



An elderly woman learning to write the alphabet in Empowerment Education Class run with support from LWF Nepal. Photo: LWF Nepal

Local to Global: Rights-based approaches:

Annual Report 2015



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Overview

LWF World Service has a track record over many decades of working with rights-based approaches (RBA). Human Rights vocabulary is firmly part of LWF's identity and self-understanding, LWF World Service is **community-based and rights-based**. Rather than focusing on delivery of aid and services, we support people to organize and empower themselves, and to claim their rights. This community-based, rights-based approach has been applied in humanitarian response, in long-term development, and in action and advocacy for justice and human rights at local, national and global level. LWF's presence in Geneva with its United Nations Economic and Social Council (ECOSOC) status provides it with unrestricted access to the International Human Rights Mechanisms. Through its Office for International Affairs and Human Rights (OIAHR), LWF has been known for bringing authentic voices from the communities to the UN and it has established links with other important international players in Geneva.

Beginning in 2014, LWF has developed two **global initiatives** to support implementation, dissemination and mainstreaming of its RBA across country programs from Local to Global level. The two global initiatives focus on 1. Livelihoods/land rights, 2. the Universal Periodic Review (UPR). Both use

a project model to link local level action for change to national and international level advocacy.

Within LWF, cross-departmental ownership is essential to implementing these initiatives. LWF World Service is working jointly with the Office for International Affairs and Human Rights (within the Department for Theology and Public Witness (DTPW)) as the lead on LWF's advocacy work, and the initiatives will increasingly include the Department for Mission and Development (DMD), including through the inclusion of Climate Justice as a potential thematic focus alongside Livelihoods/Land rights.

From the very start, these initiatives have been jointly designed and owned with partners: close **collaboration with related agencies and international partners** has been crucial. So far, concrete engagement and resources have come from Bread for the World, Church of Sweden, the Finnish Evangelical Lutheran Mission (FELM) and Finn Church Aid (FCA). Collaboration with others across the ACT Alliance and beyond is a key part of the approach. In this report, where we say 'we did ...' we intend it to be understood that this has been achieved as a result of this kind of collaboration.



Church of Sweden

Countries engaged in land rights/livelihoods projects in 2015
Countries engaged in UPR projects in 2015

Countries with strong indication for 2016
Countries with confirmed funding for 2016



Our RBA project models: Flagship and UPR



List of projects approved in 2015:

- Flagship/RBA Advocacy project (Mozambique): Promoting Sustainable Livelihoods through supporting Land Rights of rural smallholders
- UPR: Achieving Impact (Myanmar) – Human Rights Advocacy via Policy Dialogue
- Integration of marginalized groups' human rights issues in Universal Periodic Review 2015 (Nepal)
- UPR: Achieving impact (East and Horn of Africa)
- Flagship RBA/Advocacy project (Angola: Livelihoods, Land Rights and UPR)
- UPR: Achieving impact (Mozambique)

Our Local to Global approach

These initiatives are in no way separate from other LWF programmatic work: they overlap, reflect, draw on and feed into it. They do serve however, to make this RBA local to global approach more visible, better resourced, and capable of strengthening LWF's wider programming as it is mainstreamed. These initiatives allow us to work more intentionally at linking local rights-based activity to national and global advocacy.

- Our advocacy is simply amplifying the voice of the communities themselves: it grows out of development / emergency contexts, meaning that the people themselves become agents of change and advocacy.

- With our focus on impact in the community this national and international level advocacy is directed towards reinforcing local impact, rather than engagement in global policy debate for its own sake.



LOCAL IMPACT

Right to land of rural communities in Mozambique

Where?

In Mozambique, in the central province of Sofala, LWF is currently supporting communities to protect their right to land in 36 villages. This specific case is taking place in the locality of Grudja, in the Buzi district.

What happened?

A company called NiQel Lda, part of the Dutch Jatropha Consortium, started exploiting land in 2008. This company is producing biofuel, through cultivating a plant called Jatropha, and has obtained a concession on the land from the Mozambican authorities, resulting in the eviction of local families.

