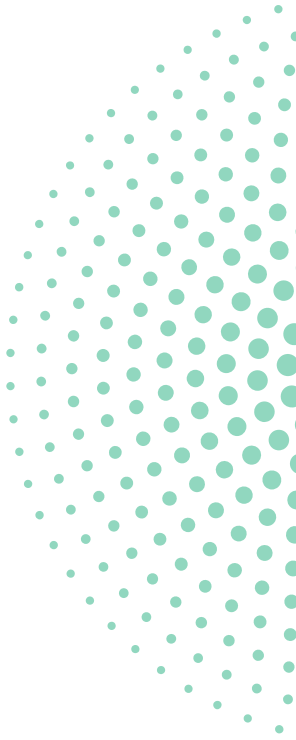
Integrating the Human Rights-Based Approach in Policy-Making and Budgeting

Practical Guidance for Public Institutions

Prepared by

Tatjana Vlašić, Deputy Ombudswoman of the Republic of Croatia
Natasha Boshkova, Human Rights Expert to the EU Support for Rule of Law-Project and Equality Lawyer

Funded by the European Union



THIS REPORT WAS FUNDED BY THE EUROPEAN UNION. ITS CONTENTS ARE THE SOLE RESPONSIBILITY OF LUDWIG BOLTZMANN GESELLSCHAFT - INSTITUTE OF FUNDAMENTAL AND HUMAN RIGHTS (LBI-GMR) AND DO NOT NECESSARILY REFLECT THE VIEWS OF THE EUROPEAN UNION.

TABLE OF CONTENTS

1 **Introduction** 4

2 **Key principles of the HRBA** 6

2.1 Applying all human rights to all 7

2.2 Meaningful and inclusive participation and access to decision-making 20

2.3 Non-discrimination and equality 27

2.4 Accountability and rule of law for all 36

2.5 Transparency and access to information supported by disaggregate data 41

1 Introduction

Public servants are at the forefront of implementing human rights in practice and ensuring that all people enjoy the rights guaranteed in the national and international legal framework. Every policy you shape, every service you provide, and every decision you make has an impact on the human rights and well-being of everyone in the country. Therefore, applying a Human Rights Based Approach (hereinafter: HRBA) in public administration is not just a legal imperative but a practical prerequisite for achieving fair, inclusive, and effective governance.

As duty bearers, you hold a powerful responsibility—and a unique opportunity—to turn human rights from promises into practice. The HRBA is a practical, proven framework that helps you do exactly that. It rests on five core principles that should guide your everyday work:

- **All human rights for all**—without exception or hierarchy.
- **Meaningful and inclusive participation**—giving people a real voice in decisions that affect their lives.
- **Non-discrimination and equality**—removing barriers, addressing and remedying discrimination.
- **Accountability and the rule of law**—ensuring responsibilities are met and justice is accessible.
- **Transparency and access to information**—supported by disaggregate data to uncover and address hidden inequalities.

When you apply this approach, you do more than just deliver services—you build trust, address inequalities, empower communities, and create lasting change. You are the bridge between policy and people. Grounded in international human rights standards, the HRBA strengthens your capacity to respect, protect, and fulfil the rights of all people—especially those who have been marginalized, excluded, or forgotten. At the same time the HRBA empowers rights holders—all individuals and groups—to know and claim their rights.

The development and implementation of formal human rights policies and mechanisms to involve affected groups can prevent (un)intentional human rights violations, can promote institutional credibility and avoid institutions to be exposed to legal and reputational risks.

This Handbook is a practical guidance for you on how to apply the HRBA during all stages of policy-making and budgeting. It first explains the principles on which the HRBA relies, with a checklist that you can use every time you draft a policy, provide a service, or decide on priorities and the budget in your institution. Then provides examples of good practice in implementing each principle. Applying the HRBA helps you in safeguarding, respecting, and exercising human rights in policy-making and budgeting. By understanding and applying the HRBA, you are empowered as a duty bearer and a rights holder in your everyday life. Recognizing your dual role enables you to perform your responsibilities with greater confidence and enhance the quality of your work.

2 Key principles of the HRBA

2.1 Applying all human rights to all

When planning, developing and implementing policies, legislation, measures, and actions, the state must consider their impact and effects on the human rights of all individuals and on the interconnectivity of human rights safeguards. As a public servant, you play a vital role in making human rights real in people's everyday lives. In every task you undertake—drafting a policy, delivering a service, or allocating resources you have to be aware of which human rights are relevant to that particular task. Remember that your responsibility goes beyond compliance, and you have the power to drive change. Once you have identified the relevant rights, examine the underlying legal standards and apply them with consistency, confidence, and a strong sense of the purpose of your action.

Informed, human rights-based action of public servants ensures quality service delivery and the fulfilment of institutional duties and responsibilities, promoting the full realization of citizens' rights, especially those vulnerable to violence and discrimination. A strong knowledge of human rights standards empowers you as a public servant to set the right priorities and make informed decisions. It helps you apply the HRBA in a way that ensures fairness, dignity, and inclusion for all.

International treaties, laws, and related recommendations, as well as data from UN and European monitoring mechanisms and reviews are tools for guiding you towards the intended outcomes of any policies, laws, budgets and services. UN, regional, and national human rights frameworks and their outputs—such as reports, concluding observations, and recommendations—are resources that ensure that your work meets standards of dignity, accountability and fairness.
Your role as public servant is vital in upholding the full spectrum of human rights —they are interconnected, no single right stands above another, and progress in one area depends on progress in others. When you ensure the right to health, you must also guarantee access to information, fight discrimination, and uphold adequate standards of living. These are not separate duties—they are parts of a whole. Denying one right weakens them all.

Your duty as a public servant is to serve everyone:

Every policy you draft, every budget you allocate, and every service you deliver has the potential to impact human rights. When you apply a human rights lens—using the standards, treaties, and

recommendations available—you ensure that your work is fair, inclusive, and just.

When planning, developing, and implementing policies, legislation, measures, and actions, always ask yourself:

- How are anyone's human rights affected?
- Which human rights are affected or at stake?
- Which rights are we promoting/protecting, and which might we unintentionally put at risk?

Your actions must aim at upholding dignity—promoting one right often means upholding many rights.

Practical examples of applying the all human rights for all principle

Improve the quality of legislation by applying the regulatory and human rights impact assessment

You might have experienced unintended consequences and negative impacts for all citizens, businesses, and society as a whole caused by badly designed legal provisions. You might have witnessed that such provisions disproportionately higher impact on groups in vulnerable situations like women, national minorities, persons with disabilities, children, etc. You often face time pressure that very often is the cause for hastily introducing legislative changes that seem to be a quick fix, but in the long run turn out to cause negative impacts that have to be tackled. The regulatory impact assessment (RIA) is a tool that strengthens your position in the process of developing laws.

RIA helps you to improve the quality of legislation. It supports an open and transparent process, which critically examines the impacts and consequences of a range of alternative legal responses. RIA helps public servants to identify whom the proposed legal provsions will affect and how negative impacts may be mitigated. By including a human rights impact assessment (HRIA) in the process of developing legal regulations, you as a civil servant can ensure that new legislative provisions **leave no one behind.** HRIA is a "structured process for identifying, understanding, assessing and addressing the potential or actual adverse effects of policies, laws, programmes or projects on human rights."[1]

[1] Human Rights Council, Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights (2017).

HRIA ensures that proposed legislation is in line with international and national human rights standards and prevents marginalised communities in society to be impacted by unintended consequences.

Table: Complementarity of RIA and HRIA

Feature	RIA	HRIA
Key questions	What are the costs and benefits of the draft law? Is this draft law policy effective and efficient?	Does this draft law respect and protect people's human rights? Are there risks of discrimination, restriction of freedoms, or negative social impacts on vulnerable groups?
Approach and process	Technical analysis, often led by experts and administrators.	Guided by HRBA principles, is itself participatory, empowering, inclusive, and accountable.
Goal	Assess the cost-benefit ratio and feasibility of the daft law	Ensure the draft law complies with human rights standards
Focus	Economic, administrative, social impacts	Human rights impacts
Scope	General population, society, economy	Vulnerable groups, rights holders, compliance with human rights treaties
Example: A government plans to introduce new traffic regulations.	Assess: • Economic impact of new regulations on businesses and commuters • Administrative costs for enforcement of new regulations • Whether the new regulations have a potential for reducing accidents or traffic congestion	Assess: • Whether the new regulations disproportionately affect e.g., people with disabilities or elderly citizens • Whether enforcement of the new regulations could lead to discrimination • Whether the new regulations ensure everyone's rights to freedom of movement and access to public spaces
Outcome	Decision-makers can see the pros and cons and choose the most effective solution.	Policy-makers can adjust the draft law to protect human rights.

