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| reporting Practitioner supplement |
| Human Rights Impact assessment guidance and toolbox |

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| **Contributors**: The 2016 Road-testing version of the HRIA Guidance and Toolbox was written by Nora Götzmann, Tulika Bansal, Elin Wrzoncki, Cathrine Bloch Veiberg, Jacqueline Tedaldi and Roya Høvsgaard. This 2020 version includes important contributions from Signe Andreasen Lysgaard, Dirk Hoffmann, Emil Lindblad Kernell, Ashley Nancy Reynolds, Francesca Thornberry, and Kayla Winarsky Green.  **Editor**: Ashley Nancy Reynolds    **Acknowledgments**: The Road-testing and final versions of the HRIA Guidance and Toolbox were developed with input from a number of individuals and organisations who contributed their expertise, reflections and time on a voluntary basis, for which we are deeply thankful. We wish to extend our sincere thanks to: Désirée Abrahams, Day Associates; Manon Aubry, Sciences Po and Oxfam France; José Aylwin; Sibylle Baumgartner, Kuoni Travel Management Ltd.; Richard Boele; Caroline Brodeur; Jonathan Drimmer; Gabriela Factor, Community Insights Group; Alejandro González, Project on Organizing, Development, Education, and Research (PODER); Jasmin Gut and Heloise Heyer, PeaceNexus; International Alert; Human Rights Task Force members of IPIECA, the global oil and gas industry association for environmental and social issues; Madeleine Koalick, twentyfifty Ltd.; Felicity Ann Kolp; Serena Lillywhite, Oxfam Australia; Lloyd Lipsett, LKL International Consulting Inc.; Susan Mathews, OHCHR; Siobhan McInerney-Lankford; Geneviève Paul, FIDH; Grace Sanico Steffan, OHCHR; Haley St. Dennis; Sam Szoke-Burke, Columbia Center on Sustainable Investment; Irit Tamir, Oxfam America; Deniz Utlu, German Institute for Human Rights; Prof. Frank Vanclay, University of Groningen; Margaret Wachenfeld; Yann Wyss, Nestlé; Sarah Zoen, Oxfam America. The contribution of expert reviewers does not represent their endorsement of the content. We would also like to thank Flavia Fries for her contributions to the Guidance and Toolbox during her fellowship at DIHR.  Special thanks go out to the Danish International Development Agency (Danida) and the Swedish International Development Cooperation Agency (Sida) for their financial support to the development of the Guidance and Toolbox. |
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Phase 5: reporting and evaluation

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| **In** [**Phase 5: Reporting and Evaluation**](https://www.humanrights.dk/hria-toolbox/phase5) **you can find an overview of reporting and evaluation in HRIA.**  **In this Practitioner Supplement you will find:**   * **Reflections on the steps that the HRIA team should take to ensure that the report accurately reflects the communities’ experience** * **Outline of common challenges for HRIA reporting and possible practitioner approaches** * **Checklist to guide HRIA practitioners in ensuring that all relevant information is included in the HRIA report**   **This Practitioner Supplement is a part of the Human Rights Impact Assessment Guidance and Toolbox. You can find the full version here:** [**https://www.humanrights.dk/hria-toolbox/**](https://www.humanrights.dk/hria-toolbox/) |

## Examples of challenges and approaches relating to HRIA reporting

HRIA teams may encounter a number of challenges in reporting, including issues surrounding accessibility, risks to rights holders and disagreements about the content of the report. Transparency and disclosure are particularly challenging to navigate; businesses may be hesitant to publicly report on their human rights impacts, and may request that the report be confidential. While it may be appropriate to withhold some data (e.g., sensitive information that could result in retaliation against rights-holders), HRIA findings should be as transparent and public as possible.[[1]](#footnote-1)

Table A, below, includes examples of challenges associated with HRIA reporting, as well as strategies for addressing them.

