political rights

At first glance, the projects are much more focused on civil and political rights than on economic, social and cultural (ESC) rights, thus neglecting rights that are relevant to a great majority of the population. There are no projects that directly support the realisation of ESC rights. However, on closer inspection, we find it is not always possible to draw a strict distinction between the two. For example, fighting corruption and improving access to justice are strongly related to economic and social rights. The same is true of promoting the

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[83]   See also the AIV advice p3: 'there is nothing wrong with its [receptor approach] basic premise that it is important to focus on the local context in which human rights obligations must be observed. .... However, it is important to ensure that the receptor approach is not embraced as the sole or primary approach in Dutch human rights policy. Recognising the importance of local institutions should not distract from the task of ensuring the universal protection of human rights, ... Investing in receptors can be a promising strategy, but other strategies might be more effective, for example in situations where local culture facilitates human rights violations among certain groups'. http://www.aiv-advies.nl/ ContentSuite/template/aiv/adv/download_single.asp?id=2372&adv_id=3077&language=NL.

rights of women and of LGBT people. Promoting the rights of women relates to access to health (care), to housing, to work (and thereby income). Fighting discrimination against LGBT people also includes fighting discrimination on the labour market and in housing, issues that are closely related to ESC rights. Combating human rights violations by Israeli settlers in the Palestinian Territories is also closely related to ESC rights. The project in the Niger Delta is another example of a project that addressed both civil and political rights and ESC rights. In conclusion, the findings of this evaluation do not point to a need for a shift towards more support for projects on ESC rights.

Project selection

Rules and regulations prescribe a bidding procedure for projects managed at the central level. Other procedures apply to projects managed by the embassies. The only requirement is that the implementing organisation is capable of managing the project correctly.[84]

In Kazakhstan, a call for proposals procedure was conducted for the purposes of project selection. In the other countries, the selection is likely to have been based on a mix of a choice of priority themes and the availability of good proposals and reliable implementing organisations. However, in most project appraisal memorandums, the choice of a project was substantiated only by a description of the human rights situation and the reliability of the implementing organisation. Written information on the selection procedure and on possible alternatives tends to be scarce, and respondents were unable to fill the gap due to the high turnover of Dutch staff at embassies.[85]

The 'call for proposals' method to select projects provides for more objective and better archived criteria applied during the selection procedure, but it is more time-consuming and risks excluding small national NGOs. On the basis of this evaluation nothing can be said about the advantages and disadvantages of various selection methods. It would however be worthwhile to provide more information on selection procedures in the appraisal memo-randums. Then, in the future, advantages and disadvantages could be better explored.

Complementarity

Given the lack of information on the arguments underlying the selection, in most cases it was not possible to assess whether the efforts of other international actors were taken into consideration during the selection process. The projects that aimed to combat torture provide the most striking example. Most of these projects included assistance to victims but did not address the prosecution of perpetrators or the prevention of torture. It is not known whether these two issues were addressed by other organisations.

The findings also show some positive examples of complementarity. The most outstanding one is the Dutch embassies' commitment to promoting the human rights of LGBT people, which is rarely addressed by others. There are also examples where the Netherlands decided not to address a certain issue because other partners were already covering it. In Zimbabwe,

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[84] Verified using a checklist for organisational capacity assessment (COCA).
[85] The staff engaged in project management are often recruited in the country. Dutch staff are involved in selection and approval procedures.

for example, women's rights were deliberately not selected for Dutch support because other partners were already involved in this area. In other cases, it is possibly only in hindsight to conclude that it was a wise decision not to address certain issues. Nigeria provides an example. Gross human rights violations by the police and at detention centres were not addressed in Dutch-supported projects, but they have been addressed in projects supported by two major donors, the EU and the UK.

5.2 Coherence and coordination

This study used a narrow definition of coherence. As explained in chapter 1, it assessed only whether other political efforts on human rights supported the projects and whether these efforts contributed to the project's effectiveness (synergy).

Political efforts have mostly reinforced the projects. However, the context in the Palestinian Territories made the assessment of this aspect difficult. There were examples of political interference that supported the projects, and there was one example in which political interference undermined project activities.

Occasionally, evidence of synergy was found. These positive findings came as a surprise, because the 2011 policy update advocates more caution when it comes to expressing human rights concerns in bilateral contacts. Apparently, despite this shift in policy priorities, human rights were still on the agenda during bilateral contacts of the Embassies. We can conclude that overall political efforts in the field of human rights are well coordinated. As regards coordination of project support, there is room for improvement in some countries. Better coordination of project support is vital for complementarity.

5.3 Effectiveness

This section discusses factors that may enhance or impede a project's effectiveness. It also comments on the quality of the project proposals.

Project design
Project proposals had improved substantially compared to the period 2001–2006.[86] The outputs were well defined in almost all proposals. Though most types of output can be quantified, the proposals did not always specify envisaged quantitative results. Overall, the envisaged outcomes were less clearly defined and had to be reconstructed. One example was a project in which training was an important component, which did not define any follow-up. Training may be useful for promoting and protecting human rights, provided that the knowledge can be applied. Any such proposal should include a plan for follow-up.

[86]   IOB 2005. Evaluation of Programmes and Projects.

Occasionally, the link between the envisaged outputs and the desired or reconstructed outcomes was insufficiently clear. There were however a few exceptions. For example, the project to combat trafficking in Nigeria included a number of small development projects, such as the installation of water supplies, aimed at preventing human trafficking by addressing the root causes. However, this assumption was not evidence-based and drew funding away from more targeted activities.