Benefits for public servants

RIA provides you with crucial information and evidence for decisions you have to take when developing new legislation.
HRIA points you to the human rights that might by affected by the proposed legislative changes. It helps you check whether the proposed legislation respects, protects and fulfills human rights obligations in line with international human rights standards.
RIA and HRIA support you in defending decisions to intervene or not to intervene in relation to a specific problem. These tools enable you to present the benefits as well as to identify and highlight the negative impacts, including on the human rights situation, of the proposed legislative changes.

HIRA strengthens the trust in the work of public servants and the administration

HIRA encourages you to ask questions like What problem are we trying to solve with the intervention? Who is affected by the proposed intervention? Which human rights are potentially impacted by the proposed intervention? What are the costs and benefits of the intervention? when developing different legislative proposals to tackle a certain problem.

Answering these questions to determine the impact of legislative proposals, requires collecting evidence (e.g., data, stakeholder input, risk analysis) and considering human rights norms (e.g., international treaties, recommendations from treaty bodies) as benchmarks in the process of legislation drafting. HRIA ensures **informed decision-making.**

Stakeholder engagement from the very beginning—when trying to answer the questions posed above—ensures that the voices of groups (e.g., businesses, workers, vulnerable communities, civil society) affected by the legislative proposals are heard and taken into account. HRIA ensures that stakeholder engagement is a continuous process throughout the development of a legisaltve proposal and that adverse human rights impacts can be understood from the perspectives of those affected.

HRIA asks you to share the arguments and the reasoning behind why a certain legislative proposal is the best option for society or a specific (marginalized) group with the public. The publication of documents ensures that legislative proposals are open to scrutiny and citizens know why a certain legislative proposal was chosen. HRIA contributes to more **transparent and accountable policymaking.**

When you systematically apply HRIA to all legislative proposals, the tool will over time result in an **administrative culture more responsive to the needs of citizens and increase the trust in public administration.**

Enabling factors for conducting HRIA

- Commitment of decision-makers (e.g., heads of institutions, MPs) to HRIA.
- Regulatory framework in place which ensures HRIA are regularly conducted
- Civil servants responsible for law drafting and policy development know international and national human rights law, current recommendations/judgments by international human rights bodies/courts and the principles of HRBA.
- Availablity of disaggregate data (by gender, ethnicity, age, etc.).
- Direct access to the stakeholders potentially affected.
- Perceive stakeholder engagement as an inherent element throughout the whole process, i.e., from the very beginning when the problem that needs to be tackled is identified.
- Structured and mandatory system of ex post evaluations that use human rights indicators, ensuring that future impact assessments are evidence-based and grounded in the real effect of the existing legislation.

Practical example: Tackling the lack of legal gender recognition by drafting legal amendments in North Macedonia

Trans people in North Macedonia face barriers in accessing documents that reflect their gender identity. Over the last 20 years, efforts have been made to improve the situation and establish a legal framework that ensures fast, transparent, and accessible procedures for gender recognition. Several pending cases involving transgender persons before national courts, as well as a landmark case before the European Court of Human Rights (ECtHR), X v. Macedonia, have highlighted systemic violations of the right to private life. An empowered trans community, increasingly visible through informal groups, media presence, and human rights events, demanded legal recognition and protection.

Steps in the law drafting process based on HRIA and HRBA launched by the Ministry of Justice

1. Collecting evidence to tackle the problem

- Collection of positive practices from other European countries and conducting a comparative analysis.
- Reviewing of ECtHR standards on legal gender recognition.
- Mapping the human rights gaps and discriminatory effects of the existing system on trans people's right to privacy, access to employment, healthcare, and social security.

2. Ensuring statkeholder engagement by establishing a task force

- Creating a task force to draft amendments to the Law on Civil Registry.
- Involving all relevant stakeholders in the task force.
- Including a representative from the LGBTI community to ensure marginalized voices are part of the decision-making process.

3. Reaching out to the community

- The trans representative on the task force held regular consultations with the wider trans community to identify needs and priorities, gather feedback on proposed legal solutions, and build consensus around acceptable legal models.
- This process empowered the community and ensured that the law would respond to lived realities rather than abstract assumptions.

4. Advocacy and mobilizing allies

- A public discussion process was organized, allowing trans persons and their allies to voice their perspectives directly.
- Broader human rights allies supported messaging, linking the right to legal gender recognition to universal human rights, dignity, and non-discrimination.

Positive cases of legal gender recognition—impact of the law drafting process based on HRIA and HRBA

The draft amendments have not been adopted yet. Meanwhile the trans community experienced serious attacks and had to witness pushbacks from the decision-makers. At the same time, the public servants working on the cases have become aware of the legal obligations to protect the rights of trans people,

which resulted in twenty positive cases of legal gender recognition.

HRBA principles reflected in the law drafting process

- **Participation.** Trans people were actively involved in decision-making through task force membership and consultations.
- **Non-discrimination and equality.**The process aimed to remove systemic barriers that denied trans persons recognition before the law.
- **Accountability:** The drafting process was a response to the obligation imposed by the ECtHR judgment, other international obligations and community advocacy.
- **Empowerment.** The trans community gained confidence and visibility by being recognized as a legitimate stakeholder in the law reform.
- **Legality.** The amendments were aligned with international human rights standards and ECtHR jurisprudence.

Protecting and promoting all human rights close to the people— Human Rights Cities

The example of HRIA and HRBA in the law drafting process illustrates how human rights principles can guide the way we make and assess laws. Yet, human rights-based governance does not end at the national level. Local authorities play a crucial role in turning human rights commitments into concrete actions that affect people's daily lives. This idea lies at the heart of **Human Rights Cities,** where municipalities integrate human rights principles into local governance and policy implementation.

Your local government plays an important role in tackling everyday problems that affect human rights, as well as addressing global challenges like climate change, inequalities, and migration. Coping with these challenges has encouraged many cities to integrate human rights across all areas of local governance, including budgeting, service delivery, urban planning, and citizen participation. They have established initiatives/networks that gather cities willing to work together on human rights, through peer learning and collaboration. An example of such an initiative is the Human Rights Cities Network.

Human Rights Cities embed human rights principles into their governance, policies, and everyday practice by:

Human Rights Cities embed human rights principles into their governance, policies, and everyday practice by:

- assessing local policies through a human rights lens;
- ensuring meaningful participation of residents in decision-making;
- delivering services like housing, healthcare, and education to people in vulnerable situations without discrimination;
- using monitoring and accountability mechanisms (like annual reports) to make progress and challenges visibile.

Examples of cities governing by principles like human rights, sustainability and digital transformation

At present, eight cities are officially self-declared Human Rights Cities in Europe by adopting the Universal Declaration of Human Rights[2] as norms for governance: Graz, Salzburg, and Vienna in Austria; York in the United Kingdom; Barcelona in Spain, Utrecht and Middelburg in the Netherlands, and Lund in Sweden.

At the same time, there are cities that advance human rights at the local government level without formally declaring themselves as a human rights city. Some of them are known as “refugee cities”, “sustainable cities”, “green cities”, “rainbow cities”, or “smart cities”. Prishtina is part of the National Smart City Initiative for Kosovo aiming at smart, inclusive, and sustainable urban transformation. Podgorica and Sarajevo participate in EU’s climate-neutral & smart city mission and Skopje has been a partner in the EU project MatchUp aiming at creating and adoptig solutions that can turn urban problems into smart opportunities. Zagreb is a member of Moving Cities, a network of cities which implement a solidarity-based migration policy, while Ljubljana and Poreč are members of the European Healthy Cities Network, a network that ensures that decision-making always considers its possible influence on the rights to health.

[2]See: https://www.un.org/en/about-us/universal-declaration-of-human-rights.

SUCCESS FACTORS FOR ESTABLISHING A HUMAN RIGHTS CITY	CHALLENGES IN ESTABLISHING A HUMAN RIGHTS CITY
Strong political commitment. Leadership from the mayor or city council is essential.	**Lack of sustained political commitment.** Changes in local leadership can derail human rights initiatives.
Legal and policy framework. Local policies should align with international and national human rights standards.	**Lack of coordination.** Coordination between departments, agencies, and different levels of local government is key to the successful functioning of human rights cities.
Participation. Citizens, especially marginalized groups, need to be provided with the opportunity to actively participate in decision-making.	**Lack of financial resources.** Implementing rights-based programs often requires additional funding.
Capacity building and awareness. Training of local officials and public servants in human rights principles is provided while campaigns to raise awareness about citizens' rights are conducted.	**Lack of expertise.** City staff may lack training or expertise in human rights.
Monitoring. Regular monitoring to assess progress (using indicators and reports) is conducted.	**Limited citizen engagement.** Residents may not know their rights or how to participate in governance.
Transparaency and accountability. Transparency in reporting results to citizens is ensured. Feedback mechanisms to adjust policies based on outcomes are put in place.	**Exclusion of groups in marginalized situations.** Vulnerable groups may be difficult to reach and often remain underrepresented.
	Resistance to change. Some communities may distrust government-led human rights initiatives.