Local action:

The victims are being supported by LWF Mozambique through an empowerment process of the CDCs – Community Development Committees, which are community structures composed by 25 members (usually 13 women and 12 men). In Grudja, LWF is supporting 6 CDCs representing the same number of communities who are being trained in land rights, land legislation, human rights and advocacy. The supporting process also includes the creation of the Grudja Natural Resources Management Committee which is responsible



LWF community consultation in Sofala province, April 2015

for monitoring the investors who explore wood, charcoal and other kinds of natural resources

National action:

At the national level, LWF is collaborating with other Mozambican civil society organizations in gathering information about similar cases of land grabbing, collecting data on the cases and the companies involved to engage in advocacy towards the central government.

International action:

LWF is preparing an article on this case study, which will be published and shared with related agencies and other partners, such as the Business and Human Rights Resource Centre, who will in turn contact the company's headquarters and ask for a response and action on this case.

Outcomes:

We are looking to:

- Get clear commitments from the company to discuss with the affected communities and provide appropriate compensation;
- Support communities to claim compensation for the land that was lost, and to register officially neighboring land to avoid new cases of land grabbing;
- Use this case as an example for other communities who might be affected in the near future, to ensure that community consultations take place and that the communities are aware of their rights.

Testimony

Testimony from an employee at the local school: *"The Niquel Company asked for 5 hectares to use for a sandpaper plantation. A community consultation was held, and the local government accepted the project because it was an investment that would develop the community and create more jobs which is what the community was looking for. However, after the community consultation, when the company started installation, we became surprised because instead of 5 hectares the company occupied 120 hectares. With this enlargement of the area, 7 families lost their lands and were displaced from their own land. Our school was also affected because the space that was reserved to make the soccer camp was taken. Because it was the NiQel Company that built our school and also because they presented documents from the government we stayed without strength to react. We are weak, the companies have lawyers and we don't have access to justice. So, this company is going on with their activities and they lied to us because during the community consultation they talked about 5 hectares but now they have 120 hectares. Now, where are we going?"*

Right to legal identity for all children in Myanmar

Where?

Through the UPR consultation process, LWF Myanmar conducted interviews with 250 community members (108 male and 142 female) in Ayeyarwaddy Delta, Kayin State, Chin State, and due to the highly sensitive situation in Rakhine state, interviews were held with LWF's own staff in this region.

What happened?

During these consultations, one of the major rights issues identified by communities is the gaps in the official birth registration system in Myanmar. A birth certificate is an essential document to obtain a Citizenship Scrutiny Card (CSC), which in turns confirms the legal identity of a person in Myanmar. However, up to 3 out of 10 children under 5 do not have a birth certificate¹, and several obstacles were identified during the consultations:

- Limited awareness of communities on the importance of birth certificates
- Lack of clarity on processes to obtain it
- Parents' own lack of legal documentation
- Inadequate implementation by officials at national and local levels
- Inconsistent application of the laws in place
- Lack of any complaints mechanism
- Discriminatory practices (with decisions sometimes made on the basis of class, race or skin color)
- Corruption (rural people have been asked to pay bribes to obtain a birth certificate).

Local action:

LWF Myanmar conducted these consultations to allow communities to express their own concerns related to what they consider as priority issues affecting their lives, and the issue of birth registration was clearly identified through this process.

National action:

At the Yangon Level, LWF Myanmar met with national civil society partners, including the NGO Child Rights Working Group to discuss child protection in Myanmar. This issue was included in advocacy towards political candidates who ran in the 2015 elections. LWF is now engaging with other partners at national level to raise the issue of birth registration and nationality, including with UNHCR.

International action:

LWF took the opportunity of an advocacy visit organized in Europe to raise this concern with decision-makers in Berlin, Stockholm and Geneva. As a result, both Canada and Namibia made recommendation to Myanmar during its universal periodic review on the need for an effective registration for all children, for example Namibia made the recommendation to: "Develop a simplified, effective birth registration system through which all can access a birth certificate including a complaints handling mechanism".

Outcomes:

We have already secured our first outcome, to have this recommendation appear in the outcome report of the UPR for Myanmar. Our next outcome will be to advocate with national and international partners to ensure that the government accepts this recommendation, and later on support the government in implementing it, to create a real change in communities' lives.



A Village Development Committee member presents the barriers encountered by the community members who do not have Citizenship Scrutiny Card inMindatTownship, Chin State.

