



RIGHT BASED APPROACH TO DEVELOPMENT

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Development itself a Human Right

Realization of Human Right through

Development

Development through Realization of

Human Right





Objectives...

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- Explain the concept of right based approach
- Describe the application of right based approach



What is Human Right?

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Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status.

**All Human Rights for All and
It should be Realized.....**



Generation of Human Right

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- ❑ First generation rights (civil and political right)
- ❑ Second generation rights (economic, social and cultural right)
- ❑ Third generation rights (collective rights eg. social security right, environment security, social welfare related right)
- ❑ Fourth generation (Development related rights eg. abortion right, third sex right etc)



We will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights."

-K. Annan (2005)



Some Questions....

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- ❑ What are the relationships between human rights and development?
- ❑ Is realization of human right just a legislative process?
- ❑ Without respect of human rights, can development be realized in the country?
- ❑ How can human rights approach be translated into practice?



RBA....

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*“The right to development is an **inalienable** human right by virtue of which every human person and all **peoples are entitled to** participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realised.”*

Declaration on the Right to Development in 1986



Contd....

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“A right based approaches to development is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights”

Office of the High Commissioner for Human Right cited in Marks, 2003

Seeks to integrate the norms, principles, standards and goals of the international human rights system into the plans and policy to promote development

(Marks, 2003)



Contd....

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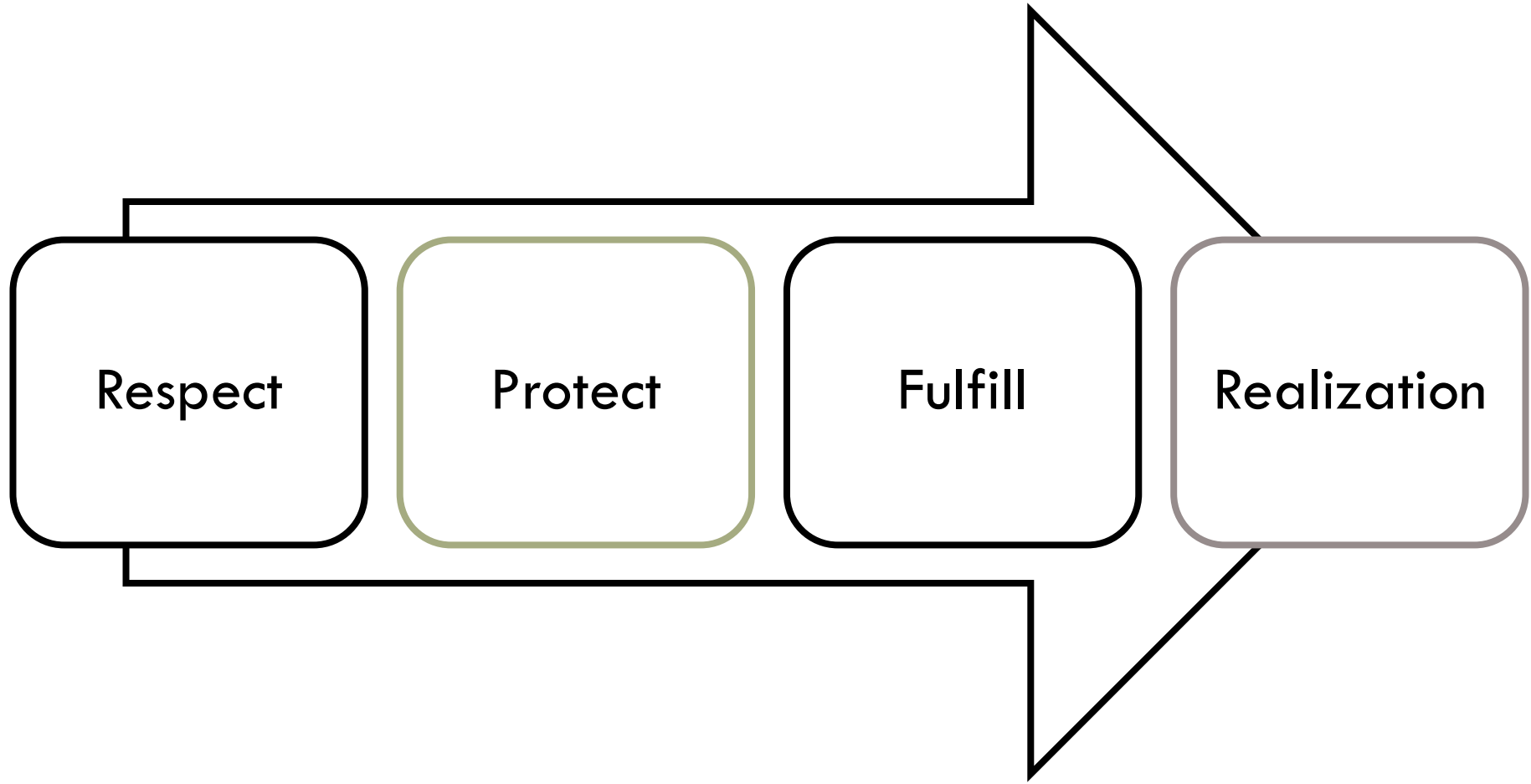
- Recognizing people's needs as rights/**Translating poor people needs into rights** (i.e. not only do people have a need for clean drinking water but they also have a right to it).
- Focus of development from servicing needs to building capacity of individuals and communities to understand, claim and fulfill their rights



