



Translating Human Rights into Development Programs

UNDP concepts and experience in applying a “Human Rights Based Approach (HRBA)”

Conference - “Pathways to Reconciliation and Global Human Rights”

Sarajevo 16-19 August 2005

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Presentation overview

- ⇒ Background, Core Features and Principles of HRBA to development
- ⇒ Applying the HRBA within the local governance context of BiH - Rights Based Municipal Development (RMAP - Rights Based Municipal Assessment and Planning Project)

UN HR-Development Time Line

UN Charter 1945

UDHR 1948

Declaration on R.t.Development, 1986

Vienna WCHR, 1993

UN reform launch, 1997

Millennium Declaration, 2000

**UN Common Understanding on the
HRBA – Stamford, 2003**

HRBA to DEVELOPMENT

Development

Human Rights

HRBA - Stamford Statement of Common Understanding

- All programs of development co-operation, policies and technical assistance should further the realization of human rights as laid down in the UDHR and other international human rights instruments.
- Human rights standards guide all development cooperation and programming in *all sectors* and in *all phases* of the programming process.
- Development cooperation contributes to the development of the capacities of duty-bearers to meet their obligations and/or of rights-holders to claim their rights.

Defining a Human Rights Based Approach to Development (HRBA)

HRBA →

“**Framework** for the **process of human development** which makes use of **human rights norms** (enshrined in international law & national constitutions) and of **human rights principles** (participation, accountability, equality & non-discrimination) for the **development of capacities for the realisation of human rights**”

Guiding Principles of HRBA to Development Programming (I)

- Participation
- Accountability
- Non-discrimination & Equality
- Empowerment
- Linkage to the human rights standards

⇒ Empowerment of disadvantaged people for realising their human rights in and through development

Guiding Principles of HRBA to Development Programming (II)

Participation as a right

- ⇒ Right holders (beneficiaries) are entitled to participate (rather than being a managerial best practice)
- ⇒ Identifying the excluded and most disadvantaged & building their capacities to access information

Accountability

- ⇒ Corresponding relationship of claim holders & duty bearers
- ⇒ Raising awareness and building capacities of duty bearers (distinguishing between inability ⇔ unwillingness)
- ⇒ Strengthening of legal systems & rule of law to enforce fulfillment of obligations by duty bearers

Non-discrimination & Equality

- ⇒ Positive duty of the State (and development actors) to protect and reach out to the most deprived

Guiding Principles of HRBA to Development Programming (II)

Linkage to human rights standards

- ⇒ HR standards provide a common normative framework defining what development should strive for
- ⇒ HR provide a holistic analytical framework (“pathway”) to identify problems and functions necessary for addressing them (=deepening of development analysis)

E.g. Right to Health Analysis

Problems: Availability, Accessibility (physical/economical),
Affordability, Adaptability, Quality

Functions: Respect / Protect / Fulfil (**tripartite obligations**)

Summing up - HRBA value added to development programming

WHAT - substantive value

- ⇒ Strengthening human development and capacity development perspective
- ⇒ Brings process of development to the forefront
- ⇒ Balances legitimate claims of vulnerable to inclusion and special attention with overall development of society at large

HOW - process value

- ⇒ Improves assessment and analysis (holistic, systematic and results oriented)
- ⇒ Improves accountability mechanism
- ⇒ Actively seeks inclusion of marginalised in analysis, planning and implementation of development interventions
- ⇒ Strengthens dialogue and information flows

BiH – Overall development & HR background

- Slow reforms & economic recovery
- Fragmented and costly governance structure
- Continuous emphasis on ethnic background
- Constitutional framework on HR vs. low level of HR awareness & gaps in legislation and implementation

