

Human Rights

Topic Guide

About this topic guide

This topic guide provides an introduction to the interactions and links between human rights and international development. Human rights are increasingly visible in international development language, policies and programmes. Human rights, and the principles they are based on, are argued to improve the effectiveness of development programmes. But beyond that, a human rights framework is seen as essential for poverty reduction because it seeks to address the multiple rights denials that cause and shape poverty.

Human rights approaches combine international, regional and national legal frameworks with a focus on individuals and context-specific struggles for rights. Human rights can also be defined collectively, most commonly by indigenous peoples. Approaches to promoting human rights can therefore involve both 'bottom up' empowerment and 'top down' strengthening of accountability institutions. They also require efforts to tackle structural inequalities caused by exclusion, discrimination and unequal power relations.

This guide introduces the international human rights framework, 'rights-based approaches to development', and the policies of various donors and NGOs. It explores how human rights can enhance policy and practice in various development sectors, and examines the relationship between rights, social exclusion and discrimination. The guide uses parallel vocabulary. For the legal aspects of human rights, it employs the controlled vocabulary used in international law. For rights-based approaches and development policy, it uses the language of development agencies.

This topic guide was originally prepared by Jo Crichton, updated by Huma Haider in 2011, and further updated by Ellie Chowns and Evie Browne in 2015. The GSDRC appreciates the contributions of Rosalind Eyben at the Institute of Development Studies, Katarina Tomasevski at Lund University, John Spall at the International Development Department, University of Birmingham, and Sylvia Bluck at the Department for International Development.

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Governance and Social Development Resource Centre (GSDRC)
International Development Department, College of Social Sciences
University of Birmingham, UK
www.gsdrc.org

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Suggested citation: Crichton, J., Haider, H., Chowns, E. & Browne, E. (2015). *Human rights: Topic guide*. Birmingham, UK: GSDRC, University of Birmingham.

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Human rights – overview

Contemporary discussions about human rights and their role in international development are born out of a vast philosophical tradition that cuts across a number of disciplines such as law, anthropology, politics, sociology and theology. An understanding of how and why human rights approaches can be applied to international development requires an appreciation of these theoretical underpinnings. 'Human rights' can be understood from a number of perspectives: as natural entitlements that are beyond dispute and in accordance with 'natural' or 'moral' law; as a deliberative concept arising out of societal agreement that attempts to establish mutual-co-existence; as a way of redressing injustices and changing the status quo through protest; and as a concept that only exists discursively, i.e. at the level of analytical discussion.

Dembour, M. B. (2010). What are human rights? Four schools of thought. *Human Rights Quarterly*, 32(1), 1-20
http://muse.jhu.edu/journals/human_rights_quarterly/v032/32.1.dembour.html

Donnelly, J. (2013). *Universal human rights in theory and practice*. Cornell University Press.

<http://books.google.co.uk/books?id=3gVCY1P7e4MC&printsec=frontcover#v=onepage&q&f=false>

This, the third edition of a widely-cited book, aims to explicate and defend an account of human rights as universal rights. Donnelly takes an interdisciplinary approach, using insights from history, philosophy, law, and political science to build his case that, while human rights are historically specific and contingent, they are nonetheless universal. Chapters include an extended survey of multilateral human rights regimes, and another on bilateral foreign policy. Contemporary issues addressed include humanitarian intervention against genocide, and human rights, democracy and development.

Rights, poverty and development

On what conceptual ground do human rights lie? How is the link between human rights and development assistance established and maintained? Recent years have seen increased emphasis on placing human rights at the centre of poverty reduction. This has been translated into support for the participation of the poor in their development (for instance in the formulation of Poverty Reduction Strategy Papers), as well as an articulation of poverty-related deprivations in terms of human rights violations. There are however different types of human rights, which have been seen as competing. A popular argument is that civil and political (CP) rights should be prioritised over economic, social and cultural (ESC) rights. This can cause problems, for it places the state at the centre of the human rights discourse, when in many instances it is not viable for human rights to be upheld by a state either due to their transnational nature or the capacity of state institutions. It also relegates basic socioeconomic needs that rights-holders may consider most pressing as being secondary considerations.

Hunt, P., Nowak, M., & Osmani, S. (2004). *Human rights and poverty reduction: A conceptual framework*. Geneva: Office of the High Commissioner for Human Rights.

<http://www.ohchr.org/Documents/Publications/PovertyReductionen.pdf>

What is a human rights approach to poverty reduction? This paper is part of the UN's efforts to integrate human rights into its work. It argues that attention to human rights helps to ensure that the concerns of poor people are central to the formulation of Poverty Reduction Strategies (PRs).

Amartya Sen's ground-breaking conceptual work on freedoms and capabilities sheds light on the moral and political reasoning behind rights. Both rights and entitlements to capabilities are understood as having a mutually-reinforcing relationship which enriches the lives and freedoms of people. However, the concept of universally-applicable human rights is problematic and has been met with criticism for imposing normative standards upon distinct cultures. While it is suggested that cultural differences erode the applicability of human rights, one counter argument suggests that human rights can and must become culturally legitimate by being adequately tailored to different contexts.

Sen, A. (2000). *Human rights and human development*. In UNDP (Ed.), *Human development report 2000* (chapter 1). New York: Oxford University Press.

<http://hdr.undp.org/en/content/human-development-report-2000>

Are the concepts of human rights and human development similar enough to be complementary? Are they diverse enough to enrich each other? Amartya Sen argues that human rights and development are indeed mutually compatible. He shows that the promotion of human development and the fulfilment of human rights share a common motivation: enriching the lives and freedoms of ordinary people. The combination of the two perspectives gives us something that neither can provide alone.

Sen, A. (2005). *Human rights and capabilities*. *Journal of Human Development*, 6(2), 151-66.

http://www2.unicef.org/socialpolicy/files/Human_Rights_and_Capabilities.pdf

Can human rights be understood as entitlements to capabilities? Should an overarching list of capabilities be compiled? How can we ascertain the content of human rights and capabilities when values diverge so much across borders and

communities? This article discusses the relationship between human rights and capabilities and seeks to answer these questions. It argues that neither of these two concepts should be subsumed within the other.

UNFPA. (2008). Negotiating culture: Building support for human rights. In *The state of world population 2008: Reaching common ground: Culture, gender and human rights* (chapter 2). United Nations Population Fund.

<http://www.unfpa.org/publications/state-world-population-2008>

How can support for human rights be enhanced within local cultures? This chapter suggests that human rights can become ingrained through 'cultural legitimacy'. Culturally sensitive approaches cannot promise immediate and predictable results, but they can provide effective tools for understanding the relationships between human rights and cultures and tackling oppression. Changes fundamental to human development, which require full realisation of human rights, depend on serious and respectful engagement with cultures.

The 'right to development' forms part of international United Nations policy documents adopted with a majority vote from member states. But it is contested. It is opposed by certain governments, and it does not form part of international law. It has generally received little attention in the policy and practice of governments and development agencies.

The OHCHR website provides information on the 'right to development':

<http://www.ohchr.org/EN/Issues/Development/Pages/DevelopmentIndex.aspx>

OHCHR. (2013). *Realizing the right to development: Essays in commemoration of 25 years of the United Nations declaration on the right to development*. Geneva: OHCHR.

<http://www.ohchr.org/EN/Issues/Development/Pages/RTDBook.aspx>

The year 2011 marked the twenty-fifth anniversary of the UN's adoption of the 'right to development' (R2D). This book draws together thirty-three individually authored chapters that together situate the R2D in the wider context of its emergence; deepen understanding of its relevance to specific groups such as women and indigenous people; explore the institutions and frameworks that shape international cooperation on rights and development; and discuss strategies for implementing the right to development, as well as the challenges of monitoring and evaluating progress.

Human rights legal framework

In international law, human rights obligations are those that states have undertaken by signing treaties, which are then ratified by national parliaments and enacted through changing the state's practice. The [1948 Universal Declaration on Human Rights](#) is by far the most widely accepted definition of human rights, encompassing civil and political as well as economic, social and cultural rights, all sharing the principles of universality and indivisibility. Its principles have subsequently been further developed in a range of international human rights instruments, some of which have been accepted by most states, others not. These instruments define specific standards for women, children, disabled persons, migrant workers and other vulnerable groups, as well as collective rights for minorities and indigenous groups. Human rights are also defined in the many treaties generated by the International Labour Organisation (ILO) since its creation in 1919.

The human rights framework is designed to be a legally, politically and morally binding set of principles for governments. A distinction must be made between legally binding treaties, covenants, statutes, protocols and conventions, and political statements such as declarations and principles. The UN human rights system also involves a series of organs and institutions designed to promote these rights, including treaty monitoring bodies and special mechanisms.

The Office of the High Commissioner for Human Rights has produced a series of online fact sheets which provide an accessible introduction to the various aspects of the international human rights system.

<http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx>

International human rights instruments

This section introduces the core human rights treaties or instruments generated within the United Nations.

Factsheet on the UN treaty system

<http://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf>

The [International Bill of Human Rights](#) consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols.

Universal Declaration of Human Rights

<http://www.un.org/en/documents/udhr/>

International Covenant on Economic, Social and Cultural Rights (ICESCR)

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx>

International Covenant on Civil and Political Rights (ICCPR)

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

In addition to the Declaration of Human Rights, there are nine core human rights treaties which lay out in more detail what these rights mean. These include the ICESCR and ICCPR, mentioned above, and the following seven conventions. The conventions vary in status, as some have been ratified by many more countries than others.

- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>
- Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>
- Convention on the Rights of the Child (CRC)
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- International Convention on the Protection of the Rights of all Migrant Workers & Members of their Families (ICMW)
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>
- Convention on the Rights of Persons with Disabilities (CRPD)
<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>
- International Convention for the Protection of All Persons from Enforced Disappearance (CED)
<http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx>

Other human rights instruments include:

- OHCHR page on International Law: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>
There are many more universal human rights instruments and political declarations on a wide range of issues that are relevant to international development. The website of the Office of the High Commissioner for Human Rights provides links to the full text and ratification status of many of these instruments.
- ILO Labour Standards: <http://www.ilo.org/global/standards/lang--en/index.htm>
Since its creation in 1919, the International Labour Organisation (ILO) has generated almost 200 treaties. These treaties lay down basic standards on labour-related issues ranging from child labour to indigenous rights. The international labour standards laid out in these treaties, and the mechanisms for their enforcement, can be accessed on the ILO website.
- ILO Declaration on Fundamental Principles and Rights at Work: <http://www.ilo.org/declaration/thedeclaration/lang--en/>
The ILO launched a Declaration on Fundamental Principles and Rights at Work in 1998, which reasserts the labour standards laid out in ILO treaties.

International treaty monitoring bodies

International human rights are protected by core international structures and organisations developed to promote and protect human rights. This includes the United Nations Office of the High Commissioner for Human Rights, treaty-based human rights committees, and the ILO's systems for enforcing labour rights.

Office of the High Commissioner for Human Rights (OHCHR): <http://www.ohchr.org/>

The Office of the High Commissioner for Human Rights (OHCHR) is part of the UN Secretariat. It works to raise awareness of human rights and to promote them through dialogue, advice and technical assistance with member governments and other organisations.

Treaty-based human rights bodies are committees of independent experts elected by governments. They work in specific areas laid out by the particular treaty and monitor its implementation by the states that have ratified it. States that have ratified a treaty are required to periodically submit reports on progress to the relevant treaty committee. All the committees consider states' reports. In addition the HRC, CERD, CAT and CEDAW committees examine and decide on complaints.

- List of core international human rights instruments and their monitoring bodies: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx#>

Regional treaties

Some regional organisations have also developed their own human rights systems, although these systems vary considerably. Further information on regional approaches to enshrining human rights at regional level can be found below.

- African Commission on Human and Peoples' Rights <http://www.achpr.org/>
- African Union <http://www.au.int/>
- Inter-American Commission on Human Rights <http://www.oas.org/en/iachr/default.asp>
- Inter-American Court of Human Rights <http://www.corteidh.or.cr/>
- European Court of Human Rights <http://www.echr.coe.int/Pages/home.aspx?p=home>
- European Committee of Social Rights http://www.coe.int/t/dghl/monitoring/socialcharter/ECSR/ECSRdefault_en.asp

Rights-based approaches

The adoption of rights-based approaches (RBAs) in development work – that is, approaches that are informed and guided by the framework of international human rights law, and the values that underpin it – has had a significant impact on the ways in which development agencies operate. RBAs emphasise the centrality of power relations, and the core principles of participation, accountability and non-discrimination. RBAs draw attention to the responsibility of duty-bearers to uphold human rights, and seek to support rights-holders to claim their rights.

Gauri, V., & Gloppen, S. (2012). *Human rights-based approaches to development: Concepts, evidence, and policy* (World Bank Policy Research Working Paper 5938). Washington, DC: World Bank.

<http://dx.doi.org/10.1596/1813-9450-5938>

This paper reviews empirical evidence on the benefits, risks, and limitations of human rights-based approaches to development (HRBAs). Four types of rights-based approaches are identified: global compliance based on international and regional treaties; human rights-based programming on the part of donors and governments; rights talk; and legal mobilisation. The latter is increasing in frequency and scope in several countries, and exhibits appealing attributes such as inclusiveness and deliberative quality. However, there are potential problems with this form of human rights based mobilisation, including middle class capture, the potential counter-majoritarianism of courts, and difficulties in compliance.

Uvin, P. (2004). A rights-based approach to development. In *Human rights and development* (pp. 122-166). Bloomfield: Kumarian Press.

https://www.riener.com/title/Human_Rights_and_Development

How can the rights-based approach (RBA) change how development is 'done', and help practitioners do things better on the ground? RBAs have often been seen as primarily rhetorical and as offering little in hard content. This chapter outlines what the RBA means in practice, and how this differs from current practice. It argues that human rights, when deeply integrated with the practice of development, can be a powerful addition and correction to the development enterprise.

Magesan, A. (2013, May). Human rights treaty ratification of aid receiving countries. *World Development*, 45, 175-188.

<http://dx.doi.org/10.1016/j.worlddev.2012.11.003>

Does ratification of international human rights treaties affect aid receipts and / or domestic human rights institutions? This paper uses statistical analysis to examine the empirical relationship between foreign aid, human rights, and participation in the United Nations Human Rights Treaties (HRT), using a sample of 83 countries from the period 1972-2006. HRT participation has a significant positive effect on a country's foreign aid receipts, but precipitates a decline in domestic human rights institutions. The results suggest that rewarding participation in international human rights agreements with foreign aid is detrimental to human rights in recipient countries.

Nyamu-Musembi, C., & Cornwall, A. (2004). *What is the rights-based approach all about? Perspectives from international development agencies* (IDS Working Paper no. 234). Brighton: Institute for Development Studies.

<http://www.ids.ac.uk/publication/what-is-the-rights-based-approach-all-about-perspectives-from-international-development-agencies>

Are rights-based approaches transformative, or merely a new development fashion? What are the implications for donors of adopting them? This paper analyses rights-based approaches in international NGOs, multilateral and bilateral donors. Done well, these approaches can help agencies better achieve development outcomes by moving them away from unreflective patronage to better partnership with and empowerment of beneficiaries.

Grugel, J., & Piper, N. (2009). Do rights promote development? *Global Social Policy*, 9(1), 79-98.

<http://gsp.sagepub.com/content/9/1/79.abstract>

How do human rights impact on development? Are rights-based agendas useful for addressing issues of social and economic exclusion experienced by the poor? This article suggests that while the promotion of rights has become intertwined with development, the evidence of their effect on development policy is mixed. Many rights are difficult to put onto the agenda of states. Other arguments for development and justice are therefore also required, alongside sustained theoretical reflection on and engagement with the state.

Vizard, P., Fukuda-Parr, S., & Elson, D. (2011). Introduction: The capability approach and human rights. *Journal of Human Development and Capabilities*, 12(1), 1-22.

<http://dx.doi.org/10.1080/19452829.2010.541728>

This article argues that the capability approach provides a useful applied framework for evaluating the human rights position of individuals and groups.

Hickey, S., & Mitlin, D. (Eds.). (2009). *Rights, wrongs and realities: Exploring the potential and pitfalls of rights-based approaches to development*. Boulder, CO: Kumarian Press.

https://www.riener.com/title/Rights_Based_Approaches_to_Development

This book brings together twelve chapters exploring five themes: the evolution of the rights based approach; identity, inclusion and non-discrimination; the interface between rights and collective and/or individual strategies for poverty reduction; the contribution of rights to strengthening the agency of the poor; and rights-based approaches enable agencies to be more effective in reaching low-income groups and addressing poverty.

Implications of RBA for development agencies

What are the implications of RBAs for how development agencies function? A key discussion amongst researchers and policymakers about rights-based approaches centres on improving relationships and processes among donors, partners and recipients in order to realise pro-poor outcomes. Principally this implies improving domestic and international accountability mechanisms whereby donors and NGOs can be held to account, and considering the potential effects of interventions upon human rights. Another key area of debate is the relationship between rights-based approaches and results-based approaches, such as the Millennium Development Goals (MDGs).

Langford, M., Sumner, A., & Yamin, A.E. (2013). *Millennium development goals and human rights*. Cambridge University Press.

<https://books.google.co.uk/books?id=XUuyAAAAQBAJ&lpg=PP1&pg=PP1#v=onepage&q&f=false>

How should we understand the relationship between the MDGs and human rights from different perspectives? What has been the actual relationship between the MDGs and human rights in practice? And how can the two paradigms be integrated in the post-2015 development agenda? This edited book tackles these three questions with contributions from a wide range of authors.

Aid relations and the politics of engagement

Many rights-based approaches involve an understanding that denials of human rights are caused by and perpetuate inequality, discrimination and exclusion based on power relations. In order to successfully support the realisation of human rights, development efforts need to rest on an understanding of how unequal power relations underpin human rights denials, and how this is institutionalised through values, rules and practices. This approach involves a need to reform institutions and transform power relations through enhancing participation, inclusion and accountability, and through compelling organisations to fulfil their rights obligations.

In an international development context RBAs differ from international human rights law, which views rights denials as caused by the unwillingness or inability of governments to meet their human rights obligations. RBAs do also emphasise the primary obligations of governments in upholding human rights. However, they also examine the role of other actors in society, and use analysis of power relations and social and political change.

Nielsen, R.A. (2013). *Rewarding human rights? Selective aid sanctions against repressive states*. *International Studies Quarterly*, 57(4), 791-803.

<http://dx.doi.org/10.1111/isqu.12049>

Do foreign aid donors use sanctions to punish repressive states, and if so, why? This study analyses data on bilateral foreign aid to 118 developing countries from 1981-2004. Results show that donors impose aid sanctions selectively: aid sanctions typically occur when repressive states do not have close political ties to aid donors, when violations have negative consequences for donors, and when violations are widely publicised.

Piron, L-H. (2005). *Human rights and poverty reduction: The role of human rights in promoting donor accountability*. London: Overseas Development Institute

<http://www.odi.org.uk/resources/download/1555.pdf>

Eyben, R. (2004). *Relationships matter for supporting change in favour of poor people (Lessons for change in policy and organisations no. 8)*. Brighton: Institute of Development Studies.