Contd...

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- Recognized individual as a central actor to participate in processes of development
- It empowers marginalized communities
- It encourages local ownership of development programmes
- It leads to greater accountability from all actors at all levels
- It provides tools for dialogue and engagement with duty-bearers





Guiding principles of RBA....

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- ❑ Universality and inalienability
- ❑ Indivisibility
- ❑ Interdependence and interrelatedness
- ❑ Equality and non-discrimination
- ❑ Participation and inclusion
- ❑ Accountability and rule of law
- ❑ Sustainability



Focus Areas...

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- ❑ Most Vulnerable
- ❑ Root Causes
- ❑ Rights-holders and duty bearers
- ❑ Empowerment



Policy Discourse..

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Charity Approach	Needs Approach	Rights-based Approach
Focus on input not outcome	Focus on input and output	Focus on process and outcome
Emphasizes increasing charity	Emphasizes meeting needs	Emphasizes realizing rights
Recognizes moral responsibility of rich towards poor	Recognizes needs as valid claims	Recognizes individual and group rights as claims toward legal and moral duty-bearers



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Charity Approach

Needs Approach

Rights-based Approach

Individuals are seen as victims

Individuals are objects of development interventions

Individuals and groups are empowered to claim their rights

Individuals deserve assistance

Individuals deserve assistance

Individuals are entitled to assistance

Focuses on appearance of problems

Focuses on immediate causes of problems

Focuses on structural causes and their appearances



Why RBA to development?....

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❑ Normative reasons

- RBA puts values and politics at the centre of development
- A vision of what ought to be

❑ Programme reasons

- A means to ensure accountability including non-state actors
- Rights imply duties and duties demand accountability

❑ Ethical reasons

- Exposes power relationships in society
- Improves the political advantage of participation



Contd..

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- Are human rights relevant to your work?
- Is there human face visible in your planning?
 - Pro-people planning
 - Participation
 - Voice
- Has your plan ensured quality growth?
 - Participation
 - Pro-poor growth
 - Reducing inequality
 - Sustainable growth



RBA enables....

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- Duty bearers fulfill their obligation
- Right holder to claim their right

A rights-Holder

- is entitled to rights
- is entitled to claim rights
- is entitled to hold the duty-bearer accountable
- has a responsibility to respect the rights of others

A Duty-Bearer

- has the obligation to respect, protect, and fulfill the rights of the rights-holders



Principal Duty Bearer: The State

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□ Obligations of States to International Human Rights

Law

- The obligation to respect
- The obligation to protect
- The obligation to fulfill



Other Duty Bearers: Non-Government Duty Bearers

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□ Primary duty-bearers

- e.g. parents for children, teachers for students, police for crime suspects, doctors/nurses for patients, employers for employees etc.

□ Secondary duty-bearers

- e.g. institutions and organisations with immediate authority over the primary duty-bearers e.g. school management committee governance, community organisations, hospital administrations etc.