| **Table A: Examples of challenges and approaches relating to HRIA reporting** | |
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| **Challenge** | **Possible approach of HRIA practitioner/team** |
| Business concern that full disclosure might lead to criticism from business partners or the host-government or to litigation. | * Engage in constructive and on-going dialogue with the business involved, thereby building trust and further commitment towards full disclosure. * Engage with the local government prior to, and as a part of, conducting the HRIA. * Understand the government’s stance on human rights to help the assessment team evaluate any potential risks as well as to develop strategies to address such risks. |
| Ensuring that the HRIA report is known to interested stakeholders, in particular the affected rights-holders and their representatives. | * Ensure that the HRIA report is available in relevant local languages and non-technical summaries as necessary. * Ensure that the HRIA report includes a dissemination strategy that is tailored to the local context and spans all relevant stakeholders involved. * Where possible and appropriate, include stakeholders who have been involved in the HRIA process in the communication about the HRIA report, for example, arrange for a meeting between the assessment team, company representatives and community representatives where the HRIA findings are presented and discussed. * Ensure that the report is disseminated via diverse means and media, such as community meetings, radio, print, internet and so forth, as appropriate in the local context. |
| Reporting on HRIA findings in operating environments where this may put rights-holders at risk. | * Engage with rights-holders and their representatives, civil society and national human rights institutions before commencing the HRIA and throughout the HRIA process, to identify any potential risks and to determine the suitable means for information disclosure necessary to avoid any potential risks to rights-holders, for example through taking steps to ensure anonymity. * Take extra care to ensure that the team conducting the HRIA has good local context knowledge and that fieldwork and interviewing ethics are applied throughout the assessment (see [Stakeholder Engagement](https://www.humanrights.dk/hria-toolbox/stakeholder-engagement)). * Where necessary, a summary report highlighting the main findings may be considered as an alternative to a full HRIA report. |
| Disagreement between the company and impact assessment team regarding what should be reported and how. | * Agree on reporting formats from the outset, including by clearly specifying the reporting requirements associated with the HRIA in the TOR. |
| Reporting on certain impacts might expose information that is not appropriate to disclose, e.g. cultural heritage sites only known to some members of the community due to cultural protocols. | * Ensure thorough and extensive stakeholder engagement throughout the assessment process to identify any information that may not be appropriate to include in the public impact assessment report. * Ensure that the impact assessment team has the requisite expertise to identify and address any instances where the identification of an impact and the mitigation measure would be most appropriately communicated to only a specific rights-holder or stakeholder group. |

## Reporting ‘checklist’

As part of a human rights-based approach, the HRIA team must continually communicate with stakeholders, especially rights-holders, about the HRIA process and findings. Sharing information is key for meaningful engagement and dialogue between the business, the HRIA team, rights-holders and other stakeholders.

In line with this principle, HRIA practitioners should ensure that technical information and the HIRA findings are communicated in an accessible format, in the languages spoken by the stakeholders. The report should include all relevant information, and should be culturally appropriate, gender-responsive and inclusive. HRIA teams should ensure to include the views of vulnerable and marginalised groups that may be impacted by the business project or activities.[[2]](#footnote-2)

Table B, below, provides some example questions regarding what type of information to include in a HRIA report, and on how the report may be presented.

