

Capacity assessment

Danish Institute for Human Rights (DIHR)

PEMCONSULT
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List of abbreviations

CA	Cooperation Agreement
CSO	Civil Society Organisation
DCISM	Danish Center for International Studies and Human Rights
DIHR	Danish Institute for Human Rights
DIIS	Danish Institute for International Studies
EC	European Commission
HRBA	Human Rights Based Approach
M&E	Monitoring & Evaluation
MFA	Ministry of Foreign Affairs
NHRI	National Human Rights Institution
PoA	Plan of Action
ToR	Terms of Reference
UN	United Nations

1. Background

Danish strategy for support to civil society

The “Strategy for Danish support to civil society in developing countries” (the civil society strategy) provides the overall framework for the use of funds channelled through Danish civil society organisations (CSOs). Adopted in December 2008², the strategy builds on the overall goals of Denmark’s development cooperation, which are centred on poverty reduction, environmental sustainability, gender equality and human rights.

As defined in the civil society strategy, the long-term objective of the support through Danish CSOs is *to contribute to the development of a strong, independent and diversified civil society in developing countries*. This long-term objective is broken down into nine “strategic” objectives, formulated as follows:

1. Promotion of a vibrant and open debate nationally and internationally
2. Promotion of a representative, legitimate and locally based civil society
3. Promotion of capacity development, advocacy work and networking opportunities
4. Promotion of focus on rights
5. Promotion of flexible and relevant interventions in fragile states and situations
6. Promotion of civil society support in Danish bilateral and multilateral assistance
7. Involvement of Danish civil society organisations in development assistance
8. Collaboration with other stakeholders
9. Goals and results

The civil society strategy places particular emphasis on advocacy work and support to capacity building of CSOs at the local, national and global level. It also underlines that Danish CSOs should:

- Provide value-added beyond the financial support to partner organisations. This value added should be reflected in different areas, on technical issues, through the promotion of diversity, and international networking;
- Strengthen inter-cultural understanding and partnerships with a view to encourage new ideas and mutual learning in the South and the North;
- Work towards establishing a close relationship with the general public in Denmark, including by ensuring a strong membership-base and financial independence, and;
- Raise public awareness about development cooperation. Danish organisations can allocate 2% of the funding received from the Danish government to information sharing and communication in Denmark.

An evaluation of the civil society strategy was carried out in 2012. The evaluation recommends that the strategy be replaced by a Civil Society Policy Paper, which should “promote good Danida practice on working with civil society across the full range of cooperation modalities” and be directly aligned with “The Right to a Better Life”, the strategy for Denmark’s development cooperation adopted in June 2012.

² A new civil society policy/strategy is being developed and is expected to be adopted in 2014.

Assessment and review of Danish framework organisations

The Danish government has in recent years taken a number of initiatives to streamline the support to civil society channelled through Danish CSOs. In 2009, a new mechanism was established offering the opportunity to apply for funding for thematic and geographically focused programmes, complementing the existing “single project modality”. This was followed, in 2012, by the introduction of multi-annual framework agreements for support through Danish CSOs.

As of 2014, the following 15 Danish CSOs receive programme support through multi-annual framework agreements with MFA: Mellempfolkeligt Samvirke/ActionAid Denmark, Danchurchaid, IBIS, Danish Red Cross, Save the Children Denmark, Care Denmark, LO/FTF Council (Ulandssekretariatet), ADRA Denmark, United Federation of Danish Workers (3F), Caritas Denmark, Forests of the World, Danmission, Danish Family Planning Organisation (Sex & Samfund), Sustainable Energy (Vedvarende Energi), and Disabled People’s Organisation Denmark.

As a basis for decision on granting programme support, MFA has carried out capacity assessment of all the above-mentioned organisations. The first such assessments were completed in 2009 and the last ones in 2011. In 2012, the new modality of multi-annual framework agreements prompted a new round of desk reviews of the same organisations. The specific purpose of the desk reviews were to assess to what extent the organisations met the criteria for framework organisations, including with regard to:

1. Administrative and professional capacity, including programme management,
2. Development experience, including approaches to partnerships,
3. Adherence to Danish development policies,
4. Analysis of programme country context,
5. Own financing and anchorage in Denmark.

The reviews have primarily drawn on the findings and conclusions of the organisational capacity assessments, later reports and appraisals, and interviews with management and staff.

It is anticipated that the multi-annual framework agreements will lead to an increasing emphasis on goals and results, reduce transaction costs for both MFA and the Danish organisations, and allow for a more strategic dialogue. At the same time, higher demands will be placed on Danish CSOs in terms of accountability, transparency and efficiency.

2. Purpose and method of the DIHR capacity assessment

DIHR was subject for a thematic review in 2009, including a capacity assessment, which focused on the use of funds under the CA with MFA. A similar review was undertaken from August to October 2013. The 2013 review recommended that the prospects for multi-year funding should be explored as part of the continued dialogue between DIHR and MFA.

In line with the desk reviews carried out of other Danish organisations, the purpose of this capacity assessment is to provide MFA with an informed basis for deciding on whether DIHR has the capacity and systems in place to receive funding as a “framework organisation” under the multi-annual framework agreement modality.