Protecting the rights of refugees and internally displaced people in the East and Horn of Africa

The **humanitarian context** merits specific comment, since this is one where the urgency of the project delivery cycle can prompt concerns about ensuring that RBA is the norm. Our commitment to human rights and RBA is defining of our humanitarian programming approach, which sees affected populations (often IDPs or refugees) as rights holders, not recipients of charity.

Through our current UPR project in the East and Horn of Africa, we are securing access to basic rights for the communities with whom we work day in, day out. We have been building capacity of local LWF staff and partners in the Rwamwanja and Adjumani refugee settlements in Uganda, or in Dadaab and Kakuma refugee camps in Kenya. In contexts as fragile and difficult as South Sudan, we strive to engage

¹ UNICEF: www.unicef.org/myanmar/media_23117.html

How we work for outcomes from local to global level (example for land rights):

	Sub-Objective	Indicator	Activities
1. LOCAL: Livelihoods (especially women’s) protected and improved as a result of enhanced fulfilment of rights	1.1 Land rights of women and men, and access to land claimed through community-based mechanisms and processes	# of members of rural communities with process started to legalize their land occupation % of local land conflicts solved in the communities	1.1.1 1.1.2
	1.2 Rural communities with knowledge and capacity to successfully demand accountability from relevant duty bearers	- increase in the implementation of 20% community contribution - reduction in cases of land grabbing # of initiatives by rural communities influencing duty bearers.	1.2.1 Etc
	1.3		1.3.1 Etc
2. NATIONAL: Increased transparency in land allocation as a result of national level advocacy and networking	2.1. Improved mechanisms to ensure transparency and open information	# of community consultations carried out in an open and transparent way	2.1.1. 2.1.2.
	2.2.		2.2.1.
3. INTERNATIONAL: Land rights of rural communities considered by international agreements	3.1. Commitments made by Mozambican Government and business investors in international forums which strengthen access of local communities to land and decent livelihoods	2 commitments have been made in UN human rights mechanisms (UPR, treaty body) which strengthen local access land rights Etc	Objective

local civil society in this process, including by bringing participants from all the South Sudanese states into Juba for a UPR training. We bridge the gap between human rights NGOs and the humanitarian actors, who often do not engage with these processes, leaving issues such as the rights of refugee populations de facto excluded from the debate.

We accompany and support rights holders to assert and access their rights, and call on and enable duty bearers to respect, protect and fulfill those rights. We build on capacities so that people can achieve results for themselves, both as individuals and communities. RBA means less “doing for” people and more “doing with”.

NATIONAL IMPACT

Strengthening national civil society: achieving changes in policy and implementation

Through these RBA projects, LWF is positioning itself in the national human rights debate, and taking a stand on issues that we address directly through our local level programming. We don’t intend to bypass national civil society, but rather facilitate and complement their efforts. Depending on the context, we have played different roles in the various countries where these projects are implemented:

- In Myanmar and Nepal, we coordinated our efforts with national and local civil society, and decided to submit our own UPR report, to complement the work of others by addressing specific key issues, such as the rights of Dalit, former bonded laborers and indigenous people in Nepal.



Nyumanzi Reception Center, Adjumani Refugee Settlement, Uganda. April 2015.
Photo: LWF/M. Renaux

- In Uganda, where civil society is already organized on the UPR, we have joined the national coalition, bringing specific issues into light on the national scene, such as rights of refugees, and LWF has been asked to lead on these topics.
- In Mozambique and South Sudan, we have facilitated and supported the gathering of a number of national and local



Ajuong Thok, South Sudan, February 2015. Photo: LWF/C. Kästner

CSOs, to strategize together on the engagement with the UPR process, in Mozambique the final report submitted to the UN was signed by over 60 Mozambican CSOs.

INTERNATIONAL IMPACT

Securing commitments through international mechanisms

To support and amplify the work we do at local and national level, we are actively engaging with international level mechanisms. Our headquarters in Geneva put us in a unique position to engage with UN human rights mechanisms such as the Universal Periodic Review, but also with the Business and Human Rights forum. Our collaboration with related agencies, who have been supporting these RBA initiatives, gives us the opportunity to meet directly with governments in Berlin, Stockholm or other European capitals.