Benefits for public servants

Strong political commitment to develop policies and laws in line with national and international human rights law and recommendations of international human rights bodies.

Base decisions on the results of assessments through a human rights lens of everyday challenges faced by the residents of a city/municipality.

Structures supporting participation of stakeholders become an inherent element in policy and law development.

Feel empowered, engaged and motivated through building partnerships, tapping into external expertise and opening up to innovation by way of cooperating with other departments of the local administration, civil society organisations and academic institutions.

The development of a human rights plan gives all departments of the city administration the opportunity to participate in decisions on prioritizing the most pressing challenges.

The policies and programmes you design/implement as a public servants are more likely to repond to the needs of citizens and you can showcase (successful) impacts of policies on their everyday life, which validates the work of your local administration and builds trust in your work.

The establishment of indicators and a system of mointoring provide you with tools to measure progress, share information on the human rights situation with the residents and improve your own work.

Practical example: Human Rights City—City of York

The campaign for York to become a human rights city was initiated by a professor at the University of York in 2011, in 2017 York officially declared itself a human rights city.

"York has the ambition to use human rights in decision-making, promote awareness and debate about human rights and **ensure all residents' rights are respected."**

"Each existing human rights city has built on its own particular history when seeking to give local content to the label. In both the past and present York has a **strong record** of activity in the field of **social justice.**"

"We want to act as a catalyst for York people, organisations and business to champion a **vibrant,** diverse, fair and safe city."

Stephen Pittam, York Human Rights City Network[3]

[3] Source: https://www.york.ac.uk/news-and-events/news/2017/community/human-rights-city/

Identify local priorities

The Human Rights City of York is set up as a diverse network (**the York Human Rights City Network)**, including the City of York Council, statutory agencies such as the police, voluntary sector groups, and others. People who live, study, and work in York were invited to participate in focus groups and surveys to identify the areas of human rights that the City should focus on. York residents have selected **five key priority** areas for investment: education, housing, health and social welfare, an adequate standard of living and equality and non-discrimination.

The City of York Council adopted the plan "One city for all, 2023 to 2027" which links to the City's "York 2032: The 10-Year Plan".

Vision

"Over the next 4 years, we will establish the conditions that would make the city of York a healthier, fairer, more affordable, more sustainable and more accessible place, where everyone feels valued, creating more regional opportunities to help today's residents and benefit future generations."[4]

The plan (2023-2027) is designed as a framework to set priorities, guide decision-making, and consider resource allocation. It establishes four core commitments determining the outcomes in each of the priority areas, to a large extent relecting the priority areas of investment established in the focus groups conducted when kicking off the process to become a Human Rights City:

1. Equalities and Human Rights—Equality of opportunity,
2. Affordability—Tackling the cost-of-living crisis,
3. Climate—Environment and the climate emergency,
4. Health—Health and wellbeing.

For each of the following seven priority areas the plan establishes the actions to be taken and the outcomes the city administration aims to deliver (key performance indicators):

1. Health and wellbeing: A health generating city, for children and adults
2. Education and skills: High quality skills and learning for all
3. Economy and good employment: A fair, thriving, green economy for all
4. Transport: Sustainable accessible transport for all
5. Housing: Increasing the supply of affordable housing

[4]Source: https://www.york.gov.uk/council-plan-1/one-city-2023-2027/2.

6. Sustainability: Cutting carbon, enhancing the environment for our future
7. How the Council operates.

The outcomes and actions are described in more detail in directorate and service plans, which should be reviewed annually.

Practical example in "One city for all, 2023 to 2027"—Make the city accessible for all (priority area—Transport: Sustainable, accessible transport for all)[5]

What we will do
Actions: Make the city accessible for all
Action 1: Listen to the disabled community and review Blue Badge access to the city, refreshing the access plan.
Action 2: Co-design a plan for Our City Centre to make foot street more welcoming and accessible, including management of freight deliveries as part of the Movement Plan.
Action 3: Provide concessionary bus fares for young people aged up to 25 years old.

Performance indicators—City outcomes
Local bus passenger journeys originating in the authority area (excluding Park and Ride)
Index of pedestrians walking to and from the City Centre (%) from 2009/10 Baseline

HRBA principles reflected in the Human Rights City Approach

- **Disaggregate data.** York Open Data, an information bank hosted by the City of York Council, is an enabling factor for monitoring the situation on the ground and measuring York's progress as a Human Rights City. Other relevant data is collected by the North Yorkshire Police and by the York Foodbank.

[5]Source: https://www.york.gov.uk/council-plan-1/one-city-2023-2027/8.

- **Participation.** York Open Data contains data published by public institutions, businesses and organizations. It is an ongoing process to ensure data quality and expand the data shared. Through consultation with service providers and organizations in York, human rights indicators specific to the city were defined for each of the seven priority areas.
- **Transparency.** An annual progress report is published, which highlights the actions taken, the areas of positive performance and actions to be implemented within the next three months for each of the priority areas. The York Human Rights Indicator Report provides a snapshot of the situation of human rights in the City of York. It links the five human rights selected as priorities of investment by focus groups to relevant domestic and international law, shows progress in relation to selected indicators, describes case studies and contains recommendations.
- **Accountability.** The York Human Rights Indicator Report encourages constructive local debate about relevant issues, and inspires action and advocacy on human rights. The publication of this Report is always followed-up by a public meeting to discuss progress and identify necessary changes to indicators. Furthermore, a human rights issue in focus is chosen for the following year.

Practical example in "Council Plan Progress Report for 2024"—Make the city accessible for all (priority area—Transport: Sustainable, accessible transport for all)[6]

Actions: A more accessible city center
Action 1: A report by independent access consultants MIMA and the Centre for Applied Human Rights at the University of York has made clear recommendations on how to shape a more accessible city centre.
Action 2: Following consultation with disabled residents, the Blue Badge city centre restrictions were lifted on 4 January 2024 at Goodramgate and at Blake Street on 8 March 2024. Meanwhile, the draft implementation plan for the Local Transport Strategy includes actions to review and expand Blue Badge car parking in the city centre and ways to enable access for disabled cyclists to the city centre, plus installation of accessible cycle parking.

Areas of positive performance—City outcomes

The index of pedestrians walking to and from the city centre (percentage from the 2009 to 2010 baseline) was 125% in 2023, compared to 124% in 2022.

[6] Source: https://www.york.gov.uk/council-plan-1/council-plan-progress-report-september-2024/5.

Practical example: The Human Rights City York steps up its efforts to reduce homelessness

The Human Rights Indicator Report on 2018[7] shows lived experiences of rough sleepers, like abuse, stigma, and vulnerability. The Report emphasizes that homelessness affects rights, including dignity, safety, and non-discrimination. It describes Housing First, which assumes that moving into a stable home at the earliest opportunity helps best to overcome complex issues that have led to becoming homeless, as a HRBA: Housing First "emphasises self-determination and choice, and respects individuals' rights to be involved in decisions that affect them". Based on this Report the York Human Rights City Network started advocating for the concept of "Housing First". The City of York advocated for more embedding of Housing First, and that partners commit to this principle with sustainable support and funding. These efforts resulted in the City of York Council adopting a new Homelessness & Rough Sleeping Strategy employing a Housing First approach.

2.2 Meaningful and inclusive participation and access to decision-making

Every individual, especially those most affected by your decisions, must have the opportunity, capacity, and freedom to take part in shaping policies, laws, budgets, and services. As a public servant, your role is to ensure that rights holders have a real chance to take part in the process, inform them, and empower them to identify and help address the main obstacles and structural barriers impeding them from enjoying their human rights.

To ensure meaningful participation of rights holders, your duty is to inform and involve them early in the process of preparing the intervention, and not just at the end when you have already shaped the policy or the service. Provide rights holders with the opportunity to express their views and the ability to influence the outcomes of an intervention that can potentially impact their rights and thus their everyday lives.
Your role as a public servant, is to be aware that not every person affected by your actions knows and understands the process of drafting policies, budgets, or

[7] See: **Your actions must aim at inclusion**—to amplify voices especially of groups who lack strong advocates, and achieve more equitable outcomes, ensuring more solidarity, less conflict across diverse communities, and that no one is left behind..

other interventions you make. Use clear and easily accessible language, share information in accessible formats, and use inclusive methods so that everyone can contribute significantly.