The review should result in a report with conclusions and recommendations relating to the requirements on Danish framework organisations and the conditions for the use of MFA funds. These requirements and conditions are defined in the general guidelines for Danish organisations with framework agreements with MFA³, and can be summarised in English as follows:

1. The framework organisation should be able to document *long-term engagement and continuity* in the planning of its interventions and describe its *core competencies* and *focus areas*.
2. The framework organisation should contribute *own financing* of a minimum of 20 per cent of the total budget of the programme covered by the agreement.
3. Funds received under the multi-annual framework agreements can be used for *EU co-financing*, provided that there is a clear relationship between the activities to be co-funded and the goals of the framework agreement.
4. The operations of the framework organisations, including the choice of cooperation countries, partners, target groups and specific areas and type of activities, shall be based on the civil society strategy and *contribute to the overall goals of Denmark’s development cooperation* (as reflected in “The Right to a Better Life”).
5. The framework organisation should focus the programmes financed through the multi-annual framework agreements to a *limited number of countries* and develop *country strategies* to ensure a strategic approach to programming.
6. Activities financed through the multi-annual framework agreements should be related to the *cooperation country’s strategies for poverty reduction*.
7. The framework organisation should, in its overall strategy, describe how it addresses the *crosscutting considerations* of Denmark’s development cooperation

³ MFA, 2012. *Generelle retningslinjer for danske organisationer med rammeaftaler med Udenrigsministeriet*.

policy: i) equality, ii) good governance, human rights and democracy, and, iii) environment, as well as the priority area of HIV and AIDS.

8. Activities financed through the multi-annual framework agreements should be formulated as part of a *larger coherent development programme* with clearly defined themes and sectors for which strategies should be developed.
9. The framework organisation should ensure *close cooperation and coordination* with relevant actors and help building the capacity of local partners to carry out activities in an effective and efficient manner – with reference to the goals of the Paris Declaration of 2005, the Accra Action Plan from 2008 and the Busan Declaration of 2011.
10. The framework organisation should *document the results* of its work.
11. The framework organisation should document how it achieves a strong and sustainable *relationship with the general public*.
12. The framework organisation should ensure that its partner organisations and other actors benefitting from the funds made available through the multi-annual framework agreement are not included in the UN and EC *lists of terrorist organisations*.
13. The framework organisation should ensure *good administrative practice and cost-efficiency* in the management of funds obtained through the framework agreement.
14. The framework organisation should have an *anti-corruption policy* and an *ethical code* guiding its work and the administration of funds.

However, as a self-governing institution within the public administration, DIHR has been exempted from the requirement relating to own financing (#2) and anchorage in Denmark (#11). Consequently, this report does not assess DIHR against these two requirements.

The capacity assessment of DIHR is to a large extent based on the 2013 review and the follow-up interviews that have been conducted with selected DIHR managers and staff. Other key sources of information for the capacity assessment include:

- DIHR's Plan of Action (PoA) for follow-up to the 2013 Review (Annex B)
- DIHR's Cooperation Agreement Application 2014
- Overview of DIHR staff – table filled out by DIHR (Annex E)
- A selection of DIHR's manual, guidelines and tools for project management, administration and financial control
- Danish development cooperation strategies

Both DIHR and the Human Rights Department of MFA have reviewed the draft report and their comments have been taken into account in the final version.

3. DIHR – brief overview

DIHR is Denmark's national human rights institution (NHRI). As established in the NHRI Law⁴ (2012), DIHR is a fully independent institute “with the purpose of promoting and protecting human rights in accordance with the UN Paris Principles of 1991”.

The origins of DIHR can be traced back to 1987 when the then Danish Center for Human Rights was created. During the period 2002-2012, DIHR was part of the Danish Center for International Studies and Human Rights (DCISM), which also housed the Danish Institute for International Studies (DIIS). When DCISM was dissolved on 1 January 2013, DIHR moved into its own office in Copenhagen.

The NHRI Law gives DIHR the general mandate to promote and protect human rights in times of peace and during armed conflicts, in particular by:

- Undertaking monitoring of and reporting on the human rights situation in Denmark;
- Conducting analysis of and research into the human rights area;
- Advising parliament, government and other public authorities and private stakeholders on human rights;
- Promoting the coordination of and assistance to civil society organisations' work with human rights;
- Implementing and promoting education in human rights;
- Providing information on human rights;
- Ensuring library facilities regarding human rights, and;
- Contributing to the implementation of human rights nationally and abroad.

