Explanatory Note for the Risk and Opportunities Analysis Tool (ROAT)

Draft Standards and Risk Indicator Questions

What is the Human Rights Due Diligence Project?

The Human Rights Due Diligence Project of the Coalition for Human Rights in Development works to develop a methodology for incorporating human rights within the standard social and environmental management systems utilized by development banks in order to ensure that development activities respect, protect, and fulfill human rights. You can learn more about the project here.

What Is the ROAT?

The **Risk and Opportunities Analysis Tool (ROAT**) is one piece of the human rights due diligence methodology. ROAT leads the user through a process to identify and evaluate human rights-related risks and opportunities, adjust the design of an activity to address those risks appropriately, and develop a monitoring plan and indicators. ROAT is based on a **Registry of Standards** organized by **Issue Areas** and accompanied by a relevant set of **Risk Indicator Questions**. The ROAT will be an interactive database-fueled model to showcase how development finance institutions can better analyze human rights risks and opportunities. It will not be a full working tool – the hope is that the banks will use the ROAT to help develop their own tools.

Who Will Use the ROAT?

The ROAT has two primary users: 1) staff of development banks and agencies financing and overseeing development activities, and 2) government staff and consultants implementing development activities. The ROAT will not be used directly by communities. However, the tool is designed to facilitate participatory development processes and to produce a paper trail that communities can use to obtain better information regarding development activities, related risks, impacts, mitigation analysis, and outcome indicators, and to hold banks and governments accountable.

At What part of the Project Cycle Will the ROAT Be Used?

The ROAT is designed to be an iterative tool which can be utilized throughout the design and implementation of a project. The Risk Indicator Questions are designed to aid in the proper design of a development project and are to be answered before the design is solidified and long before the project begins to produce impacts. In particular, it can be used at the project concept stage as a scoping mechanism to identify 1) risks which should be prevented, avoided or mitigated through project design; 2) the focal risk areas for the impact assessment and mitigation measures; 3) issues which require greater attention in consultations, and 4) opportunities to enhance benefits and support borrowers. See here to see the process flow chart for the full methodology.

What are the Issue Areas?

- Poverty Reduction & Social Sustainability
- Social Services
- Labor, Employment & Working Conditions
- Community Safety
- Participation
- Indigenous Peoples
- Environment & Public Health
- Land, Land Acquisition & Displacement
- Gender & Sexual Orientation/Gender Identity/Expression and Bodily Diversity
- Disability
- Culture
- Security

Each Issue Area has a set of Sub-Issues.

Why Did you Choose these Issue Areas and Sub-Issues?

The Issue Areas and Sub-Issues have been selected to include the wide range of human rights issues implicated in development activities, but to present them in a way that is more familiar and understandable to development practitioners and impact assessment professionals. For this reason they are organized primarily by themes rather than by rights. To make the tool more manageable, we would like to condense Sub-Issues where possible. If you have a suggestion for a better organization for the Issue Areas and Sub-Issues, please let us know.

Why Isn't There More Coverage of Environmental Risks and Impacts?

The ROAT is designed to fill a gap in international development practice related to social impact assessment. For this reason, the Issue Areas focus on social issues and impacts, with less comprehensive coverage of environmental impacts, an area where global practice is more advanced.

What are the Standards?

The Standards are the key basic requirements that development activities should meet for a given Issue Area, such as Water and Sanitation, or Persons with Disabilities. Our draft standards are drawn from human rights norms as well as development best practice and are designed to ensure that development activities respect, protect, and fulfil human rights. The Standards are not meant to spell out the full requirements that should be met in project design or implementation, or to replace operational procedures. Instead, they flag the minimum thresholds the bank and borrower should have in mind when analyzing risks and impacts. The Reference Note and Materials section provides supplemental content on the Standard. The Source of Law or Practice provides the human rights instruments or development regulations from which the Standard was drawn.

What are the Risk Indicator Questions?

These are the questions which the bank should respond to during project screening, in order to identify the human rights-related risks presented by a given development proposal. These questions are constructed to aid in the proper design of a development project and are to be answered before the design is solidified and long before the project begins to produce impacts. They are indicators of contextual and project-related risk that the project will lead to harm to communities, as well as indicators of opportunities to enhance human rights enjoyment. They are not indicators of the level of human rights compliance of a country or the human rights impacts of a development activity that has already been implemented. The user of the ROAT will be prompted to note whether risks are different for different groups in the project or program area. Next to the Risk Indicator Questions are the data sources, such as census documents or UN reports, which the user should consult in order to answer each question.

What Happens if the Answer to the Risk Indicator Question is Yes (or No)?

The answer to a given Risk Indicator Question will identify the issues that should be addressed in project design and need greater attention in the impact assessment, which risks need to be avoided or mitigated, or those issues which need attention in the consultation plan. Some Risk Indicator Questions will appear for every project, and others will only be prompted based on an answer to a trigger question of whether the Sub-Issue area is relevant to the project. Responses will select among the following: “Yes/No/Not Applicable/More Inquiry Needed”. Certain “Yes” or “More Inquiry Needed” responses will signal that the specific risk needs to be dealt with in the impact assessment, regardless of whether the impact is positive or negative. Where risks of negative impacts are identified, the user will then be prompted to describe the impact, differentiated for different groups, and assess the significance of the impact (based on scale and irremediability) and whether it can be prevented, avoided, or mitigated.

What are the Impact Assessment Questions?

The Impact Assessment Questions are the questions the Borrower answers when conducting the impact assessment. The Impact Assessment Questions will be selected based on the issues flagged through the Risk Indicator Questions. The responses to Impact Assessment Questions should impact project design, selection of mitigation measures, and monitoring indicators. In addition to describing anticipated impacts, the Borrower will be prompted to discuss how impacts will be felt by different groups in the project/program area, how risks of negative impacts will be prevented, avoided, or mitigated; and how opportunities for positive impacts will be taken advantage of. Where negative impacts are identified, the Borrower will be prompted to determine the significance of the impact (based on scale and irremediability), as well as the likelihood of the impact. This analysis will ensure that the project does not present an unacceptable level of risk and that it has appropriate mitigation measures and monitoring and oversight.

Are these Tables the ROAT?

The tables you can download for each Issue Area are not the actual ROAT. The ROAT will be an interactive database-driven tool that will take the user through various questions and provide additional information where requested. The tables provide some of the content, or the backend, of the tool.

Do these standards represent the Coalition's positions?

No. The standards in the tables are a first draft and do not represent the position of the Coalition or its members. We need your help to flesh them out and finalize them!

How does the ROAT differ from other human rights impact assessment tools?

Unlike human rights impact assessment tools designed for corporations or communities, the ROAT is designed for development finance institutions. It is designed to be used very early on in the project cycle – to aid in designing development projects that preventing adverse human rights impacts and advance the realization of human rights – rather than identifying impacts that have already occurred.

How can I provide feedback?

The consultation on the Standards and Indicator Questions is being coordinated by Coalition member Fundación para el Desarrollo de Políticas Sustentables (FUNDEPS). Feedback can be provided via email (you can use tracked changes to edit the Issue Area tables directly, or fill out the form attached to each Sub-Issue table) or through this **online survey**. Alternatively, we would be happy to set up a short Skype call to receive feedback from you. Just send us an email at **hr_consultation@fundeps.org.** We kindly request your input by November 15th.