

## Human Rights Impact Assessment

### 1. What is the HRIA?

Wherever and how businesses operate, they impact human rights. Human Rights Impact Assessment (HRIA) is a tool for examining policies, legislation, programs and projects to identify and measure their impact on human rights <sup>(1)</sup>. In other words, human rights impact assessment (HRIA) is a process to identify, understand, evaluate and address the adverse effects of a business project or activities on the enjoyment of human rights by affected beneficiaries, such as workers and community members <sup>(2)</sup>. With greater emphasis on business accountability for their impacts on human rights, HRIA is gaining traction as an approach that the private sector, non-governmental organizations, governments and other stakeholders can use to assess and address the adverse impacts of business activities on human rights <sup>(3)</sup>.

In the business context, HRIA can be defined as the process of identifying, understanding, evaluating and addressing the adverse impacts of a business project or activities on the human rights exercise of affected rights holders (employees and community members) <sup>(4,5)</sup>.

### 2. Who developed it?

HRIsAs developed in the late 1990s bearing most resemblance to social impact assessments and are part of a wide-ranging family of impact assessment work. HRIsAs enable an objective analysis of the ways and the extent to which a policy or project intervention or legislation or measure affects human rights, negatively or positively. In 2005, the United Nations Secretary-General appointed John Ruggie to the post of Special Representative on human rights and transnational corporations. Its mandate was to "set and clarify standards of corporate responsibility and accountability on human rights for transnational corporations and other businesses." This broad mandate included a request to "develop materials and methodologies for undertaking human rights impact assessments of the activities of transnational corporations and other businesses." This task resulted in a set of Business and Human Rights Guiding Principles (UNGPs) that set out expectations for companies and governments on what it means to respect human rights in a business environment <sup>(6)</sup>.

Human rights impact assessment (HRIA) has gained increasing attention among government, business and civil society actors since the endorsement of the United Nations Guiding Principles on Business and Human Rights by the Human Rights Council in 2011. The United Nations Guiding Principles on Business and Human Rights set out the expectation that businesses will exercise due diligence regarding human rights. This includes assessing and responding to actual and potential human rights impacts that may result from or be directly linked to its activities <sup>(7)</sup>.

### 3. What types of initiatives is it useful for?

In recent years there has been increasing demand for various actors to undertake HRIsAs before adopting and implementing policies, projects, agreements and programs. The development of this tool is part of a growing effort by the human rights community to operationalize the relevance of human rights in various fields, including development,

and thus to advance an understanding of the ways in which public policies and development projects affect the enjoyment of people's rights <sup>(8)</sup>. Companies are increasingly engaging in Human Rights Impact Assessments (HRIAs). To assess the quality of company-commissioned HRIAs, Oxfam has developed criteria that cover both process and content <sup>(9)</sup>.

#### 4. What are the main objectives of the HRIA?

The main purpose of this Human Rights Impact Assessment (HRIA) method is to identify, understand, evaluate and address the adverse impacts of the business project or activities on human rights such as workers and community members. Human Rights assessment also aims to prevent or reduce risks of adverse impacts from the business project or legitimate business operations and services <sup>(10)</sup>.

#### 5. How does it work?

The method is designed to be used by everyone, regardless of whether they have prior knowledge of human rights. While the methodology includes useful, introductory information on human rights principles and frameworks, it also outlines the concrete steps needed to assess human rights, such as problem definition, actor mapping, scenario planning and risk analysis. Taking these steps is intended to help anyone seeking to undertake a human rights project or a rights-based approach to develop a robust, context-specific implementation strategy for their activities.

##### HRIA methodologies

Like other forms of impact assessments, HRIAs are an evidence-based exercise, which aim to contribute to a more informed policy-making process. As such, the effectiveness of HRIAs largely depends on the robustness of the methods used and the quality of the evidence gathered by those methods <sup>(11)</sup>.

##### Phases of HRIA:

- i. Preparation
- ii. Screening
- iii. Scoping
- iv. Evidence – gathering
- v. Consultation
- vi. Analysis
- vii. Recommendation + Conclusions
- viii. Evaluation and monitoring
- ix. Preparation of the report

#### 6. What skills and knowledge are useful for using the HRIA?

*Identifies the skills and knowledge needed to use the METHOD effectively.*

In order to use the Human Rights Impact Assessment (HRIA) METHOD, it is necessary to know the basic elements of HRIAs. These elements are:

Normative human rights framework: What clearly distinguishes HRIAs from other types of impact assessments is that HRIAs are based on a binding international human rights framework.

Public participation: HRIAs should assess whether effective participatory mechanisms are in place throughout the entire lifecycle of the development intervention (from

formulation to evaluation) and ensure that such mechanisms are integrated into the HRIA process.

**Equality and non-discrimination:** As with other types of impact assessments, equity is a key element of HRIAs. But in the case of HRIAs, the issue of equality is inherently about human rights.

**Transparency and access to information:** Access to information is critical for both meaningful participation processes and effective accountability mechanisms.

**Accountability:** The main contribution of the human rights approach to the field of development, along with other fields, is its focus on accountability. The importance given to this principle is essentially related to the legal nature of the human rights framework.

**Intersectoral approach:** The human rights framework includes all rights (civil, political, economic, social and cultural – interdependent and interrelated). HRIAs, these human rights principles, measure the cumulative impact on the world of policies and projects carried out by various sectors <sup>(11)</sup>.

## 7. USEFUL LINKS AND RESOURCES

1-<https://documents.worldbank.org/en/publication/documents/reports/documentdetail/834611524474505865/human-rights-impact-assessments-a-review-of-the-literature-differences-with-other-forms-of-assessments-and-relevance-for-development>

2-<https://globalnaps.org/issue/human-rights-impact-assessments/>

3-<https://www.humanrights.dk/tools/human-rights-impact-assessment-guidance-toolbox>

4-<https://www.humanrights.dk/tools/human-rights-impact-assessment-guidance-toolbox/introduction-human-rights-impact-assessment>

5-<https://www.humanrights.dk/tools/human-rights-impact-assessment-guidance-toolbox>

6-[https://en.wikipedia.org/wiki/Human\\_Rights\\_Impact\\_Assessment](https://en.wikipedia.org/wiki/Human_Rights_Impact_Assessment)

7-<https://www.e-elgar.com/shop/gbp/handbook-on-human-rights-impact-assessment-9781788119993.html>

8-<https://documents1.worldbank.org/curated/en/834611524474505865/pdf/125557-WP-PUBLIC-HRIA-Web.pdf>

9-. [file:///C:/Users/Asus/Downloads/gd-oxfam-hria-framework-260523-en%20\(1\).pdf](file:///C:/Users/Asus/Downloads/gd-oxfam-hria-framework-260523-en%20(1).pdf)

10- [https://img.exim.gov/s3fs-public/esia/AP089431XX/HRIA\\_Final%20Public.pdf](https://img.exim.gov/s3fs-public/esia/AP089431XX/HRIA_Final%20Public.pdf)

11-<https://documents1.worldbank.org/curated/en/834611524474505865/pdf/125557-WP-PUBLIC-HRIA-Web.pdf>



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