There is still room for improvement when it comes to the use of terminology. The distinction between the output (immediate results) of a project and the outcome (contribution to envisaged objectives) is not always clear. Frequently, the term outcome was used for results that should really be labelled outputs and the incorrect use of terminology generally continued in the appraisal memorandums drafted by embassy staff. The quality of project proposals could be improved through more interaction between embassy staff and potential beneficiaries of the human rights fund on how a proposal should be written, including a problem analysis and the foreseen effects of the intervention.[87]

Another area of concern is that the projects' outcomes are frequently confused with long-term goals (impact). As a consequence, the envisaged outcomes are neither realistic nor measurable. A project of limited scope that documents human rights violations and provides legal aid to victims of these violations can be very effective in improving the human rights situation of individuals, contributing to the prosecution of perpetrators and increasing awareness. However, it is not very likely that evidence can be provided to show its contribution to any improvement in the general human rights situation.

To summarise, though the project proposals had improved compared to the findings of a previous evaluation, there is still room for further improvement, especially regarding the definition of realistic goals within the scope of the project.

Type of support

A few organisations, mainly in the Palestinian Territories, received core support for their annual plans. In the majority of cases, however, funds were provided for specific activities by way of project support. Core support certainly has advantages for the implementing organisation, but the preference for projects is nevertheless understandable, as it gives the Embassy the opportunity to negotiate on the activities. In terms of effectiveness, projects run by organisations that received core funding were rated slightly more highly, but the circumstances were too different and the numbers too small for this conclusion to be generalised. One option would be to combine core funding for a few organisations with project support for other, smaller organisations.

Type of implementing organisation

The majority of the projects were carried out by NGOs, either domestic organisations or NGOs based in other countries. A few projects were carried out by international organisations.

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[87] For example, an outline on terminology in English, available on the ministry's website, would be helpful. For the current link on instruments (http://www.government.nl/issues/human-rights/human-rights-in-dutch-foreign-policy/instruments) knowledge of Dutch is required.

The projects evaluated also included one implemented by a semi-public foundation, but none of the projects was carried out by the government of the country concerned.

The projects carried out by an NGO scored better in terms of effectiveness than the projects carried out by international organisations. However, the projects are too different and the numbers too small to generalise this finding and draw a conclusion about the relationship between the type of organisation and the level of effectiveness achieved.

Both projects that aimed at combating human trafficking were carried out by an international organisation: the International Organization for Migration (IOM). This is a logical choice, because combating human trafficking involves many stakeholders, including governmental agencies, and as an international organisation IOM has good access to governments. The other side of the coin is that the involvement of international organisations implies complex bureaucratic procedures. In Nigeria, these procedures included a large number of monitoring missions, which compromised cost-effectiveness. Another issue of concern regarding implementation by multilateral organisations is the lack of sustainability (more details are presented below in the section on sustainability).

Implementation by NGOs is an appropriate choice in countries with a bad human rights record. The obvious disadvantage, however, is that NGOs may not be valued as a serious partner by the government. The most striking example is Zimbabwe, where attempts by NGOs to be involved in the drafting of the constitution brought no tangible results. Kazakhstan provides an example of the contrary, however. There, NGOs were actively involved in legal reform, even though the projects were certainly not fully in line with their proposals. The NGO channel is the most appropriate for all types of projects related to support for victims of human rights violations by the government, because governmental organisations or organisations that are perceived to have strong links with the government may not be trusted. The same is true of projects that involve sensitive issues, such as promoting and protecting the rights of LGBT people.

Projects related to the rights of LGBT people were carried out by both single-issue NGOs and broader human rights NGOs. The most effective strategy depends on the country – or even regional – context. For example, in a highly homophobic context such as Nigeria (particularly the predominantly Islamic northern part of the country) a multiple-issue NGO can use broader human rights issues as a springboard for addressing the rights of LGBT people. An NGO that is clearly focused on LGBT issues might be too conspicuous to gain ground in such a context. On the other hand, in the midst of all the issues to be addressed, the sensitive topic of LGBT rights might be overlooked. Therefore, since the Netherlands holds a unique position in addressing this issue, it may be important to maintain support for local LGBT organisations that are willing to raise their voice on such a sensitive issue, despite a possible lack of immediate effect.

Type of intervention
Training and other forms of capacity-building were part and parcel of almost every project. As described above, information on the follow-up to training was not always included in

project proposals or narrative reports. Awareness raising among the public in general was a common element of many projects, most notably the projects that aimed to promote and protect the rights of LGBT people. The publicity for the rights of LGBT individuals in the public arena in Chile is an outstanding and very positive example. Other projects were less successful. This is definitely due largely to the adverse environment, and partly to the lack of a clear campaign strategy.

The effects of training and awareness raising on skills and knowledge and even more importantly, application of these, are difficult to measure. In view of this it is even more important that project reporting at least makes plausible that these effects have occurred and that appropriate indicators and follow-mechanisms are found to establish such. The same applies mutatis mutandis to awareness raising projects. The election monitoring project of CMEV (Sri Lanka) provides a good example whereby the implementing organisation demonstrated by a series of quantitative indicators (number of polling stations observed) and qualitative indicators (media coverage of its reports and actions) the effects of its activities.

Direct assistance to victims of human rights violations was a component of a substantial number of projects. Generally speaking, the organisations claimed that they had reached a high number of victims. Most victims were provided with medical care and counselling, and sometimes also with legal aid. Bringing charges against the authorities and other actions aimed at future prevention of violations received less attention. However, there are some positive exceptions. The project in Kazakhstan was able to contribute to legal reform, thus helping to prevent torture.

The support to the Association on the Prevention of Torture (APT) from central funds is likely (and intended) to be complimentary to the assistance to the victims of torture in the projects that receive bilateral funding. It has not been investigated to what extent the work of APT has addressed the countries under review in this evaluation. As it is difficult to include the issue of prevention in projects that are basically concerned with assistance to victims, it is valuable to continue the support to an organisation with a worldwide scope, such as APT. It is recommended to ensure the organisation's complementarity with bilateral projects.