<http://www.gsdrc.org/docs/open/AI5.pdf>

What role does influencing play in making pro poor change take place? Are current international donors spending too much time managing their budgets and not enough time managing relationships? This paper examines the role of organisational learning in improving the performance of international development organisations. A number of approaches are identified for agencies to influence processes that lead to positive changes in the lives of poor people.

Brocklesby, M.A., Crawford, S., & Harding, M. (2005). *Making Rights Real: The Politics of Engagement*. Workshop Report, 23-24 March 2005, London.

<http://www.gsdrc.org/docs/open/SEC5.doc>

Rights based development is a people-centred approach to development based on the norms and standards of international human rights law. This report advocates a move beyond initial rights-based frameworks by focusing instead on the 'politics of engagement'. Donors and civil society actors should recognise the political nature of development and

redefine their strategy of engagement through participation in new networks and alliances to fulfil basic rights and poverty reduction goals.

Alsop, R. (Ed.) (2005). *Power, rights, and poverty: Concepts and connections*. Washington DC: World Bank.

<http://siteresources.worldbank.org/INTEMPowerment/Resources/PPFinalText.pdf>

Discussions about power and rights are increasingly taking place in international development agencies, but the activity of those organisations does not reflect this. This report brings together background materials and discussions from a working meeting between the World Bank and DFID that focussed on understanding the conceptual underpinnings and relationships among power, rights and poverty reduction.

Groves, L. and Hinton, R. (Eds.). (2013). *Inclusive aid: Changing power and relationships in international development*. Abingdon: Routledge.

<https://books.google.co.uk/books?id=2i0McO4xGyMC&lpg=PP1&pg=PP1#v=onepage&q&f=false>

This book is about the need to recognise the complex, non-linear nature of development assistance and how bureaucratic procedures and power relations hinder poverty reduction in the new aid environment. The book begins with a conceptual and historical analysis of aid, exposing the challenges and opportunities facing aid professionals today. It argues for greater attention to accountability and the adoption of rights based approaches. In section two, practitioners, policy makers and researchers discuss the realities of power and relationships from their experiences across sixteen countries. Section three explores ways forward for aid agencies, challenging existing political, institutional and personal ways of working. Crucially, the authors show how translating rhetoric into practice relies on changing the attitudes and behaviours of individual actors.

The Paris Declaration on Aid Effectiveness (2005), the Accra Agenda for Action (2008) and the Busan Partnership Agreement (2011) all emphasise the centrality of human rights in development. A rights-based approach involves respecting and responding to partners' priorities and existing commitments on human rights issues, and being transparent and consistent about donor decision-making processes.

See [The Paris Declaration on Aid Effectiveness and the Accra Agenda for Action \(pdf, 300 KB\)](#) and the [Busan Partnership for Effective Development Cooperation](#).

Rights and citizenship

Understandings of rights and citizenship in development have evolved from what was initially a more instrumental approach to participation. 'Citizenship' has entered the development vocabulary as part of the return to a focus on state institutions as the locus of development and good governance necessary for implementing successful development-oriented policies. Unlike the earlier term 'beneficiary', citizen connotes an active participant in society who possesses both rights and responsibilities rather than someone passively receiving welfare or accessing services. This shift highlights the multiple lines of accountability between state and citizen, donor and recipient, and a more general shift towards putting 'people' at the centre of development.

A common debate about both 'rights' and 'citizenship' is whether these are genuinely universal concepts that make sense for people in all parts of the world or are examples of Western imposition. This highlights the need for the international community to be seen as legitimate by building accountable aid relationships.

Kabeer, N. (2005). The search for 'inclusive' citizenship: Meanings and expressions in an inter-connected world. In N. Kabeer (Ed.), *Inclusive citizenship: Meanings and expressions*. London: Zed Books.

<http://www.drc-citizenship.org/system/assets/1052734474/original/1052734474-kabeer.2005-introduction.pdf>

What does 'citizenship' mean for excluded groups around the world? What do these meanings tell us about the goal of building inclusive societies? This chapter outlines some of the values and meanings associated with citizenship. It considers how debates around citizenship, rights and duties can be interpreted in the light of these values, and discusses the emergence of an explicit rights-based approach in the development agenda.

Lewis, M., Eyben, R., Crabtree, J., Wilson, F., Sagasti, F., & Csasky, C. (Eds.). (2005). *Alliances against poverty: DFID's experience in Peru 2000-2005*. London: Department for International Development (DFID).

<http://www.gsdrc.org/docs/open/ds53.pdf>

Addressing the underlying causes of inequality and exclusion requires donors to engage with political processes. Alliances involving state and society must be strengthened and donors need to play an active role in them. This report reviews the application of rights-based approaches through the concept of active citizenship in a middle-income country context. For the first time it tackles questions of legitimacy, potential and accountability of donor engagement from a donor's perspective.

Cornwall, A., Robins, S., & Von Lieres, B. (2011). *States of citizenship: Contexts and cultures of public engagement and citizen action* (IDS Working Paper 363). Brighton: Institute of Development Studies.

http://dx.doi.org/10.1111/j.2040-0209.2011.00363_2.x

Drawing on case studies, this paper calls for mechanisms aimed at enhancing citizen engagement to be based on a deeper contextual understanding of citizenship experience and practice in different kinds of states.

Citizenship is not always constructed through engagement with the state, but is also formed at a more communal level (e.g. a societal feeling of belonging). This has significant implications for how we view the role of non-state entities in upholding human rights. If rights (and corresponding responsibilities) are not inevitably constituted by the state, what does this mean for the universal applicability of state-endorsed rights?

Eyben, R., & Ladbury, S. (2006). *Implications for Aid Practice: Taking a Citizen's Perspective* (Citizenship DRC Synthesis Brief). Brighton: Institute of Development Studies.

http://www.drc-citizenship.org/system/assets/1052734531/original/1052734531-eyben_etal.2006-implications.pdf?1289909563

Davy, U. (2014). How human rights shape social citizenship: On citizenship and the understanding of economic and social rights. *Washington University Global Studies Law Review*, 13(2).

http://openscholarship.wustl.edu/law_globalstudies/vol13/iss2/5

This article reconceptualises citizenship, a notion usually tied to the nation state, as 'layered'. Human rights may serve as the international 'layer' of citizenship, addressing nationals and non-nationals alike. Poverty mitigation is now the human rights core of 'social' citizenship. The article argues that social citizenship is increasing in importance and in practice.

Rights-based approaches: tools and guidelines

Donors are experimenting with a variety of approaches to rights-based development. The following aspects are found in some, but not all, RBAs:

- The belief that development assistance should, and can, contribute to the realisation of human rights
- The use of international human rights standards as a basis
- The application of human rights standards and principles to all levels of programming, with corresponding guidelines
- Support for both rights-holders to claim their rights and duty-bearers to meet their obligations to protect and promote rights.

RBAs are increasingly being used in the design, monitoring and evaluation of programmes. This is particularly the case in governance reform interventions, in which good governance and human rights are seen to be mutually reinforcing; in directing efforts towards the achievement of the Millennium Development Goals (MDGs); and informing the country programmes or strategies of bilateral donors.

As indicated, implementing a human rights-based approach in development cooperation is – at country level – being viewed in conjunction with commitments made as part of the Accra Agenda for Action and the Busan Partnership Agreement. Practical guidance has often been developed on a 'lessons learned' basis, leading to the development of general principles, tips, and implementation tools in terms of the following: a) project/programme design, planning and implementation; b) situational analysis; c) capacity building; and d) monitoring and evaluation. This guidance is also tailored according to particular human rights concerns (e.g. women and children) or sectors.

Berman, G. (2008). *Undertaking a human rights-based approach: A guide for basic programming – Documenting lessons learned for human rights-based programming: An Asia-Pacific perspective – Implications for policy, planning and programming*. Bangkok: UNESCO.

<http://unesdoc.unesco.org/images/0017/001791/179186e.pdf>

Boesen, J. K., & Martin, T. (2007). *Applying a rights-based approach: An inspirational guide for civil society*. Copenhagen: Danish Institute for Human Rights.

<http://www.acfid.asn.au/aid-issues/files/applying-a-rights-based-approach-2013-an-inspirational-guide-for-civil-society>

With its focus on law and the root causes of poverty, the rights-based approach (RBA) releases a new transformative potential for development. This guide provides practical methods for the integration of the RBA into programmes implemented by smaller civil society organisations (CSOs) in poor countries. While it is not a panacea, the RBA has the potential to bring people whose rights are denied by poverty to the centre of development analyses and implementation.

See also the UN Portal on Human Rights Based Approaches (HRBA):

<http://hrbaportal.org/>

Donor policy and practice

Donors' understandings of and approaches to human rights vary, although they often have core themes and principles in common. Policies range from rights-based approaches emphasising power and participation, to approaches that use rights implicitly. Some donors focus on a wide spectrum of rights, while others emphasise particular types (such as political or legal rights) or particular groups (such as women and girls).

World Bank & OECD. (2013). *Integrating human rights into development: Donor approaches, experiences, and challenges* (2nd edition). Washington, DC: World Bank.

http://siteresources.worldbank.org/PROJECTS/Resources/40940-1331068268558/IntegratingHumanRights_into_Development-2ndEdition-2013.pdf

What lessons can be learned from recent donor experience of integrating human rights into development? This document review draws on numerous case studies of policies, tools, country programmes and specific projects. It considers five basic approaches to human rights in development programming: a human rights-based approach (HRBA); mainstreaming; dialogue and conditionality; projects and global initiatives; and implicit human rights work. Key challenges relate to institutionalisation, partnerships between donors and partner countries, international reference points such as the MDGs, aid allocations and modalities, policy coherence, and budgets.

UK Government human rights policy commitments

The UK Government's human rights policies are based on the international human rights framework outlined in the previous section.

The UK Government policy on 'promoting human rights internationally' informs the work of the Department for International Development, the Foreign and Commonwealth Office, and other Government Departments. The policy sets out what the UK Government does and the key organisations it works with, and includes links to case studies. Promoting the rights of girls and women is currently a key policy area for DFID.

UK Government website on promoting human rights internationally:

<https://www.gov.uk/government/policies/promoting-human-rights-internationally>

DFID. (2014). *Policy on improving the lives of girls and women in the world's poorest countries*. London: DFID.

<https://www.gov.uk/government/policies/improving-the-lives-of-girls-and-women-in-the-worlds-poorest-countries>

The role of human rights conditionality in development assistance is a difficult issue. In 2014, DFID issued a Guidance Note describing how it intends to implement UK policy on conditionality, building on lessons learned from experience.

DFID. (2014). *DFID Guidance Note: The Partnership Principles*. London: DFID.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/295723/how-to-partnership-principles-march2014.pdf

Multilateral Institutions

OECD: *Organisation for Economic Cooperation and Development*

Survey of experience with integrating human rights into development, published jointly with the World Bank, and already summarised above:

World Bank, & OECD. (2013). *Integrating human rights into development: Donor approaches, experiences, and challenges* (2nd edition). Washington, DC: World Bank.

http://siteresources.worldbank.org/PROJECTS/Resources/40940-1331068268558/IntegratingHumanRights_into_Development-2ndEdition-2013.pdf

The OECD Guidelines for Multinational Enterprises are a non-binding code of conduct intended to promote responsible business practice. They stipulate that firms should respect human rights, and environmental and labour standards, in every country in which they operate. They have been updated five times since they were first adopted in 1976, most recently in 2011.

Website for the OECD Guidelines for Multinational Enterprises

<http://mneguidelines.oecd.org>

United Nations

A human rights based approach is one of five core principles that must be applied in country programming under the UN Development Assistance Framework (UNDAF) – the other four being gender equality, environmental sustainability, results based management, and capacity development.

United Nations Development Group. (2010). *Guidance note: Application of the programming principles to the UNDAF.*
<http://www.ilo.org/public/english/bureau/program/dwcp/download/undafnote.pdf>

The UN has a Common Learning Package on the Human Rights Based Approach (HRBA), originally developed in 2006 and updated in 2011. It is based on the 2003 UN Common Understanding on HRBA.

UN Common Learning Package

<http://hrbaportal.org/archives/resources/the-un-common-learning-package>

The **UN Practitioners' Portal on Human Rights-Based Approaches to Programming** features a broad collection of practical resources designed to support UN staff. The Portal is also the home of HuriTALK, the UN Human Rights Policy Network.
<http://hrbaportal.org/>

OHCHR: Office of the UN High Commissioner for Human Rights

The HCHR is the principal human rights official of the United Nations. OHCHR has 13 country offices and 13 regional offices worldwide, and deploys human rights officers integrated into peace missions, and advisers based in UN country teams.

Website on Making Human Rights a reality on the ground
<http://www.ohchr.org/EN/Countries/Pages/WorkInField.aspx>

OHCHR. (2013). *Realizing the right to development: Essays in commemoration of 25 years of the United Nations Declaration on the Right to Development.* New York and Geneva: OHCHR.
<http://www.ohchr.org/EN/Issues/Development/Pages/RTDBook.aspx>

OHCHR. (2007). *Good governance practices for the protection of human rights.* New York and Geneva: OHCHR.
<http://www.ohchr.org/Documents/Publications/GoodGovernance.pdf>

How can governance reforms contribute to the protection of human rights? How are governance and human rights linked in the areas of democratic institutions, state service delivery, the rule of law and anti-corruption measures? This publication uses 21 case studies from around the world to show how governance interventions by a range of social and institutional actors can implement human rights principles. Good governance and human rights are mutually reinforcing.

UNDP: United Nations Development Programme

UNDP Policy on Human Rights

http://www.undp.org/content/undp/en/home/ourwork/democraticgovernance/focus_areas/focus_human_rights.html

UNDP. (2011). *Fast facts: Human rights and UNDP.*

http://www.undp.org/content/undp/en/home/librarypage/results/fast_facts/fast_facts_humanrightsandundp.html

UNDP. (2000). *Human development report: Human rights and human development.* New York: UNDP.

The 2000 Human Development Report is perhaps the best starting point on rights and development. It provides a sustained argument that human rights and human development are mutually reinforcing, referring to specific human rights treaties.
<http://hdr.undp.org/en/content/human-development-report-2000>

All Human Development Reports can be accessed here:
<http://hdr.undp.org/en>

UNDP-OHCHR. (2010). *Toolkit for collaboration with national human rights institutions.* New York: UNDP.

<http://www.ohchr.org/Documents/Countries/NHRI/1950-UNDP-UHCHR-Toolkit-LR.pdf>

National human rights institutions (NHRIs) are institutions with a legal mandate to protect and promote human rights. They are new and unusual institutions: part of the state, but not part of the executive, legislative or judicial branches. Their importance has been highlighted by the UN secretary general. This toolkit is intended primarily to support United Nations Country Team (UNCT) staff who have little or no working experience with NHRIs, as well as partners in the development community. The toolkit's goal is to provide readers with a good understanding of what NHRIs are, and with tested and useful tools for developing and assessing their work with NHRIs.

UNICEF: United Nations Fund for Children

UNICEF uses human rights, particularly the Convention on the Rights of the Child (CRC), as a basis for programming.
<http://www.unicef.org/policyanalysis/rights/>

UNICEF. (2012). 2012 Global: Global evaluation of the application of a human rights based approach to UNICEF programming (HRBAP). New York: UNICEF.

http://www.unicef.org/policyanalysis/rights/index_62011.html

UNICEF. (2007). Implementation handbook for the Convention on the Rights of the Child (Revised Third Edition). New York: UNICEF.

http://www.unicef.org/publications/index_43110.html

UNICEF. (2007). Implementation guidelines for the Convention on the Rights of the Child. New York: UNICEF.

http://www.unicef.org/crc/files/Implementation_guidelines.pdf

World Bank

The World Bank's engagement with human rights has been subject to a degree of controversy due to its policy of non-political engagement with recipient countries. Historically this has meant that it has avoided expanding its activities into what is seen as human rights territory. In the last decade the World Bank has however made inroads into what has traditionally been considered the 'political' side of international development due to an explicit embracing of the 'good governance' agenda.

The Nordic Trust Fund is a \$20 million multi-year and multi donor internal knowledge and learning programme for World Bank staff on human rights. It was established in 2009 and has core funding from Denmark, Iceland, Norway, Finland and Sweden. It funds capacity-building for Bank staff, operational projects, and research.

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/0,,contentMDK:22312165~pagePK:41367~piPK:51533~theSitePK:40941,00.html>

Nordic Trust Fund / World Bank. (2013). Human rights impact assessments: A review of the literature, differences with other forms of assessments, and relevance for development.

http://siteresources.worldbank.org/PROJECTS/Resources/40940-1331068268558/HRIA_Web.pdf

European Commission

The EC's 2011 Agenda for Change prioritises human rights along with inclusive growth.

European Commission. (2011). Increasing the impact of EU development policy: An agenda for change.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A52011DC0637&qid=1412922281378&from=EN>

Web page on democracy and human rights:

https://ec.europa.eu/europeaid/sectors/human-rights-and-governance/democracy-and-human-rights_en

Bilateral donors

Australia: DFAT (Department of Foreign Affairs and Trade)

Human rights are not mentioned in DFAT's revised (2014) development policy.

Web page on human rights:

<http://www.dfat.gov.au/issues/human-rights/>

China

China's 2014 Foreign Aid White Paper emphasises that 'imposing no political conditions' is one of the key features of China's foreign aid.

Government of China. (2014). China's foreign aid (White paper).

http://english.gov.cn/archive/white_paper/2014/08/23/content_281474982986592.htm

Canada: DFATD (Department of Foreign Affairs, Trade and Development)

Canada emphasises Human Rights under the Foreign Policy rather than the Development arm of DFATD. Human rights are a central theme of Canada's foreign policy.

Web page on human rights:

<http://www.international.gc.ca/rights-droits/index.aspx?lang=eng>

Web page on development policy priorities and themes include advancing democracy, promoting gender equality, and strengthening governance:

<http://www.international.gc.ca/development-developpement/priorities-priorites/index.aspx?lang=eng>

Denmark: Danida (Ministry of Foreign Affairs)

Danida places considerable emphasis on human rights – their tagline is 'fighting poverty, promoting human rights'. Human rights are highlighted in the first phase of Danida's strategy for development cooperation, and are one of the four focus areas of their work.