You could use various methods of ensuring participation of rights holders by providing access to forums, institutions, and processes where decisions are made. These could include national policy forums, public consultations, local council meetings, establishing complaint mechanisms, and many other ways to secure meaningful participation.

Including the rights holders affected by your intervention and hearing out their needs and challenges will facilitate your work and prevent you from committing (un)intentional human rights violations that can expose you and/or your institution to legal challenges or damage to its reputation. Remember that meaningful participation and access to decision-making for all people affected will ensure that your policies, laws, practices, and services meet the real needs of people in your community, build trust in institutions, and help you make informed and fair decisions as a public servant.

Your duty as a public servant is to include everyone:

Every policy you draft, every budget you allocate, and every service you deliver must be based on the real needs of the rights holders, especially those in marginalized situations.

When you apply this principle, make sure you inform and hear from the lived experience of the rights holders.

When planning, developing, and implementing policies, legislation, measures, and actions, always ask yourself:

- How are anyone's human rights affected?
- Which human rights are affected or at stake?
- Which rights are we promoting/protecting, and which might we unintentionally put at risk?

Your actions must aim at inclusion—**to amplify voices especially of groups who lack strong advocates, and achieve more equitable outcomes, ensuring more solidarity, less conflict across diverse communities, and that no one is left behind.**

Practical examples of applying meaningful and inclusive participation and access to decision-making

Supporting stakeholder participation by digital platforms

We, as individuals, are rights holders, not just beneficiaries of goods and services. You as a civil servant are also a duty bearer carrying the responsibility of ensuring that affected communities can share their lived experiences on how a problem affects their rights and draft new regulations addressing the shortcomings to guarantee respect for their dignity, rights, and freedoms. You can ensure that participation is genuine, inclusive, and transparent.

Many governments and local authorities use e-consultation platforms specifically designed to ensure active citizen participation. Such platforms aim to provide rights holders with a chance to take part in the process of policy-making from an early stage.

Practical example: Positive step in ensuring the right to participate by E-Consultation (Croatia)

Legal basis. The Act on the Right of Access to Information provides a legal framework for using the "E-Consultation[8]" system.

Platform. The central state provides the portal "E-Consultation", where draft legislation and public policies, including the reasons and objectives behind the proposals, are published for public consultations. The portal has a simple and user-friendly interface and is searchable by the topic, institution responsible for the draft, date of issue or specific text.

Capacity building. Civil servants are trained in using the portal and providing expert support in conducting consultations.[9]

HRBA principles reflected in the E-Consultation process

- **Participation.** The portal was developed in co-operation with civil society organisations as well as the private sector. The system is continuously updated based on the input of all users.[10]
- **Transparency.** Publish the criteria for selecting members of task

[8]For details see: https://vlada.gov.hr/e-consultation-portal-launched-for-citizens-to-take-more-active-part-in-law-making/16865.
[9]Source: OECD, Regulatory Policy in Croatia: Implementation is Key, OECD Reviews of Regulatory Reform, OECD Publishing (2019), p. 54, https://doi.org/10.1787/b1c44413-en.
[10] Source: OECD, Regulatory Policy in Croatia: Implementation is Key, OECD Reviews of Regulatory Reform, OECD Publishing (2019), p. 54, https://doi.org/10.1787/b1c44413-en

forces drafting regulations or developing policies. The criteria should ensure pluralism of experience, expertise, and perspectives. At the end of the consultation process, authorities publish a Report showing which comments were accepted/rejected and the reasoning behind these decisions. This Report is also part of the documentation package sent to the Government and parliament before legislation is adopted.

Overcoming challenges

- **Sufficient time.** Consultations should always last at least 30 days. For major legislative changes, institutions should avoid public consultations during the holiday season.
- **Equal access.** Not everybody can join online consultations due to limited digital skills or resources. If the online tool does not accommodate the needs of persons with disabilities and is not provided in different languages, people in vulnerable situations are excluded. Alternatives—such as meetings, round tables, or other forms of offline or face-to-face communication—should be offered to include older persons, low-income groups, Roma, migrants, persons with disabilities and other vulnerable groups.
- **Regional and local outreach.** Consultations should be held at all levels, including civil society, minorities, and affected communities, in open and transparent discussions.
- **Quality feedback.** Provide meaningful responses to all comments to ensure that the intention to seek input, relevant experience, and quality solutions is perceived as genuine.

Institutionalized participation—the Office of Community Participation in Józsefváros, a district of the City of Budapest

Meaningful participation at the local level means that residents are actively involved and not just consulted in shaping local decisions. Factors supporting meaningful participation are the institutionalization of participation and the provision of legal, budgetary, and structural support within the municipality.

The Office of Communicty Participation as watchdog and facilitator of local decisions

The Office of Community Participation is the first participatory municipality office in Hungary. It is visible, as it is integrated into the organizational chart of the

municipality, it has its own staff and budget, guaranteeing its sustainability. On and offline social consultations take place to decide on major local legislation or smaller and larger interventions in public space, e.g., open streets[11], redevelopment of a street or square, etc. The Office monitors, advises, and supports almost all of the organizational units, institutions, and companies of the municipality (e.g., local urban development company) when it comes to decision-making.

HRBA principles reflected in the work of the Office of Community Participation

- **Transparency.** The Office ensures access to correct and understandable information before important decisions that affect the lives of residents are made.
- **Accountablity.** Twenty annual community forums on urban development across neighborhoods foster dialogue between officials, municipal employees, and residents. These forums hold elected and appointed officials accountable and ensure meaningful consultation before significant decisions are made.
- **Participation.** Consultations are held both online and offline, utilizing surveys, questionnaires, and direct outreach methods (including door-to-door visits and use of public spaces) to engage individuals who may not trust the local government or lack internet access.

Benefits for public servants

Participation of rights holders is embedded in the local self-government structures, it is no longer perceived as an ad-hoc activity.

By providing understandable information (e.g., transforming bureaucratic into plain language) and using various consultation tools, you can ensure that your decisions reflect the needs and lived experiences of rights holders.

You contribute to building trust with the local community, and you maintain accountability for your work.

Policies developed based on lived experiences of the local community more effectively tackle problems and prevent negative impacts on people in

[11] On an Open Street people traffic temprorarily replaces car traffic, streets become places where people of all ages, abilities and background can come out and improve their health.

vulnerable situations.

Improved citizens' relationships with their local government will encourage their engagement in the community.

Challenges faced on the road to meaningful participation:

- **Inclusion.** A limited number of people are actively involved. Citizens may not participate fully, either because they are not aware of possibilities or because they lack the time, interest, or capacity to engage. Groups such as low-income residents, women, people with disabilities, people without access to the internet, and non-Hungarian speakers face additional challenges.
- **Capacity.** More resource and time-consuming modes of reaching out to citizens, such as leafleting, canvassing, and sitting together around issues, proved to be more effective tools because they attract more citizens. However, due to the limited capacities of the Office for Community Participation, they cannot employ these tools with regard to every process they organise.
- **Political resistance.** The Office continues to be attacked by the local opposition and opposition media, it is depicted as not serving the interests of residents of the district.
- **Resistance by the city administration.** It takes time to change the culture of public administration and processes within each unit of local government to integrate meaningful participation.

Practical examples of applying meaningful and inclusive participation and access to decision-making

Engagement of selected organizations and communities

An **Advisory Group of Third-Country Nationals and Persons of Migrant Background** was put in place by the Office for Human Rights and the Rights of National Minorities of the Government of the Republic of Croatia. This Group is established based on a public call and comprises government representatives, NGOs, and migrant communities. It supports the development of policies that facilitate the participation of people with migratory experiences in social, economic, and cultural life and of national strategies related to migration and integration, aligning them with European Union standards and human rights guidelines. A particular challenge is to reflect the diverse needs of migrant

communities, in terms of their e.g., gender, age, migrant background, socio-economic status.

The Bilbao City Council's Immigration Council was set up in 2011. It consists of migrant associations, members of local political partes and a representative from the local government. The migrant associations are seleted by the Bilbao City Council based on their applications and with the aim of covering a wide range of nationalities and backgrounds. The Council meets twice a year in plenary, while its work is organised through the setting up of working groups on awareness, communication, gender and participation. Migrant associations participate in the development of integration policies in a space fostering intercultural exchange and respect for cultural diversity. The Council aims at enhancing social and political participation of migrant communities and strengthening the shared responsibility of the city, residents, and immigrants for integration processes.