One of the projects on the rights of LGBT individuals in Zimbabwe is another example of efforts to feed into legislation. However, for reasons outside the scope of the project, the envisaged result of protecting the rights of LGBT people under the law was not achieved. On the basis of the findings, no conclusions can be drawn on the link between the type of intervention and its effectiveness. Many projects included more than one intervention, and the differences between the projects were not sufficiently clear.

Capacity of implementing organisations

Not surprisingly, the findings point to a link between the capacity of the implementing organisation and the project's effectiveness. In the Palestinian Territories, core support was provided for human rights organisations with a record of professionalism whose annual reports define clearly what has been achieved. The same was true of the two organisations that implemented the projects in the Democratic Republic of the Congo. One of these

organisations carefully monitored its activities, including beneficiaries' perception of the progress made. Smaller, less professional organisations carried out a number of activities very well, but were not able to provide information on any follow-up. For evaluation purposes, they did not provide sufficient information on the project's outcomes. However, this does not mean that small organisations should be excluded from funding. They may be important stakeholders in the human rights infrastructure in the country in question. This is merely a plea for more realistic project proposals.

Timeliness

Kazakhstan offers a good example of projects that responded to current developments. The anti-torture project was timely because the country had recently ratified the optional protocol to the convention against torture. The project to bring the legislation more in line with international standards tied in with Kazakhstan's candidacy for the OSCE chairmanship. The projects on the rights of LGBT people in Nigeria and Zimbabwe responded to current developments and upcoming legislation. In most cases though, no reference was made to momentum of this kind in justifying the project. The projects that did respond to current developments appear to have been slightly more effective than the other projects. The findings do not allow for an overall conclusion but they do suggest that proposals should provide more information on the timeliness of a project.

Culture of focusing on results

Chapter 1 mentioned the fact that rating effectiveness entails a risk that projects with easily attainable outcomes have an 'advantage' over projects with intended outcomes that are more difficult to achieve. The findings of the evaluation illustrate the fact that it is easier to carry out a project that is limited to assistance for victims of torture than one that also addresses the prosecution of perpetrators and the prevention of torture. This observation is certainly not meant to suggest that demonstrating results is not important. It is in fact a plea to allow room for organisations or projects that envisage outcomes that may be the cumulative effect of various efforts and actors, provided that these outcomes are sufficiently related to the organisation's or project's activities and envisaged outputs. It is also a plea for acknowledging that it is very difficult to demonstrate the effects of preventive activities that aim at avoiding human rights violations.

Sustainability

Chapter 1 argued that the sustainability criterion is applicable when a project includes a training of trainers system or institutional arrangements, such as a referral system. Examples include projects on combating violence against women, a project to combat human trafficking and a project against private-sector corruption in Nigeria. In all but one cases the mechanisms were installed. However, the project proposals apparently included no provisions that would guarantee their continuation after the conclusion of the project, and the mechanisms stopped functioning. Future projects that provide for this kind of institutional arrangement should take into consideration their sustainability.

In other projects, sustainability is less relevant as an evaluation criterion because human rights NGOs cannot be expected to continue their activities without external funding.

However, both donor and recipient agencies could reflect better on what will happen after the conclusion of a project. This entails addressing whether and how benefits could be maintained, whether additional funding would be needed and where this could be found. The community development project in Sri Lanka provides a good example of how part of the benefits, the voluntary counsellors, could be sustained after the conclusion of the project.

More attention for sustainability would avoid losses in terms of invested funds and human resources, and in some instances it would also be desirable from a moral perspective. For example, a project that focuses on providing shelter and education for young victims of human trafficking should have arrangements in place to ensure support for these victims does not end when the project ends. The necessity of ensuring sustainable arrangements will be more important in one project than another. However, it is likely to be more difficult to achieve sustainability of activities during a short-term project than in a project that lasts for several years. This latter issue is a matter of setting out realistic and attainable project goals.

In conclusion, sustainability is an issue of concern and more attention for this criterion in the project proposals would enhance the projects' effectiveness.

5.4   Concluding remarks

The main question addressed in this evaluation was: to what extent has the instrument 'project support' helped achieve the objectives of the human rights strategy? The findings of the evaluation suggest it made a positive contribution, especially for human rights defenders, women's rights and the rights of LGBT individuals. The findings justify the continuation of this instrument and show that there is room for improvement regarding project design, complementarity, coordination and sustainability. It can also be argued that too much emphasis on measuring results may lead to the avoidance of interventions that aim for longer-term results, such as the prevention of human rights violations.

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Unpublished:
Multi-annual strategic plans, Annual plans/reports on the five countries included in the in-depth study.

Project documents: appraisal memorandums, project proposals, narrative reports and, if available, evaluation reports.

Interviews
Respondents included embassy staff, project staff, human rights experts, representatives of human rights commissions and some representatives of the target groups. Respondents were guaranteed anonymity.

Annex 1   About IOB

Objectives

The remit of the Policy and Operations Evaluation Department (IOB) is to increase insight into the implementation and effects of Dutch foreign policy. IOB meets the need for the independent evaluation of policy and operations in all the policy fields of the Homogenous Budget for International Cooperation (HGIS). IOB also advises on the planning and implementation of evaluations that are the responsibility of policy departments of the Ministry of Foreign Affairs and embassies of the Kingdom of the Netherlands.