Web page on human rights and democracy:

<http://um.dk/en/danida-en/activities/strategic/human-right-demo/>

Danida. (2012). *The right to a better life: Strategy for Denmark's development cooperation.*

http://um.dk/en/~media/UM/Danish-site/Documents/Danida/Det-vil-vi/right_to_a_better_life_pixi.pdf

Finland: Formin (Ministry for Foreign Affairs)

Web page and resources on human rights:

<http://formin.finland.fi/public/default.aspx?nodeid=15630&contentlan=2&culture=en-US>

Ministry for Foreign Affairs of Finland. (2013). *Human rights strategy of the Foreign Service of Finland.*

<http://formin.finland.fi/public/download.aspx?ID=119774&GUID={B6F74015-B971-4CCB-93ED-8E6B53D85ED1}>

France: AFD (French Agency for Development)

AFD has no formal policy on human rights, but funds several rights-related civil society organisations:

<http://www.afd.fr/lang/en/home/AFD/developpement-durable/DD-et-operations/droits-humains-genre-developpement>

Human rights are 'a priority for France's foreign policy':

<http://www.diplomatie.gouv.fr/en/french-foreign-policy-1/human-rights/>

Germany: BMZ (Federal Ministry for Economic Cooperation and Development)

BMZ says that it 'views development policy as a form of practical human rights policy'. Web page on human rights:

http://www.bmz.de/en/what_we_do/issues/HumanRights/

BMZ. (2011). *Human rights in German development policy: Strategy (BMZ Strategy Paper 4/2011e).* Berlin: Federal Ministry for Economic Cooperation and Development (BMZ).

http://www.bmz.de/en/publications/type_of_publication/strategies/Strategiepapier305_04_2011.pdf

BMZ. (2010). *Human rights in practice: Fact sheets on a human rights-based approaches in development cooperation.* Berlin: Federal Ministry for Economic Cooperation and Development (BMZ).

http://www.bmz.de/en/publications/type_of_publication/information_flyer/information_brochures/Materialie206_Information_Brochure_7_2010.pdf

Japan: JICA (Japan International Cooperation Agency)

JICA policy does not explicitly mention human rights. Priorities are addressing globalisation, reducing poverty through equitable growth, improving governance, and achieving human security.

<http://www.jica.go.jp/english/about/mission/index.html#vision>

Netherlands: Ministry of Foreign Affairs

Promoting and protecting human rights worldwide is a priority in the foreign policy of the Netherlands. Dutch development cooperation policy focuses on four themes, including sexual and reproductive health and rights:

<http://www.government.nl/issues/development-cooperation/the-development-policy-of-the-netherlands>

The Netherlands also promotes human rights through its Human Rights Fund:

<http://www.government.nl/issues/development-cooperation/grant-programmes/human-rights-fund>

Ministry of Foreign Affairs. (2013). *Human rights policy – Justice and respect for all.*

<http://www.government.nl/issues/development-cooperation/documents-and-publications/notes/2013/06/14/justice-and-respect-for-all.html>

New Zealand

The New Zealand government recognises human rights as a cross-cutting issue that has significant impact on development outcomes.

New Zealand Aid Programme. (2011). *International development policy statement.* Wellington: Ministry of Foreign Affairs and Trade.

http://www.aid.govt.nz/webfm_send/3

Ministry of Foreign Affairs and Trade. (2012). *New Zealand Aid Programme. Sector Priorities 2012-15.*

http://www.aid.govt.nz/webfm_send/509

Norway: NORAD (Norwegian Agency for Development Cooperation)

Norad co-funds the World Bank's Nordic Trust Fund on human rights and development. However, human rights are not specified as a key priority of Norwegian development cooperation, although they are implied in some thematic areas such as the right to education.

NORAD. (2011). *Evaluation of Norwegian development cooperation to promote human rights.*

<http://www.norad.no/en/tools-and-publications/publications/evaluations/publication?key=385467>

NORAD. (2012). *Mainstreaming disability in the new development paradigm Evaluation of Norwegian support to promote the rights of persons with disabilities.*

<http://www.norad.no/en/tools-and-publications/publications/evaluations/publication?key=389256>

Sweden: Sida (Swedish International Development Cooperation Agency)

Human rights is one of the two 'fundamental values in Swedish aid'. The first of Sida's six strategic objectives is 'strengthened democracy and gender equality, greater respect for human rights and freedom from repression'.

Sida. (2013)., *Aid Policy Framework – the direction of Swedish Aid (Government Communication 2013/14: 131).* Stockholm: Government Offices of Sweden.

<http://www.regeringen.se/content/1/c6/24/28/99/5718b7f6.pdf>

Web page on democracy and human rights: <http://www.sida.se/English/how-we-work/our-fields-of-work/democracy-human-rights-and-freedom-of-expression/democracy-and-human-rights/>

Switzerland: SDC (Swiss Agency for Development and Cooperation)

Web page and resources on human rights:

<https://www.eda.admin.ch/eda/en/dfa/foreign-policy/human-rights.html>

SDC. (2006). *SDC's human rights policy: Towards a life of dignity – Realising rights for poor people.* Bern: Swiss Agency for Development and Cooperation/Swiss Federal Department of Foreign Affairs.

http://www.deza.admin.ch/ressources/resource_en_25225.pdf

Switzerland's human rights policy commitment: <https://www.eda.admin.ch/eda/en/dfa/foreign-policy/human-rights/human-rights-policy/swiss-commitment.html>

United States: USAID (United States Agency for International Development)

Web page on democracy, human rights and governance:

<http://www.usaid.gov/what-we-do/democracy-human-rights-and-governance>

USAID. (2013). *Strategy on democracy, human rights and governance.*

http://www.usaid.gov/sites/default/files/documents/1866/USAID%20DRG_%20final%20final%206-24%203%20%281%29.pdf

International NGOs

This section presents links to selected international development NGOs that emphasise human rights or rights-based approaches in their development programmes, as well as to human rights INGOs that emphasise links with development.

ActionAid

ActionAid strongly emphasises a rights-based approach: ‘We help people fight for the rights that they are denied’. Specific themes include food and land rights, and women’s rights:

<http://www.actionaid.org/what-we-do>

Amnesty International

Amnesty has been active in calling for greater emphasis on human rights in the post-2015 development agenda.

Amnesty International. (2014). *Delivering a just future for all: Why human rights matter to sustainable development (Policy briefing post-2015 framework)*. <http://www.amnesty.org/en/library/info/ACT35/008/2014/en>

Amnesty International. (2014). *Human rights for human dignity: A primer on economic, social and cultural rights (2nd edition)*. <https://www.amnesty.org/en/documents/POL34/001/2014/en/>

Human Rights Watch

HRW is active in a range of areas relevant to human rights and development, including children’s rights, and disability rights. It also critiques the human rights records of international development organisations such as the World Bank.

Human Rights Watch. (2014). *World Bank: Human rights status report and action plan*.

<http://www.hrw.org/node/127040>

Oxfam

‘All Oxfam’s work is underpinned by a rights-based approach’:

<http://policy-practice.oxfam.org.uk/our-work/methods-approaches>

Oxfam. (2014). *Quick guide to rights-based approaches to development*.

<http://policy-practice.oxfam.org.uk/publications/quick-guide-to-rights-based-approaches-to-development-312421>

This two-pager briefly summarises what Oxfam means by a rights-based approach to development, emphasising the centrality of power analysis, and the principles of participation, accountability and non-discrimination.

Plan International

‘Plan’s vision is of a world in which all children realise their full potential in societies that respect people’s rights and dignity.’ <http://plan-international.org/about-plan/how-we-work>

Save the Children

‘Securing children’s rights underpins all of Save the Children’s work. By ensuring that governments fulfil children’s rights, we achieve positive outcomes for children’: <http://www.savethechildren.net/what-we-do/child-rights-governance/>

Child Rights Information Network

The Child Rights Information Network (CRIN) website also provides a wide range of documents on human rights and rights-based approaches to development in practice, drawn from various NGOs.

<http://www.crin.org/>

Rights and the private sector, growth, labour, PFMA and information

Human rights are not only linked with service delivery but also have significant implications for the private sector, growth, labour, public financial management (PFMA) and access to information. A number of resources explore the links between human rights, right-based approaches and these areas. They include donor guidance and policy statements, academic research, and advocacy papers. Many of these documents aim to show how a rights-based approach helps to enhance existing sectoral work based on the assertion that the indivisibility or interdependence of rights also demonstrates that cross-sectoral working is essential for realising rights.

Rights help to move beyond predominantly technical approaches, to recognise the need to address the wider political and social environment within which programmes occur. This may mean that rights necessitate the use of new language or ways of thinking about how to make decisions and prioritise, with implications for policy formation.

Private sector

Human rights approaches and private sector development have traditionally been viewed by donors as separate issues. However, more recently, donors have begun to systematically consider how to integrate human rights into their support for the private sector. These moves have been supported by the United Nations Human Rights Council's endorsement of a policy framework for business and human rights in June 2008, based on three key principles: the state's duty to protect against human rights abuses by third parties, including business; the responsibility of corporations to respect human rights; and the need for victims of corporate-related human rights abuses to have easier access to more effective remedies. This framework was supported by the development of implementation principles in 2011.

OHCHR. (2011). *Guiding principles on business and human rights. Implementing the United Nations 'Protect, Respect and Remedy' framework*. New York: United Nations.

http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

These guiding principles outline how to implement the UN policy of including human rights in business. They apply to all States and to all business enterprises.

OECD. (2011). *Guidelines for multinational enterprises*. Paris: OECD.

These guidelines provide non-binding principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards.

<http://mneguidelines.oecd.org>

Gibb, H., Foster, J., & Weston, A. (2008). *Human rights and private sector development: A discussion paper*. Ottawa: North-South Institute.

<http://www.nsi-ins.ca/wp-content/uploads/2013/01/2008-Human-Rights-and-Public-Sector-Development.pdf>

How can development organisations integrate a rights-based approach (RBA) into private sector development (PSD) initiatives? While RBAs have historically been part of the good governance agenda, donor agencies have recently been exploring the possibilities for integrating human rights into economic development. This study suggests that future research needs to bring together the experiences of donor agencies, financial institutions and NGOs who have attempted to integrate rights with PSD. The role of the state and of transnational corporations in rights-based PSD needs to be more clearly defined.

Manzella, L., & Lusiani, N. (2008). *Collective report on business and human rights: Submission to the 8th session of the United Nations Human Rights Council*. New York: ESCR-net.

http://www.escr-net.org/usr_doc/BHRCollectiveReport_ESCR-Net.pdf

How do businesses abuse human rights, and what must be done to prevent such abuses? This report draws on case studies from around the world. It concludes that direct or indirect violation of all types of human rights by companies is widespread and occurs across many different political systems and industries. Effective redress and accountability procedures at national, regional and international levels are needed to ensure that businesses, governments and the international community meet their obligations in this area.

Aaronson, S. A., & Higham, I. (2014). *Putting the blame on governments: Why firms and governments have failed to advance the guiding principles on business and human rights* (Institute for International Economic Policy Working Paper No. 2014-06). Washington, DC: The George Washington University.

<http://www2.gwu.edu/~iiep/assets/docs/papers/2014WP/AaronsonHigham201406.pdf>

When firms violate human rights, they create business risks. This chapter describes how the United Nations developed the guidance and tools to help firms respect human rights. Under the Guiding Principles on Business and Human Rights (the GPs), executives are expected to attempt to monitor and measure their human rights "due diligence" and provide injured

parties with access to remedies. Yet the GPs are not well known or well understood by the people they are designed to serve. Since the GPs were first issued in 2011, relatively few firms are implementing them in full or in part. Despite the potential costs to the firm of human rights risks, many executives seem to believe it is too costly and time consuming to implement the GPs. The authors argue that this hybrid governance tool needs more policymaker support and creative thinking to succeed. They posit that governments are not doing enough to inform their firms about their human rights responsibilities or about the GPs.

Growth and investment

How complementary are human rights-based approaches and policies to promote economic growth? It has been argued that although economic growth can occur without the poorest benefitting, poverty reduction objectives can be served by approaches which emphasise both economic growth and human rights. The objectives of economic growth have seen a shift, however: a narrow focus on utility and income has been replaced, thanks to the work of Amartya Sen and others, with an increased emphasis on the capability of the individual to live a fulfilling life. In order to direct economic growth towards pro-poor outcomes it is further argued that observing human rights in this process is essential.

Fedderke, J., & Klitgaard, R. (2013). How much do rights matter? *World Development*, 51, 187-206.

<http://dx.doi.org/10.1016/j.worlddev.2013.05.009>

Do better political rights yield more economic development? This highly technical paper uses econometric analysis to address this question. Results support the hypothesis that rights have a positive impact on economic growth. However, for a significant grouping of countries the association is nonlinear. The positive impact of rights is particularly strong at low rights levels; it is either absent or negative in an intermediate rights range; and returns to a moderate positive impact at high levels of rights. There is also evidence to suggest that transitions from autocracy to democracy are associated with significant negative economic shocks.

McKay, A., & Vizard, P. (2005). *Rights and economic growth: Inevitable conflict or 'common ground'*? London: ODI.

<http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/4353.pdf>

Is there a conflict between rights and economics? Are freedoms and rights in tension with growth and the optimal allocation of resources? This paper argues that there are significant complementarities between economic growth and rights in terms of poverty reduction objectives.

Foresti, M., Higgins, K., & Sharma, B. (2010). *Human rights and pro-poor growth (Project briefing 34)*. London: ODI.

<http://www.odi.org.uk/resources/download/4613.pdf>

Labour rights

It is argued that supporting the rights of workers can enhance both economic growth and equitable growth. Much of this discussion centres upon the need to adopt the ILO's core labour standards, which are seen to provide incentives for workers to stay with their employers, develop jobs-specific skills, leading to a decrease in employee turnover. Formalised employment encompassing the ILO's standards is also thought to prevent prices of goods from being drastically reduced as wages are maintained at a sufficient level. Workers' organisations have also been seen as potential drivers of change in developing country contexts, by holding powerful elites to account. Strategies to support the agenda of workers have therefore been explored.

Bivens, J., & Weller, C. (2003). *Rights make might: Ensuring workers' rights as a strategy for economic growth (Issue brief #192)*. Washington, DC: Economic Policy Institute.

http://www.epi.org/publication/issuebriefs_ib192/

Can workers' rights promote economic growth and stability? This paper outlines the economic case for implementing the International Labour Organisation's five core labour standards (CLS). It argues that enforcing worker rights results in higher economic growth and a better distribution of income.

DFID. (2004). *Labour standards and poverty reduction*. London: DFID.

<http://info.worldbank.org/etools/docs/library/230116/labourstandardsJune04.pdf>

How can labour standards contribute to poverty reduction? This paper focuses on the nature and impact of labour standards in developing countries. Effective and well-judged implementation of labour standards can play an important role in reducing global poverty and achieving the MDGs. A commitment to core labour standards is part of a broader rights-based approach to poverty reduction.

Gravel, E., Kohiyama, T., & Tsotroudi, K. (2014). A legal perspective on the role of international labour standards in rebalancing globalization. *Revue Interventions économiques*, 49.

<http://interventionseconomiques.revues.org/1703>

Are ILO member States translating their commitments to the ILO and its standards into concrete actions? The paper examines three topics: the role of international labour standards in the context of crisis as it emerges from the work of the supervisory bodies; current trends as regards the protection of workers in the informal economy; and labour provisions inserted in preferential trade arrangements.

ILO webpage on labour standards: <http://www.ilo.org/global/standards/lang--en/index.htm>

Public financial management and accountability

Legal entitlements need to be translated into government policy priorities, with appropriate resource allocations, if rights are to be promoted, enforced and upheld. Public financial management links with human rights in a number of ways, including the way in which pro-poor public policy is enhanced through more responsive and rights-aware budgeting processes. This not only refers to resource allocation, but the budget process itself – for instance through participatory budgeting and budget monitoring. A human rights-based approach to public financial management therefore promotes – and upholds – accountability mechanisms whereby violations of human rights can be made known, as well as redressed. Public financial management is particularly associated with anti-corruption measures, which is a way of redressing human rights violations which occur through the redirecting of government resources from public services to private possession.

Norton, A., & Elson, D. (2002). *What's behind the budget? Politics, rights and accountability in the budget process*. London: Overseas Development Institute .

<http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2422.pdf>

This paper contributes to evolving a wider understanding of PFM and is part of a programme of work to progress DFID's human rights strategy. It looks at the ways in which a rights-based approach can advance pro-poor and gender-equitable outcomes in the budget process and support citizen accountability; and identifies partners, tools and methods that may help achieve these goals.

Hentschel, A-K., & Rebhan, C. (2008). *Social and human rights budgeting: Budget monitoring, pParticipatory monitoring and human rights (Conference Report)*. Berlin: Friedrich Ebert Foundation.

<http://library.fes.de/pdf-files/iez/global/06029.pdf>

Budlender, D. (2004). *Budgeting to fulfill international gender and human rights commitments*. UNIFEM Zimbabwe

http://www.gender-budgets.org/index.php?option=com_joomdoc&view=documents&path=resources/by-theme-issue/human-rights-cedaw/budgeting-to-fulfill-international-gender-commitments&Itemid=551

How can national budgets be monitored to assess their contribution to fulfilling international gender and human rights commitments? As part of its ongoing work supporting the gender analysis of budgets in Southern Africa, the United Nations Development Fund for Women (UNIFEM) has designed a tool to support this process. It illustrates how various international instruments aimed at achieving gender equality can be used to evaluate gender responsive budgets (GRBs).

ICHRP & Transparency International. (2009). *Corruption and human rights: Making the connection* Versoix: International Council on Human Rights Policy (ICHRP).

http://www.ichrp.org/files/reports/40/131_web.pdf

Information

As empowerment, choice and accountability have become common concepts in development the right to information is an increasingly popular legislative change and area of advocacy. The right to information is protected in international, regional and national human rights instruments. This legally guaranteed access to information has enabled people to participate in governance and empowered them to push for the protection of other human rights. If enforced adequately and acted upon by rights-holders, the right to information is empowering and provides a key accountability mechanism between citizens and decision-makers. Further, a lack of information has been associated with ongoing human rights violations, which means that the right to information is viewed as a preventative instrument.

Anand, P. B. (2011). *Right to information and local governance: An exploration*. *Journal of Human Development and Capabilities*, 12(1), 135-151

<http://dx.doi.org/10.1080/19452829.2011.541795>

Using four case studies in India, Indonesia, Uganda, and Nicaragua, this paper explores issues relating to right to information (RTI) and RTI laws, in the context of local governance. It proposes a framework tool which recognises the dynamic way in which RTI laws are developed. It argues that both formal and informal mechanisms can be used by NGOs and communities to hold local government institutions to account.

Daruwala, M. & Nayak, V. (Eds.). (2007). *Our rights, our information: Empowering people to demand rights through knowledge*. Commonwealth Human Rights Initiative

http://www.humanrightsinitiative.org/publications/rti/our_rights_our_information.pdf

Why is the right to information important? How can it be used, and how can it be effectively implemented by governments? This report provides case studies to show that information empowers people to demand adherence to the whole range of their human rights. By establishing the right to information in domestic law and by setting up public information systems, governments can enhance citizens' participation in governance, advance equitable economic development, reduce poverty and fight corruption.

Darch, C., & Underwood, P. (2010). *Struggles for freedom of information in Africa*. In *Freedom of information and the developing world: The citizen, the state and models of openness*. Oxford: Chandos Publishing.

<http://www.africafiles.org/article.asp?ID=22968>

How far have rights to information progressed in Africa? The conditions that make information access rights both important and hard to implement are seen in their most extreme forms in Africa. This chapter presents case studies from Zimbabwe, Nigeria, Angola, Mozambique and South Africa. The advance of information rights in Africa has been limited. However, low-key activity indicates that some awareness exists. Further, if any resistance to the state is arguably a struggle over information, then it is important to listen for 'stifled voices of protest'.

The right to information is also used to justify calls for increased aid transparency from donors and NGOs.