Engagement of selected indivduals

The **Council for Diversity, Participation, and Dialogue** was created by the German Municipality of Sindelfingen. A call for candidates invites local organizations or associations that promote diversity and civic participation and community groups to nominate representatives. A committee within the local government reviews the nominations based on the set criteria to ensure a balanced and diverse representation (e.g., persons with migratory experience, with disabilities, from the LGBTQ+ community). The Council meets at least once a quarter and advises the municipality on policies and initiatives related to inclusion and diversity, ensuring that the voices of all community members are heard. It fosters an inclusive environment where various cultures and backgrounds are respected and valued. Furthemore, it empowers members of diverse backgrounds, enhancing their ability to engage in local governance and community affairs.

Engagement of directly elected individuals

A **Migrants' Council** to advise the administration and politicians on issues related to migration, social integration, and political participation has been established by the Austrian City of Graz The council consists of nine members who are elected by migrants living in Graz every five years. The work of the council's members is coordinated and supported by an office that is part of the City of Graz's administration.

2.3 Non-discrimination and equality

The actions of the state and its institutions should strive to avoid any discriminatory effects of policies, laws, practices, and services. You just like everyone else in our society has the same rights—regardless of gender, ethnicity, disability, age, language, religion, sexual orientation, or other status. As a public servant, you have a responsibility to identify the obstacles built into laws, policies, institutions, or cultural norms that prevent people of diverse backgrounds from fully enjoying their human rights and proactively work on tackling these obstacles.

Sometimes, the barriers are not intentional, but they exclude or disadvantage members of specific communities over time. Your role is to check if any policy, service, or budget decision might create or reinforce these inequalities. Also, being aware of your own assumptions will help you overcome any unconscious bias in how you act or make decisions in your work. Thereby, you can prevent direct and indirect discriminatory practices and will take steps to ensure everyone, especially those at risk of marginalization, can access their rights without barriers.

Direct discrimination occurs when someone is treated unfairly because of a characteristic they have or are assumed to have. For example, it may be direct discrimination if a bar manager denies access to Roma but allows non-Roma people to enter the bar. **Indirect discrimination** happens when a policy or rule that applies to everybody and seems fair puts some people at a disadvantage. For example, the enforcement of a height requirement for a job may indirectly discriminate against a substantial number of women as well as people from certain ethnic backgrounds.

Review your own actions and decisions for their potential of being biased and discriminating against individuals or groups of people. Speak up if policies or practices unintentionally harm or exclude members of specific communities. Data can be helpful to identify who is not reached with the policy, law, or service. When you identify exclusion of members of specific communities act proactively to include them.

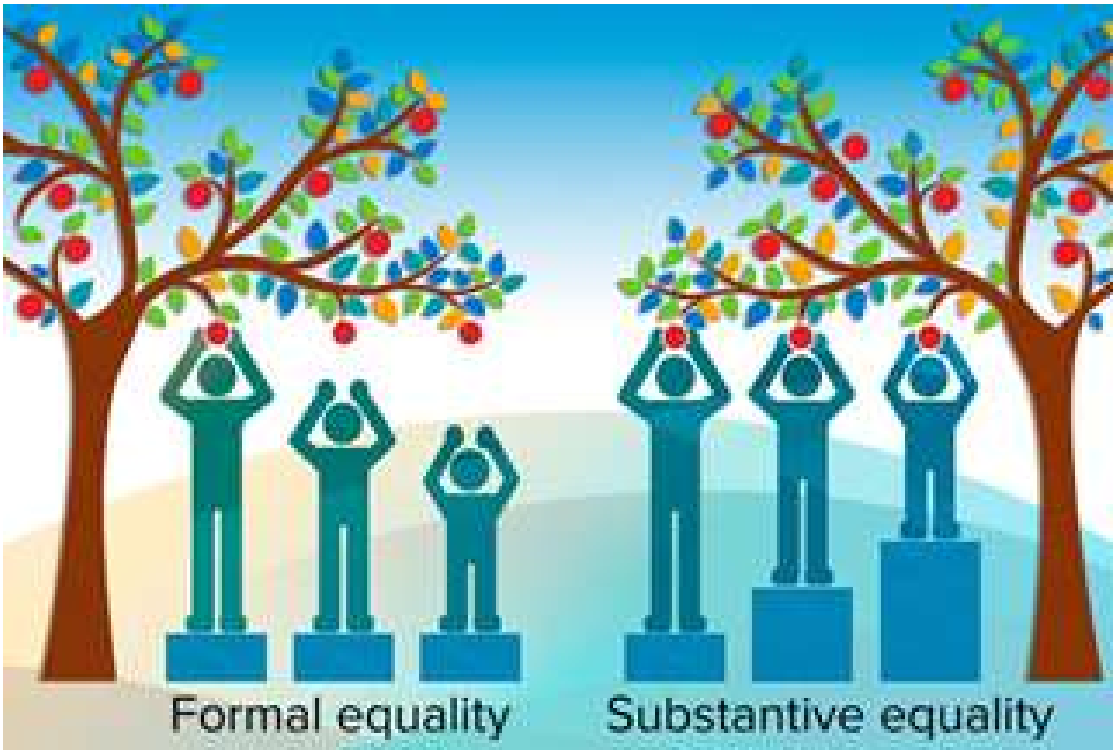
Integrating the HRBA requires you to go beyond formal equality—guarantee equal treatment in the law and ensure substantive equality so that everyone has

a real and meaningful chance to enjoy their rights.

Formal equality implies recognition that all people have equal rights and freedoms guaranteed by law and equal application of the laws by state authorities. To achieve formal equality, it is sufficient to have a legal framework by which all people are equal in terms of enjoying their rights and freedoms, regardless of the effect this has on different groups of citizens.

Substantive equality assumes a broader interpretation of equality and implies the actual implementation of legal equality in everyday life. It means giving everyone what they need to be successful instead of giving everyone the same thing. To achieve substantive equality, it is necessary to understand and consider the differences among various groups, thereby preventing the effects of laws, policies, and practices from discriminating against certain groups or individuals.

This is well illustrated by the graphics below, showing how important it is to recognize differences among various groups.



© 2014, Saskatoon Health Region

Your duty as a public servant is to treat everyone without discrimination:

Non-discrimination is not just a principle "on paper." Every policy you draft, every budget you allocate, and every service you deliver must be directed toward achieving substantive equality.

You can operationalize it by systematically involving equality bodies in every stage of policy-making, from problem definition to monitoring outcomes. This ensures that groups at risk of exclusion are protected, policies are legally compliant, and scarce public resources are used effectively.

When planning, developing, and implementing policies, legislation, measures, and actions, always ask yourself:

- Are there any barriers that affect some individuals or groups more than others?
- What has to be done to remove or at least reasonably accommodate[12] for these barriers?

In policy-making: Do we consult people from all communities, including minorities and vulnerable groups affected?

In service delivery: Are our public services accessible to everyone—including Roma communities, people with different kinds of disabilities, women survivors of violence, or LGBTI people?

In budgeting: Are we allocating resources to reach those who need the most support?

Your actions must aim at ensuring substantive equality—**to guarantee everybody can fully exercise their rights and positively engage in society which promotes social cohesion, a meaningful level of well-being and trust in institutions.**

Practical examples of applying the non-discrimination and equality principle

Public administration can build on the expertise of equality bodies in law drafting and policy-making

As a civil servant it is your duty to prevent the development and impemantation of policies, laws, practices, and services that have discriminatory effects. The Commission for Prevention and Protection against Discrimination (CPPD) is an equality body tasked with identifying discriminatory effects of policies, laws, practices, and services. You can use the CPPD's recommendations on legislation

[12] Reasonable accommodation means making fair and practical changes to help someone fully take part in public life and decision-making. The goal is to ensure everyone has a fair chance to succeed or participate, even if they need a bit of extra support due to a disability of another challenge they face. The changes should be helpful but not too difficult or expensive to implement.

and policy, which involve background research and studies, legal arguments, and experiences of various groups of citizens gathered through complaint-handling, as a valuable resource for your daily work.

Practial examples: Expertise of equalty bodies supporting the work of public administration

Practial examples: Expertise of equalty bodies supporting the work of public administration

Improving policy design. Equality bodies provide evidence-based insights on how laws and policies affect different social groups (e.g., women, (sexual) minorities, persons with disabilities). Their recommendations help identify and eliminate discriminatory practices, leading to more inclusive and effective public policies.