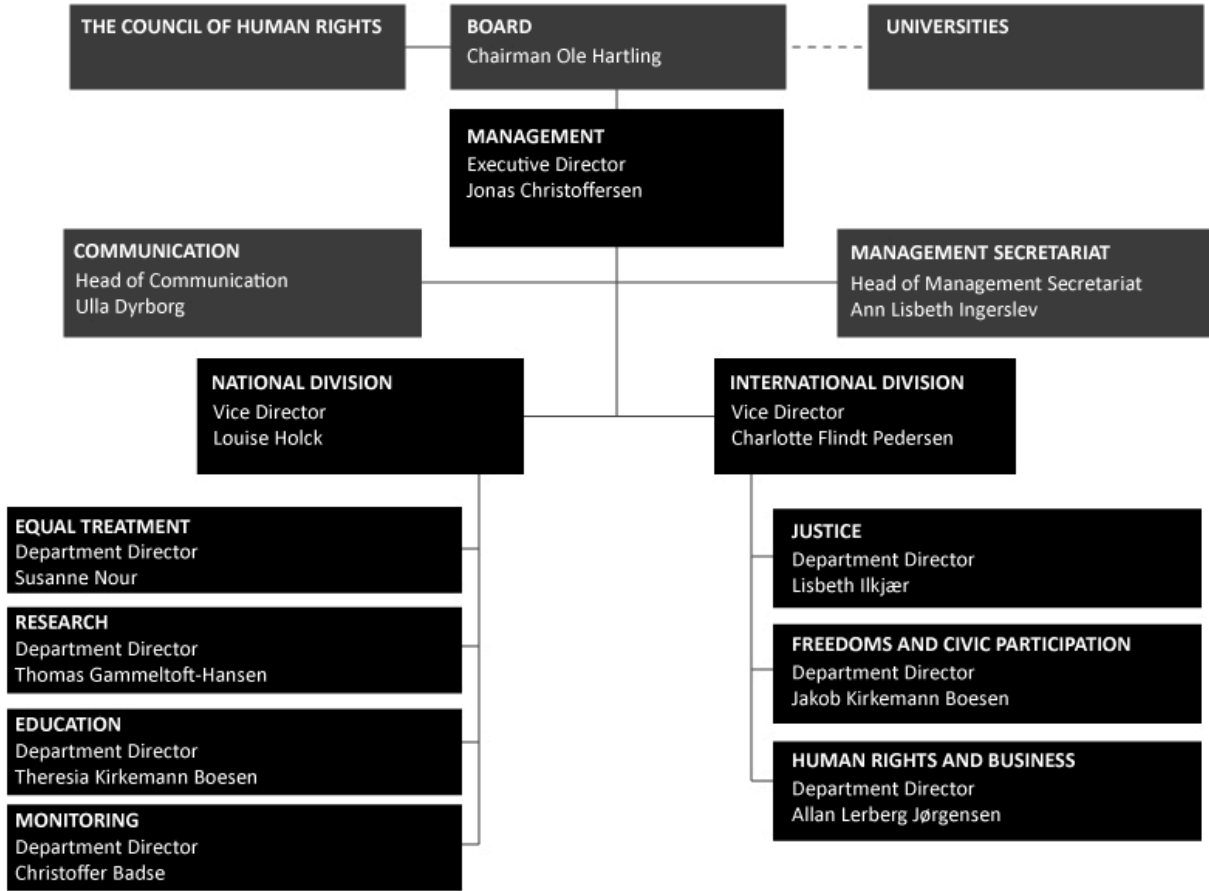
DIHR has over 20 years of experience from development cooperation. Its broad mandate has enabled DIHR to support a wide range of programmes, project and initiatives to strengthen human rights institutions and systems. The work has spanned over a large number of countries in Asia, Africa, and the Middle East and been complemented by global initiatives and research. During the past few years, DIHR's international work has come to focus on the four themes of:

- Access to justice and rule of law
- People's participation and civil society
- Human rights and business
- Human rights education

Special emphasis is also given to the strengthening of national human rights institutions and the international human rights system (e.g. regional and UN bodies).

⁴ Act No. 553 of 18 June 2012, *Lov om Institut for Menneskerettigheder – Danmarks Nationale Menneskerettighedsinstitution*.

The highest decision-making body of DIHR is the board. The board is advised by the Council for Human Rights, which consists of some 50 individuals representing various public organisations, government ministries, political parties, and CSOs. DIHR is also directly affiliated with Danish universities, which have a fixed representation on the board. The main office of DIHR in Copenhagen is led by the DIHR Director and has a total of some 150 staff members. It comprises a national and international division, a communications department and a management secretariat. The national and international division are in turn made up by several sub-departments. In addition, DIHR has two local offices, in Niger and China respectively, as well as staff posted in Zambia, Mali and Tunisia.



DIHR’s total income for 2014 is estimated at DKK 136.4 million based on the budget approved by the board in November 2013 (Annex F). International activities are budgeted at DKK 83 million, of which DKK 68 million come from MFA’s various grant appropriations. Apart from the funds provided under the CA (DKK 29,2 million), DIHR receives contributions from country programmes in the Middle East and Northern Africa (Libya, Tunisia, Yemen) and Asia (Afghanistan and China). The non-MFA funding comes from a multitude of sources of which EC and Swiss Development Cooperation currently are the largest. Other significant partners include DFID, Sida, Nestlé, Shell, and Novo Nordic. An annual core grant of DKK 22,1 million is also received from the Danish Parliament for activities in Denmark.

4. Assessment of DIHR by criteria

4.1 Administrative and professional capacity

Administrative capacity

The administration of DIHR is primarily housed in the management secretariat. This is a relatively new organisational body that was formally established only in January 2013 when DCISM was dissolved and the “new” DIHR created. Currently, the management secretariat has 15 staff members, many of whom were previously working in the DCISM administration department. The management secretariat handles the budgeting, accounting, human resources and infrastructure of the institute as a whole. Through its three controllers, it also has a key role in the quality assurance of project budgets, financial reporting and the follow-up of project agreements and contracts.

General systems and procedures: DIHR uses the official financial management software (Navision) of the Agency for the Modernisation of Public Administration (Moderniseringsstyrelsen) and the related systems for payment and business travel prescribed by the Danish Finance Act (i.e. IndFak and RejsUD). In 2013, DIHR completed the migration to Navision 5.4. Based on the instructions of the Ministry of Finance, DIHR has during the past two years prepared internal instructions on a wide range of procedures for administration and financial management. To date, instructions and accompanying checklists and templates have been developed on accounting, budgeting, procurement of goods and services, payroll management, externally funded activities as well as a travel policy and guidelines. In addition, standard tools for project management and reporting have been developed. The instructions and related documents are available on a shared network drive. DIHR is currently in the process of establishing an intranet, which will facilitate access to internal policies and guidelines.