→ major focus on economic development

→ **lack of focus on overall human development and HR realisation**

UNDP BiH response within local governance cluster: HRBA to local development

- **Rights-based Municipal Assessment and Planning Project (RMAP)**

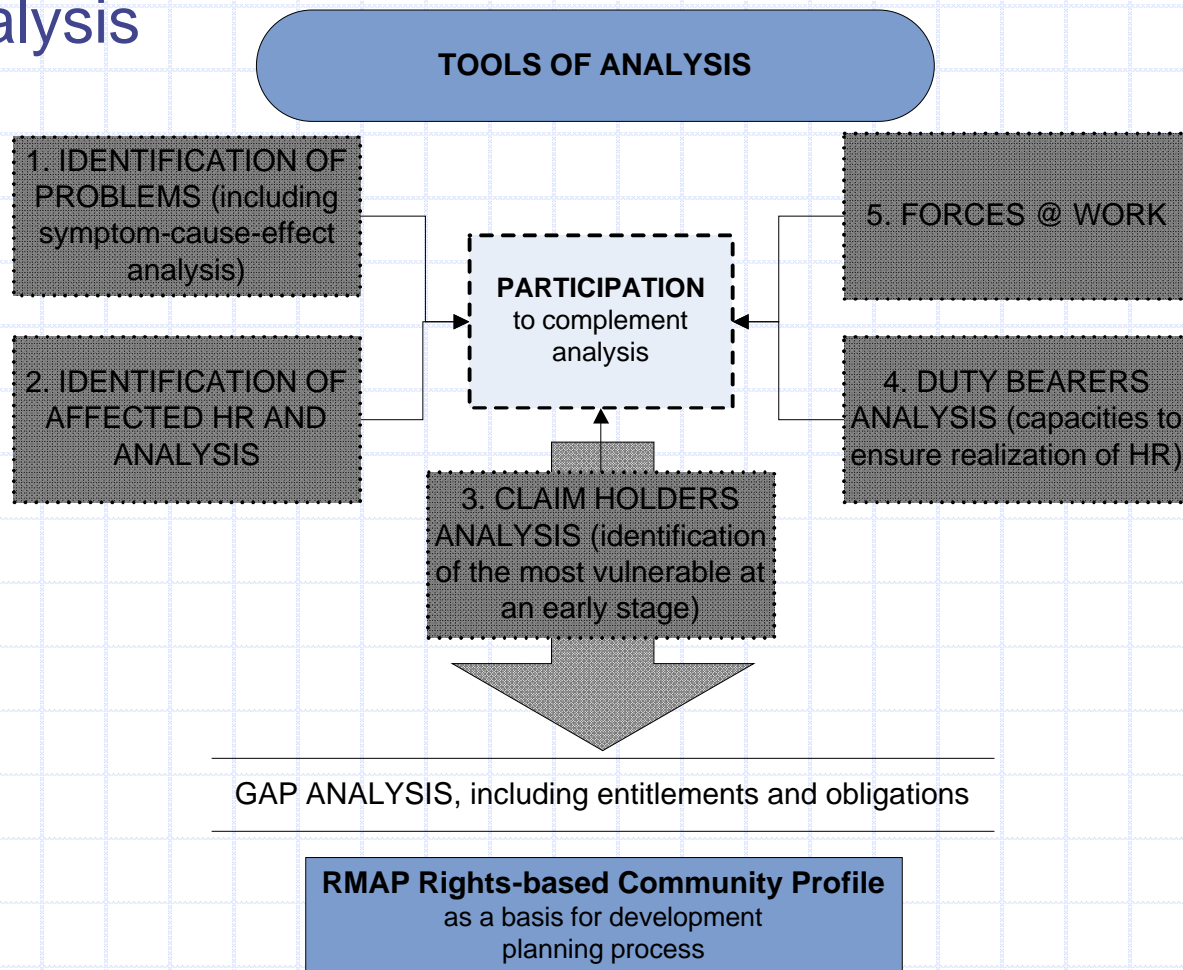
? RMAP phases (Assessment, Planning and Implementation)

? RMAP HRBA:

- ⇒ Linking HR analysis with the process of defining development priorities at the local level
- ⇒ Facilitating a multi-sectoral approach to local development planning
- ⇒ Creating participatory municipal development strategies
- ⇒ Ensuring inclusion of marginalized and vulnerable groups