Making the educational system fit for diversity

Unia, the Belgian Equality Body, developed the **Diversity Barometer** to support an evidence-based approach to tackling discrimination and inequalities. The Barometer surveyed the grounds ethnic origin, nationality, disability, age, sexual orientation, religion or belief, and socio-economic status in three areas: Employment (2012), Housing (2014), and Education (2018). Unia collected data and shared its analysis on the prevalence and complexity of discrimination with public authorities to be able to tackle discrimination more effectively.

Unia selected the focus area of education as the educational system is the most important structure for promoting integration, combating exclusion, and exercising civil rights, while simulatenously contributing to (re)producing significant inequalities. Unia aimed at uncovering mechanisms that contribute to inequalities in the different educational systems in Belgium, which point to areas of action in education policy: e.g., changes in teacher support and training, to improve the handling of student diversity in detail and strengthen the professionalization with regard to diversity in the classroom.

Ensuring legal compliance. Equality bodies help ensure the state complies with national anti-discrimination laws and international obligations (e.g., EU equality directives, UN human rights treaties). Their recommendations help avoid costly litigation or sanctions due to non-compliance or human rights violations.

Making internet services safe for everybody including children

The UK Equality and Human Rights Commission provided advice on the equality and human rights implications of the draft Online Safety Bill, aiming at making the use of internet services safer for indviduals. The Commission identified a number of areas where the draft legislation could be improved to better protect freedom of expression, to reduce potential discrimination in content moderation, and to prevent infringements of the right to privacy when it comes to monitoring private communications. Prior to providing its expert advice, the Commission called on the UK and Welsh governments to ensure the new legislation protects children in its submission to the United Nations Committee on the Rights of the Child.

Ensuring better use of public resources. Equality bodies are state institutions, which are here and do their work—working with them does not bring additional costs but valuable expertise for public administration.

Making legal provisions on equality more responsive to challenges on the ground

The **Irish Human Rights and Equality Commission** published recommendations to the Government as part of an ongoing engagement with the Review of the Equality Acts, including the Equal Status Acts 2000-2018 and the Employment Equality Acts 1998-2015. The Commission recommended that equality legislation be changed to include discrimination on the grounds of socio-economic status and criminal conviction. In its submission, the Commission also recommended a change to the existing gender and family status grounds. The submission sets out over 55 specific recommendations on access to justice and legal aid; on exemptions under the Equality Acts; on protected grounds; on positive duties; on positive action and measuring effectiveness and data collection.

Providing capacity building and training. Equality bodies often offer training and guidance to public authorities on non-discrimination, enabling public servants to strengthen their competence in applying human rights principles.

Building capacities of public administration to build inclusive work environments

The **Defender of Rights in France** provides training to public institutions by offering guidance and practical advice based on their inquiries into discrimination

cases. They focus on capacity building and awareness for public entities to prevent and address discrimination, contributing to a more inclusive environment. The Defender of Rights actively intervenes in cases of access to services and discrimination within the public sphere, e.g., when a public employer refuses to accommodate an employee with a disability. After investigating such cases, the Defender provides recommendations, which can be interpreted as an implicit or explicit training to improve practices and ensure compliance with non-discrimination principles in public administration.

Benefiting from the work of the Commission for Prevention and Protection against Discrimination

You need to screen the context or define the problem:

- Ask the CPPD if the draft law, program, or budget line affects various groups differently?
- Ask the CPPD for data, studies, or trends in the respective area?

You are drafting a policy/law:

- Integrate the recommendations of the CPPD (general or issued in individual cases) into the drafts.
- Use the CPPD's assessments to justify the changes you are proposing.
- Invite the CPPD to the consultations with stakeholders.
- Ensure the CPPD's analysis is presented in the Parliament and/or municipal council sessions.

You face challenges with implementing and monitoring a policy:

- Use the CPPD's thematic, periodic, and annual reports, barometers, and monitoring tools to assess whether the policy is reducing inequalities.
- Request training for your staff to understand the causes and effects of discrimination and ensure policies are applied fairly.

Practical example: ***Reasonable accommodation in public service (Croatia)***

Based on the Anti-discrimination Act[13], the state needs to develop procedures that include reasonable accommodation to ensure the prevention of discrimination on the ground of disability in the employment process. The Centralized Employment System (CES) is responsible for employing public servants. It has to ensure the selection of the best candidates while also

[13] The Act obliges both the private and public sector to ensure reasonable accommodation in the area of work and employment for people with disabilities.

guaranteeing the constitutional right of equal access to public service for all citizens under equal conditions.
Reasonable accommodation may include support from another person (such as a communication mediator, personal assistant, sighted guide, or sign language interpreter), extended time to complete the exam or assistance in marking answers or assistive devices (e.g., magnifiers), depending on the disability.

Preventing discrimination in access to employment by reasonable accommodation

- The Ministry of Justice, Public Administration, and Digital Transformation has developed guidelines to ensure implementation of the obligation to provide reasonable accommodation.
- The CES interface is digitally accessible, and testing centers are architecturally accessible, including adapted restroom facilities.
- Candidates with disabilities who require reasonable accommodation during testing or interviews are asked to indicate the type of accommodation needed in their application.
- Appropriate reasonable accommodation is provided to candidates with disabilities during testing and interviews.

Impact of the intervention

The impact of this intervention is yet to be seen, as it was introduced for the first time in 2025. This is an attempt to respond to the challenge Croatia has been continuously facing—one of the lowest employment rates of people with disabilities in the EU. This disability employment gap suggests structural barriers persons with disabilities face, including in access to work, to suitable work, provision of reasonable accommodation, or discrimination.

The Centralized Employment Service has put in place a mechanism and concrete steps to ensure that the concept of reasonable accommodation is put in place and to prevent discrimination of persons with disabilities. However, its implementation in practice needs to be monitored on a yearly basis, so that it brings the intended results—an increased number of persons with disabilities in civil service.

Benefits for public servants

Public servants enter the system knowing they were selected based on merit under equal and accessible conditions.

An institutional environment that prioritizes equality and accountability reduces the risks of discrimination complaints or litigation.

The image of public administration is strengthened—the representation of all citizens in public service is ensured.

A diverse public service staff brings diverse perspectives to the table and can develop more inclusive policies—people with disbailities may have unique perspectives, problem-solving abilities and high levels of adaptability from navigating every day barriers.

Guidelines on reasonable accommodation provide clarity regarding responsibilities and procedures of the public administration as an employer, reducing uncertainty or ad hoc decision-making.

HRBA principles reflected in providing reasonable accommodation in access to employment

- **Accountability.** Public servants are accountable for ensuring that the whole process of recruiting and selecting public servants is in line with the principle of non-discrimination and reasonable accommodation is actually provided.
- **Empowerment.** The candidates are empowered to directly indicate their needs and participate in the process of accommodation.
- **Equality.** All candidates, regardless of their disabilities, have equal access to employment assessment.

Practical example: Making elderly people's homes more LGBTI-friendly—The "Pink Passkey" initiative (Nijmegen, the Netherlands)

Older persons are not a homogeneous group, apart from their age, their experiences are shaped by the intersection of gender, education, income,

, sexual orientation, health status, race, or migration background, which may affect whether and how they enjoy their fundamental rights. Many older LGBT adults choose to hide their sexual orientation or gender identity out of fear of rejection by care professionals, neighbors, or care home residents. It is important to shed light on the needs of older LGBT adults as care receivers who are still largely invisible in care spaces. People who openly express their sexual orientation or gender identity may be confronted with forms of bullying and prejudice by both care providers and residents. As a result, older LGBT adults may feel relatively unsafe in residential care homes. This points to the necessity of raising attention to sexual and gender diversity in eldercare.

Steps towards complying with the principle of non-discrimination in eldercare

- In 2008, the **Nijmegen City Council** committed itself to a project aimed at making care homes and institutions more inclusive for elderly LGBTI people.
- The Pink Passkey is a quality certificate[14] for residential care, home care, and community care organizations aspiring to create a welcoming and safe environment for older LGBTI adults.
- Care institutions that want to receive the certificate must:
  - Put in place comprehensive policies and practices that ensure inclusivity.
  - Train and engage everyone from management to residents to volunteers in the process.
  - Create safe environments where elderly LGBTQ+ members feel seen and valued.
  - Repeat the auditing procedure every three years.
- The support of the local self-government, the Nijmegen City Council, ensures the sustainability of the intervention.

HRBA principles reflected by the initiative “Pink Passkey”

- **Equality.** The initiative is based on the principle of non-discrimination and equality, it ensures that LGBTI elders enjoy rights, dignity, and safety. Care institutions became more inclusive and welcoming for LGBTI residents.
- **Participation.** The initiative is developed and implemented with the participation of the LGBTI community.