As recognized by the Auditor General’s Office, the MFA controller team and the MFA Department for Quality Assurance (KVA), DIHR has significantly improved its financial management systems and practice since 2011. The 2013 review underlines that DIHR’s new project budget model and the monthly budget and expenditure follow-up procedures has helped to strengthen financial control. It also indicates that the segregation of duties within financial procedures has improved as a result of a clearer division of roles and tasks between the project manager and the controller. At the same time, there is continued need for DIHR to improve its systems for accounting and reporting of development cooperation funds. In line with the recommendations of the 2013 review, DIHR is currently analysing how best to report on the cost of key services provided, such as transfers to partners, resources used for capacity development, salaries at head office and in the field etc. This is also one of the milestones agreed between MFA and DIHR in response to the 2013 review and as part of the process of DIHR “framework organisation” application.

Transfer of funds: DIHR has reviewed and further streamlined its standard agreement format for cooperation with partner organisations. The agreement specifies the responsibilities of the partner organisation with regard to the use of funds, financial management, inventory records, narrative and financial reporting, etc. It also includes, as

an annex, more elaborate guidelines on accounting, documentation, auditing and reporting. As indicated by the 2013 review, DIHR's partners are generally well informed of the terms and conditions for funding and appear to have adequate financial management systems, including procedures for project-wise recording of income and disbursements. The DIHR PoA commits the organisation to further improve procedures to ensure partner organisations' compliance with DIHR's requirements.

Audits: DIHR is audited by the Danish Auditor General (Rigsrevisionen). Funds transferred to partner organisations abroad are audited locally, commonly by internationally recognised audit companies. The guidelines attached as an annex to the cooperation agreement specify that the audit must be carried out by an independent and certified auditor acceptable to DIHR, and that grants disbursed by DIHR must appear explicitly in the overall accounting along with a full specification of any other income. However, given the importance of the audit for the control of funds, it is **recommended** that DIHR develop internal audit guidelines with procedures for approving local auditors, reviewing audit reports, and acting upon any recommendations that the auditors may have. This may be done in the context of the above-mentioned effort to secure partner organisations' compliance with DIHR terms and conditions.

Personnel management: Employment in DIHR is covered by the collective agreement between the Ministry of Finance and the Danish Confederation of Professional Associations (Akademikernes Centralorganisation). The personnel policies and procedures applied within the now dismantled DCISM-structure are gradually being transferred and adapted to the new organisation. DIHR has a mechanism for regular staff development talks, a competence development strategy, and has recently adopted a new salary policy. Employment is formalised in employment contracts, a standard set of which has been developed for different employment types (e.g. permanent, student, consultant, etc.). An instruction on recruitment procedures will be developed in 2014. It is **recommended** that DIHR make all human resources-related material available in one place/portal on the forthcoming DIHR intranet.

Time registration system: DIHR is using the ARS (Activity and Results Steering) time registration system, which makes it possible to trace pay roll expenditures to a specific task or project. Procedures are also in place for recovering indirect (administrative) costs that cannot be attributed to a specific task or project. This is done by adding an overhead rate, determined based on DIHR's overall budget for the year, to payroll and operating expenses. Built into DIHR's budget model, the overhead rate for 2013 was 7 per cent for operating expenses and 88 per cent for payroll expenses.

Cost efficiency and good administrative practice: Administrative overheads made up 35 per cent of the total costs of the CA in 2012. The direct costs incurred for salaries amounted to some 41 per cent. The high share of salary costs relative to other costs (transfers to partners, travel, costs associated with postings and country offices, etc.) is justified by the fact that DIHR uses its own staff (rather than consultants) to provide technical assistance, coaching and training to partner organisations. The 2013 review notes that the cost effectiveness of this approach can be questioned, and, as indicated above, therefore recommends DIHR to report on the distribution of costs incurred in

Denmark and abroad, and, relatedly, the cost of staff time spent on capacity building activities.

The procurement of goods and services is carried out based on Danish law and in line with DIHR's internal instructions. The instructions establish threshold levels for different types of procurement, the financial authority of staff to decide on procurement, the process of evaluating price offers, and the rules for advertising bids. DIHR's travel policy stipulates that business travel should under normal circumstances be conducted in economy class, and that per diem will be calculated based on the rates set by the Danish Ministry of Finance. Flight tickets for staff are procured through MFA's travel agency. An internal telephone policy is also in place, encouraging the use of internet-based communication to reduce costs.

Anti-corruption and ethical principles: Many of DIHR's cooperation countries suffer from high levels of corruption. DIHR requires partners to undergo annual audits by international accountants and to adhere to a policy of zero-tolerance on corruption. Contracts with partners include the MFA anti-corruption clause and DIHR has according to applicable rules reported risks of corruption to MFA. However, DIHR does not have any standard procedures for managing suspected misconduct, complaints mechanisms or means for the protection of whistle-blowers. The DIHR PoA and the milestones agreed with MFA indicate that DIHR will develop a new anti-corruption policy during 2014 and consider how to establish a complaints mechanism. It is **recommended** that DIHR develop a separate code of conduct with ethical principles for staff.

In December 2013, MFA informed the Auditor General's Office about "possible financial irregularities" with respect to a DIHR consultancy agreement with the Zambian Ministry of Justice and UNDP. The issue, identified by the 2013 review, concerns the use of CA funds in relation with two commercial contracts signed in 2008. It is noted that DIHR has changed its accounting procedures from 2012 and adopted measures to ensure that external funding as commercial contracts ("Indtægtsdækket virksomhed") and other externally funded activities ("Anden Tilskudsfinansieret Aktivitet") are adequately categorized and separated.

Media preparedness: DIHR's communication department has developed a checklist for managing information requests from journalists. While staff members are free to answer questions relating to their own areas of expertise (usually in consultation with the communication department), issues relating to the organisation as such are referred directly to the communications department and the senior management. DIHR's communication strategy encourages staff to pro-actively share information with stakeholders and the media through its press network. DIHR's audited financial report and minutes from the meetings of the board will be available on DIHR's new website, to be launched in February 2014.