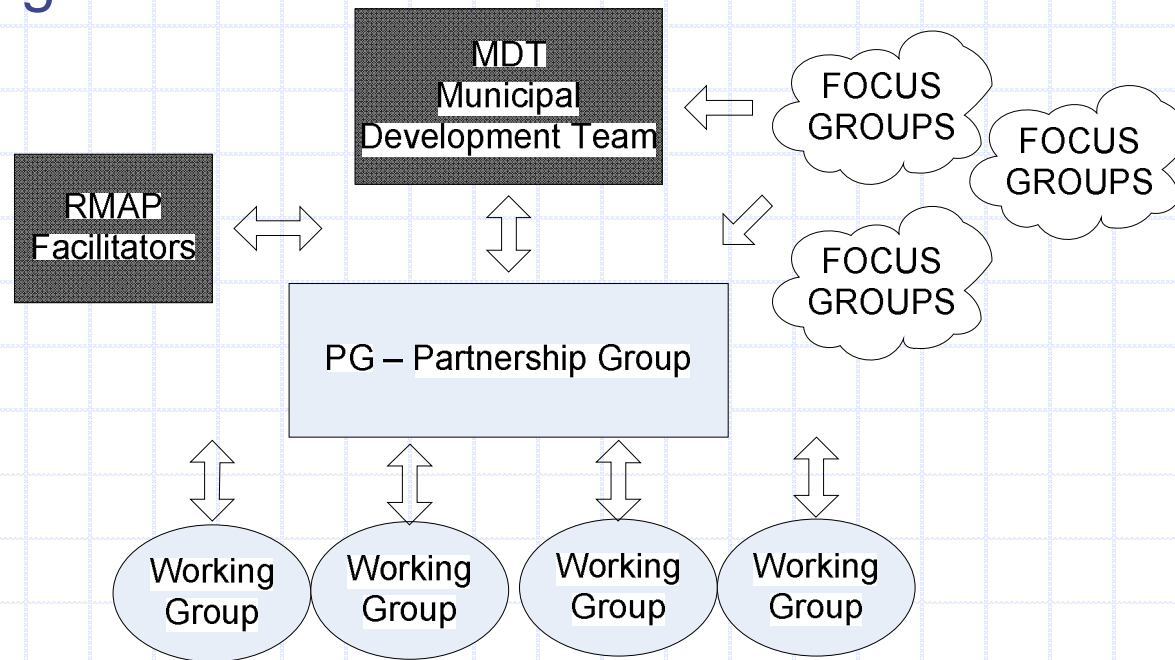
Main steps of the RMAP HRB development planning (I)

A. Assessment by combining HR and development analysis



Main steps of the RMAP HRB development planning (II)

B. Organizing stakeholders and setting up development planning bodies



C. Defining the vision, DGs, objectives, projects & measures

D. Adoption of the multi-annual strategy

Results of RMAP development planning phase (I)

- ⇒ Pioneering HRBA to local development
- ⇒ 13 local development strategies completed
 - ! Projects cover priorities of both the majority and the most vulnerable groups
 - ! Cost-free or low-cost interventions - public campaigns against domestic violence; improving access to public information; integration of children with special needs into educational system
 - ! High-cost projects - infrastructural projects of repairing local water supply systems; establishing One-Stop-Shops; reconstruction of public institutions

Results of RMAP development planning phase (II)

- ⇒ Capacity building and awareness raising on HR responsibilities and entitlements among stakeholders
- ⇒ Majority-minority dialogue, inclusion of the vulnerable, contribution to the *reconciliation* process
- ⇒ Municipalities using RMAP development strategies as a tool for coordinating and attracting donor funds/activities

Challenges and RMAP responses

- ⇒ “overstretched” municipal capacities by multiple development planning processes
 - added value of RMAP: multi-sectoral planning process

- ⇒ ensuring meaningful participation and danger of “elite capture” of the planning process
 - applying HR analysis (“gaps” in HR enjoyment → priorities)
 - parallel measures – focus groups discussions with vulnerable groups

- ⇒ overall lack of municipal capacities for development analysis and planning
 - “learning by doing” approach



Thank you for your attention!