[14] See more on: Accountability. Public servants are accountable for ensuring that the whole process of recruiting and selecting public servants is in line with the principle of non-discrimination and reasonable accommodation is actually provided.

- **Epowerment.** LGBTI people are empowered to live an authentic life free from fear and stigma. Older LGBTI persons feel safer, respected, and visible.

HRBA principles reflected by the impact of the initiative "Pink Passkey"

- The scope has been widened over the years from elderly care to (home) care facilities for LGBTI persons with disabilities, chronic illnesses, and mental health issues.
- The model inspired institutions/organizations in other countries to making care homes more inclusive for LGBTI people. It was applied by care organizations in the city of Frankfurt (Germany). In the UK, a similar scheme called Pride in Care is offered by the LGBTI advocacy organization Opening Doors London.

2.4 Accountability and rule of law for all

Public servants exercise power on behalf of the people, the rights holders, and must use that power within the limits of the law and human rights standards. As a duty bearer, you must acknowledge that rights holders have the right to know what they are entitled to, what they can expect from public institutions, and what to do if their rights are not respected.

Your institution and you, as a public servant, must ensure that the processes, decisions, and standards that guide your work are lawful, transparent, and based on human rights standards.

Make sure your institution has a support mechanism that allows individuals to raise concerns, file complaints, or seek redress when their rights are violated. Being accountable means following procedures and being open to questions, feedback, and reviews from within the institution and from the rights holders you serve.

When there is a functional accountability mechanism, you clearly understand your duties and the legal standards you must follow. Consequently, it reduces the pressure put on you to work outside the law or beyond your mandate.
The rule of law ensures that laws are applied consistently and fairly to all individuals without discrimination. When drafting a law, make sure that it is clear, publicly accessible, and stable, providing security and confidence for you as a duty bearer as well as for the rights holders.

Your duty as a public servant is to be accountable and follow the human rights standards:

Every policy you draft, every budget you allocate, and every service you deliver must be clear, accessible and stable. You are responsible and accountable for their implementation.

When planning, developing, and implementing policies, legislation, measures, and actions, always ask yourself:

- Who are the duty bearers at different levels, and do they possess the capacity and commitment to be accountable to rights holders?
- Are there mechanisms that enable rights holders, civil society, and other stakeholders to lodge complaints and hold duty bearers accountable?

Your actions must aim at ensuring human rights standards by way of accountability**—to give people the power to speak up and support change, deter future violations of rights and build trust between institutions and the people as violations have consequences.**

Practical examples of applying the accountability and rule of law for all principle

Empowering rights holders: Civil oversight of the social welfare system (Croatia)

Civil servants have a severe impact on how well social welfare systems cater to the needs and the realization of rights of all people and especially those in vulnerable situations. Social welfare systems should be easily accessible, they should protect the dignity of beneficiaries and promote their empowerment. When such systems do not provide space for beneficiaries to raise their concerns and file complaints when their rights are violated, they do not hold public servants accountable and the trust in the system as well as in public administration diminishes.

Croatia introduced a complaint mechanism for the social welfare system that relies on civil oversight, which is ensured by the newly established **Commission for Deciding on the Merits of Complaints.** The members of the Commission, who are five citizens, are appointed by the Croatian Parliament based on applications to a public call. The Commission plays a role in the final instance of the complaint procedure ensuring a thorough review of complaints:

First instance. Beneficiaries who are dissatisfied with the actions or omissions of professional staff of social welfare centres can complain to the Director of the Croatian Institute for Social Work.

Second instance. If beneficiaries are not satisfied with the Director's response, a complaint can be submitted to the Ministry of Labor, Pension System, Family and Social Policy.
Third instance. If beneficiaries are dissatisfied with the Ministry's response, they have the right to file a complaint with the Commission for Deciding on the Merits of Complaints. If the Commission determines that a complaint is founded, the Ministry is obliged to reassess the validity of the complaint. If the Commission's decision relates to a case pending in court, the decision of the Commission is forwarded to the court.

HRBA principles reflected by the civil oversight mechanism

- **Accountability.** Beneficiaries gained an accessible and independent mechanism that holds public administration and public servants in the welfare sector accountable and remedies the situation of those whose rights were violated by state instituions.
- **Rule of law.** The Commission strengthens the rule of law by enabling citizens to challenge social welfare decisions outside the direct control of the welfare institutions.
- **Transparency.** The transparent procedure for the selection of members of the Commission increased the trust in the social welfare system.
- **Empowerment.** Establishing a mechanism with transparent civil participation can encourage vulnerable communities to use the complaint mechanism.

Benefits for public servants

Beneficiaries have formal avenues to complain, which decreases confrontation and lowers the pressure on civil servants.

The existence of an independent oversight body reinforces trust in the decisions of civil servants that they act lawfully and fairly, protecting their professional reputation.

When citizens trust that civil servants act in a fair, transparent and accountable manner, they are more likely to cooperate with public servants—and cooperation is key in the social welfare system.

An independent oversight mechanism helps separate individual misconduct from the integrity of the broader institution—protecting the reputation of all civil servants. This is particularily important in states with low trust in the work of public administration.

Such mechanisms support a culture of accountability and learning—it means clearer procedures, less arbitrariness, and more professional recognition of civil servants for doing the job properly.

Committing duty bearers to uphold the right to housing of social housing tenants (Scotland)

Poor housing conditions especially in social housing units provided for by the state violate the right to housing. Tenants in Leith, a district of Edinburgh, were experiencing damp, mould, ineffective or broken heating, pigeon, rodent and insect infestations, and maintenance issues. The majority were social housing tenants, whose landlord was the City of Edinburgh Council.

Tackling the right to quality housing based on the HRBA

The **Scottish Human Rights Commission**, an NHRI, aimed to support residents to advocate for their right to an adequate standard of housing and to empower the tenants to tackle substandard housing and living conditions by using human rights. The Commission addressed gaps between international and national legal provisions and people's lived experiences, ensuring accountability for citizens.

The Commission:

- supported residents in assessing their housing conditions through a survey;
- provided trainings to residents;
- engaged in a range of meetings which included residents and visits to their flats, also including council officials and Councillors from the City of Edinburgh Council, Members of Parliament and Councillors, and the Chair of the United Nations Economic, Social and Cultural Rights Committee;
- published a report on "Housing Rights in Practice—Lessons learned from Leith" listing the challenges encountered, establishing the lessons learnt for duty bearers and rights holders and making visible the impacts achieved;

- held a celebration of the International Human Rights Day at the Scottish Parliament screening a film which followed the progress of the residents in seeking change to their housing conditions.

HRBA principles reflected by the Human Rights Commission's activities

- **Participation.** The process was designed around the active involvement of residents, particularly those living in poor housing conditions. Rights holders actively claimed their rights and advocated directly with decision-makers.
- **Empowerment.** Residents and community workers reported increased awareness and understanding of human rights, and increased confidence in using human rights to achieve change and ensure accountability.
- **Accountablity.** Engaging the relevant institutions in the process increases the accountability of duty bearers. The Commission bridged the gap between legal commitments and the lived experiences of residents.

Incentives for civil servants[15]

- Be open to dialogue, which supports a learning environment, and is the basis for engagement with rights holders and accountability.
- Recognise your power as duty bearer, sharing this power is how space is created for progress to be made.
- Recognise the value of the expert knowledge of rights holders—participative engagement can help identify the barriers that exist to realising people's rights more quickly and more cost-effectively.
- Recognise that taking a human rights-based approach, not only helps you to fulfil your legal compliance obligations—it also results in better outcomes.
- Be open to the benefits that improvements can bring to people's lives, beyond your own immediate area of responsibility.

[15] Source: Scottish Human Rights Commission, Housing Rights in Practice—Lessons learned from Leith (2020).

2.5 Transparency and access to information supported by disaggregate data

Transparency ensures that people can see and understand what government is doing, how decisions are made, where public funds go, and how policies are implemented. As a civil servant, you are responsible for ensuring that information related to policies, services, budgets, and decisions is made available, accessible, and understandable to the public. The integration of this principle means sharing information proactively, not just upon a request for access to public information. The information should be delivered in formats and a language that rights holders can easily understand. Providing easy and timely information builds trust between you as a duty bearer and the rights holders.