Crisis preparedness: DIHR has contracted a global risk consultancy company to provide security-updates and advice to DIHR staff members planning to travel to high-risk countries and areas, as well as on-the-ground protection and support. Some staff members have participated in hostile environment training. Security of staff is also addressed as an integral part of the APV (arbejdsplads vurdering) of DIHR.

EC/UN lists of terrorist organisations: DIHR does not screen partner organisations against the EC or UN lists of terrorist organisations and individuals. It is **recommended** that a procedure to this end be introduced.

Professional capacity

The mandate as a NHRI requires that DIHR has specialist expertise on human rights and the capacity to generate new knowledge through analyses, research and monitoring of developments with regard to the human rights situation in Denmark and abroad. Of DIHR's 150 or so staff members, approximately 50 are involved in the international work.

The 2013 review indicates that DIHR possesses a high level of competence in the core areas for its international work – access to justice and rule of law, participation and civil society, human rights and business, and human rights education. It also suggests that the institute has continued to strengthen its capacity to undertake research, context analysis, baseline studies, appraisals and monitoring and evaluation. The DIHR Strategy 2013-2016 foresees that DIHR can add value by bringing substantial expertise into partnerships with national human rights actors with a strategic role in human rights promotion and protection. The practical experience gained through such partnerships can feed into research, method development and DIHR's work with the international human rights system.

As shown by the overview of staff (Annex E), DIHR staff members generally have relevant academic qualifications and professional experience and responsibilities matching their competency profile. Both the management secretariat and communications department can be considered well staffed. The communication department recently received an additional staff position focusing on international activities.

Capacity for change management: DIHR recognises that staff resources may be re-allocated to match the requirements of the DIHR strategy 2013-2016, related sub-strategies and the on-going organisational development process. As recommended by the 2013 review, the capacity of the international secretariat should be reviewed and possibly strengthened given its important coordinating function and task to develop systems and procedures for the international work. Recently, two additional staff members have been attached to the international secretariat to strengthen its capacity on M&E and development of crosscutting themes. According to the DIHR PoA, possible further changes to the will be decided based on the outcomes of an on-going internal analysis of DIHR's administrative structure.

The 2013 review notes that there has been a high rotation of board members and that the ability of the present board to perform its strategic management and oversight function in an efficient manner can be questioned. DIHR and the board share this conclusion, and a sub-committee has been formed to look into the composition of the board. A proposal will reportedly be tabled at the annual meeting in August 2014. In line with the conclusions of the 2013 review, the milestones agreed with MFA also include an action to clarify the role of the board in relation to international activities.

Competence development: Staff training is organised with funding from the Danish “competence fund”. Courses have been conducted on project management, administrative procedures, leadership skills, etc., and in-house seminars are regularly being held on topics related to DIHR’s general mandate. A strategy for competence development was completed in early 2014 to link competence development efforts more clearly to DIHR’s strategic goals. The strategy envisages both internal and external training and a combination of formal/planned and informal learning. DKK 900,000 has been allocated for 2013 and 2014 to meet training needs within the competence development strategy.

Programme management

DIHR’s current priorities are set out in a three-year (2013-2016) strategy adopted by the board. The strategy defines the vision and mission of DIHR and sets out the direction of the institute within five core areas: knowledge generation; knowledge sharing; advocating equal treatment; strengthening human rights in other countries, and; prioritising lasting changes. The priorities for the international work are framed within three areas: geographical focus, knowledge and method, and international influence.

Programming: DIHR has permanent programme teams for five geographical regions and four thematic areas. A “matrix structure” for programme management has been established whereby staff members of the international division have a departmental belonging but are also attached to one or several programme teams. The programme teams are responsible for developing programme strategies, baselines and monitoring frameworks and organising reference group meetings. From 2013, the programme teams are expected to prepare a quarterly programme report.

As indicated by the 2013 review, the matrix structure has facilitated the process of prioritising resources, as smaller, often short-term, projects are being merged together in programmes with a longer time horizon. It has also improved internal coordination and communication, including at the management level, between projects, and between staff working in different geographical regions. At the same time, the scope of DIHR’s international work remains broad, both geographically and thematically, and this may have implications for organisational efficiency and value-added.

DIHR has written programme strategies for West Africa, China and the MENA region. In line with the recommendations of the 2013 review, DIHR is currently revising its international strategy, a draft of which was prepared in 2013, and subsequently plans to develop written sub-strategies for each of the five geographical regions where it works. A comprehensive project review will be conducted to ensure a strategic fit between interventions and strategies. DIHR’s PoA states that the strategies will be formulated sufficiently narrowly to allow both selection and rejection of concrete projects. The development of an international strategy is also part of the milestones agreed with MFA “to strengthen the direction of the international work, including greater coherence

between DIHR's national and international work; clarification of aims and objectives with the scope of the current strategy 2013-2016"⁵.

Results-based management: In response to MFA's conditions for the use of CA funds, DIHR has carried out country-level baseline studies on a pilot basis in Zambia and Zimbabwe, and developed a guide for expanding this practice to other countries. In addition, written "country entry and exit strategies" have been prepared for all countries covered by the CA. New *projects* are developed in a specific DIHR project document format, including a standard logframe. Objectives and output and outcome indicators are identified together with partners. The indicators are monitored by DIHR's project managers through regular field visits and based on the annual progress reports submitted by partners. The monitoring is recorded in a quarterly DIHR project report that specifies whether outputs are delivered, and provides information of progress against plans. The quarterly reports are reviewed and commented on by a management representative.