We have been bringing local voices to the international fora, by inviting local partners and staff to travel to Europe and meet with decision-makers:

- colleagues from Myanmar could present their concerns and recommendations related to the right to land of local farmers, or the rights to nationality of ethnic minorities to the Ministries of Foreign Affairs of Sweden and Germany;
- partners from Mozambique have been defending the rights of women and the need for more transparency in land allocations in front of representatives of the Swiss, Danish, Norwegian, Mexican or Namibian missions in Geneva;

Working with duty-bearers

We are committed to engaging with duty-bearers, including local and national authorities, even in more difficult and constrained contexts. In Ethiopia, where foreign NGOs are prohibited from engaging in any type advocacy or human rights work, we have been working for years to support and assist vulnerable refugees from Somalia and South Sudan. Through this UPR project, we have decided to engage primarily with duty-bearers (government, national and local authorities and international NGOs active in the refugee camps) to build capacity of duty-bearers in addressing the issues raised in the last universal periodic review of Ethiopia, which took place in 2014. Even though no direct recommendations were made on the rights of refugees living in Ethiopia, we consider that they apply to refugees as well, and we are striving to support duty-bearers to provide the necessary conditions for refugees to access their right to water, food, protection etc.



Placve des Nations, Geneva. Photo: LWF/S. Gallay

- We are preparing specific case studies on land grabbing and land conflicts in Mozambique and Angola to be published at the international level as a basis to ask for responses and reactions from the private companies involved in these cases.

Already our engagement at the international level has grown in 2015, and the link with local programming has been stronger thanks to the RBA projects, in 2016, we aim to develop this strand of work further, possibly engaging with the EU in Brussels as well, thanks to our work with key partners.

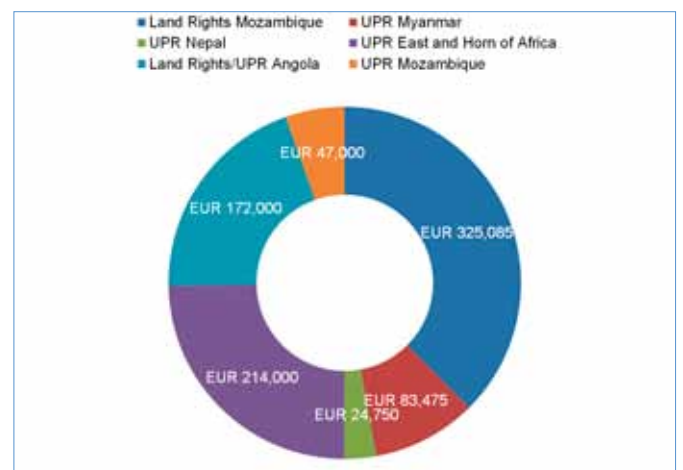
Examples of Impact to date

	Key processes	Key achievements
Local level	Natural Resources Management Committees set up in several villages in Sofala province in Mozambique	
	36 communities trained in Sofala province in land legislation, advocacy and human rights	
	Agreement signed with community radio to diffuse messages on land rights in Sofala	
	Community consultations carried out in Myanmar, Uganda, Mozambique, and Nepal.	
National level	LWF selected in Uganda to lead the UPR cluster on Rights of refugees	Joint UPR parallel report submitted by a coalition of over 60 CSOs in Mozambique
	UPR implementation workshops held jointly with other partners in Nepal and Myanmar, and to be set up in Mozambique at the joint initiative of government and civil society	UPR parallel reports submitted in Myanmar and Nepal
International level	Delegations of society representatives from Nepal, Myanmar and Mozambique participated in advocacy visits to Geneva, Berlin and Stockholm.	Recommendations from LWF's UPR reports were taken up by UN member states following advocacy activities with key stakeholders: <ul style="list-style-type: none"> • On violence against women, land registration, and birth registration in Myanmar • On caste based discrimination and inclusive education in Nepal • On the judicial system, girls' and women's rights, and land distribution in Mozambique
	Collaboration started with the Business and Human Rights Resource Centre.	LWF UPR reports taken up by the OHCHR in their summary of stakeholders submissions <ul style="list-style-type: none"> • Mozambique joint submission (JS2) is cited 47 times in the OHCHR's summary report. • Nepal joint submission (JS14) is cited 15 times in the OHCHR's summary report. • Myanmar LWF submission is cited 4 times in the OHCHR's summary report.

Overall funding for the RBA local to global projects (2015–2018)



2015 income for the RBA local to global projects



* unaudited figures