

Phase 4: On-site assessment

Step 4.2: Things to consider during on-site assessment

What needs to be considered when consulting vulnerable groups?

What is meant by “vulnerable groups”?

A human rights-based approach to assess actual or potential impacts requires the engagement of rights-holders¹ to be non-discriminatory and especially vulnerable individuals or groups to be prioritised. Vulnerability of individuals or groups refers to persons who are “at a higher risk of being unable to anticipate, cope with, resist and recover from project-related risks and/or adverse impacts [...]” This includes women, children, the elderly, the poor, ethnic, religious, cultural or linguistic minorities, or indigenous groups.² Rights-holders may require specific consultations and mitigation measures to ensure that they do not face adverse impacts in a disproportionate manner.³

The human rights impact assessment tool provides you with further instructions and guidance on how to:

- Consult with [children](#)
- Consult with [local communities](#)
- Consult with [workers](#)
- Consult in [gender-sensitive situations](#)
- Consult in [conflict-sensitive situations](#)

It is important that the assessment team takes all necessary precautions to ensure that the rights-holders to be consulted are safe. If the risk of engaging rights-holders directly is high, or when direct engagement with rights-holders proves impossible, it may be useful to engage with legitimate representatives or representative organisations instead. With regard to rights-holder representatives, it should be noted that in some cases it is difficult to identify [legitimate representatives](#) of rights-holders. An NGO, a member of parliament, or a community leader might claim to represent a certain rights-holder group; however, those persons or organisations might not represent the opinions of the community members who they claim to represent. Having good knowledge of the local context is essential to understanding these dynamics.⁴

The interview process

The interview starts with an explanation of the project, the purpose of the interview, and how the information provided will be used. Expectation management is a key element of all stakeholder interviews, as the human rights assessment process inevitably raises expectations among vulnerable groups, who tend to view the assessors as people who could solve their problems. Assure the interviewees of their anonymity and leave your contact details in case workers fear that providing information could lead to negative repercussions. When

¹ In the context of a HRIA rights-holders are actually or potentially adversely affected by business activities. Examples of rights-holders whose human rights can be impacted by business activities include: workers; local community members including women, children, indigenous peoples, migrants; human rights defenders etc. In: Danish Institute for Human Rights (2016): Human Rights Impact Assessment. Guidance and Toolbox, https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/business/hria_toolbox/hria_guidance_and_toolbox_final_may2016.pdf_223795_1_1.pdf, p. 92.

² Danish Institute for Human Rights (2016): Human Rights Impact Assessment. Guidance and Toolbox, https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/business/hria_toolbox/hria_guidance_and_toolbox_final_may2016.pdf_223795_1_1.pdf, p. 112.

³ *Ibid.*, p. 112-113.

⁴ *Ibid.*, p. 102-103.

delicate topics are raised, the assessor should take note and ensure the interviewee that there will be no negative consequences for her or him through the publication of the assessment report or any debriefing meetings. The assessor can also ask if the interviewee wishes this topic to be raised or not.

To ensure better participation, the interviewees might want to communicate in their own language. If interpretation is required, use an independent translation service. It is important to carefully explain to the interpreter that his or her role is to facilitate the exchange of information between the assessment team and participants, but not to influence the participants or add any information to the interview.⁵

⁵ Kuoni (2012): Assessing Human Rights Impacts. Kenya Pilot Project Report, http://cr.kuoni.com/docs/assessing_human_rights_impacts_0_0.pdf, p. 7; Kuoni (2014): Assessing Human Rights Impacts. India Project Report, http://cr.kuoni.com/docs/kuoni_hria_india_2014_website_0.pdf, p. 16; International Centre for Human Rights and Democratic Development (2011): Human Rights Impact Assessment Guide. Step 15: Language used, <http://hria.equalit.ie/en/phases/#/phase/d/etape/15/>.