Evaluations: The type and use of evaluations has been standardised with the adoption of the DIHR evaluation policy in 2013. DIHR has a routine of carrying out about two programme or project evaluations per year. In 2014, according to DIHR's CA application, the human rights courses and the Southern Africa programme will be evaluated. The evaluations are often conducted with a mixed team of internal and external evaluators and invariably look at both process and results. Evaluation findings are reviewed by the international management team to ensure that lessons learned are fed into future planning and methodological development. There is also a relatively new practice of presenting and sharing evaluations with the entire organisation.

Judging by the CA applications of the past two years, DIHR has improved its use of LFA and achieved better clarity on the use of different types of programme indicators and the means of verification to be used. However, further improvements to the programme indicators are warranted to ensure a better focus on results and outcomes in the planning and monitoring of the international work. The DIHR PoA and the milestones agreed with MFA indicate that an M&E system for the international work will be developed during 2014. The intention is to supplement the traditional LFA method with a theory of change approach to programme design. Emphasis will also be given to ensuring better documentation of results, including by establishing adequate process indicators reflecting DIHR's contribution. It is **recommended** that DIHR develop an M&E handbook and/or intranet portal with describes the new M&E system and includes specific instructions and tools.

4.2 Experience from development cooperation

DIHR has more than 20 years of experience from development cooperation. With funding from MFA and other donors, DIHR has supported a wide range of programmes, project and initiatives within the broad framework provided by the NHRI law and its three-year strategies. The focus has been on strengthening human rights systems through

⁵ MFA, 2014. *External Grant Committee Meeting – 4th of February 2014. DIHR grant appropriation document.*

improvements in policy, law and institutions and capacity building of human rights actors in the wider society. The work has spanned over a large number of countries in Asia, Africa, and the Middle East, including fragile states and democracies, and been complemented by global initiatives and research.

Focus areas: DIHR's international work has come to focus on the four main areas of access to justice and rule of law, public participation and civil society, human rights and business, and human rights education. In several countries, DIHR has been involved in efforts aiming at strengthening governmental human rights focal points, and the implementation of human rights by police, prosecutors, courts and informal justice providers. Human rights training and other types of capacity building support have been provided to NHRIs as well as NGOs, and platforms and mechanism for state-civil society dialogue and people's participation have been promoted and created. In line with its mandate, DIHR has also engaged with the international human rights systems and networks of NHRIs.

Results and lessons learned are being documented in evaluations and, so called, knowledge products, which are used as a basis for replication of successful methods. The experiences from the work on access to justice and rule of law have inspired DIHR to develop a handbook ("the Concept") with methods for justice reform processes. Another example is the "public participation toolbox" with "how-to" notes for partners. A crosscutting priority in the DIHR strategy 2013-2016 is to generate new insights, tools and learning processes by strengthening DIHR's capacity to carry out research and analysis.

DIHR's value-added: The 2013 review concluded that the international work funded through the CA is generally relevant, effective and efficient. DIHR is perceived as reliable partner that provides sound technical expertise in a responsive manner. The status as a NHRI gives DIHR legitimacy and credibility on the ground, especially in relation to the work with state institutions such as other NHRIs, the police and judiciary, as well as international influence. Its ability to work at national, regional and international levels, in diverse geographic contexts, and with a wide range of actors also sets DIHR apart from many other international human rights organisations.

Partnership management: DIHR projects are implemented in partnership with local actors. Depending on the context and local needs, DIHR works with four different types of partners: 1) state institutions and bodies, ministries and government focal points responsible for human rights, including NHRIs, 2) civil society organisations with a particular focus on those involved with human rights advocacy and documentation, 3) the business sector, and 4) regional human rights actors. DIHR enters into a partnership based on a common goal identified by DIHR and the concerned partner. While DIHR provides technical assistance in its various fields of expertise, the partners provide in-kind resources (e.g. staff and infrastructure) and context expertise. Where relevant, external experts are contracted. The partnerships address specific human rights priorities, but also aim to strengthen the partners' broader capacity to effectively fulfil organisational functions and mandates.

The partnership approach is described in detail in a series of DIHR publications, the most recent of which is from 2007 (“Towards Partnerships”). However, the 2013 review reveals that the approach is not consistently applied and does not clearly answer the question on which local partners to work with and why. It is also noted that the documented partnership concept focuses on civil society partnerships. The review therefore recommends that DIHR should a) formulate a more comprehensive partnership strategy, b) adopt a capacity building strategy that reflects all existing and potential future means of capacity building of local partners, c) prepare clear exit strategies to ensure sustainability. DIHR has taken these recommendations on board and has prepared a time plan for the development of a new partnership policy during 2014. This plan is also reflected among the milestones agreed with MFA for the “framework organisation” application process.

4.3 Danish development strategies

DIHR’s international work fall within the goals of Denmark’s foreign policy and development cooperation as reflected in the Danish Law on International Development Cooperation and the strategy “The Right to a Better Life”, with its emphasis on poverty reduction and human rights. The focus on access to justice and rule of law, civil society capacity building, and the strengthening of NHRIs also implies that DIHR’s activities are aligned with the strategic priorities for Danish support for good governance⁶. The emphasis given to fragile states, post-conflict and transitional countries, and countries in which Denmark is represented is another example of the coherence between DIHR’s work and Danish foreign policy.

Civil society strategy: DIHR contributes to the goal of the development of a strong, independent and diversified civil society in developing countries and all the nine strategic objectives defined in the civil society strategy.