Access Info. (2009). *The aid transparency toolkit: What you always wanted to know about aid and how to get the information*. Madrid: Access Info

http://avada.access-info.org/wp-content/uploads/The_Aid_Transparency_Toolkit_-_Access_Info_22_October_2009.pdf

Rights and migration, livelihoods, housing, land and property

This section provides resources that explore the links between human rights, right-based approaches and a selection of sectors and themes. Many of these documents aim to show how a rights-based approach helps to enhance existing sectoral work. The indivisibility or interdependence of rights also demonstrates that cross-sectoral working is essential for realising rights. A rights-based perspective helps to move beyond predominantly technical approaches, to recognise the need to address the wider political and social environment within which programmes occur. Rights often necessitate the use of new language or ways of thinking about how to make decisions and prioritise, with implications for policy formation.

Migration

Migrants are largely more vulnerable to rights violations or omissions. This is particularly the case in the labour market, where fair labour standards for migrant workers are a key concern.

ILO. (2004). *Towards a fair deal for migrant workers in the global economy* (International Labour Conference, 92nd Session, report VI). Geneva: ILO.

<http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf>

Economic, political and demographic factors are causing increasing labour migration and associated pressures. How can this be better managed to protect human rights, maximise growth and development, and prevent clandestine flows and trafficking? This International Labour Organisation report draws lessons from the experience of both origin and host countries in managing migration to improve the treatment and conditions of migrant workers and their families. It aims to provide a basis for formulating sound recommendations for future action.

Castles, S. (2011). *Bringing human rights into the migration and development debate*. *Global Policy*, 2(3), 248–258.

<http://dx.doi.org/10.1111/j.1758-5899.2011.00116.x>

In recent years, there have been attempts to move towards global governance mechanisms in migration. At the same time, migrant associations have grown and linked up with international human rights organisations. This article examines these trends, paying special attention to the Global Forum on Migration and Development – an intergovernmental consultation process that has met annually since 2007 – and the efforts of migrant associations and other civil society organisations to bring human rights into the debate. A final section discusses the initiative of a group of mainly Latin American academics to establish a new conceptual framework and a set of strategic indicators to assess the links between migration, development and human rights.

Ruhs, M. (2012). *The human rights of migrant workers: why do so few countries care?* *American Behavioral Scientist*, 56(9), 1277–1293.

<http://dx.doi.org/10.1177/0002764212443815>

This article addresses two questions: First, what explains the very low level of ratifications of the international legal instruments for the protection of the rights of migrant workers? Second, what are the implications for research and policy debates on the rights of migrant workers in practice? The author argues that the key reason for the underratification and limited effectiveness of migrant rights conventions relates to the perceived and/or real consequences of extending rights to migrants for the national interests of nation-states. In addition to their intrinsic value, the rights of migrant workers play an important instrumental role in shaping the outcomes of international labour migration for receiving countries, migrants, and their countries of origin.

Livelihoods

Securing livelihoods and attaining sustainable development is a key component in poverty reduction. Sustainable livelihoods approaches and human rights based approaches are not necessarily mutually exclusive as approaches to reducing the burden of poverty. The promotion of livelihoods and sustainable development benefits from a human rights perspective that analyses power relations, institutions and political context. A human rights based approach is seen to have added value in livelihood strategies for it focuses attention on people rather than ‘providers’, as well as promoting citizenship and meaningful participation in society.

Moser, C. & Norton, A. (2001). *To claim our rights: Livelihood security, human rights, and sustainable development*. London: Overseas Development Institute.

<http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/1816.pdf>

How can human rights contribute to the promotion of sustainable development and strengthen the livelihoods of poor people? This paper argues that a human rights perspective makes a difference by developing a more concrete understanding of social sustainability and by extension, sustainable development. It outlines a conceptual framework for

the application of a human rights approach to strengthening sustainable development and livelihoods, which also serves as a useful guideline for practical implementation by donors.

Foresti, M., Ludi, E., & Griffiths, R. (2007). *Human rights and livelihood approaches for poverty reduction (Poverty wellbeing Briefing Note)*. London/Stockholm: Overseas Development Institute/Swiss Agency for Development and Cooperation.

<http://www.odi.org.uk/resources/download/1548.pdf>

Harcourt, W. (Ed.). (2012). *Women reclaiming sustainable livelihoods: spaces lost, spaces gained*. London: Palgrave Macmillan.

http://books.google.co.uk/books?id=HSDscOylw1sC&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

Ecologists and gender specialists provide a multidisciplinary perspective on gender, sustainability, and livelihoods. Authors from 10 different countries show how women engage in policy decisions on climate change and consumptions, managing solidarity economies, farming, micro credit, value chains, and strategies in post-conflict contexts

Housing rights

How can housing rights be used to tackle problems of homelessness at local, national, regional and international level? In addition to being enshrined in the Universal Declaration on Human Rights, housing rights are supported by a wide variety of other legal instruments. These instruments have been adopted successfully in many states with extremely diverse social, cultural, political and legal contexts. Experience has shown that women and indigenous people are particularly susceptible to housing rights violations due to their often disadvantageous status within society.

UN-HABITAT. (2002). *Housing rights legislation: Review of international and national legal instruments (UN Housing Rights Programme, Report No. 1)*. Nairobi: UN-HABITAT.

<http://ww2.unhabitat.org/programmes/housingrights/documents/HS-638.pdf>

Scholtz, B., & Gomez, M. (2004). *Bringing equality home: Promoting and protecting the inheritance rights of women*. Geneva: Centre on Housing Rights and Evictions.

<http://landwise.landesa.org/record/1907>

How and why are women's rights to adequate housing systematically violated in sub-Saharan Africa? How can national and international actors change customary and statutory law and practice to improve this situation? This report provides an overview of the local legal tools that already exist and those that need reforming or putting into place in ten African countries. It argues that strategies based on human rights can effect change if pursued with strength and persistence.

UN-HABITAT. (2005). *Indigenous people's right to adequate housing. A global overview (UN Housing Rights Programme report no. 7)*. Nairobi: UN-HABITAT.

<http://www.gsdrc.org/go/display/document/legacyid/1639>

To what extent do indigenous peoples in different parts of the world enjoy the right to adequate housing? This report illustrates the lack of adequate housing and consequent poor living conditions of indigenous peoples worldwide. The study was undertaken within the framework of the United Nations Housing Rights Programme – a joint initiative of UN-HABITAT and the OHCHR. It includes a review of relevant literature, identification of case studies and the collection of primary data. Seven case studies are drawn from ten countries: Australia, Canada, Ecuador, Finland, Kenya, Mexico, Norway, the Philippines, the Russian Federation and Sweden. Adequate housing for indigenous people is a critical human rights concern and there is a profound connection between indigenous peoples' rights to land and rights to housing.

UN-HABITAT. (2014). *The right to adequate housing (Fact sheet no. 21/Rev.1)*. Office of the United Nations High Commissioner for Human Rights.

http://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf

This Fact Sheet explains what the right to adequate housing is, illustrates what it means for specific individuals and groups, and then elaborates upon States' related obligations. It concludes with an overview of national, regional and international accountability and monitoring mechanisms.

Land and property rights

There appears to be a general consensus that investing poor people with land and property rights has positive social and economic outcomes, or at least does not harm social standing or the ability of beneficiaries to improve productivity, access credit, increase income and encourage social and economic investment in land, property or other things such as education, health or other income-generating activities. However, there is debate as to whether interventions such as land titling always lead to pro-poor outcomes due to the increased burden of servicing bills and related payments. A perceived

challenge to address is how the formalisation of land rights based on individualised European tenure has adversely affected the poor people's access to common land due to the erosion of customary rights and common property interests.

Boudreaux, K., & Dragos Aligica, P. (2007). *Paths to property: Approaches to institutional change in international development*. London: Institute of Economic Affairs.

<http://www.iea.org.uk/record.jsp?type=book&ID=426>

What are the best strategies for creating an institutional environment conducive to securing stable property rights? This publication draws on examples from sub-Saharan Africa to illustrate a process-oriented view of institutional change. There is no 'correct' path to property rights protection. Only by understanding the historical and institutional context can sustainable reform and its consequent economic dividends be achieved. Property rights policy should be regarded as a strategic and dynamic process, rather than as a blueprint-based exercise in social engineering.

Ikdahl, I., Hellum, A., Kaarhus, R., Benjaminsen, T. A., Kameri-Mbote, P. (2005). *Human rights, formalisation and women's land rights in southern and eastern Africa* (Studies in women's law no. 57). University of Oslo.

http://www.sarpn.org/documents/d0001447/P1786-Women-rights_June2005.pdf

Land is a vital resource for rural livelihoods. How far has land reform advanced and how effectively has gender equality been implemented in five countries in Southern and Eastern Africa? What problems need to be resolved and what are the forces resisting change? This report adopts the human rights based approach to spell out a human rights framework for gender-equal and non-discriminatory land reform/formalisation processes.

Galiani, S., & Schargrodsy, E. (2010). *Property rights for the poor: The effects of land titling*. Social Sciences Research Network.

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1544578

Secure property rights are considered a key determinant of economic development, but examining the effects of land titling programmes is complex. Are they a tool for rapid poverty reduction? Would credit accessed through land ownership be invested as capital in productive projects, increasing labour productivity and income? This study of land allocation in Argentina examines the effects on a very deprived group, concluding that land titling can be an important tool for impacting poverty. However, the programme did not open up a rapid route to credit access and entrepreneurial income, but a slow channel of increased physical and human capital investment, contributing to poverty reduction for future generations.

Rashid, H. (2010). Land rights and the millennium development goals: How the legal empowerment approach can make a difference. In S. Golub (Ed.), *Legal Empowerment: Practitioners' Perspectives*, pp. 217-233. Rome: International Development Law Organization.

http://www.idlo.org/Documents/Legal_Empowerment_Practitioners_Perspectives_Book.pdf

What is the relationship between land rights and the MDGs? This chapter argues that community-based organisations, representing the land rights of the poor, must be an integral part of an effective land governance system.

Hatcher, J., Palombi, L., & Mathieu, P. (2010). *Securing the land rights of the rural poor: experiences in legal empowerment*. In S. Golub (Ed.), *Legal Empowerment: Practitioners' Perspectives*, pp. 235-250. Rome: International Development Law Organization.

http://www.idlo.org/Documents/Legal_Empowerment_Practitioners_Perspectives_Book.pdf

This paper provides examples of legal empowerment initiatives to secure the land rights of the rural poor from Africa (Niger, Madagascar, Rwanda, DRC, Mozambique, Namibia, Burkina Faso and Mali), South America (Bolivia, Guatemala and Peru), and Asia (India, the Philippines).

Lawry, S., Samii, C., Hall, R., Leopold, A., Hornby, D., & Mtero, F. (2014). *The impact of land property rights interventions on investment and agricultural productivity in developing countries: a systematic review*. *Campbell Systematic Reviews*, 10(1).

<http://www.campbellcollaboration.org/lib/project/220/>

What is the relationship between land property rights and productivity or welfare? This systematic review examined the impacts of: 1) Conversion of communal or non-demarcated rural land to freehold title and registration of such rights; and 2) Statutory recognition and codification of customary or communal rural land rights, and registration of these rights. The limited quantitative evidence suggests benefits of land tenure interventions, measured in productivity and consumption expenditure or income. It suggests that long-term investment and increases in perceived tenure security are plausible channels through which tenure recognition may contribute to welfare. Gains in productivity are significantly greater outside Africa and in wealthier settings. The qualitative evidence shows that social impacts resulting from tenure interventions can be significant, unpredictable and in some instances have negative consequences such as displacement or diminished property rights for women. The findings of this systematic review underscore the importance of tenure security.

Locke, A. (2013). *Property rights and development briefing: Property rights and economic growth*. London: ODI.
<http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8513.pdf>

This Briefing Paper presents the debate on the impact of formalised land rights on economic growth through increased investment, credit and efficiency. Overall, the evidence reviewed focuses mainly on the impact on investment and productivity. While there is a medium/large body of evidence of mainly high quality supporting the link, there are also a high number of studies that question this link and the strength of the evidence, mainly on methodological issues. Contradictory evidence is put forward that identifies factors other than property rights as being of primary importance for growth, such as skills, while a criticism is that the analysis fails to recognise the “cluster of institutions” that drive growth.

Chu, J. (2011). Gender and ‘land grabbing’ in Sub-Saharan Africa: Women's land rights and customary land tenure. *Development*, 54(1), 35-39.

<http://dx.doi.org/10.1057/dev.2010.95>

There has been a lack of discussion of gender in considering land grabs. However, by not having addressed the current debates on women's land rights, particularly in regard to the return of customary law, current proposed solutions will fail to address the gender inequalities propagated by the land grabs.

Rights and health, water and sanitation

The links between human rights, right-based approaches and a selection of sectors and themes are increasingly playing a guiding role in sector policy debates. Rights perspectives are used as both a diagnostic tool and a policy and programmatic response. The burgeoning literature on human rights and a number of health, water and sanitation issues include donor guidance and policy statements, academic research, and advocacy papers. Many of these documents aim to show how a rights-based approach helps to enhance existing sectoral work. The indivisibility or interdependence of rights also demonstrates that cross-sectoral working is essential for realising rights.

Rights help to move beyond predominantly technical approaches, to recognise the need to address the wider political and social environment within which programmes occur. Rights often necessitate the use of new language or ways of thinking about how to make decisions and prioritise, with implications for policy formation.

Health: an overview

Human rights standards include the right to life and survival. Therefore, human rights can be viewed as intrinsically linked to equitable health outcomes, as well as increased opportunities for those living in poverty to access health services. The realisation of human rights, therefore, is understood as having a positive effect on health outcomes. This poses the question as to whether health problems are tantamount to human rights violations.

A key discussion in the health literature is how service delivery can be made more effective. It is argued that a rights-based approach in healthcare can facilitate greater responsiveness in healthcare systems. This also concerns issues relating to voice and accountability in service delivery.

OHCHR/WHO. (2008). *The right to health (Fact Sheet No. 31)*. Geneva: OHCHR/WHO.

<http://www.ohchr.org/Documents/Publications/Factsheet31.pdf>

What is the right to health, and what are countries' obligations in realising it? This paper outlines the right to health in international human rights law, implications for states, risks facing specific groups, and accountability and monitoring mechanisms. All states must: 1) respect the right to health, refraining from interfering directly or indirectly with it; 2) protect this right by preventing third parties from interfering with it; and 3) fulfil it through legislative, administrative, budgetary, judicial, promotional and other measures. Priority obligations are non-discrimination and concrete, deliberate and targeted steps as part of a national strategy.

Braveman, P., & Gruskin, S. (2003). *Poverty, equity, human rights and health*. *Bulletin of the World Health Organisation*, 81(7). <http://www.scielosp.org/pdf/bwho/v81n7/v81n7a13.pdf>

How do poverty, equity and human rights relate to health? This study suggests that they are closely linked conceptually and operationally and that each provides valuable, unique guidance for health institutions' work. Equity and human rights perspectives can contribute to health institutions' efforts to tackle poverty and health. Focusing on poverty is essential to operationalising those commitments.

Hunt, P. (2007). *Neglected diseases: A human rights analysis (Social, Economic and Behavioural Research Special Topics no. 6)*. Geneva: World Health Organization.

http://www.who.int/tdr/publications/documents/seb_topic6.pdf

How can a human rights approach contribute to the fight against neglected diseases? Neglected diseases are understood to be those primarily affecting people living in poverty in developing countries, particularly in rural areas. This report aims to equip practitioners with an understanding of how human rights abuses can both cause and result from neglected diseases.

Gostin, L., Hodge, J. G., Valentine, N., & Nygren-Krug, H. (2003). *The domains of health responsiveness: A human rights analysis (Health and Human Rights Working Paper Series, No.2)*. Geneva: World Health Organisation.

http://www.who.int/hhr/information/en/Series_2%20Domains%20of%20health%20responsiveness.pdf

What do human rights have in common with the responsiveness of healthcare systems? This report argues that the improvement of health is the main goal of health systems. It outlines eight domains of healthcare responsiveness and sets out how they can be understood through human rights principles, and in the context of international human rights instruments.

Worm, I. (2013). *Practitioners' Tool: Health and Human Rights*. Bonn: Deutsche Gesellschaft für Internationale Zusammenarbeit. http://health.bmz.de/what_we_do/Human-rights-and-Gender/Good_practices_and_tools/Praticioners_Tool_Health_and_Human_Rights/index.jsp

This document offers guidance on applying a rights-based approach to three common fields of intervention or programme components in the health sector: quality management and human resources; social (health) protection and health financing; and sexual and reproductive health and rights, and HIV / AIDS.

Grodin, M., Tarantola, D., Annas, G., & Gruskin, S. (Eds.). (2013). *Health and Human Rights in a Changing World*. Abingdon: Routledge.

http://books.google.co.uk/books?hl=en&lr=&id=cJ2oV0rGhx8C&oi=fnd&pg=PP2&dq=health+rights&ots=dUdY9WF74P&sig=78n-4R1SS7b5gcn3udksPzxP_ig&redir_esc=y#v=onepage&q&f=false

Section I is a Health and Human Rights Overview that lays out the essential knowledge base. Section II brings in concepts, methods, and governance framing the application of health and human rights, in particular the Human Rights-based Approaches to Health. Section III sheds light on issues of heightened vulnerability and special protection, stressing that the health and human rights record of any community is determined by what is being done and not done about those who are most in need. Section IV focuses on addressing system failures where health and human rights issues have been documented and recognised and yet insufficiently attended to. Section V examines the relevance of the health and human rights paradigm to a changing world, underscoring contemporary global challenges and responses.

Additional Information

Harvard University - The François-Xavier Bagnoud (FXB) Center for Health and Human Rights

<http://fxb.harvard.edu/>

The FXB Center for Health and Human Rights focuses on the practical dynamic between the issues of health and human rights. It aims to build a conceptual basis of the right to health and drive advocacy initiatives to incorporate human rights norms into international health policy.

Maternal health

As a key Millennium Development Goal, strategies for improving maternal health can be supported through a rights-based approach. This means adopting a wider strategy that moves beyond scaling-up service delivery and focuses upon the accessibility of services, accountability of service providers to rights holders, and the political, social and institutional factors which affect women's maternal health. The guiding principles of a rights-based approach to maternal health include non-discrimination and equity. In 2012, the United Nations Human Rights Council adopted a resolution welcoming a Technical Guidance on rights-based approaches to maternal mortality and morbidity.

Hawkins, K., Newman, K., Thomas, D., & Carlson, C. (2005). *Developing a human rights-based approach to addressing maternal mortality. Desk review* London: DFID.

<http://webarchive.nationalarchives.gov.uk/20081024000458/http://www.dfid.gov.uk/pubs/files/maternal-desk.pdf>

Can a rights-based approach reduce maternal mortality? Can its focus on equity improve health outcomes for poor women? This review argues that rights-based approaches can add impetus to reducing maternal mortality. It argues that policy actors in government and civil society should find ways of addressing the economic, social, cultural and political forces that prevent poor women from asserting their right to maternal health.

DFID. (2005). *How to reduce maternal deaths: Rights and responsibilities (How to Note)*. London: DFID.