As public servants, you have a key responsibility to ensure your institution actively collects and uses disaggregate data broken down by relevant characteristics—broken down by e.g., gender, age, ethnicity, disability, region, or other characteristics. Data collection is not a mere technical task, it is essential to understand who is being included, who is being left behind and why. By analyzing the disaggregate data, you gain a clearer, more nuanced and detailed picture of social realities—including disparities that might otherwise remain hidden. These findings empower you to plan, design, and implement fairer, more effective policies truly serving all members of the community.

When people see that your decisions are based on facts and committed to fairness, your role is central in strengthen public trust in your institution.

Your duty as a public servant is to be transparent:

Every policy you draft, every budget you allocate, and every service you deliver must be informed by disaggregate data. All people should understand why the policy is necessary, how it will be implemented, and what the benefits are, why the budget is allocated in this way, and how it will be spent, why the service will be delivered in a specific way, and who will benefit. Achieving transparency means that you should nurture a culture where people feel entitled to ask questions and get honest answers. This might feel strenuous in the beginning, but you will realize benefits along the way, because you might e.g., receive fewer complaints at a later point in time.

When planning, developing, and implementing policies, legislation, measures,

and actions, always ask yourself:

- What measures are implemented to ensure that all stakeholders have access to relevant information and knowledge about the intervention?
- Are decisions, budgets, and data made available to the public in a way that they are easy to find, understand, and use especially by communities of diverse backgrounds?
- What specific groups are visible in our data and who might still be invisible?
- Have we adjusted policies or resource allocation based on the disaggregate data?

Your actions must aim at ensuring human rights standards by way of transparency—**to show everybody how decisions are made, identify where and how groups of diverse backgrounds are left behind or treated unfairly and, in the end, create fairer policies, laws, actions and measures that meet the needs and guarantee human rights of everybody.**

Practical examples of applying the transparency and access to information principle

Transparent budget allocation at the regional and local level (City of Zagreb, Croatia)

It is challenging for you as a civil servant to inform the public about decisions on budget allocations to projects affecting the daily lives of residents at the local level in a transparent, understandable and easy way. The City of Zagreb tried by publishing all agendas and minutes of the regular meetings of 17 district councils and 218 local committee on the city's website. Still citizens felt disconnected from budget allocations, leading to a perception of misallocation and a lack of trust in the bodies of local government, which are elected every four years and represent the citizens in their respective areas.

District councils adopt key plans for communal activities aimed at improving infrastructure and the maintenance of public spaces—including roads, parks, playgrounds, and other community facilities. The councils also actively participate in designing and implementing programs that enhance the quality of social life by organizing cultural, sports, and entertainment events.

Local committees develop plans for small-scale communal projects that address specific local needs, such as street paving or the improvement of smaller

public areas. They also provide funding for organizing local social and cultural events, which help strengthen community ties and foster a sense of belonging.

E-service platform to strengthen trust in budget allocation by local government

The City of Zagreb introduced an e-service platform for participatory budgeting. The platform called "**Your Voice, Your Neighborhood—Digital Participatory Budgeting**" ("Daj prijedlog za bolji kvart! – e-Participativno budžetiranje") has the following key features:

- It is accessed via the National Identification and Authentication System (NIAS), which ensures authenticity and security of all participants.
- It contains information on all projects proposed also on those citizens submit for their neighbourhoods.
- It presents all projects proposed that have been approved as feasible by city experts to the public.
- It gives citizens the opportunity to vote online for the projects they wish to see implemented in their district.

In 2024, a pilot project in four district councils engaged 593 citizens, who proposed 252 projects. Seventy-three projects were voted on, 16 projects were selected for funding, which were implemented throughout 2025. Ninety percent of the citizens submitting proposals also voted, indicating a high level of ownership and interest. The pilot established a replicable model for participatory governance and marked a shift from top-down budget decisions to citizen-driven allocation of resources.

A digital tool operationalizes the principles of HRBA in local governance

- **Transparency.** The platform guarantees transparency in decision-making processes, as all projects, evaluation criteria, voting results, and information about project implementation are publicly available for everyone to review.
- **Accountability.** This approach fosters trust among citizens and holds the city administration accountable.
- **Patricipation.** The platform was developed in collaboration with various institutions, including municipal offices, academic institutions, and civil society organizations specializing in open data and digital participation. The platform encourages citzens to participate in decisions on allocating budgets to projects that affect their daily lives.

- **Legitimacy.** The platform reduces mistrust and strengthens the legitimacy of public institutions at the local level.

Challenges faced when using an online participation tools at the level of local goverment

- **Early engagement.** Raise the awareness of citizens on the possibility to take part in budget planning before calls for project proposals are published. Raise awareness in diverse manners (online and offline), to target different groups of citizens.
- **Include marginalized groups.** Reach out to those who are without digital access or skills (older people, low-income groups, Roma, migrants). This has been done in a call for 2026 where all the submissions can go through district councils as well.
- **Address participation barriers.** Rules such as requiring a place of residence for participation in project proposals may exclude some groups such as tenants, migrants, Roma, who are also residents of the city.
- **Ensure transparency.** Make data on proposed projects and selection easily available to all, so that people can understand how the projects were selected.
- **Foster ownership.** Showcase selected projects and promote ownership of the projects at implementing sites (e.g., "This project was chosen by YOU—our citizens!").
- **Expand participation.** Involve more district councils in participatory budgeting to ensure greater opportunities for citizens to propose projects in their communities.
- **Context matters.** Outcomes depend on the capacity and willingness of both authorities and citizens to engage, which is shaped by social, political, economic, and cultural factors.

Benefits for public servants

When citizens can see and influence how public money is spent, they are more likely to trust public servants. For civil servants, this means greater legitimacy for budgetary decisions and a more collaborative relationship with the local community. This trust makes implementation of public policies easier.

Participatory budgeting gives civil servants direct insight into citizens' priorities and needs, beyond political assumptions, which helps ground policies in

policies inactual community problems.

Implementing participatory budgeting promotes the development of specific skills that enhance a civil servant's professional profile (e.g., project management, facilitation, communication, and coordination).

By involving citizens at an early stage of decision-making, participatory budgeting prevents dissatisfaction or protests that can arise when decisions are made without consultation.

Participatory budgeting improves internal controls, since decisions and justifications are documented and traceable—there is no/less room for misuse of funds.

Disaggregate administrative data on the health situation of Roma (Croatia)

Civil servants in public health administration very often do not have access to disaggregate data by nationality or ethnicity, which makes it very difficult to identify and address disparities in the health status of different groups in vulnerable situations within the population. Data is often collected for administrative, societal, or statistical purposes, and is insufficiently comparable to serve as a solid basis for achieving substantial equality. There is a lot of qualitative evidence of social exclusion, poverty, and health inequalities among Roma populations, including unequal access to healthcare services and worse overall health outcomes compared to the general population. Often data protection legislation is used as an excuse for not collecting disaggregate data.

In 2019-2020, the Croatian Institute of Public Health, in cooperation with the Ministry of the Interior and the Ministry of Health, conducted a study to create a grounded foundation for the development of future evidence-based measures related to the protection and improvement of Roma health. These activities were taken after the Ombudswoman, who is the national equality body, had repeatedly issued recommendations to public and state bodies to engage in the collection of ethnically disaggregated anonymized data in accordance with the General Data Protection Regulation and the principles of equality data collection.

Ethical data collection on the health situation of Roma

Croatia had to devlope public health indicators of Roma in order to comply with the prioritization of improving the monitoring of the health status of Roma under the National Roma Inclusion Strategy. The Croatian Personal Data Protection Agency approved the methodology to assess the status quo of the health situation of Roma and the Ethics Committee of the Croatian Institute of Public Health issued a positive opinion.

The research methodology involved linking two different data sources:

1. Data base on Personal Identification Numbers (OIB) of the Ministry of the Interior,which contains data on self-identified members of the Roma national minority (19,594 people).

1. 2018 health registries of the Croatian Institute of Public Health, which contain information on citizens of the Republic of Croatia but not ethnic identifiers. Linking these two data sources enabled the analysis of health data for individual members of the Roma minority as a target group.

Principles of HRBA reflected in generating disaggregate data on the health situation of Roma

- **Legality.** Data collection and analysis was performed lawfully and ethically in accordance with the legal framework on data protection.
- **Transparency.** For the first time, reliable disaggregate data on Roma health has been made available.
- **Equality.** Substantive equality in overall health outcomes can only be achieved by implementing measures whose impact is closely monitored on the basis of reliable and disaggregate data.
- **Accountabilty.** Evidence-based information on the health situation of Roma was generated. This data forms the basis for developing policy measures and health programs targeting Roma, but also other vulnerable groups in society, and for holding the health administration accountable for ensuring the right to health for groups in vulnerable situations.

Skopje, 2025