Crosscutting themes: With regard to the crosscutting themes of Danish development cooperation, the following can be noted:

DIHR applies the general principles of the Human Rights-Based Approach (HRBA) in its programming and carries out specific activities to promote the use of HRBA by its partners. In particular, DIHR provides HRBA training to NGOs, including Danish partners, NHRIs, as well as its own staff, and has coached and delivered expert advice on the use of HRBA to MFA, Danish embassies abroad, and several foreign donor agencies. DIHR has also developed its own tools and concepts on HRBA, and has for some time been preparing an internal HRBA policy. The 2013 review recommends that this work be continued and finalised in 2014. This is also one of the milestones agreed with MFA.

DIHR has an internal strategy on equal treatment irrespective of gender, race, ethnicity, religion, age, physical ability, sexual orientation, etc. The strategy focuses on DIHR’s role in Denmark in terms of strengthening the national legal framework on equal treatment, the development of concrete methods to address discrimination, research and analysis,

⁶ MFA, 2009. *Democratisation and Human Rights for the Benefit of People – Strategic Priorities for Danish Support for Good Governance*.

cooperation with other Danish organisations, monitoring and evaluation, etc. As one of the priorities, the strategy calls for mainstreaming of equal treatment in the national as well as international work. It is **recommended** that strategies and methods for mainstreaming of equal treatment be integrated with the forthcoming HRBA policy.

As reflected in the DIHR strategy 2013-2016 and in several sub-strategies, advocacy is an integral part of DIHR's approach to promote human rights and equal treatment in Denmark. In the international work, DIHR supports civil society organisations that carry out advocacy, including through documentation, public awareness raising, the preparation of human rights reports, as well as the creation of platforms for dialogue between state and civil society actors. There are also advocacy elements in the human rights and business portfolio, DIHR's research and knowledge products, and the efforts to influence the international human rights system.

DIHR does not have an environmental policy or strategies explicitly promoting the sustainable use of natural resources. The links between human rights and sustainable development have been highlighted in some of the activities within the human rights and business portfolio, and there are plans for projects in West Africa and Southern Africa focusing on environmental law. It is **recommended** that DIHR develop an environmental policy that sets out principles and strategies for how DIHR will contribute to sustainable development and reduce negative environmental impact in Denmark and abroad.

HIV/AIDS remains a major concern in many of the countries where DIHR works. DIHR does not have any specific policy on addressing HIV/AIDS but considers the topic as part of its efforts to promote HRBA and equal treatment. It is **recommended** that specific considerations relating to HIV/AIDS are included in the forthcoming HRBA policy.

In general, it is **recommended** that DIHR explicitly document the linkages with Danish development cooperation policies and strategies in its forth-coming international strategy, programme strategies, and partnership policy. The latter should describe how DIHR evaluates and documents the application of crosscutting themes by its partners.

4.4 Cooperation country context

DIHR's international work spans over five major regions and a total of some 20 countries. However, the scope of activities varies significantly from one country and region to the other. While DIHR's engagement in Nepal and Vietnam in each case is limited to one project, a programmatic approach with five broad intervention areas is pursued in the West African countries of Burkina Faso, Mali and Niger. In Central Asia, the work has a specific focus on the ombudsman institution.

The programmes and projects are developed based on a context analysis, which is invariably informed by previous evaluations and reviews, other types of in-depth studies conducted by DIHR, and through scoping missions and discussions with partners. The

DIHR partners in West Africa interviewed in the context of the 2013 review commonly agreed that DIHR programmes and projects were relevant to their priorities and needs.

As earlier indicated, in Zambia and Zimbabwe, DIHR has carried out comprehensive baseline studies to guide the process of programme development, monitoring and evaluation. A baseline guide has also been developed, specifying that the baseline studies should include an assessment of the relevance of the proposed programme against political and other conditions, the local human rights context, the needs and interests of partners, beneficiaries and other stakeholders, and DIHR's own strategies and resources. National goals, strategies and plans, including for poverty reduction, constitute an important input to DIHR's context analysis and baselines studies. At the same time, it is recognised that the countries in which DIHR works do not always give adequate attention to issues related to human rights, democratisation, access to justice, etc., in their national strategies and plans.

DIHR's PoA indicates that additional country baseline studies will be carried out selectively during 2014 and in conjunction with the development of the M&E system. It is **recommended** that comprehensive baseline studies be carried out for all the regions and countries to which a programme-based approach is applied, and that the baseline studies are actively used as the basis for the development, review and fine-tuning of regional and country strategies. In this connection, the DIHR baseline guide may be further improved, including by more clearly defining the steps involved with the baselines studies and how the participation of partners is ensured.

5. Concluding assessment

DIHR has been in a state of constant change during the past five years caused by several re-organisations, high staff turnover, financial difficulties, increasing demands on transparency and efficiency in operational systems, and the transition to a truly independent organisation with its own administration.

Administrative and professional capacity

Following the flaws discovered in 2011, DIHR has beefed up its administrative capacity and significantly improved its procedures for financial control. A comprehensive financial management system has been put in place, including the systems and tools prescribed by the Danish Finance Act and a set of internal policies and guidelines for accounting, budgeting, financial reporting, procurement, etc. However, DIHR is faced with a continuous challenge of re-financing its existing procedures to respond to new internal and external demands. In relation to the requirements on framework organisations, it is noteworthy that DIHR does not have any **standard procedures for managing suspected misconduct, including corruption**, nor for the screening of partner organisations against the EC or UN lists of terrorist organisations and individuals. In addition, **the reporting to MFA is not detailed enough to allow for a proper cost-efficiency analysis.**

In general, DIHR has a well-staffed office in Copenhagen and can be considered to possess a high-level of expertise in the core areas of its international work, as framed by

the NHRI law. Competence development is treated as a priority and is systematised through assessments, strategies and plans. At the same time, there is a need to review existing staff capacities and competencies as part of the consolidation of the new structure of the international division. The strategic management and oversight capacity and function of the board is another area that warrants further attention.