<http://www.eldis.org/vfile/upload/1/document/0708/DOC18845.pdf>

How can a rights-based approach enhance programmes to reduce maternal death? This note shows how a rights-based approach adds value to public health and health systems approaches. It argues that reducing maternal deaths is not a purely technical action but one that challenges the political and social status quo and requires actions within and beyond the health sector.

OHCHR. (2010). *Report of the Office of the United Nations Commissioner for Human Rights on preventable maternal mortality and morbidity and human rights*. Geneva: OHCHR.

http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.39_AEV-2.pdf

Yamin, A. E. (2013). *Applying human rights to maternal health: UN Technical Guidance on rights-based approaches. International Journal of Gynecology & Obstetrics, 121(2), 190-193.*

<http://dx.doi.org/10.1016/j.ijgo.2013.01.002>

In 2012, the United Nations Human Rights Council adopted a resolution welcoming a Technical Guidance resource on rights-based approaches to maternal mortality and morbidity, and calling for a report on its implementation in two years. This paper provides an overview of the contents and the significance of the Guidance. It reviews how the Guidance can assist policymakers in improving women's health and their enjoyment of rights by setting out the implications of adopting a human rights-based approach at each step of the policy cycle, from planning and budgeting, to ensuring implementation, monitoring and evaluation, and fostering accountability mechanisms. The Guidance should also prove useful to clinicians in understanding rights frameworks as applied to maternal health.

HIV and AIDS

A rights-based approach in the area of HIV/AIDS can be used to mitigate the effects of the illness, by preventing stigma and discrimination, but also by preventing its spread and the long-term effects it has upon children affected by the illness. A rights perspective in HIV/AIDS programming therefore contributes to social inclusion, the inter-generational transmission of poverty, and upon the rate at which HIV/AIDS spreads. It is important to note that HIV/AIDS also has detrimental psychological impacts upon those it affects and that by investing those affected with rights, rights-based approaches offer a level of empowerment to individuals and groups. In 2011, the United Nations adopted a Political Declaration on HIV/AIDS, with a view to an increased global response to the epidemic. This declaration has an increased rights-based approach.

Stephens, D., & Urbano, M. (2010). HIV and legal empowerment. In S. Golub (Ed.), *Legal empowerment: Practitioners' perspectives*. Rome: International Development Law Organization.

http://www.idlo.org/Documents/Legal_Empowerment_Practitioners_Perspectives_Book.pdf

How can legal empowerment advance the human rights of people living with and vulnerable to HIV? This study explores how HIV legal empowerment strategies are evolving. It shows that the law has been the axis around which debates have revolved on the restriction or promotion of rights. For a person experiencing HIV-related stigma, a legal empowerment approach affirms and restores his or her humanity and citizenship and supports psychological wellbeing. These are essential dimensions of overall welfare and health.

UNAIDS. (2005). *HIV-related Stigma, Discrimination and Human Rights Violations: Case Studies of Successful Programmes* (UNAIDS Best Practice Collection). Geneva: UNAIDS.

http://data.unaids.org/UNA-docs/JC999-HRViolations_en.pdf

Stigma and discrimination have fuelled the transmission of HIV and increased the negative impact of the epidemic. How can HIV-related discrimination be addressed in order to achieve public health goals and overcome the epidemic? UNAIDS examines this question, drawing on a range of case studies from all over the world. Stigma, discrimination and human rights violations are intimately linked, reinforcing and legitimising each other. Multi-faceted action, sustained over time, is needed to prevent stigma, challenge discrimination and promote and protect HIV-related human rights.

OHCHR. (2011). *The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS)* (Report of the United Nations High Commissioner for Human Rights). New York: United Nations.

http://www2.ohchr.org/english/bodies/hrcouncil/docs/19session/A.HRC.19.37_en.pdf

In 2011, the United Nations adopted a Political Declaration on HIV/AIDS, with a view to an increased global response to the epidemic. This review from OHCHR analyses the declaration from a human rights perspective. It reaffirms that the full realisation of all human rights and fundamental freedoms for all is an essential element in the global response to HIV. It recognises that addressing stigma and discrimination is a critical element in the global response to HIV and also recognises the need to strengthen national policies and legislation.

Sexual and reproductive rights

Sexual and reproductive health is increasingly being viewed as both a human right and an integral part of achieving the Millennium Development Goals. However, universal access to sexual and reproductive health facilities and support is far from being realised. Rights-based approaches are presented as a solution to this problem, as well as a means. A rights perspective offers an analytical tool with which to identify root causes of prevention, access and treatment problems, as well as a concrete response tool in order to promote the rights and responsibilities of relevant actors. This also encompasses acute concern with violence against women and the extent to which women can access justice against the perpetrators of violent acts.

DFID. (2004). *Sexual and reproductive health and rights: A position paper*. London: DFID.

http://www2.ohchr.org/english/issues/development/docs/rights_reproductive_health.pdf

Sexual and reproductive health is a human right, essential to human development and the achievement of the Millennium Development Goals. This paper reviews achievements since the 1994 International Conference on Population and Development (ICPD), sets out DFID's position on sexual and reproductive health and rights, and its view of the future. Important progress has been made, but there remains much to be done to achieve universal access to reproductive health services by 2015.

Crichton, J., Nyamu Musembi, C., & Ngugi, A. (2008). *Painful tradeoffs: Intimate-partner violence and sexual and reproductive health rights in Kenya* (IDS Working Paper no 312). Brighton: Institute of Development Studies.

<https://www.ids.ac.uk/idspublication/painful-tradeoffs-intimate-partner-violence-and-sexual-and-reproductive-health-rights-in-kenya>

How does intimate-partner violence affect Kenyan women's rights? How can the government, NGOs, and the legal and healthcare systems support abused women? This paper explores links between intimate-partner violence and sexual and

reproductive health (SRH) rights in Nairobi. Significant gaps exist between formal legal rights and the realities experienced by individuals. Legal reform, improved services for affected women and better coordination among service providers are required.

UNFPA & Harvard School of Public Health. (2010). *A human rights-based approach to programming: Practical information and training materials*. New York: UNFPA.

<http://www.unfpa.org/public/publications/pid/4919>

This Manual provides step-by-step guidance on how to apply a culturally sensitive, gender-responsive, human rights-based approach to programming in three areas of work: population and development, reproductive health, and gender. It also covers how to apply such an approach in the context of a humanitarian emergency.

Shaw, D., & Cook, R. J. (2012). *Applying human rights to improve access to reproductive health services*. *International Journal of Gynecology & Obstetrics*, 119, S55-S59.

<http://dx.doi.org/10.1016/j.ijgo.2012.03.018>

This article explores how constitutional and human rights are being used, and could be used more effectively, to improve maternity services and to ensure access to drugs essential for reproductive health. Human rights provide tools to hold governments legally accountable for their failure to address the preventable causes and to distribute medicines essential for reproductive health.

Water and sanitation

The international campaign for a human right to water and sanitation has gathered huge momentum in the last decade, particularly in response to the privatisation of water provision in many instances. The right to water and sanitation was acknowledged in July 2010 by the UN General Assembly. Whilst rights-based perspectives on water and sanitation play an increasing role in government policy discussions, embedding water and sanitation in the human rights discourse still requires fundamental changes in the following three areas: policy and legislation; service delivery and accountability; and attitudinal and behavioural change at all levels.

As in the health sector, enshrining the human right to water and sanitation in official laws and treaties is not sufficient: a service-delivery approach is necessary in order to implement and maintain adequate systems which function to identify the greatest need, introduce participation, recognise the roles and responsibilities of a variety of actors, and provide clear accountability mechanisms.

Sultana, F., & Loftus, A. (Eds.). (2012). *The right to water: Politics, governance and social struggles*. Earthscan.

<http://books.google.co.uk/books?id=TSmOAQAAQBAJ&printsec=frontcover#v=onepage&q&f=false>

This book analyses how struggles for the right to water have attempted to translate moral arguments over access to safe water into workable claims. It engages with approaches that focus on philosophical, legal and governance perspectives, and applies these to case studies from around the world.

DFID. (2011). *Assessing the impact of a right to sanitation on improving levels of access and quality of services: Executive Summary*. London: DFID in association with Coffey International Development.

http://r4d.dfid.gov.uk/PDF/Outputs/Water/60835_RTS-synthesis-for-SACOSAN-April.pdf

Does formal recognition of a right to sanitation (RTS) increase levels of availability and access to quality, affordable and adaptable sanitation services? This study finds that progress towards these goals seems to be faster in countries that have recognised an RTS. It is highly probable that sanitation services in countries seeking to fulfil an RTS will be more equitable and inclusive than elsewhere. However, attributing successes to a rights approach will require better monitoring and evaluation that includes rights-sensitive indicators. A further finding is that what makes formal recognition meaningful is a participatory approach to working to fulfil rights: citizen-state engagement is crucial.

COHRE, UN-HABITAT, WaterAid, & SDC. (2008). *Sanitation: A human rights imperative*. Geneva: Centre on Housing Rights and Evictions.

<http://mirror.unhabitat.org/pmss/getElectronicVersion.aspx?nr=2927&alt=1>

COHRE, AAAS, SDC, & UN-HABITAT. (2007). *Manual on the right to water and sanitation*. Geneva: Centre on Housing Rights and Evictions <http://mirror.unhabitat.org/pmss/getElectronicVersion.aspx?nr=2536&alt=1>

WASH United, Freshwater Action Network (FAN Global), & WaterLex. (2012). *The human right to safe drinking water and sanitation in law and policy*. WASH United, Freshwater Action Network (FAN Global), WaterLex.

<http://www.righttowater.info/wp-content/uploads/RTWS-sourcebook.pdf>

This sourcebook provides a broad overview of the right to safe drinking water and sanitation in international and national law and policy. It considers how the right has been recognised and elaborated at the different levels.

De Albuquerque, C., & Roaf, V. (2012). *On the right track: good practices in realising the rights to water and sanitation*. UN Special Rapporteur.

http://www.ohchr.org/Documents/Issues/Water/BookonGoodPractices_en.pdf

This book collects good practices on the implementation of the rights to water and sanitation. Practices encompass legal and policy frameworks as well as implementation and accountability mechanisms.

Boelens, R., Duarte, B., Manosalvas, R., Mena, P., Roa Avendaño, T. & Vera, J. (2012). *Contested territories: Water rights and the struggles over indigenous livelihoods*. *The International Indigenous Policy Journal*, 3(3)

<http://ir.lib.uwo.ca/iipj/vol3/iss3/5>

This paper examines the threats to Indigenous water rights and territories in the Andean countries. It analyses how water and water rights are embedded in Indigenous territories, and how powerful actors and intervention projects tend to undermine local societies and indigenous livelihoods by developing large-scale water infrastructure. Three cases illustrate the encroachment process: Colombia, Ecuador and Peru. Indigenous peoples and communities actively contest the undermining and subordination of their water and territorial rights through multiple livelihood defence strategies.

Rights and education, justice, social protection and the environment

What is the relation between human rights, rights-based approaches and education, justice and the environment? How do human rights perspectives influence approaches to social protection as a preventative, protective, promotive and transformative set of interventions?

Much of the literature concerning these links offers donor policy statements, guidance and advocacy papers arguing that a rights-based approach helps to enhance existing sectoral work and that the indivisibility or interdependence of rights demonstrates that cross-sectoral working is essential for the realisation of rights. Rights help to move beyond predominantly technical approaches, to recognise the need to address the wider political and social environment within which programmes occur. Rights often necessitate the use of new language or ways of thinking about how to make decisions and prioritise, with implications for policy formation.

The application of rights-based approaches in these sectors places an emphasis on social mobility, access, equity, equality of opportunity, the role of the state (or other institutions) in recognising human rights, and the role of citizens in demanding their rights be realised. However, recognising and demanding rights is only part of the story: it is essential that different actors possess an awareness of what the implications of human rights are within different sectors. A good example of where rights-based approaches can be realised is in social protection interventions, which are thought to encompass 'transformative' elements which challenge unequal power relations and lay the ground for equity in all service delivery sectors.

Education

Tomasevski, K. (2004). *Manual on rights-based education: Global human rights requirements made simple*. Bangkok: UNESCO <http://unesdoc.unesco.org/images/0013/001351/135168e.pdf>

How can rights-based strategies be used for furthering the goal of Education for All (EFA) by 2015? This manual argues for mainstreaming human rights in education in order to contribute both to EFA and to the fulfilment of the right to education. It highlights the relevant human rights standards and how they could best be translated into education practice at the micro level. It also points to the key human rights questions that ought to be addressed at the macro level.

Gauri, V. (2003). *Social rights and economics: Claims to health care and education in developing countries (Policy Research Working Paper 3006)*. Washington DC: World Bank.

http://econ.worldbank.org/external/default/main?pagePK=64165259&theSitePK=469372&piPK=64165421&menuPK=64166322&entityID=000094946_03040404262856

What are the foundations and uses of social rights in development? What are the differences and similarities between the rights approach to health care and education, and the economic approach? This article analyses both approaches and their policy consequences, and looks at the questions economics poses for rights approaches. It argues that there is considerable overlap between the two and that the differences are not irreconcilable.

UNICEF. (2007). *A human rights-based approach to education for all. A framework for the realization of children's right to education and rights within education*. New York: UNICEF.

http://www.unicef.org/publications/files/A_Human_Rights_Based_Approach_to_Education_for_All.pdf

This document brings together the current thinking and practice on human rights-based approaches in the education sector. It presents key issues and challenges in rights-based approaches and provides a framework for policy and programme development from the level of the school up to the national and international levels.

The Right to Education project conducts research and provides access to information and resources on education rights, legal accountability, and social mobilisation.

<http://www.right-to-education.org/>

Justice

UNDP. (2008). *Making the law work for everyone (Report of the Commission on Legal Empowerment of the Poor, volume 1)*. New York: United Nations Development Programme

http://www.unrol.org/doc.aspx?n=Making_the_Law_Work_for_Everyone.pdf

How can legal empowerment reduce poverty? This report explores the relationship between poverty and access to justice. Four billion people cannot better their lives because they are excluded from the rule of law, their work and assets insecure and unprotected. A renewed anti-poverty agenda is needed to include the majority of the world's population in the systems of rights and obligations that foster prosperity.

Tomasevski, K. (2005). *Strengthening pro-poor law: Legal enforcement of economic and social rights* (Human Rights and Poverty Reduction Background Paper). London: ODI

<http://www.odi.org.uk/rights/Meeting%20Series/EcoSocRights.pdf>

How can human rights legislation expose and oppose violations of economic and social rights? This paper looks at the key lessons that can be learnt from the relatively recent processes of human rights litigation worldwide. Importantly, the legal enforcement of human rights can support anti-poverty policies, since the poor are more victimised by violations of rights than the rich.

Piron, L-H. (2005). *Donor assistance to justice s reform in Africa: Living up to the new agenda?* Justice Initiative, Open Society.

http://www.odi.org.uk/RIGHTS/Publications/Piron__Justice_Aid.pdf

Is donor assistance to promote justice sector reform grounded in an adequate and appropriate understanding of African realities? Does it complement or conflict with the new poverty reduction agenda? This paper outlines the history and current status of justice sector aid in sub-Saharan Africa. Justice sector aid could be a pro-poor, long term, developmental endeavour that contributes to the realisation of human rights, but only if key changes take place.

Olsen, T., Payne, L., & Reiter, A. (2010). *The justice balance: When transitional justice improves human rights and democracy. Human Rights Quarterly, 32(4), 980-1007*

http://muse.jhu.edu/journals/human_rights_quarterly/v032/32.4.olsen.html

Evidence from the Transitional Justice Data Base shows that specific combinations of mechanisms – (1) trials and amnesties, and (2) trials, amnesties and truth commissions – improve human rights and democracy. These findings suggest a 'justice balance' approach to transitional justice – that trials provide accountability and amnesties provide stability. Truth commissions alone have a negative impact on human rights and democracy, but contribute positively when combined with trials and amnesties.

Prada, M. F. (2011). *Empowering the poor through human rights litigation*. Paris: UNESCO.

<http://unesdoc.unesco.org/images/0021/002150/215041E.pdf>

Following consultation with more than 200 NGOs worldwide, this manual aims to define the content of economic, social and cultural (ESC) rights and to empower the actions of NGOs working to tackle poverty. It elaborates standards for poverty eradication extracted from comparative case law by highlighting the interpretation techniques used by judges throughout a series of landmark cases on ESC rights around the world. It aims to support advocacy and training initiatives.

Danish Institute for Human Rights. (2012). *Informal justice systems: Charting a course for human rights-based engagement*. UNDP, UNICEF and UN Women.

http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/access_to_justiceandruleoflaw/informal-justice-systems.html

This study, based on a literature review and country case studies, seeks to identify how engagement with informal justice systems (IJS) can build greater respect and protection for human rights. The study also examines the value of informal justice systems in offering, in certain contexts, flexible structures and processes, cost-effectiveness and outreach to grassroots communities. Each kind of IJS is likely to have weaknesses and strengths for programming. Development partners need to be alert to engagement with informal justice systems that directly or inadvertently reinforce existing societal or structural discrimination.

Brinks D. M., & Gauri, V. (2012). *The law's majestic equality? The distributive impact of litigating social and economic rights* (Policy Research Working Paper 5999). Washington DC: World Bank.

[http://www-](http://www-wds.worldbank.org/external/default/WDSContentServer/IW3P/IB/2012/03/15/000158349_20120315110008/Rendered/PDF/WPS5999.pdf)

[wds.worldbank.org/external/default/WDSContentServer/IW3P/IB/2012/03/15/000158349_20120315110008/Rendered/PDF/WPS5999.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/IW3P/IB/2012/03/15/000158349_20120315110008/Rendered/PDF/WPS5999.pdf)

Optimism about the use of laws, constitutions, and rights to achieve social change is high among practitioners. But the academic literature is sceptical that courts can direct resources toward the poor. Using data on social and economic rights cases in five countries, this paper finds that not all courts are the same. Countries and policy areas characterised by judicial decisions with broader applicability tend to avoid the potential anti-poor bias of courts. The study finds that the more a system relies on litigation that is expected to have only individual effects, the more that litigation will centre on high-end state benefits rather than low-cost goods, and thus will be less progressive. Overall, however, the study finds that the results of litigation are more positive for the poor than conventional wisdom would suggest.

The GSDRC's **Topic Guide on Justice** contains information related to human rights, particularly on its [access to justice](#) and [transitional justice](#) pages.

<http://www.gsdrc.org/go/topic-guides/justice>

Social protection

Piron, L-H. (2004) *Rights-based approaches to social protection*. London: Overseas Development Institute.

<http://www.sed.manchester.ac.uk/research/events/conferences/documents/Winners%20and%20Losers%20Papers/Piron.pdf>

What can rights based approaches (RBAs) offer to social protection agendas? This paper explores the relationship between human rights standards, principles and programming and policies and interventions for social protection in countries worldwide. RBAs offer normative standards and principles, analytical tools and operational guidance and there is a strong congruence between RBAs and social protection.

Sabates-Wheeler, R., & Devereux, S. (2007). *Social protection for transformation*. *IDS Bulletin*, 38(3), 23-28.