Its evaluations enable the Minister of Foreign Affairs and the Minister for Development Cooperation to account to parliament for policy and the allocation of resources. In addition, the evaluations aim to derive lessons for the future. To this end, efforts are made to incorporate the findings of evaluations of the Ministry of Foreign Affairs' policy cycle. Evaluation reports are used to provide targeted feedback, with a view to improving the formulation and implementation of policy. Insight into the outcomes of implemented policies allows policymakers to devise measures that are more effective and focused.

Organisation and quality assurance

IOB has a staff of experienced evaluators and its own budget. When carrying out evaluations it calls on assistance from external experts with specialised knowledge of the topic under investigation. To monitor the quality of its evaluations IOB sets up a reference group for each evaluation, which includes not only external experts but also interested parties from within the ministry and other stakeholders. In addition, an Advisory Panel of four independent experts provides feedback and advice on the usefulness and use made of evaluations. The panel's reports are made publicly available and also address topics requested by the ministry or selected by the panel.

Programming of evaluations

IOB consults with the policy departments to draw up a ministry-wide evaluation programme. This rolling multi-annual programme is adjusted annually and included in the Explanatory Memorandum to the ministry's budget. IOB bears final responsibility for the programming of evaluations in development cooperation and advises on the programming of foreign policy evaluations. The emes for evaluation are arrived at in response to requests from parliament and from the ministry, or are selected because they are issues of societal concern. IOB actively coordinates its evaluation programming with that of other donors and development organisations.

Approach and methodology

Initially IOB's activities took the form of separate project evaluations for the Minister for Development Cooperation. Since 1985, evaluations have become more comprehensive, covering sectors, themes and countries. Moreover, since then, IOB's reports have been submitted to parliament, thus entering the public domain. The review of foreign policy and a reorganisation of the Ministry of Foreign Affairs in 1996 resulted in IOB's remit being extended to cover the entire foreign policy of the Dutch government. In recent years it has

extended its partnerships with similar departments in other countries, for instance through joint evaluations and evaluative activities undertaken under the auspices of the OECD-DAC Network on Development Evaluation.

IOB has continuously expanded its methodological repertoire. More emphasis is now given to robust impact evaluations implemented through an approach in which both quantitative and qualitative methods are applied. IOB also undertakes policy reviews as a type of evaluation. Finally, it conducts systematic reviews of available evaluative and research material relating to priority policy areas.

Annex 2   Terms of Reference for evaluation of human rights projects

November 2011

1   Context

The Order on Periodic Evaluations and Policy Information (RPE 2006) states that every operational policy objective should be regularly evaluated. The most recent overall evaluation of Dutch international human rights policy took place in 2006. The explanatory memorandum (MvT) to the Ministry of Foreign Affairs budget for 2011 stated that a policy review of human rights policy would take place in 2013. In keeping with the prescribed model, this policy review will address: the fundamental issues at stake, the role of central government, the policy objectives, the instruments deployed and their impact. The exact content of the policy review will be determined later, since it will be published in 2013 and will entail an assessment of the current government's policy, including the new emphases of the updated human rights strategy adopted in 2011 (see Background). The contours of the policy review will be set in the first half of 2012.

The evaluation of the human rights projects will be one of the building blocks for the policy review. The planned study will examine the effectiveness of human rights projects financed by the Netherlands, focusing on one of the instruments (financial resources). Other building blocks of the policy review will include an analysis of the human rights strategy and an analysis of projects financed through the UN channel, for both of which secondary material will be used wherever possible.

2   Background

The human rights strategy for foreign policy (2007) states that there will be an enhanced policy focus on human rights and that human rights will be an integral part of our relations with other countries. The Universal Declaration of Human Rights and the subsequent human rights conventions oblige governments to protect human rights, and make human rights a legitimate concern of the international community. Universality and indivisibility are leading principles of the Dutch human rights strategy. Nevertheless, the strategy focuses on issues where a Dutch contribution is needed most. The aim is to use resources as effectively as possible. The following themes are stressed: the abolition of the death penalty; the ban on torture and on cruel and inhuman treatment; human rights and religion; women's rights; children's rights; and combating discrimination on the basis of sexual orientation.[88] Protecting human rights defenders is also a priority. The human rights strategy identifies the forums in which the Netherlands will participate and the instruments

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[88]   Ministry of Foreign Affairs, 'Human Dignity for All – A Human Rights Strategy for Foreign Policy' (2007), pp. 33-60.

that will be deployed (the Netherlands' strategic approach). The strategy also states that working with civil society is essential, and urges joint efforts with international, national and local human rights organisations.

The 2011 policy letter 'Responsible for Freedom: Human Rights in Foreign Policy' updates the Netherlands' human rights strategy. It states that Dutch policy will focus on fields where freedom, security and prosperity reinforce one another. The new policy's priorities are: freedom of expression and internet freedom; freedom of religion and belief; equal rights for everyone (particularly LGBT rights and combating violence against women); combating systematic, gross violations of human rights; support for human rights defenders; human rights in conflict situations; core labour standards; corporate social responsibility; and the contribution of human rights to development. In contrast with the 2007 strategy, children's rights are no longer a priority, and more attention will be paid to freedom of expression and internet freedom and to countries where gross violations are occurring. Another major difference with the 2007 strategy is the strong emphasis on selectiveness and effectiveness. Dutch efforts will be concentrated on issues where the Netherlands can make a difference.

The Netherlands has the following at its disposal for funding human rights programmes and projects:

- the Human Rights Fund (MRF), a fund for the protection of human rights worldwide whose establishment was announced in the human rights strategy. It is intended for human rights projects in countries that are not Dutch development cooperation partners. Its budget was €20 million for 2008, which was raised to €25 million in 2009 and €27.5 million in 2010. In 2012 the MRF is expected to focus mainly on countries where gross violations are occurring;
- financing from bilateral funds in the Netherlands' partner countries. Since 2011, these funds have been allocated centrally;
- financing from the MATRA Fund;[89]
- financing through the co-financing system (MSF), Strategic Alliances with International NGOs (SALIN) or the Trade Union Co-financing Programme (VMP);
- financing through the Office of the High Commissioner for Human Rights (OHCHR) or other UN channels.