| **Table B: Example questions on what should be included in a HRIA report** | |
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| **HRIA report chapter** | **Questions for HRIA practitioners to consider when drafting or reviewing the HRIA report** |
| **Executive Summary**  This section gives a summary of key findings of the assessment, as well as mitigation measures and next steps for impact management | * Does this section provide a summary of the key assessment findings? * Does this section provide a summary of the mitigation measures? * Does this section describe what the follow-up steps to the HRIA will be? |
| **Introduction**  This section provides background information about the company and the objectives of the assessment, as well as the HRIA team | * Does this section provide a background to the company in question and its human rights commitments and record? * Does this section describe the objectives for conducting the HRIA? * Does this section provide an overview of the project leadership, the assessment team, partners, and if applicable, oversight? * Is a description of the scope of the HRIA provided, and an explanation provided for any parts of the business project or activities that have been excluded? |
| **Context and Baseline Description**  This section provides a description of the context for the HRIA, including the business operations, human rights context, rights-holders, other stakeholders and so forth | * Does this section provide a description of the business project or activities, including adequate information about the site, location, project design, size of the development, required workforce, likely timeframe, etc.? * Does the section provide an overview of the different stakeholders for the HRIA, including rights-holders, duty-bearers and other relevant parties? * Does the report document and discuss the contextual setting of the project and provide information on similar projects that have happened, are currently happening, or likely to happen in the vicinity of the current project to enable an adequate consideration of cumulative effects in the region? * Does this section provide a description of the country/regional context? Including a legal framework analysis of human rights implementation? * Does the section describe the current status of actual human rights enjoyment of workers and communities? |
| **Assessment Methodology**  This section describes the HRIA methodology, including scope, context and limitations | * Does this section describe the international human rights framework applied in the assessment? * Does this section demonstrate how a human rights-based approach has been applied in the HRIA? * Are the impact assessment steps, activities and timeline provided and described? * Are the methods for determining impact severity clearly described, and do they include considerations of scale, scope and irremediability? * Does this section demonstrate how both qualitative and quantitative data has been used in the HRIA? * Are any limitations in the HRIA methodology clearly described and explained? |
| **Stakeholder Engagement**  This section describes how stakeholders are engaged and consulted throughout the assessment process and how information is shared during the process, as well as an overview of the dissemination of the report itself | * Are the processes for stakeholder consultation and engagement clearly described, including any measures taken to ensure the participation of vulnerable individuals and groups, and associated capacity-building initiatives? * Are considerations from rights-holders, duty-bearers and other relevant parties reflected in the report? * Is information in the report disaggregated, including in relation to vulnerable individuals and groups? * Is the report publicly available in relevant languages and presented in an accessible manner for all involved stakeholders? |
| **Human Rights Impact Analysis**  This section describes the facts found during the assessment, the corresponding human rights framework and an analysis of the human rights impacts | * Are the facts found clearly presented, e.g. divided by issue area (i.e. labour issues, community impacts, land related issues, gender impacts, etc.)? * Is a comprehensive analysis of human rights impacts provided that is clearly based on international human rights standards and principles? * For any issues that are excluded in the report, is it clearly explained why these have been excluded from the analysis and where they are addressed instead? |
| **Impact mitigation and management**  This section describes the mitigation measures for the impacts found, as well as the impact management plan and future monitoring | * Is a description of the measures proposed to address the impacts included (i.e. actions to prevent, mitigate and remediate impacts)? * Are reasonable alternatives to the project, including a ‘no-development alternative’, included and addressed in the report, as well as primary reasons for the preferred alternative being provided, taking into account the human rights consequences? * Is an impact management plan and future monitoring of mitigation measures included? |
| **Conclusion**  This section summarises the key findings of the HRIA and recommendations | * Are the main assessment findings and recommendations summarised in this section, ensuring that no new information is presented? |
| **Appendices** | * Is a disaggregated list included of which stakeholders have been consulted and interviewed during the assessment as well as numbers, and where necessary is this list anonymised? * Is a detailed schedule and project timeline included of the business project or activities? * Are any other relevant reports of assessments or audits included which have been conducted in relation to the business project or activities (EIA or SIA reports etc.)? |
| Sources: Drawing on: Frank Vanclay, Ana Maria Esteves, Ilse Aucamp and Daniel M. Franks (2015), *Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects,* Fargo ND: International Association for Impact Assessment; Global Reporting Initiative (GRI), Realizing Rights, and UN Global Compact (2009), *A Resource Guide to Corporate Human Rights Reporting,* Section 3, Netherlands: GRI, Realizing Rights and UN Global Compact; Rights & Democracy and Oxfam America (2010), *Community-based human rights impact assessment: Practical Lessons,* Québec: Rights & Democracy and Oxfam America; UN Guiding Principles. | |

1. The Danish Institute for Human Rights (2017), *Human Rights Impact Assessment and Legal Advisory Work: Frequently Asked Questions*, Copenhagen: DIHR. [↑](#footnote-ref-1)
2. Desiree Abrahams and Yann Wyss (2010), Guide to Human Rights Impact Assessment and Management, Washington: International Business Leaders Forum, International Finance Corporation and UN Global Compact. [↑](#footnote-ref-2)