Programme management

The priorities, key competencies and core areas of DIHR are described in its strategy for 2013-2016 and further elaborated on in written programme strategies. Country-level baselines have been carried out on a pilot basis and planning and procedures for M&E are increasingly being standardised, including with the help of an organisation-wide evaluation policy. DIHR has also gradually improved its results indicators under the CA. However, **the future direction of the international work remains loosely defined, in terms of strategic, thematic and geographic focus, and there is scope for achieving greater coherence with activities in Denmark. Procedures and tools for M&E also have to be developed and formalised** for DIHR to be able to adequately capture and document results at the programme and outcome level.

Experience from development cooperation

DIHR has over 20 years of experience from development cooperation. As indicated by the 2013 review, the programmes and projects supported under the CA have generally been relevant, effective and efficient, and DIHR is perceived as a reliable partner that provides sound technical expertise in a responsive manner. The status as a NHRI gives DIHR legitimacy and credibility on the ground, as well as international influence. Its ability to work at national, regional and international levels, in diverse geographic contexts, and with a wide range of actors also sets DIHR apart from many other international human rights organisations. At the same time, **DIHR's partnership strategy could be further improved** and more consistently implemented. In particular, there is a need to clarify which local partners to work with and why, the existing and potential future means of capacity building of local partners, and the exit criteria and plans for partnerships.

Danish development strategies

With its focus on human rights, DIHR contributes to the overall goals of Denmark's foreign policy and development cooperation. Its programmes are also aligned with the strategic priorities for Danish support for good governance and the civil society strategy. DIHR has in-depth expertise on HRBA and a strategic approach to advocacy as well as equal treatment. Nevertheless, there is a lack of methods and tools for mainstreaming crosscutting issues in programming. Currently, DIHR's overall strategies do not describe how the institution addresses the crosscutting considerations of environment and the Danish government's priority area of HIV/AIDS.

Cooperation country context

DIHR's international work spans over five major regions and a total of some 20 countries. Programmes are developed based on a context analysis, informed by evaluations and reviews, other types of studies as well as consultations with partners. National goals, strategies and plans, including for poverty reduction, constitute an

important input to DIHR's context analysis, although such goals, strategies and plans do not always give adequate attention to issues related to human rights, democratisation, access to justice, etc. As a basis for the development, review and fine-tuning of regional and country strategies, **comprehensive baseline studies should be carried out for all the regions and countries to which a programme-based approach is applied.**

All in all, it can be concluded that DIHR meets most but not yet all of the requirements and conditions that have been defined for Danish organisations with multi-year framework agreements with MFA.

5.1 Recommendations

This section summarises the recommendations of the report in a priority order. The highest priority is accorded to the recommendations that are directly refer to the requirements and conditions defined in the general guidelines for Danish framework organisations. Specifically, the findings and conclusions of the capacity assessment suggest that DIHR would have to address the first six recommendations in order to qualify as a framework organisation and enter into a multi-year framework agreement with MFA⁷.

1. DIHR should prepare an international strategy to further define the direction and priorities of its international work in strategic, geographical and thematic terms. The strategy should include an M&E framework that makes it possible to capture and document results at the programme and outcome level and establish linkages to Danish development cooperation policies and strategies.
2. DIHR should develop a plan for carrying out comprehensive baseline studies for all regions and countries to which a programme-based approach is applied. The studies should be used as inputs to the development, review and adjustment of regional and country strategies.
3. DIHR should develop a new anti-corruption policy with procedures for reporting and managing suspected cases and means for protection of whistle-blowers, as well as separate code of conduct with ethical principles for staff.
4. DIHR should establish a procedure for screening existing and potential new partner organisations against the EC/UN lists of terrorist organisations.
5. DIHR should integrate strategies and methods for mainstreaming equal treatment and specific considerations relating to HIV/AIDS in its forthcoming HRBA policy.
6. DIHR should as part of the reporting to MFA further specify the type of costs, such as transfers to partners, resources used for capacity development, salaries at head office and in the field, etc.

⁷ It should be noted that there is a certain extent of overlap between the recommendations of this report and the recommendations of the 2013 review. Several of the recommendations coming out of the 2013 review go beyond the requirements/criteria for framework organisations.

Other recommendations:

7. DIHR should develop a coherent partnership policy and strategy clarifying and describing which local partners to work with and why, the existing and potential future means of capacity building of local partners, the exit plans and criteria for partnerships, how to evaluate and document the application of crosscutting themes by partners, etc.
8. DIHR should further improve procedures to ensure partner organisations' compliance with DIHR's terms and conditions, including by developing internal audit guidelines for approving local auditors, reviewing audit reports, and acting upon any recommendations that the auditors may have.
9. DIHR should develop an M&E handbook and/or intranet portal with describes the new M&E system (once established) and includes specific instructions and tools.
10. DIHR should issue written instructions to ensure the competitive and transparent recruitment of new staff.
11. DIHR should consider revising its statute to further define the mandate of the board in terms of the approval and oversight of policies, strategies, programmes and plans, including budgets, especially with regard to international activities.
12. DIHR should further improve the baseline guide, including by more clearly defining the steps involved with the baseline studies and how the participation of partners is ensured.
13. DIHR should develop an environment policy that sets out principles and strategies for how DIHR will contribute to sustainable development and reduce negative environmental impact in Denmark and abroad.
14. DIHR should make all human resources-related material available in one place/portal on the forthcoming DIHR intranet.