This evaluation exclusively concerns projects financed from the MRF, the MATRA Fund and bilateral funds (see Definition).

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[89] Intended for countries in Eastern and Southeast Europe.

3   Aim of the evaluation

This evaluation has a dual objective:
- accounting for the resources spent on human rights programmes and projects from the MRF, the MATRA Fund and bilateral funds in countries with which the Netherlands has a development cooperation partnership;
- identifying points to which further attention is needed in future financing of human rights programmes and projects.

4   Questions for investigation

The central question for investigation is:
- To what extent has Dutch funding of programmes and projects contributed to achieving the objectives of the human rights strategy?

The assumption is that a project that is consistent with the human rights strategy and its priorities and is implemented effectively will help achieve the strategy's objectives. The basic premise is that such projects facilitate other efforts to promote human rights, for example by strengthening a critical civil society. At the same time other human rights efforts affect the effectiveness of these projects.

As the number of effectively implemented projects on the priority themes increases, so does the contribution made by project financing to the realisation of the human rights strategy. The nature and scale of this contribution vary considerably, of course, and depend in part on the level at which an impact is anticipated (individual or group level, organisational capacity, legislation, etc.). The questions distinguish between these different levels (see Table 5, Evaluation method).

Besides helping to implement the human rights strategy, project funding in the Netherlands' partner countries is also meant to help meet development goals. The questions below concern the individual projects.

Consistency with the human rights strategy
- What were the original reasons for funding this project? Was the decision supply-driven or demand-driven?
- Does the project fall under one of the priority themes of the Dutch human rights strategy?
- If applicable: to what extent does the project contribute to Dutch efforts to promote peace and security, and if so, how?

Policy coherence
- To what extent is the project consistent with other Dutch efforts to promote and protect human rights in the country in question?
- To what extent are other foreign policy instruments (diplomacy, statements, etc.) being

used to promote this project's aims?
- If applicable (to partner countries): to what extent does this project contribute to reaching other Dutch goals mentioned in the embassy's Multi-Annual Strategic Plan?
- To what extent is this project consistent with human rights projects funded by other donors?
- To what extent is this project consistent with MFS-funded projects?

Questions on effectiveness

Questions under this heading concern the production of the desired output and the extent to which the project's objectives (intended outcome) have been achieved. If possible, the extent to which the project has helped create the conditions to improve the human rights situation should also be examined. With projects focusing on victims of human rights violations, their contribution to improving the human rights situation can only be identified at the level of individuals or small groups. A project's contribution to improving the human rights situation at national level is not covered by this evaluation, because that depends on many different factors that are beyond any one project's scope.

It should be noted that projects that do not yield immediate results can still be legitimate on moral grounds. Human rights entail an obligation to try to prevent violations.

- Direct results
  - Does the project plan identify the project's intended direct result (output)?
  - If not, can the intended output be identified on the basis of the activities carried out?
  - To what extent has the intended output (whether explicit or presumed) been achieved?
  - What factors influenced failure or success in achieving the intended output?
  - Were the project's objectives (intended outcome) clearly described?
  - If not, can these objectives be identified on the basis of the activities carried out?
  - At what level are these objectives: improving the situation of individuals or groups, informing the public, lobbying or changing institutions?
  - To what extent have these objectives been achieved?
  - What factors influenced failure or success in achieving the intended objectives?
  - What unexpected positive or negative effects has the project had?

- Fostering the right conditions
  - To what extent have the project's results affected the results of other efforts on the same theme?
  - To what extent have Dutch political and other efforts on human rights-related themes affected the project's failure or success in achieving its objectives?
  - If applicable: to what extent has the project contributed to peace and security and/or to achieving development objectives?

The study does not include any questions about efficiency, because it is not possible in most cases to reach a conclusion about whether resources have been used in the most economical way. When there is clear evidence of inefficiency, however, it will be mentioned and fleshed out with explanations.

5   Definition, scope and representativeness

Size of the package of programmes and projects

A preliminary study was conducted in early 2011 to define the scope of what is to be evaluated. Using the Ministry of Foreign Affairs (BZ) information system, information was compiled about how many human rights projects were implemented in the 2008-2010 period, what subjects and regions they covered, what their budgets were and whether they were of short or long duration. There were 648 projects, including several 'block allocations' from which a number of small projects are financed, so that the actual number of projects is substantially higher. After subtracting the projects that were not yet completed at the end of 2010, 468 projects remain. Of these, 231 were financed from the MRF (€54 million) and 237 from bilateral funds or the MATRA Fund (€99 million). The preliminary study also gives more detailed overviews by subject, region and duration. A summary of this preliminary study will be included in the final report of the evaluation.

Period covered by the evaluation

The evaluation will cover the period from 2008 (when the MRF was launched) until September 2011 (when the study started).

Subject of the evaluation

In a discussion of the evaluation in May 2010, the Human Rights Division (DMH/MR), the Financial and Economic Affairs Department (FEZ) and the Policy and Operations Evaluation Department (IOB) agreed that this evaluation will cover both the MRF and bilateral projects, as they are all instruments of a single, global human rights policy. This was reaffirmed when DMH/MR and IOB discussed the preliminary study with two external researchers. The UN channel, MFS, SALIN and VMP will not be considered in this study. Projects financed from bilateral funds or the MATRA Fund will be referred to collectively as bilateral projects.[90] Table 1 gives an overview of the number of projects and funds spent. Table 2 shows the distribution of these projects among the priority issues for the 2007 human rights strategy.

