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'Human Rights Based Approach to Development - Is it Rhetorical Repackaging or a New Paradigm?' *

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Human Rights (HR) and Human Development (HD)

'Human rights and human development are close enough in motivation and concern to be congruous and compatible, and they are different enough in strategy and design to supplement each other fruitfully.' (Human Development Report 2000)

Over the last decade, a growing number of organisations have adopted a 'human rights-based approach' to development. Yet many development practitioners and researchers remain sceptical and the concept has not influenced mainstream work on national strategies, programmes and development research. The scepticism is not due to a disagreement over the value of human rights (HR) in themselves nor even the long-standing doubts over whether economic and social rights are 'real rights', or whether acknowledging cultural rights requires one to endorse the idea of 'group rights'. The main obstacle is that many economists and social scientists working on development research and practice do not clearly see human rights as a useful concept in their toolkit for analysis and programming. They see the growing 'rights talk' as merely a rhetorical repackaging of human development. So what exactly do human rights bring to development?

How are human rights and human development distinct, yet complementary approaches?

The fundamental concern with human freedom and dignity is the common motivation that binds human rights and human development. Thus the core objectives - the ends - overlap. Important capabilities for a free and dignified life are also recognized human rights from political participation to education. But as the above quote from the global HDR 2000 makes clear, they are distinct concepts and should not be conflated as one and the same thing. HR are claims that individuals have for social arrangements to guarantee their substantive freedoms; while it is individuals who have human rights, it is the 'duty bearers' who have obligations to put in place the social arrangements. The state as the primary duty bearer has responsibilities to respect, protect and fulfil human rights of citizens. In contrast, HD is a concept that defines a process of enlarging choices people have to lead lives they value.

What does HR bring to HD and poverty reduction related policy frameworks?

Different tools: The HR community uses: (i) tools of legal change (changing legislation to provide legal protection for HR and litigation to enforce them when violated), (ii) tools of social movement (protest, advocacy and naming-and-shaming to change public opinion and public policy), and (iii) tools of analysis (changing the way development challenges are analysed - seeking to identify whether these challenges are a result of violated or unfulfilled rights, and who has a responsibility to act). Moreover, the reference to *international human rights law, norms and standards* brings legitimacy to global and national debates about development priorities. In contrast, HD depends on changes in public policy (economic, social and governance) and development projects.

Different agenda: 'Social justice' best characterizes the HR agenda for development and poverty reduction, emphasizing core principles such as non-discrimination and equality including equal rights to the full set of civil, political, economic, social and cultural rights. These present a different set of priorities for economic, social and governance policies focussing particularly on the most vulnerable people and on removing discrimination, and on the political and civil rights dimensions of development.

Instrumental value of human rights: Human rights are instrumental to development and poverty reduction. They empower people in two ways. They have the power of law to reduce vulnerability to poverty; for example when women's right to land are protected, they are less likely to lose their livelihoods, gain greater voice within the household, defend their right to be educated and so on. They have the power of ideas that empower people to claim their rights, to mobilize collectively and defend their own interests.

Where are the sources of tension and contradiction?

While economics is about setting priorities for the use of scarce resources and understanding trade offs, HR principles insist on each right, and each individual's right being equally important, leaving no room for trade offs. Is this a barrier to integrating HR into development policy and practice? In some circumstances, this tension is in fact one of the ways that HR adds value to development debates regarding priorities. Certain basic principles should not be subject to trade-offs for reasons of efficiency.

What are some cutting-edge issues?

Some exciting new HR approaches to development and poverty reduction have begun to emerge. One is the analysis of economic policies from the perspective of state obligations for HR protection; work by Diane Elson and others explore the links between macroeconomic policy and state commitments under the Convention to Eliminate All Forms of Discrimination against Women (CEDAW). Another area concerns lack of protection for civil and political rights as a cause of poverty.

In these ways, HR has both intrinsic and instrumental value in development. They bring a sharper focus on a social justice agenda in development, and new mechanisms for empowering the poorest people in society.

*Title quoted from Peter Uvin and Andy Norton

Some general sources:

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3. OHCHR. 2004. 'Human Rights and Poverty Reduction: A Conceptual Framework.' New York and Geneva, United

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5. UNDP. 2000. 'Human Development Report: Human Rights and Human Development.' OUP. New York.

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