□ Tertiary duty-bearers

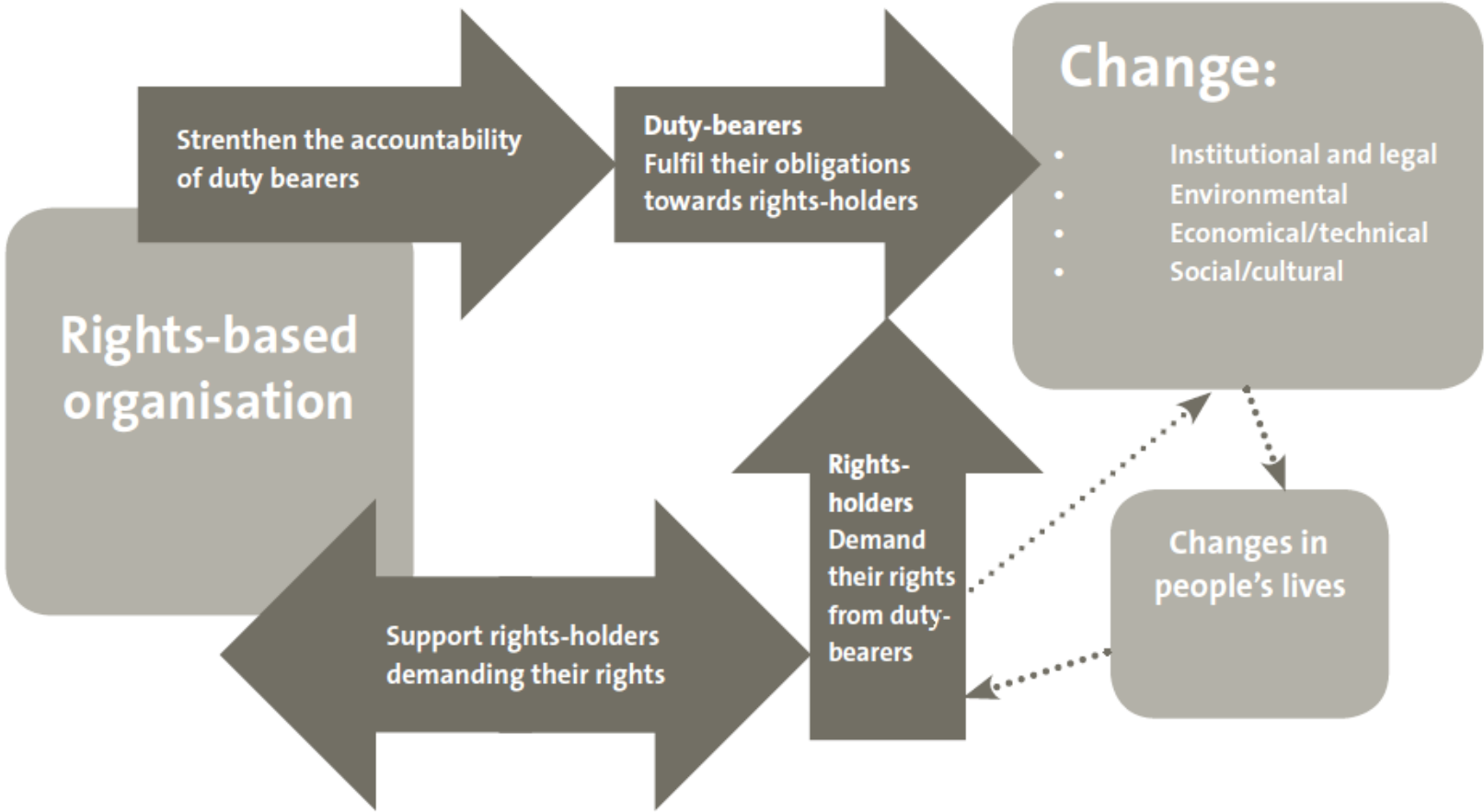
- e.g. NGOs, aid agencies, private sector organisations etc.

□ External duty-bearers

- WTO, UN, INGOs, Security Council etc.



A process example...





Requisites for implementing RBA

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- ❑ **Situation/context/causality Analysis**
 - Identify immediate, underlying and basic causes of the non-realization of human rights
- ❑ **Role/Pattern Analysis**
 - Identification of key claim-holder/duty-bearer relationship at all levels
- ❑ **Capacity Analysis**
 - Assessment and analysis of the capacity gaps of claim-holders to be able to clam their rights and of duty-bearers to be able to meet their obligations



Ways of Implementing RBA

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- **Context Analysis**
 - Problem identification
 - Problem analysis
 - Stakeholder analysis
- **Designing the Programme**
 - Core problems
 - Rights issues to be addressed
 - Primary and secondary target groups
- **Implementation, Monitoring, and Evaluation**



What determine application of RBA

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❑ Ability Factors

- ❑ Governance, society and international systems

❑ Willingness Factors

- ❑ Commitment, confidence, values

❑ Instrumental Factors

- ❑ Moral, legal and techno-managerial instruments

❑ Environmental Factors



Conclusion

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- ❑ Owners of resources are the people
- ❑ Poor, women, Dalits, victimized and the ethnic minorities must get equal opportunity
- ❑ An environment where people can get education, health services, social security and freedom to participate in politics must be made
- ❑ Participation must be broad and meaningful



Contd...

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- Active participation of the targeted people is a must in the decision making process of every development activities
- Access to resource and control over it must be for the poor and the voiceless people
- Establish basic needs as basic rights



Suggested readings

- Boesen, J. K., & Martin, T. (2007). *Applying A Rights-Based Approach: An International Guide for Civil Soceity*, Copenhagen: The Danish Institute for Human Rights.
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- UNDP (2006). *Applying A Human Rights-Based Approach to Development Cooperation and Programming*, New York: Author.