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[90]   The start date for bilateral projects may be before 2008.

Table 1	Overview of projects		
Funding source	**Total projects under way since 2008**	**Total completed (as of start of 2011)**	**million EUR spent**
MRF	307*	237	54[91]
Bilateral	345	231	99
Total	**648**	**468**	**153**

*   For the purposes of this table, 'project' is defined as an activity (project, programme or block allocation to several small projects) included in the BZ information system.

Source: preliminary study

Table 2	Distribution of projects among priority issues	
Priority	**Number of projects**	**Percentage of projects**
1. Combating the death penalty	2	0%
2. Combating torture	9	2%
3. Promoting respect for freedom of religion	2	0%
4. Promoting respect for women's rights	79	17%
5. Promoting respect for children's rights	29	6%
6. Combating discrimination against LGBT people	16	3%
7. Supporting human rights defenders and their organisations	72	15%
8. Promoting respect for freedom of expression	49	10%
9. Combating human trafficking	5	1%
10. General, or not focusing on any of the human rights strategy's priority issues	189	40%
Focus not clear from BZ information system	16	3%
Total	**468**	

Source: preliminary study

The study is aimed at evaluating a good illustrative sample of the type of projects that BZ finances. To this end, the following criteria were used.

- The selection includes both projects financed from the MRF and projects financed from bilateral funds.
- The selection includes projects of both shorter and longer duration.
- The study devotes proportionate attention to all the issues given priority in the human rights strategy, with the qualification that a few issues that are rarely addressed are

[91]   This amount is lower than the total MRF budget because a number of projects that received financing from the fund but were not yet completed are not covered by the evaluation.

over-represented and that issues that are no longer priorities under the updated strategy are under-represented.
• With regard to geographical distribution, countries that will probably not be eligible for financing from 2012 under the new strategy are under-represented.
• This study will not duplicate the work of other IOB studies.
• It must be feasible to conduct the study in about nine months.

On the basis of these criteria, 25 projects in five countries have been selected for extensive study and 12 projects in other countries have been selected for desk studies. In countries where extensive studies will be conducted, several other completed projects related to the priority issues under the updated human rights strategy have been added to the sample. In connection with the enhanced policy focus on countries with gross human rights violations, Zimbabwe has been added to the five countries for in-depth study. Tables 3 and 4 give an overview of the projects to be evaluated.

Table 3	Projects selected for extensive study				
Project	**Period**	**Budget in EUR**	**Priority**	**Act. no.**	**Goal**
Palestinian Territories (bilateral)					
RAM B'Tselem video cameras	09/08-02/09	88,800	General	18391	The overall objective of the project is promoting and protecting human rights in the PT. The specific objective is to improve the documentation by expanding the archive of videos of first-person testimonies and to increase the number of investigations redressing the human rights violations.
RAM ICHR Core support 2008-2010	04/08-12/10	890,105	Human rights defenders	17362	The most important outcome is the annual report on human rights that is submitted to the PA President as well as the PLC Speaker.
RAM TRC Core support 2	01/06-12/08	850,780	Torture	13488	TRC has the vision of a "Palestinian society that rejects and combats a culture of torture, political violence and impunity."

Project	Period	Budget in EUR	Priority	Act. no.	Goal
RAM DCI/PS Core funding 2	01/07-12/09	366,855	Children's rights	15662	Observing and documenting the violation of children's rights, and using this information to develop effective mechanisms to promote the best interests of the child.
RAM WCLAC 3 Core funding (independent Palestinian grassroots organisation with main office in Ramallah and sub-offices in Jerusalem and Hebron)	05/08-12/09	145,946	Women's rights	17347	WCLAC as an independent Palestinian grassroots organisation with a main office in Ramallah and sub-offices in Jerusalem and Hebron that is working to promote and protect women's social and legal rights which have continuously been violated over the years.
Sri Lanka (bilateral)					
Monitoring of presidential elections 2010	2009	133,650	Freedom of expression	20941	Monitoring election-related violence
Responding to gender-based violence against women and children	08/10-07/11	34,200	Women's rights	22313	Overall objective of the project is to address the prevalence of high level GBV in the targeted areas with organised response to provide services to victims to prevent GBV in a community setting.
Equal Ground – Colombo Pride 2010	06/10-08/10	3,161	LGBT rights	21722	The activity is aimed at creating greater awareness about LGBT, help LGBT community to come out openly in expressing their identity, as well as to address issues of attitude relating to LGBT.
Judges' Institute – international law	11/10-07/11	60,400	General	22273	The overall goal of the project is to create conditions where the judiciary in Sri Lanka may become an objective and strategic player in improved rule of law in the post war context.

Project	Period	Budget in EUR	Priority	Act. no.	Goal
Nonviolent Peaceforce	08/09-07/10	80,000	Human rights defenders	20167	The specific objective and outcome for this project is to improve safety and security for Human Rights Defenders in Sri Lanka.
Nigeria (MRF)					
Counter trafficking initiative	07/08-03/11	400,000	Human trafficking	18324	Direct Assistance and Capacity Building Assistance to Victims of Trafficking
Global rights – human rights abuses – LGBT	04/09-04/12	85,000	LGBT rights	19217	Fighting Human Rights Abuses against Lesbian, Gay, Bisexual and Transgender individuals, communities and HR defenders in Nigeria
SERAP magistrates' integrity	10/09-09/11	341,000	General	20423	Promote magistrates' courts' integrity and improve access to justice
ABJ SDN / Groundwork	11/08-12/11	1,400,000	General	18949	Creating awareness Niger Delta Human Rights, Women's Rights, Environmental Rights, Voluntary principles
ABJ EFCC / UNODC	01/08-12/11	518,000	General (CSR)	18955	Promoting ethics and Transparancy in Business Transactions in Nigeria