<http://onlinelibrary.wiley.com/doi/10.1111/j.1759-5436.2007.tb00368.x/abstract>

Ginneken, W. V. (2009) *Social security and the socio-economic floor: Towards a human rights-based approach*. *Global Social Policy*, 9(2), 228-245.

<http://gsp.sagepub.com/cgi/content/abstract/9/2/228>

Sepulveda Carmona, M., Nyst, C., & Hautala, H. (2012). *The human rights approach to social protection*. Ministry of Foreign Affairs of Finland.

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2114384

The Special Rapporteur on Extreme Poverty and Human Rights provides a human rights framework for social protection, identifying best practices and disseminating lessons learned. Her approach applies the central human rights principles to the design, implementation, monitoring and evaluation of social protection systems. This publication synthesises the key findings and recommendations from the following reports of the Special Rapporteur to the UN Human Rights Council and General Assembly: 1) Human rights and cash transfer programmes; 2) The role of social protection in the face of the global financial crisis; 3) A human rights framework for non-contributory pensions; 4) The importance of social protection measures in achieving the MDGs, with a particular focus on gender-related concerns; and 5) The human rights approach to recovery from the global economic and financial crises.

Cecchini, S., & Martínez, R. (2012). *Inclusive social protection in Latin America: a comprehensive, rights-based approach*. ECLAC.

http://repositorio.cepal.org/bitstream/handle/11362/2596/S1100566_en.pdf?sequence=1

This book identifies the scope and role of social protection in extremely unequal societies with a high incidence of persistent poverty. Social protection, seen from a rights-based perspective, is linked to the fight against inequality in a number of ways: it greatly reduces the probability of failing to cope with a contingent risk; it curbs the vicious circle of poverty and inequality by preventing families from mortgaging key assets for human development, such as health and education; and it facilitates the implementation of strategies for empowering the most vulnerable groups to cope with risk, particularly children, elderly people and women. The book concludes by providing a normative basis on which to build more just societies that guarantee to protect, as a public good, essential welfare standards.

The GSDRC's **Topic Guide on Social Protection** provides more detailed information on how social protection can facilitate the realisation of human rights within development.

<http://www.gsdrc.org/go/topic-guides/social-protection>

Environment

An emerging topic of discussion and policy concern is how human rights are challenged by environmental problems. Climate change is threatening the realisation of internationally protected human rights, including the right to life and security; the right to food; the right to subsistence; and the right to health. Moreover, those most affected by climate change are individuals and groups whose rights protections are already precarious.

Raworth, K. (2008). *Climate wrongs and human rights: Putting people at the heart of climate-change policy* (Oxfam Briefing Paper 117). Oxford: Oxfam International.

<http://www.oxfam.org/sites/www.oxfam.org/files/bp117-climate-wrongs-and-human-rights-0809.pdf>

What do human rights principles imply for states' responsibilities in tackling climate change? What rights-based policy approaches and actions are needed? This paper argues that rich countries are violating the human rights of millions of the world's poorest people by failing to tackle climate change. Excessive greenhouse-gas emissions cause climatic events which are set to undermine people's rights to life, security, food, water, health, shelter, and culture on a massive scale. Human rights principles must be put at the heart of climate change policy-making and international legal mechanisms must adapt to global interconnectedness in order to stop irreversible damage to humanity's future.

International Council on Human Rights Policy. (2008). *Climate change and human rights: A rough guide*. Geneva: Versoix.

<http://www.ichrp.org/en/projects/136>

How can human rights principles help to focus climate change policymaking? This report discusses the human rights impacts of climate change and maps research agendas. Climate change responses can be made more effective if policymakers include human rights thresholds (minimum acceptable levels of protection) when assessing future impacts of climate change and of adaptation and mitigation strategies.

Cameron, E. (2011) *Development, climate change and human rights: From the margins to the mainstream? (Social Development Working Paper 123)*. Washington DC: World Bank

<http://siteresources.worldbank.org/EXTSOCIALDEVELOPMENT/Resources/244362-1164107274725/3182370-1253125009973/Development-Climate-Change-Human-Rights.pdf>

What are the social and political implications of a discourse linking climate change and human rights? How is this discourse relevant for development practitioners? The human rights lens has rapidly emerged from obscurity to prominence and has succeeded in broadening the scope of climate change debate. This paper predicts that vulnerable groups worldwide will increasingly use arguments based on human rights to demand action. However, this discourse will need to adapt and demonstrate practical value for policymaking in order to achieve substantive outcomes.

Bell, D. (2011). *Does anthropogenic climate change violate human rights?. Critical Review of International Social and Political Philosophy*, 14(2), 99-124.

<http://dx.doi.org/10.1080/13698230.2011.529703>

A human rights perspective on climate change contrasts sharply with the dominant cost–benefit analysis approach. The human rights approach recognises human rights to life, physical security, subsistence and health that should be protected from violation by human action. If anthropogenic climate change threatens to violate these basic rights, each person has a duty to pay their fair share of the costs of preventing anthropogenic climate change. Moreover, climate policy will have a very different goal: protecting human rights rather than maximising welfare. Four objections to this argument are examined: the ‘future persons’ objection; the ‘risk’ objection; the ‘collective causation’ objection; and the ‘demandingness’ objection. This critical examination leads to a more detailed specification and defence of the claim that anthropogenic climate change violates human rights.

See also the Office of the High Commissioner on Human Rights report on human rights and climate change submitted to the General Assembly in 2009: <http://reliefweb.int/node/301553>.

Rights, groups and discrimination

Denials or violations of rights tend to be based on social exclusion and discrimination. Social exclusion occurs where particular individuals or groups are excluded by (or adversely incorporated into) mainstream society from participating fully in economic, social and political life. In order to combat this, increasing attention is being paid to how to facilitate greater – and more equitable – inclusion. It is argued that greater equality in the distribution of economic resources, measured by distribution of income and access to land, is related to higher levels of human rights protections.

Discrimination can work explicitly, through institutions, norms and values. It can also have invisible impacts, where values and ideas affect the self-perceptions of excluded people and their capabilities to claim their rights. Rights-based approaches to development therefore emphasise non-discrimination, inclusion, and empowerment, aimed particularly at vulnerable or marginalised individuals and groups such as women, children, people with disabilities, older people and migrants.

Thinking about rights and exclusion necessitates a consideration of the role of various informal institutions and ‘rules of the game’ within formal settings. Again, human rights legislation to combat exclusion must be accompanied by relevant enforcement mechanisms which are framed on the basis of a variety of social, political and economic influences.

O'Neill, T., & Piron, L-H. (2003) *Rights-based approaches to tackling discrimination and horizontal inequality*. London: Overseas Development Institute.

http://www.odi.org.uk/PPPG/activities/country_level/mic/workshop/Rights_and_Discrimination_Background_Paper.pdf
How can discrimination and horizontal inequality be combated? In many societies there is a strong dimension of horizontal inequality, meaning gaps in well-being between clearly defined groups (for example, along lines of gender or ethnicity). Frequently, a lack of respect for equal rights and difficulties in claiming entitlements are major factors underlying poverty, contributing to economic and social exclusion. This paper reviews the importance of human rights, the extent, nature and processes of discrimination and how far states combat it. It presents the potential contribution of rights-based approaches by governments, civil society and international donors to combating discrimination and inequalities.

Landman, T., & Larizza, M. (2009). *Inequality and human rights: Who controls what, when, and how*. *International Studies Quarterly*, 53(3), 715-736.

<http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2478.2009.00553.x/abstract>

Are countries with resource distribution inequalities more likely to suffer from higher levels of human rights abuse? This article analyses data from 162 countries over the period from 1980 to 2004. The results suggest that both income and land inequalities significantly contribute to human rights abuses.

International Council on Human Rights Policy. (2004). *Enhancing access to human rights*. Geneva: ICHRP

http://www.ichrp.org/files/summaries/1/123_summary_en.pdf

Why do so many people not enjoy rights to which they are entitled? What needs to be done beyond law and legal reform to ensure that rights and entitlements are accessible to all? This report analyses the role that institutions play in alleviating or exacerbating social exclusion. It concludes that human rights organisations need to reposition themselves to become relevant to the very poor and those who suffer systemic discrimination.

World Bank. (2013). *Inclusion matters: The foundation for shared prosperity*. Washington, DC: World Bank.

<http://www.worldbank.org/en/topic/socialdevelopment/brief/inclusion-matters>

The terms ‘inclusion’ and ‘exclusion’ are often used imprecisely and without ‘clearly differentiating them from inequality or poverty. This World Bank report develops a comprehensive framework for understanding inclusion, arguing that inclusion has both intrinsic and instrumental value and is manifested through opportunities to take part in society through markets, services, and spaces. It discusses how countries have practiced social inclusion, highlights the importance of dignity alongside opportunity and ability, and presents options to help policymakers address issues of inclusion and exclusion.

The GSDRC’s **Topic Guide on Social Exclusion** provides more detailed information on how social exclusion affects human rights within development. <http://www.gsdrc.org/go/topic-guides/social-exclusion>

Women

Molyneux, M., & Razavi, S. (2003). *Gender justice, development and rights*. Geneva: UNRISD.

[http://www.unrisd.org/unrisd/website/document.nsf/\(httpPublications\)/BCD8413C6736CC34C1256CC9005627AC?OpenDocument](http://www.unrisd.org/unrisd/website/document.nsf/(httpPublications)/BCD8413C6736CC34C1256CC9005627AC?OpenDocument)

The 1990s saw positive changes in women's rights and human rights more broadly, with growth in the size and influence of the international women's movement. Linked regionally and internationally, the movement was able to collaborate on issues of policy and agenda setting. This paper summarises a book of the same name published by Oxford University Press. It examines ways in which liberal rights, and ideas of democracy and justice have been incorporated into these agendas in

three aspects: Social sector restructuring and social rights in a neoliberal economic policymaking era; the democratisation and politics of gender; and universalism and multiculturalism in practice.

Neuhold, B. (2005). *Focus on human rights and gender justice: Linking the millennium development goals with the convention on the elimination of all forms of discrimination against women and the Beijing platform for action*. United Nations Non-Governmental Liaison Service (NGLS)

<http://www.un-ngls.org/orf/pdf/Neuhold%20MDG%20paper%20Feb%202005.pdf>

What are the interlinkages between the Convention on Elimination of All Forms of Discrimination Against Women, the Beijing Platform for Action and the Millennium Development Goals (MDGs)? This paper explores the three instruments and offers a feminist analysis of the MDGs. It emphasises that the MDGs must be developed further from the perspective of human rights, poverty reduction and the empowerment of women.

Goetz, A-M. (2007). *Gender justice, citizenship and entitlements – Core concepts, central debates and new directions for research*. In M. Mukhopadhyay & N. Singh (Eds.), *Gender Justice, Citizenship and Development* (pp. 15-57). Ottawa: International Development Research Centre.

http://www.idrc.ca/openebooks/339-3/#page_15

Why have efforts at law reform and progress in exposing gender biases in formal legal systems failed to bring about gender justice? This chapter links current thinking on gender justice to debates on citizenship, entitlements, rights, law and development. It argues that equal citizenship, whilst key to the struggle for gender justice, does not guarantee it.

UNESCAP. (2009). *Harmful traditional practices in three countries of South Asia: Culture, human rights and violence against women* (Gender and Development Discussion Paper, no. 21). Bangkok: United Nations Economic and Social Commission for Asia and the Pacific.

<http://www.unescapsdd.org/papers/harmful-traditional-practices-three-countries-south-asia-culture-human-rights-and-violence>

How can research, advocacy, and legal reform reverse social acceptance of practices that violate the human rights of women and girls? This paper explores these issues through case studies from Bangladesh, Nepal and Sri Lanka and finds that harmful practices have evolved from originally non-harmful colonial, religious and cultural traditions. Combating the entrenched social norms that promote these practices requires a comprehensive, human rights-based approach.

Tadros, M. (2011). *Introduction: Gender, rights and religion at the crossroads*. *IDS Bulletin*, 42(1), 1-9.

<http://onlinelibrary.wiley.com/doi/10.1111/j.1759-5436.2011.00194.x/abstract>

How has the new approach to religion since 9/11 impacted on efforts to address women's rights? How has it affected women's day to day realities? This article examines various forms of instrumentalisation of religion, gender and human rights, against the backdrop of today's volatile political context, the rise of identity politics and increased economic inequality and deprivation. It argues that the binaries of religious versus secular, moderate Islamist versus radical Islamist, feminist versus Muslim activist, conceal the ambiguities and fluidity of identities, strategies of engagement and framing of ideas. They are undermining efforts to improve the lives of women.

World Bank. (2012). *World development report 2012: Gender equality and development*. Washington DC: World Bank.

<http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEARCH/EXTWDRS/EXTWDR2012/0,,contentMDK:23004468~pagePK:64167689~piPK:64167673~theSitePK:7778063,00.html>

This report examines how greater gender equality can enhance productivity, improve development outcomes for the next generation, and make institutions more representative. Markets, institutions, and households play a role in reducing inequality and globalisation can provide important opportunities. Domestic actors need to focus on reducing female mortality, narrowing education and earnings disparities, increasing women's voice, and limiting gender inequality across generations. The international community needs to ensure consistent support, improve the availability of gender-disaggregated data, and extend partnerships beyond governments and development agencies.

Hallward-Driemeier, M., & Hasan, T. (2012). *Empowering women: Legal rights and economic opportunities in Africa* (Africa development forum series). Washington DC: Agence Française de Développement and the World Bank.

<http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTGENDER/0,,contentMDK:23389392~pagePK:210058~piPK:210062~theSitePK:336868,00.html>

This World Bank publication is the first study to look systematically across Sub-Saharan Africa to examine the impacts of property rights on women's economic empowerment. The book examines family, inheritance, and land laws. It surveys constitutions and statutes in all 47 countries in Sub-Saharan Africa to document where gender gaps in these laws impinge on women's legal capacity, property rights, or both. The book also looks at some labour law issues, such as restrictions on the types of industries or hours of work in which women may engage and provisions for equal pay for work of equal value.

UN Women. (2011). *Progress of the world's women: In pursuit of justice*. New York: UN Women.

<http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf>

This report explores how justice systems can be made to work for women. Where laws and justice systems work well, they can provide an essential mechanism for women to realise their human rights. However, laws and justice systems that

reinforce unequal power relations must be transformed in order to fulfil the potential they hold for accelerating progress towards gender equality. Women themselves, as legislators, lawyers, judges, paralegals and community activists are often at the forefront of transformation efforts.

Nordic Trust Fund. (2013). *A study of gender and human rights-based approaches in development*. Washington DC: World Bank.

http://siteresources.worldbank.org/PROJECTS/Resources/40940-1331068268558/Report_of_Gender_and_HumanRightsApproaches.pdf

This study assesses the value added to development programmes of using the human rights-based approach for gender-related work. A model for assessing the use and impact of the human rights-based approach has been developed and is applied in a review of the World Bank's work on gender in selected areas. Overall, the inclusion of a human rights-based approach could help build a broad and conducive environment for achieving development outcomes for women that go further than such outputs as quantitative participation or the recognition of specific gender problems.

Adolescents

UNICEF. (2011). Realising the rights of adolescents. In *The state of the world's children 2011: Adolescence - An age of opportunity* (pp.16-39). New York: UNICEF.

http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf

Realising the rights of adolescents and advancing their development requires a keen understanding of their current circumstances. This chapter examines the state of adolescent health and education and gender and protection issues.

Bhabha, J. (Ed.). (2014). *Human rights and adolescence*. University of Pennsylvania Press.

<http://www.upenn.edu/pennpress/book/15267.html>

While young children's rights have received considerable attention and have advanced over the past two decades, the rights of adolescents have been neglected. This book presents an inquiry into adolescents, focusing on the human rights challenges and socioeconomic obstacles young adults face. New research advances feasible solutions and timely recommendations for a wide range of issues spanning all continents. The research emphasises the importance of dedicating attention to adolescence as a distinctive and critical phase of development between childhood and adulthood, and outlines the task of building on the potential of adolescents while providing support for the challenges they experience.

Santhya, K. G., & Jejeebhoy, S. J. (2014). Sexual and reproductive health and rights of adolescent girls: Evidence from low- and middle-income countries. *Global public health*, 10(2), 1-33.

<http://dx.doi.org/10.1080/17441692.2014.986169>

What progress have we made on adolescent sexual and reproductive rights? This paper reviews the evidence in light of the policy and programme commitments made at the International Conference on Population and Development (ICPD), analyses progress since 1994, and maps challenges in and opportunities for protecting health and human rights. Findings indicate that many countries have yet to make significant progress in delaying marriage and childbearing, reducing unintended childbearing, narrowing gender disparities that put girls at risk of poor SRH outcomes, expanding health awareness or enabling access to SRH services. While governments have reaffirmed many commitments, policy development and programme implementation fall far short of realising these commitments.

Children

Grandjean, A. (2010). No rights without accountability: Promoting access to justice for children. In S. Golub (Ed.) *Legal empowerment: Practitioners' perspectives* (pp. 265-284). Rome: International Development Law Organization, Rome.

http://www.idlo.org/Documents/Legal_Empowerment_Practitioners_Perspectives_Book.pdf

What can be done to improve children's access to justice? This paper focuses on intervention at two levels: (1) building a child-sensitive justice system (the supply side); and (2) providing information and support to children in claiming for their rights and obtaining redress on the other (the demand side). At both levels, the focus must be on the most excluded and the most difficult to reach.

UNICEF. (2009). *The state of the world's children 2010: Child rights*. New York: UNICEF.

<http://www.unicef.org/rightsite/sowc/fullreport.php>

To celebrate the 20 year anniversary of the Convention on the Rights of the Child, this report examines the Convention's evolution, progress that has been achieved on child rights, challenges remaining, and actions to be taken to ensure that its promise becomes a reality for all children.

Tostensen, A., et al. (2011). *Supporting child rights: Synthesis of lessons learned in four countries* (Joint Evaluation). Stockholm: Sida.

<http://www.oecd.org/countries/sudan/48350333.pdf>

This report synthesises lessons learned from an evaluation of Norwegian and Swedish aid interventions that aimed to promote child rights in Guatemala, Kenya, Mozambique and Sudan. It notes that a child rights perspective is integrated to the extent that interventions embody the four main principles of the UN Convention on the Rights of the Child. More effort is needed to implement in particular the principle of the child's right to express views and be heard, as child participation currently tends to be tokenistic. The strategies of mainstreaming a child rights perspective and of focusing interventions on children are complementary.

UNICEF. *The State of the World's Children* annual report series: <http://www.unicef.org/sowc/>

People with disabilities

Handicap International. (2010). *Rights in action - Good practices for inclusive local governance in West Africa*. London: Handicap International http://www.handicap-international.org.uk/Resources/Handicap%20International/PDF%20Documents/HI%20Associations/RightsInAction_2010.pdf

In West Africa, 7 countries (Burkina Faso, Mali, Niger, Senegal, Sierra Leone, Togo and Benin) have taken part in an initiative called "Rights in Action", aimed at collecting good practices from multiple stakeholders on how to implement the Convention on the Rights of Persons with Disabilities (UNCRPD). This report provides examples to help enhance participation of people with disabilities in decision-making at community level.

Meekosha, H., & Soldatic, K. (2011). *Human rights and the Global South: The case of disability*. *Third World Quarterly*, 32(8), 1383–1398.