Project	Period	Budget in EUR	Priority	Act. no.	Goal
Kazakhstan (MRF)					
ALM Media and human rights (24-month project)	12/07-02/10	100,000	General	17030	The goals of the 24 months project are to raise awareness of the public, civil society organisations and international community of the importance of human rights protection in Central Asia by developing website, electronic bulleting and newspaper dedicated to human rights.
Combating trafficking	12/07-01/10	251,124	Human trafficking	17153	The final goal of the current project is to contribute to combating trafficking in persons in Kazakhstan and Central Asia as a whole, by providing protection and support to trafficking victims, raising awareness of vulnerable groups, and building capacity for instituti-ons which directly assist the victims of trafficking.
Human rights, reforms and democratisation	03/09-07/10	102,653	General	19841	The goal of this project is to provide support to Kazakhstan's efforts to adopt new legislation on freedom of religion, freedom of assembly and association and freedom of information in line with OSCE standards; and to implement new laws on media, political parties, and elections, while seeking further reforms in these areas and ensuring civil society involvement in the legislative process.
Info Plus	11/09-01/10	6,246	Freedom of expression	20780	The overall outcome will be strengthening of the freedom of opinion in Central Asia.
AST Commissioner for Human Rights	09/09-11/10	71,961	Torture	20384	The main outcome of the project will be better observance of basic human rights of the detained, suspected and convicted in Kazakhstan.

Project	Period	Budget in EUR	Priority	Act. no.	Goal
Zimbabwe (MRF)					
HAR Counselling Services Unit	10/09-03/10	96,032	Torture	20706	The aim of the activity is to provide medical, psychosocial and rehabilitation services to victims of OVT, enable victims of OVTs to access justice as well as campaign for the eradication of torture.
HAR Sexual Rights Centre (SRC)	07/10-06/11	37,265	LGBT rights	21786	To strengthen the skills and capacity of the Lesbian, Gays, Bisexual, Transgender and Intersex community to defend, articulate and exercise their human rights.
HAR Gays and Lesbians of Zimbabwe (GALZ)	09/10-09/11	39,521	LGBT rights	22053	To strengthen the skills and capacity of the Lesbian, Gays, Bisexual, Transgender and Intersex community to defend, articulate and exercise their human rights.
HAR human rights facility 2007	09/07-06/11	1,946,320	Human rights defenders	16072	Zimbabwe Lawyers for Human Rights
HAR human rights facility 2008	06/08-07/09	241,718	General (election observation)	17683	Pan African Parliament- Monitoring mission during the 2008 elections.

Table 4	Projects selected for desk study				
Project	**Country**	**Region**	**Priority**	**Duration**	**MRF/ bilateral**
IJP Southeast Asia project (death penalty)	regional	Asia	Death penalty	long	MRF
Joint Programme on Gender Equality	Albania	Europe	Women's rights	long	bilateral
Assistance Int Afghans (2 successive projects)	Iran / Afghanistan	Middle East	Women's rights	short	MRF
Discr. Orientation Sexual	Chile	Latin America	LGBT rights	short	MRF
Rehabilitation Plans Political Prisoners	Myanmar	Asia	Human rights defenders	short	MRF

International Freedom of Expression Exchange	-	global	Freedom of expression	long	MRF
Shahrzad	Iran	Middle East	Freedom of expression	long	MRF
Land rights	Angola	Africa	General	long	MRF
Tomorrow is a New Day (Kesho ni Siku Mpya - Lobi Mokolo ya Sika)	DR Congo	Africa	Women's rights	long	bilateral
KSS Carter Center - rule of law	DR Congo	Africa	General	long	bilateral
Information and participation rights	China	Asia	General	long	MRF
Movies that Matter	-	global	General	short	MRF

Representativeness

The number of projects for each of the more frequently addressed issues in the sample is roughly proportional to the number in the entire set of projects, except that children's rights are under-represented because they are no longer a priority in the updated strategy. The issues that are rarely addressed by projects, such as the death penalty and torture, are over-represented in the sample, because the decision was made to have all issues represented. The regional distribution of the projects is not representative of the projects as a whole: Latin America and Europe are under-represented, because most countries in these regions will no longer be eligible for new financing from 2012. In addition, a human rights component was included in the IOB evaluation of BZ Latin America programmes.

The sample gives a good picture of both MRF-financed projects and projects financed in bilateral frameworks. Total expenditure on the projects selected for evaluation, including those in Zimbabwe and those added from the five selected countries, is about €12 million, roughly 8% of the total spending of the MRF and bilateral human rights projects. The sample is not sufficiently representative to justify conclusions about the funded projects as a whole. For logistical reasons a decision was made not to examine a representative sample: in view of the diversity of issues and the large number of countries, that would have demanded a great deal of time and considerable resources.

6   Approach and methods

In five countries an in-depth study will be conducted of at least four projects per country. Data will be collected through document review and through interviews with (representatives of) the projects' target groups, with managers of the implementing organisations, and with people directly involved in implementing the projects.

Protecting informants is a central concern. If an informant's safety cannot be guaranteed, that person will not be interviewed. The embassy in the country concerned will be consulted about these decisions.

The diagram below (Table 5) will provide guidance for the in-depth studies in answering questions about project effectiveness.

In the desk studies, the questions will be answered on the basis of existing materials – final reports and evaluation reports – supplemented by several interviews with staff members of implementing organisations and Dutch embassies. In principle the same method of evaluation will be used in desk studies as in in-depth studies, albeit with fewer sources and only limited scope for comparing the findings with informants' perceptions. The questions concerning the projects' contribution to peace and security and to the human rights and development strategies, and concerning the projects' coherence with other programmes, will be answered exclusively on the basis of a telephone interview with Dutch embassy staff.

The preliminary study has shown that projects cover a great variety of subjects and interventions. Most project proposals identify the intended output, though not always with indicators. In cases where no indicators have been given to judge success, indicators will be devised for the evaluation. It will also usually be necessary to devise indicators on the basis of the project documents to determine whether the project objectives have been achieved. The diagram below uses two very different examples of projects that have been selected for closer study. Project (a) concerns monitoring of and reporting on irregularities in elections in a post-conflict country; project (b) is aimed at combating gender-based violence and providing help to the victims. Project (a) falls under promoting respect for freedom of expression; project (b) under protecting and promoting women's rights. The list of indicators is clearly not exhaustive, even for projects that fall under these two headings.

Table 5	Evaluation method				
Effect	**Indicators/level**				**Sources**
Output at project level	**Individual/ group**	**Institution**	**Legal**	**Other**	
a) freedom of expression	Extent of training/ monitoring Publication				Project document People carrying out project Stakeholders Dutch embassy
b) violence against women	Extent of campaign Number of workshops	Mechanism set up for identifying victims			

Effect	Indicators/level				Sources
	Individual/ group	**Institution**	**Legal**	**Other**	
Achievement of project objectives					
a) freedom of expression				Election irregularities made known Assessment of elections' credibility accepted	Project document Literature People carrying out project Stakeholders Dutch embassy DWH/MR
b) violence against women	Number of victims helped Number of mediations Increased awareness of violence	% of trainers in community who are regularly consulted	Increase in reporting of violence (improved law enforce- ment)		
Contribution to reaching human rights strategy goals					
a) freedom of expression				More freedom of expression	Project document Literature Dutch embassy DMH/MR
b) violence against women	Number of violent incidents (better record-keeping)				

Effect	Indicators/level				Sources
	Individual/ group	Institution	Legal	Other	
Contribution to peace and security					
a) freedom of expression				Contribution to stability	Project document Literature Stakeholders People carrying out project Government Dutch embassy DMH/MR EVF
Contribution to develop-ment objectives					
b) violence against women	Higher % of victims treated (right to health care)				Project document Literature Stakeholders Government Dutch embassy DMH/MR DEC

7   Organisation

IOB inspector Marijke Stegeman will have overall responsibility for the evaluation. An external team will be contracted through limited bidding to implement at least four country studies. In consultation with the selected researchers, the IOB (the inspector and a research assistant) will conduct the desk studies and one of the in-depth studies. Senior researcher Bas Limonard and inspector Nico van Niekerk will monitor the evaluation, which will be supervised by a reference group made up of DMH/MR and two outside experts and chaired by IOB director Ruerd Ruben.

8   Product

The evaluation will produce a final report, to be presented to the Minister of Foreign Affairs.

Annex 3   Outline for project assessment

Project name:

Activity number: ....

Country: ....

Implementing organisation: ....

Type: ....

Period: ....

Budget: ....

Modality: ....

Thematic area: ....

HR priority strategy 2007: Y/N ....

HR priority strategy 2011: Y/N ....

1   Project description and relevance

Project background/context

....

....

....

Project goals

....

....

....

Project activities/input

....

....

....

Primary beneficiaries

....

....

....

Secondary beneficiaries

....

....

....

Identified stakeholders

....

....

....

Questions related to NL Human Rights strategy:

Grounds for financing
• *Correspondence with efforts in peace and security?*
• *If yes, in what way.*

Questions related to coherence:

Correspondence with other Dutch HR efforts?

Correspondence with MDG realisation?
• *If yes, in which way?*

Y/N/NA

Correspondence with HR projects financed by other donors?

Correspondence with MFS (co-financing programme) supported HR-projects?

2   Results

Construct matrix of output indicators:

• *Output well defined?*   Y/N

• *If yes, describe output and indicators*

• *If no, can envisaged output (and indicators) be reconstructed?*

Description achievement of output:

Construct matrix of outcome indicators:

• *Outcome well defined?*	Y/N
• *If yes, describe outcome and indicators*	
• *At what level are the goals formulated?* *(individual; organisation/policy)*	
• *If no, can envisaged outcome (and indicators) be reconstructed?*	

Description achievement of outcome	
Description unexpected results, including influence on other HR-efforts.	

Reasons for (in) effectiveness

• *Influence of other HR-efforts?*	
• *Contribution to peace/security and/or MDG's?*	

3 Main findings and conclusion

Relevance:	
Effectiveness:	

4 Sources:

Documents:	
Interviews:	

Evaluation reports of the Policy and Operations Evaluation Department (IOB) published 2008-2012

Evaluation reports published before 2008 can be found on the IOB website: www.rijksoverheid.nl/bz-evaluaties

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This evaluation report presents the findings of an assessment of Dutch support to human rights projects in the period 2008-2011. It has been conducted by the Policy and Operations Evaluation Department (IOB) of the Dutch Ministry of Foreign Affairs. The report is based on case studies in five countries (Kazakhstan, Nigeria, Palestinian Territories, Sri Lanka and Zimbabwe) and a desk study. The evaluation findings show that project support has helped to achieve the objectives of the Dutch human rights strategy. The projects have contributed to the protection of human rights defenders, the promotion of the rights of women and LGBT individuals and the realisation of freedom of expression. In addition, assistance has been provided to victims of torture, human trafficking and other human rights violations. Issues for improvement include better project coordination among partners and more attention to sustainability.