<http://www.ingentaconnect.com/content/routledg/ctwq/2011/00000032/00000008/art00002>

How can human rights instruments contribute to the struggle for disability justice in the South? This article argues that while Northern discourses promote an examination of disabled bodies in social dynamics, the politics of impairment in the global South must understand social dynamics in bodies.

Groce, N., Kett, M., Lang, R., & Trani, J.F. (2011). *Disability and Poverty: the need for a more nuanced understanding of implications for development policy and practice*. *Third World Quarterly*, 32(8), 1493–1513

<http://www.ingentaconnect.com/content/routledg/ctwq/2011/00000032/00000008/art00008>

This article reviews existing knowledge and theory regarding the disability–poverty nexus. It calls for more nuanced analysis of poverty and disability, in particular what does poverty mean at the level of the individual, the household, the community and broader society, and how is it experienced over the course of a lifetime? What are the most important causal factors driving the disability-poverty nexus? What benchmarks and indicators should be used?

World Health Organisation, & the World Bank. (2011). *World report on disability*. Geneva: WHO, Geneva.

http://www.who.int/disabilities/world_report/2011/en/

This report finds that more than a billion people, about 15 per cent of the world's population, are estimated to live with some form of disability. It synthesises the evidence on how to address the barriers they face in health, rehabilitation, support and assistance, environments, education and employment. It argues that many of the barriers are avoidable, and that the disadvantages associated with disability can be overcome. Multiple, systemic interventions are needed.

Harpur, P. (2012). *Embracing the new disability rights paradigm: the importance of the Convention on the Rights of Persons with Disabilities*. *Disability & Society*, 27(1), 1–14.

<http://dx.doi.org/10.1080/09687599.2012.631794>

In 2008 the United Nations Convention on the Rights of Persons with Disabilities (CRPD) commenced operation. The CRPD has created a dynamic new disability rights paradigm that empowers disabled people's organisations and creates a new paradigm for disability scholars. This paper analyses the impact of the CRPD and provides practical guidance as to how this convention can be used to drive change. The CRPD goes further than merely re-stating rights. It creates a new rights discourse, empowers civil society and renders human rights more obtainable for person with disabilities.

Women's Refugee Commission. (2014). *Disability Inclusion: Translating Policy into Practice in Humanitarian Action*. Woman's Refugee Commission.

<http://www.womensrefugeecommission.org/component/docman/reports/disabilities/984-disability-inclusion-translating-policy-into-practice-in-humanitarian-action?Itemid=602>

This report presents the approaches, positive practices and ongoing challenges to operationalising disability inclusion across UNHCR and its partner organisations, and provides lessons and recommendations for the wider humanitarian community.

Older people

Beales, S. (2000). *The mark of a noble society: Human rights and older people*. London: HelpAge International
[.http://www.helpage.org/download/4c48db115b881](http://www.helpage.org/download/4c48db115b881)

Older women and men are now the world's fastest-growing population group, and among the poorest. What barriers do older people face in having their predicaments acknowledged and their contributions supported? How can their rights be promoted and protected? There is a compelling economic as well as moral logic for including older people in global strategies to combat poverty to further human rights. This paper explores the relationship between poverty and human rights, and the barriers older people face.

Fredvang, M., & Biggs, S. (2012). *The rights of older persons* (Social Policy Working Paper no. 16). Brotherhood of St Laurence and Centre for Public Policy.

<http://social.un.org/ageing-working-group/documents/fourth/Rightsolderpersons.pdf>

While older persons historically have been neglected by human rights law, their rights are becoming a part of the public agenda. International and domestic NGOs as well as some nation-states have been pushing for a stronger human rights instrument to protect the rights of older persons. The topic has also been given increasing attention in academic and professional media. Demographic change is a key factor in explaining the renewed interest in older persons' human rights. Declining fertility rates and longer life expectancy are causing unprecedented proportional growth in the world's older adult population. This paper explores the extent to which existing international human rights instruments offer protection for older persons. It then identifies the key arguments in the debate for and against drafting a new Convention on the Rights of Older Persons.

Mégret, F. (2011). *The human rights of older persons: a growing challenge*. *Human rights law review*, 11(1), 37-66.

<http://dx.doi.org/10.1093/hrlr/ngq050>

The human rights of older persons is an issue that is beginning to garner international attention, partly as a result of the demographic importance of that population. To assess whether calls for a specific human rights approach to older persons are warranted, the article highlights some of the specificities of older persons as a group. It contextualises the emergence of a relatively strong discourse on the rights of older persons within the broader phenomenon of the 'fragmentation' of human rights. Older persons are a group whose needs and experience is irreducible enough to warrant fresh thinking and an updating of existing instruments and approaches. This is particularly apparent when looking at the potential for violation of specific rights and the way in which older persons' lives can be negatively affected by both limitations to their freedoms and failures to cater for their needs.

Migrants

Kothari, U. (2002). *Migration and Chronic Poverty*(Working Paper 16). Manchester: Chronic Poverty Research Centre, IDPM.

http://www.chronicpoverty.org/uploads/publication_files/WP16_Kothari.pdf

What is the relationship between chronic, or long-term, poverty and processes of migration? While livelihoods strategies are diverse and multiple, for many poor people migration represents a central component of these. How can research examine the characteristics of those who move and stay and what compels them? This paper identifies possible future research priorities for the Chronic Poverty Research Centre. It presents migration as both a cause and consequence of chronic poverty for migrants and those left behind.

Gender Promotion Programme. (2003). *An Information Guide: Preventing Discrimination, Exploitation and Abuse of Women Migrant Workers*. Geneva: International Labour Organisation.

http://ilo.org/wcmsp5/groups/public/---ed_emp/documents/instructionalmaterial/wcms_116360.pdf

Increasingly, women, and Asian women in particular, are migrating legally or illegally for overseas employment. These women are extremely vulnerable to exploitation and abuse, outside of the legal protection of their home countries and in jobs not covered by labour legislation. This information guide consists of six booklets, addressing all aspects of migrant work and including recommendations for preventing discrimination, exploitation and abuse. With appropriate knowledge, policies and tools, international migration could be a positive experience for all.

Fudge, J. (2012). *Precarious migrant status and precarious employment: The paradox of International Rights for Migrant Workers*. *Comparative Labor Law and Policy Journal*, 34(1), 95-132.

http://heinonline.org/HOL/Page?handle=hein.journals/cllj34&div=9&g_sent=1&collection=journals#103

The state, through immigration law, creates a variety of different migration statuses, some of which are highly precarious. The question addressed in this article is whether international human rights instruments specifically designed to protect migrant workers' rights have the potential to challenge the role of immigration law in producing precarious employment.

Minorities and indigenous peoples

Justino, P. & Litchfield, J. (2003). *Economic exclusion and discrimination: The experience of minorities and indigenous peoples*. London: Minority Rights Group International.

<http://www.minorityrights.org/925/briefing-papers/economic-exclusion-and-discrimination-the-experiences-of-minorities-and-indigenous-peoples.html>

What is the link between economic exclusion and discrimination against ethnic, religious and linguistic minorities and indigenous peoples? What are the implications for poverty reduction and development strategies? This paper finds sufficient evidence to suggest that discrimination is often a strong contributing factor to the exclusion of minorities and indigenous people. Discrimination on the basis of membership of an ethnic, religious or linguistic group should be examined alongside other forms of discrimination to strengthen policy strategies for overcoming economic exclusion.

Lennox, C. (2003). *Minority and indigenous peoples' rights in the Millennium Development Goals*. London: Minority Rights Group International.

<http://www.minorityrights.org/857/briefing-papers/minority-and-indigenous-peoples-rights-in-the-millennium-development-goals.html>

How can human rights and poverty alleviation best be achieved among minorities and indigenous people? This report argues that greater effort is needed to ensure that these groups benefit fairly from development and the international commitment to meet the Millennium Development Goals (MDGs). Governments and development agencies need to review their MDG policies immediately to ensure that the rights and needs of minorities and indigenous peoples are fully considered.

Engle, K. (2011). On fragile architecture: The UN Declaration on the Rights of Indigenous Peoples in the context of human rights. *European Journal of International Law*, 22(1), 141-163.

<http://ejil.oxfordjournals.org/content/22/1/141>

This article traces the development of the international human rights and international indigenous rights movements. It looks at their points of convergence and divergence and the extent to which each has influenced the other. Focusing on the United Nations Declaration on the Rights of Indigenous Peoples, it argues that the document represents the continued power and persistence of an international human rights paradigm that eschews strong forms of indigenous self-determination and privileges individual civil and political rights.

Tramontana, E. (2012). Civil society participation in international decision making: recent developments and future perspectives in the indigenous rights arena. *The International Journal of Human Rights*, 16(1), 173-192.

<http://dx.doi.org/10.1080/13642987.2012.622459>

This article focuses on key issues and recent developments concerning indigenous peoples' involvement in international decision making affecting their rights and interests. Based on a human rights-based approach to participation, it suggests that while a number of positive steps have been taken to allow indigenous peoples the possibility to take part in relevant decision-making processes, there's a need to provide their own self-governing institutions and organisations with a more influential status than that granted to civil society organisations (CSOs) generally. This would enable exercising different levels of participatory rights, depending upon the nature of the indigenous rights and interests at stake, and on the anticipated impact of the proposed decisions on them.

Minority Rights Group International's annual State of the World's Minorities and Indigenous Peoples report:

<http://www.minorityrights.org/990/state-of-the-worlds-minorities/state-of-the-worlds-minorities.html>

Sexual Minorities

Oxfam. (2010). *Break Another Silence: Understanding Sexual Minorities and Taking Action for Sexual Rights in Africa*. London: Oxfam.

<http://policy-practice.oxfam.org.uk/publications/break-another-silence-understanding-sexual-minorities-and-taking-action-for-sex-125679>

Epprecht, M. (2012). Sexual minorities, human rights and public health strategies in Africa. *African Affairs*, 111(443), 223-243.

<http://dx.doi.org/10.1093/afraf/ads019>

A marked increase in attacks, rhetorical abuse, and restrictive legislation against sexual minorities or 'homosexuality' makes activism for sexual rights a risky endeavour in many African countries. Campaigns for sexual rights and 'coming out' are frequently perceived as a form of Western cultural imperialism, leading to an exportation of Western gay identities and provoking a patriotic defensiveness. Cultures of quiet acceptance of same-sex relationships or secretive bisexuality are meanwhile also problematic given the high rate of HIV prevalence. This article examines specific initiatives that are using subtle, somewhat covert means to negotiate a path between rights activism and secretive bisexuality. It argues that strategies primarily focused on health concerns that simultaneously yet discreetly promote sexual rights are having some success in challenging prevalent homophobic or 'silencing' cultures and discourses.

UNDP & IDLO. (2013). *Regional report: The capacity of national human rights institutions to address human rights in relation to sexual orientation, gender identity and HIV*. Bangkok: UNDP.

http://www.asia-pacific.undp.org/content/rbap/en/home/library/hiv_aids/regional-report--the-capacity-of-national-human-rights-instituti/

This report documents progressive initiatives and good practices of national human rights institutions (NHRIs) and other human rights advocacy bodies in Bangladesh, India, Indonesia, Nepal, the Philippines, Sri Lanka and Timor-Leste to protect and promote the rights of these highly marginalised individuals. Building upon the recommendations of the Global Commission on HIV and the Law and the Yogyakarta Principles, the report is an outcome of national processes which brought together NHRIs and lesbian, gay, bisexual, transgender and intersex (LGBTI) communities in a series of national dialogues to boost cooperation and understanding.

Kerrigan, F. (2013). *Getting to rights: The human rights of lesbian, gay, bisexual, transgender and intersex persons in Africa*. Copenhagen: Danish Institute for Human Rights.

<http://um.dk/en/~media/UM/English-site/Documents/Danida/Partners/Research-Org/Research-studies/LGBT.pdf>

This study takes its point of departure in human rights, equality and personal freedom, including support for the rights of LGBTI persons. Its intention is to combine these principles with respect for African communities, cultures, and the fortitude with which Africans face many challenges. This study devotes as much or more attention to structures and norms based in religion and society as in the state.

Additional information resources

HelpAge International

<http://www.helpage.org/>

Minority Rights Group

<http://www.minorityrights.org/>

United Nations Enable

<http://www.un.org/disabilities/>

UNICEF - United Nations Children's Fund

<http://www.unicef.org/>

UN Women

<http://www.unwomen.org/>

Rights, conflict and fragile states

There are complex relationships between rights and violent conflict, and between rights and fragile states. There is currently considerable donor interest in this area, but work remains exploratory. Where groups are socially excluded through persistent denial of their rights, evidence suggests this can act as a cause of violent conflict. In turn, conflicts cause denials of all kinds of human rights.

DFID defines fragile states as those where the government cannot or will not deliver core functions to the majority of its people, including the poor. This tends to involve multiple failures to fulfil the state's internationally defined obligations to protect and promote rights. Many states experiencing violent conflict could be defined as fragile states, compounding the impact on human rights. It is important to note that once violent conflicts begin, humanitarian law applies, and human rights law may be restricted.

ODI. (2012). *Report on development, fragility and human rights. Commissioned by the Nordic Trust Fund, The World Bank.* London: ODI.

<http://www.odi.org/publications/6742-development-fragility-human-rights-conflict-transition>

Can a human rights perspective contribute to identifying developmental blockages that inhibit transitions from fragility and conflict, and opportunities to support such transformative change? This literature review analyses five thematic areas: legacies of violence and transitional justice; violence and conflict, and security sector policy responses; rule of law and justice sector reform; social exclusion, constitutional reform, and legal empowerment; and service delivery. It concludes that: 1) a human rights lens can help in addressing the legitimacy deficit of fragile states by making visible the grievances and legacies of rights abuses that might be at the root of conflict and fragility; 2) human rights articulate a vision of social justice that can reduce the risk of conflict but which usually demands reshaping the terms of the political settlement—a process which itself may be a source of contestation and resistance; 3) a human rights approach can enhance the voice and agency of marginalised or excluded groups in ways that matter for the quality of state-society relations, but this is unlikely to be achieved without resistance.

Parlevliet, M. (2010). *Rethinking conflict transformation from a human rights perspective.* In V. Dudouet and B. Schmelzle (Eds.), *Berghof Dialogue Series: No. 9. Human Rights and Conflict Transformation: The Challenges of Just Peace* (pp. 15-46). Berlin: Berghof Conflict Research, Berlin.

[http://www.berghof-](http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_parlevliet_lead.pdf)

[foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_parlevliet_lead.pdf](http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Handbook/Dialogue_Chapters/dialogue9_parlevliet_lead.pdf)

How far does the promotion of human rights help in efforts to address conflict and build peace? This study argues that the transformation of violent conflict to sustainable peace requires insights and strategies from both the human rights and the conflict transformation fields. Considering the two together enhances analysis of the underlying causes, dynamics and manifestations of conflict. A human rights perspective highlights the sociopolitical nature of conflict transformation. It suggests the need to recognise the role and responsibility of the state and the nature and functioning of systems of governance.

CDA. (2013). *Guidance note: Human rights and do no harm.* Cambridge, MA: CDA.

<http://www.cdacollaborative.org/media/52557/Guidance-Note-Human-Rights-and-Do-No-Harm.pdf>

When practitioners are using the Do No Harm (DNH) frameworks they often encounter issues around human rights. This is not surprising when looking at conflict situations. While DNH is not explicitly a human rights 'tool', human rights are implicitly included in the DNH frameworks through the analysis of Dividers and Connectors and in the ABCs. Because human rights violations have a significant effect on the context, their implications for conflict-sensitive programming cannot be ignored. This guidance note lays out the issues of implementing DNH through a human rights lens or in a context where human rights violations have been or are occurring. It is based on more than twenty years of DNH programming experience.

Rights denials, exclusion and the causes of conflict

Some analyses of the causes of violent conflict point to the role played by exclusion and inequalities. The exclusion of certain groups from economic, social and political life can increase the incentives for these groups to engage in violence. Explanations of the causes of conflict have focused on the role of greed versus grievance. A human rights perspective focuses upon grievances as a driver of conflict. Grievances can become particularly severe where people are – or perceive themselves to be – socially excluded. Social exclusion is therefore a central way of analysing the impact of rights denials. Paying attention to the rights of minorities is an effective strategy in conflict prevention, mitigation and resolution. It is a particularly useful way of assessing potential conflict in areas where there are high vertical or horizontal inequalities, such as in Sudan, Rwanda, and Sierra Leone.

Attention to human rights, not only in relation to the causes of conflicts, but also as a normative and practical intervention tool can contribute to the aims of conflict transformation. It forces greater emphasis on changing structural conditions, in

particular addressing the role of the state, systems of governance and issues of power; and on empowering marginalised groups to challenge the status quo.

Srinivasan, S. (2006). *Minority rights, early warning and conflict prevention: Lessons from Darfur*. London: Minority Rights Group International.

<http://www.minorityrights.org/965/micro-studies/minority-rights-early-warning-and-conflict-prevention-lessons-from-darfur.html>

What lessons can we learn from international engagement in the conflict in Darfur? This paper analyses events in the terms of structural and operational conflict prevention. It argues that the catalogue of political and institutional failures before and during the civil war indicates a need to address minority rights issues at every stage of conflict prevention. Institutional improvements in conflict prevention and early warning mechanisms will help avoid repeating the mistakes of Darfur in the future.

Parlevliet, M. (2011). *Human rights and conflict transformation: Towards a more integrated approach*. In B. Austin, M. Fischer, & H.J. Giessmann (Eds.), *The Berghof Handbook II. Advancing conflict transformation*. Opladen/Framington Hills: Barbara Budrich Publishers.

http://berghof-handbook.net/documents/publications/parlevliet_handbookII.pdf

This chapter explores the notion that human rights violations can be both causes and consequences of violent conflict. It argues that the transformation of violent conflict to sustainable peace requires insights and strategies from both the human rights and the conflict transformation fields. Considering the two in conjunction enhances one's analysis of the underlying causes, dynamics and manifestations of conflict.

Maoz, I., & McCauley, C. (2011). Explaining support for violating out-group human rights in conflict: Attitudes toward principles of human rights, trust in the out-group, and intergroup contact. *Journal of Applied Social Psychology, 41(4), 891-905*.

<http://dx.doi.org/10.1111/j.1559-1816.2011.00740.x>

A public atmosphere that supports violating the human rights of out-group members can enable or even encourage such violations. The paper presents a model that explains such support in terms of 2 underlying components: (a) support for violating general principles of human rights (SVHRG); and (b) lack of trust toward the specific out-group. This model was successful in predicting Jewish-Israeli support for violating human rights of Palestinians. Public application of the Universal Declaration of Human Rights seems to depend on a more specific attitude of trust in the out-group whose rights are in question.

Mamdani, M. (2001). *Tutsi power in Rwanda and the citizenship crisis in Eastern Congo*. In *When victims become killers: Colonialism, nativism, and the genocide in Rwanda* (chapter 8). Oxford: James Currey .

<http://books.google.co.uk/books?id=QUEamxb89JcC&pg=PP1&pg=PA234#v=onepage&q&f=false>

How can the invasion of Congo by the Rwandan Popular Front (RPF) be understood as an outcome of the citizenship crisis on both sides of the Rwanda-Congo border? This chapter tackles this question and traces the history of the Kinyarwanda-speaking minority in the Kivu region of Congo and their struggle for citizenship rights.

Archibald, S., & Richards, P. (2002). Seeds and rights: New approaches to post-war agricultural rehabilitation in Sierra Leone. *Disasters 26(4), 356-367*.

<http://dx.doi.org/10.1111/1467-7717.00212>

Can more equitable seed distribution contribute to fostering a culture of human rights as well as lead to agricultural rehabilitation? This study assesses seeds-and-tools programmes in 19 villages devastated during the civil war in central Sierra Leone. In these cases the targeting and distribution methods used by aid agencies denied assistance to those people it was intended for, exacerbating grievances and the threat of social disorder. An alternative, more inclusive, rights-based approach to seed distribution could lead to greater social inclusion and facilitate conflict resolution.

Security, rights and development

The lack of personal security for individuals represents a series of human rights denials and violations. At the same time, measures to promote security of people and states must be based in adherence to international human rights standards. A reflection – and key driver – of this approach is the UN Secretary General, who in 2004 began promoting an integrated agenda for international cooperation which combines security, development and human rights, based on arguments about their interdependence, within a the context of achieving the Millennium Development Goals.

United Nations Secretary General. (2004). *A more secure world: Our shared responsibility* (Report of the Secretary-General's High Level Panel on Threats, Challenges and Change) New York: United Nations

http://www.un.org/en/peacebuilding/pdf/historical/hlp_more_secure_world.pdf

The changes that have taken place in the world since the Millennium Declaration demand that consensus be revitalised on key challenges and priorities. What are these and how can they best be achieved? This report suggests that security,

development and human rights must be advanced together, otherwise none will succeed. The Millennium Development Goals (MDGs) can be met by 2015, but only if all governments dramatically increase their efforts.

Domingo, P., & Denney, L. (2012). *The politics of practice: Security and justice programming in FCAS – Report from ODI expert meeting on security and justice*. London: ODI.

<http://www.odi.org/sites/odi.org.uk/files/odi-assets/events-documents/4948.pdf>

Security and justice programming in fragile and conflict-affected situations often remains technocratic, siloed, and insufficiently attuned to context, despite more nuanced thinking in recent policy documents. How can policy be implemented more effectively? This report summarises discussion at an expert meeting hosted by ODI in November 2012. The report outlines challenges and summarises emerging recommendations. Key issues identified as requiring further thinking in order to improve security and justice outcomes are: organisational features of donors and their implementation processes, the politics of research and evidence, and the content of security and justice work. In addition, interesting new approaches by development agencies are noted.

Spangaro, J., Zwi, A., Adogu, C., Ranmuthugala, G., Davies, G.P., & Steinacker, L. (2013). *What is the evidence of the impact of initiatives to reduce risk and incidence of sexual violence in conflict and post-conflict zones and other humanitarian crises in lower and middle-income countries? A systematic review*. London: Institute of Education, EPPI-Centre.

<http://eppi.ioe.ac.uk/cms/Default.aspx?tabid=3405>

This review finds that implementation of conflict and crisis related-sexual violence initiatives on the ground remains very limited. It also highlights an acute lack of evaluation of such interventions, leading to insufficient evidence for the effectiveness of any interventions to address or prevent sexual violence in conflict or crisis. However, it notes that strategies appear more effective when they have multiple components, including survivor care and community engagement.

Rights in fragile states

Fragile states are defined by DFID as those where the government cannot or will not deliver core functions to the majority of its people, including the poor. This covers a wide range of contexts, but often involves a combination of weak administrative capacity and territorial reach, lack of state control over the use of violence, and the lack of accountability to populations, particularly poor or marginalised people. Therefore high levels of human rights violations or denials are likely, due to the failure of governments to fulfil their international human rights obligations to protect and promote rights. The fragile states agenda is a relatively new one, and little has been written so far on how rights should best be protected. This may be partly because of the wide range of types of fragile state, and the variety of implications for rights.

Stewart, F., & Brown, G. (2009). *Fragile States (CRISE Working Paper no. 51)*. University of Oxford, Centre for Research on Inequality, Security and Ethnicity.

<http://www3.qeh.ox.ac.uk/pdf/crisewps/workingpaper51.pdf>

What constitutes a fragile state and how can the concept be operationalised for development policy? This paper proposes a three-pronged definition of fragility: states may be fragile because they lack authority, fail to provide services or lack legitimacy. Reversing these interrelated dimensions of fragility requires a tailored, comprehensive and long-term approach based on careful contextual analysis.

In 2005, DFID supported the **ODI's Rights in Action group** to hold a series of seminars to explore the operational value of human rights for poverty reduction. One of the seminars focused on protecting human rights in fragile and conflict environments. See the:

Background paper: <http://www.odi.org.uk/rights/Meeting%20Series/RightsConflict&FragileStates.pdf>

Meeting report: <http://www.odi.org.uk/events/details.asp?id=75&title=protecting-rights-conflict-situations-fragile-states>

Further resources

The following organisations provide information on rights violations in all states, including states that could be defined as fragile and conflict-affected states:

Amnesty International

<http://www.amnesty.org/>

Human Rights Watch

<http://www.hrw.org/>

Rights monitoring and indicators

If international rights commitments are to have genuine impacts for individuals, action must be taken to ensure that duty bearers fulfil their responsibilities to protect and promote these rights. Rights monitoring of programmes and projects is also essential for assessing the effectiveness of rights-based approaches or ensuring that other development interventions are compatible with the protection and promotion of rights. In order to monitor the human rights situation in a given context, and the effectiveness of donor interventions, there is a need to formulate appropriate indicators which indicate the degree to which human rights are being upheld. Establishing indicators requires the gathering of adequate baseline data from which human rights-related progress can be measured.

The websites of the following NGOs provide information on the human rights records of individual country governments.

- **Amnesty International:** <http://www.amnesty.org/>
Amnesty International (AI) is a worldwide movement of people who campaign for internationally recognised human rights.
- **Human Rights Watch:** <http://www.hrw.org/>
Human Rights Watch (HRW) is a human rights organisation made up of lawyers, journalists, academics, and country experts who investigate and expose human rights violations to hold abusers accountable.

Monitoring state performance

Despite state commitments in international human rights treaties, violations of human rights are prevalent across the world. This section provides links to information on the various approaches to monitoring the progress of governments in meeting their obligations.

A treaty monitoring body or committee has been created for each of the international human rights treaties. Links to these treaty monitoring bodies can be found on the section on the [Human Rights Legal Framework](#) in this topic guide. These treaty monitoring committees work by assessing periodic reports submitted by governments that have ratified the treaty. In addition to the formal state reports, some treaty monitoring bodies allow NGOs to submit shadow reports, providing an alternative perspective. Links to online guidance for producing shadow reports aimed at civil society groups are provided below in [additional information resources](#).

Human rights indicators

Human rights indicators can be used to assess both state progress and programmes / projects with a human rights focus and/or component. Indicators for assessing progress in promoting rights are still in the early stages of development, and limited progress has been made towards developing commonly accepted systems. There are challenges over the design, weighting, collection and use of data to measure rights. For example, there is a methodological challenge in adequately reflecting the situation for vulnerable groups, while producing aggregate data. Another challenge concerns the design of indicators that are appropriate for a range of cultures and contexts. Alternative indicators may provide evidence where human rights-specific measures are unavailable. Examples include indicators on governance, corruption, electoral fraud, and human development. The use of indicators therefore has strong links to governance interventions, such as electoral reform.

OHCHR. (2012). *Human rights indicators: A guide to measurement and implementation*. New York: UN.

http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

Filmer-Wilson, E. (2005). *Summary report of material collated regarding practical guidance to implementing rights based approaches, human rights analyses for poverty reduction and human rights benchmarks from development actors and other relevant communities*. London: DFID

<http://www.gsdrc.org/docs/open/CON30.pdf>

To what extent are human rights being incorporated into development programmes? How can a human rights-based approach best be developed? This report brings together material collated from development organisations in four key areas: practical guidance on rights-based approaches, including case studies and checklists; analytical tools which feature human rights for understanding the causes and characteristics of poverty; human rights impact assessment; and human rights indicators to measure development progress.

Kalantry, S., Getgen, J. E., & Arrigg Koh, S. (2010). *Enhancing enforcement of economic, social, and cultural rights using indicators: A focus on the right to education in the ICESCR. *Human Rights Quarterly* 32 254-310.* http://www.escri-net.org/usr_doc/Enhancing_Enforcement_of_Economic,_Social,_and_Cultural_Rights_Using_Indicators.pdf

This article focuses on the right to education in the ICESCR to illustrate how indicators can be used to ascertain treaty compliance and violations.

Landman, T., & Häusermann, J. (2003). *Map making and analysis of the main international initiatives on developing indicators on democracy and good governance* (Report for the Statistical Office of the Commission of the European Communities). Colchester: University of Essex, Human Rights Centre.

<http://ec.europa.eu/eurostat/documents/46346/48072/Map-Making-Analysi-Main-International-Initiative.pdf/29a35b02-3429-4700-8ddc-ba064ad090ae>

Democracy, human rights and good governance can be measured in many different ways, and this is reflected in the wide variety of initiatives that have developed such indicators. This project collates and evaluates existing initiatives. It also makes recommendations for the development of more efficient measurement tools.

UNDP. (2000). *Using indicators for human rights accountability*. In *UN Human Development Report 2000* (chap. 5). New York: UNDP.

<http://hdr.undp.org/en/content/human-development-report-2000>

Under Article 55 of the UN Charter, all UN members commit to promote "universal respect for, and observance of human rights and fundamental freedoms for all without distinction". But to what extent do they put this into practice? When a country is making progress in development, who is to say whether or not its rate of progress is adequate? In this chapter, statistical indicators are presented as a powerful tool in the struggle for human rights.

Harrison, J. (2010). *Measuring Human Rights: Reflections on the Practice of Human Rights Impact Assessment and Lessons for the Future* (Warwick School of Law Research Paper No. 2010/26). Coventry: University of Warwick.

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1706742

This study examines the practice of Human Rights Impact Assessment (HRIA). It argues that, while a uniform HRIA process in all fields will not be appropriate, eight core elements represent the 'minimum core' of a valid process: screening, scoping, evidence gathering, consultation, analysis, producing policy-oriented recommendations, publication, and monitoring and review. Overall, better performance monitoring is crucial, and the people undertaking HRIs need a deep understanding of human rights. More reflection is also required on the connection between HRIs and the people affected by the policies and practices that HRIs seek to influence.

De Beco, G. (2013). Human rights indicators: From theoretical debate to practical application. *Journal of Human Rights Practice*, 5(2), 380-397.

<http://dx.doi.org/10.1093/jhuman/hut003>

Why have most sets of human rights indicators have never been applied? Although there are a few examples of using such indicators, discussions on them seem fixed in the conceptual sphere, a problem which to date has not been discussed. This policy note provides a methodology for developing human rights indicators with a view to their subsequent application. The paper is divided into three sections. The first section examines the origin, purpose and evolution of human rights indicators. The second section concerns the development of human rights indicators. After examining the reasons for their infrequent application, it proposes a methodology for their development divided into different steps, and then applies this methodology to the right to education. The third section discusses questions to be addressed in order to facilitate the application of human rights indicators.

See also Harrison, J. (2011). *Human rights measurement: Reflections on the current practice and future potential of human rights impact assessment. *Journal of Human Rights Practice*, 3(2), 162-187.*

Sector-specific monitoring

Indicators are also being developed on specific areas to tailor monitoring activities to particular sectors, such as housing, gender equality, and food rights.

UN-HABITAT. (2003). *Monitoring Housing Rights: Developing a Set of Indicators to Monitor the Full and Progressive Realisation of the Human Right to Adequate Housing*. Nairobi: UN-HABITAT.

<http://ww2.unhabitat.org/programmes/housingrights/documents/Monitoring-Housing-Rights.pdf>

How can housing rights for all be realised? This report suggests ways to develop a set of indicators to monitor and evaluate the full and progressive realisation of the human right to adequate housing. It concludes that, despite the complex challenges, the creation of a set of housing rights indicators will prove a valuable tool in the world-wide struggle for housing rights.

FAO. (2004). *Voluntary Guidelines to Support the Progressive Realisation of the Right to Adequate Food in the Context of National Food Security*. Rome: FAO .

<http://www.fao.org/docrep/MEETING/007/J0492E.HTM>

What steps are necessary to realise the goal of adequate food for all? The Intergovernmental Working Group (IGWG) of the Council of the Food and Agriculture Organisation of the United Nations has drawn up the following voluntary guidelines to

support Member Nations' efforts to achieve the realisation of the right to adequate food in the context of national food security. They define the right to food security and offer recommendations on creating an enabling environment, accountability and the rule of law.

World Health Organization. (2014). *Reproductive, maternal, newborn and child health and human rights: a toolbox for examining laws, regulations and policies*. Geneva: WHO.

http://apps.who.int/iris/bitstream/10665/126383/1/9789241507424_eng.pdf?ua=1

World Health Organization. (2014). *Ensuring human rights within contraceptive programmes: a human rights analysis of existing quantitative indicators*. Geneva: WHO.

http://apps.who.int/iris/bitstream/10665/126799/1/9789241507493_eng.pdf?ua=1

Monitoring and evaluating RBA interventions

In line with growing concerns about how to monitor, evaluate and learn from development interventions, human rights programming is also subject to this type of scrutiny. As with other areas of human rights monitoring, approaches are at early stages. A key concern is assessing the intentional and unintentional effects (positive or negative) of a human rights programme. This has been developed further by approaches which use impact assessments to monitor and evaluate the impact of human rights interventions and/or the human rights components of interventions. Thinking about impact is also thought to contribute to awareness about human rights concerns, and therefore facilitate the integration of rights-based principles into the overall policy process.

Department for International Development. (2009). *How to note: A practical guide to assessing and monitoring human rights in country programmes*. London: DFID

http://webarchive.nationalarchives.gov.uk/20141014133309/http://www.stabilisationunit.gov.uk/attachments/article/523/DFID_how_to_note_-_human_rights_in_country_programmes_-_edited.pdf

Harrison, J. (2010). *Measuring human rights: Reflections on the practice of human rights impact assessment and lessons for the future* (Warwick School of Law Research Paper No. 2010/26). Coventry: University of Warwick.

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1706742

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NORAD. (2001). *Handbook in human rights assessment. State obligations, awareness and empowerment*. Oslo: Norwegian Agency for Development Cooperation.

<http://www.norad.no/globalassets/import-2162015-80434-am/www.norad.no-ny/filarkiv/vedlegg-til-publikasjoner/handbook-in-human-rights-assessment.pdf>

How do you enhance the human rights profile of development programmes? How do you identify the need for human rights impact analysis? This handbook assists the user in addressing human rights concerns by recording the potential, planned or likely positive or negative effects of the programme under review. It is not a manual on how to conduct a full-scale human rights impact analysis but a guide to identifying the need for such analysis.

UNHCHR. (2003). *Human rights-based reviews of UNDP programmes. Working guidelines*. Geneva: UNDP.

http://web.archive.org/web/20100707055137/http://hdr.undp.org/en/media/HRBA_Guidelines.pdf

The UN operates a Common Understanding of the human rights-based approach to development (HRBA). This paper sets out working guidelines for a human rights-based review of UNDP country offices and projects based on the Common Understanding. The guidelines aim to support reviews at each phase of programming, strengthen existing activities and assist in the design of new programmes from a human rights perspective.

UNEG. (2014). *Integrating human rights and gender equality in evaluations*. United Nations Evaluation Group.

<http://www.unevaluation.org/document/detail/1616>

This report was produced by UNEG as an in-depth guidance handbook to serve as a field guide to improve human rights and gender equality responsive evaluation throughout the UN system. It aims to increase knowledge on the application of these two approaches in evaluation processes and to raise awareness on their specific relevance and significance for UN work.

UN Women's Guide to gender equality and human rights responsive evaluation: http://unifem.org/evaluation_manual/

Additional information resources

NGO country human rights reports

Human Rights Watch
<http://www.hrw.org/>

NGO shadow reporting

The following online resources are aimed at civil society groups, and provide guidance on how to produce a shadow report for a UN treaty monitoring body.

The Stop Violence Against Women website hosts a note on producing shadow reports:
http://www.stopvaw.org/A_Note_About_Shadow_Reports.html

The website of the Centre for Reproductive Rights links to shadow reports on reproductive rights in a range of countries:
<http://reproductiverights.org/en/resources/publications/shadow-letters-reports>

Treaty monitoring

The Office of the High Commissioner for Human Rights (OHCHR) website provides an overview of the monitoring bodies for the human rights treaties: <http://www2.ohchr.org/english/bodies/treaty/>

Other online resources

This page provides links to selected organisations involved in promoting justice internationally.

Amnesty International is a worldwide movement of people who campaign for internationally recognised human rights.
<http://www.amnesty.org/>

Child Rights Information Network (CRIN)
<http://www.crin.org/>

Development Research Centre on Citizenship, Participation & Accountability
<http://www.drc-citizenship.org/>

Eldis: The Eldis governance resource guide includes a section on human rights
<http://www.eldis.org/go/topics/resource-guides/governance/human-rights>

European Country of Origin Information Network: This site, run by **ACCORD** (Austrian Centre for Country of Origin and Asylum Research and Documentation), provides a database of relevant up-to-date reports on country of origin conditions (human rights situation, political developments, security situation etc).
<http://www.ecoi.net/>

Human Rights Watch (HRW) is an international NGO working to defend human rights worldwide. This site contains overviews of the human rights situation in almost every country, in addition to reports on themes, such as prisons, child rights and women's rights.
<http://www.hrw.org/>

HURIDOCs- Human Rights Information and Documentation Systems International
<http://www.huridocs.org/>

International Council on Human Rights Policy - ICHRP: This archive website presents the results of 14 years of research.
<http://www.ichrp.org/>

International Labour Organization: This website offers access to resources on penal reform.
<http://www.ilo.org/>

Open Society Justice Initiative
<http://www.justiceinitiative.org/>

Office of the United Nations High Commissioner for Human Rights - OHCHR
<http://www.ohchr.org/EN/>

The **Right to Education project** conducts research and provides access to information and resources on education rights, legal accountability, and social mobilisation.
<http://www.right-to-education.org/>

United States Institute of Peace, Rule of Law Center: This provides information on promoting the rule of law in post-conflict states.
<http://www.usip.org/ruleoflaw/>

UK Government Foreign and Commonwealth Office: The FCO has developed a set of pages on human rights, introducing thematic issues, key multilateral organisations and instruments, and UK Government policy.
<http://www.fco.gov.uk/en/global-issues/human-rights>

UNICEF - United Nations Children's Fund
<http://www.unicef.org/>

UN Women
<http://www.unwomen.org/>

Stop Violence Against Women: This website, a project of The Advocates for Human Rights, is a forum for information, advocacy and change in the promotion of women's human rights in Central and Eastern Europe and the former Soviet Union. <http://www.stopvaw.org/>

United Nations Enable
<http://www.un.org/disabilities/>