

Development and Human Rights

1. Policy Description

The policy of Mukti Australia Inc. (hereafter MA) on Development and Human Rights outlines our response to achieving a human rights approach to development and the implications for the programs and projects of our partner organisations in India, Pandita Ramabai Mukti Mission, (hereafter PRMM) and Wings of Hope Sri Lanka, (hereafter WoH) which we fund.

2. The Context

Human rights are an internationally accepted moral code, set out in the Universal Declaration of Human Rights, which recognises ‘the inherent dignity and of the equal and inalienable rights of all members of the human family’.¹ Human rights are considered to be the ‘fundamental, universal and indivisible principles by which every human being can claim justice and equality’.²

Human rights and development both aim to promote well-being and freedom of all people based on the inherent dignity and equality of all people, through the realisation by all of basic freedoms, such as having the choice to meet bodily requirements or to escape preventable disease.³ Despite this, the link between human rights and development has not always been recognised. Historically, development has been focused on economic needs, with developed countries providing assistance to developing countries via gift, charity or loan. Poverty was seen as being solely as an absence of material goods and opportunities, such as employment, ownership of productive assets and the ability to save, and development efforts were focused on eliminating this economic-based poverty.⁴ However, a paradigm shift has occurred over the last two decades, with poverty now understood as not only being a denial of the material necessities for life, but also a lack of freedoms and social goods, such as health care, educational opportunities, freedom from fear and violence, the ability to live life with dignity and respect, and so on.⁵ Poverty has also come to be seen as a symptom of underlying human rights violations, as opposed to the root problem.

¹ Universal Declaration of Human Rights 1948, <http://www.un.org/Overview/rights.html>, retrieved 12 May 2010

² Albert, B & Hurst, R, 2005. *Disability and a human rights approach to development*, Harvard Project on Disability, p.3, <http://hpod.pmhclients.com/pdf/human-rights-approach.pdf>, retrieved 12 May 2010

³ Office of the United Nations High Commissioner for Human Rights, 2006. *Frequently Asked Questions on a Human-Rights Based Approach to Development Cooperation*, United Nations p.7, retrieved 12 May 2010, <http://www.un.org/depts/dhl/humanrights/toc/toc9.pdf>

⁴ *Ibid*, p.9

⁵ *Ibid* p.9

Development discourse has also seen a shift towards an understanding of development as a *right* of all individuals, and which is aimed at increasing the capabilities of individuals to live the types of lives they themselves have reason to value, rather than being aimed purely at economic growth.⁶ Indeed, Article 1 of the Declaration on the Right to Development states that:

“The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”⁷

As a result, development and human rights have been increasingly recognised as being inextricably linked, and has seen the rise of a human rights-based approach to development. This approach is based on international human rights standards and directed to promoting and protecting human rights, and seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress.⁸ Although there is no single, universally agreed rights-based approach to development, a consensus as to the elements of a rights-based approach to development has been growing. These elements include the following⁹:

- An express linkage to human rights, making this approach incompatible with development activities which violate human rights.
- Raising accountability in the development process by identifying claim-holders (and their entitlements) and corresponding duty-holders (and their obligations) and also looking at both the positive obligations of the duty-holders (to protect, promote and provide) and also at their negative obligations (to abstain from violations).
- Empowerment, focusing on beneficiaries as owners of rights and directors of development, with the goal to give people the power, capacities, capabilities and access necessary to change their own lives, improve their own communities and influence their own destinies.
- Active, free and meaningful participation in the development process by stakeholders and in particular ensuring access to development processes, institutions and information.
- Non-discrimination and protection from threats to rights in the development process and also from simply reinforcing existing discrimination or power imbalances.

⁶ United Nations Development Program (UNDP) 2000. *Human Development Report 2000: Human Rights and Human Development*, Oxford University Press, New York, p.19, http://hdr.undp.org/en/media/HDR_2000_EN.pdf, retrieved 12 May 2010

⁷ United Nations Office of the High Commissioner of Human Rights (UNHCHR), 1986. *Declaration on the Right to Development*, adopted by General Assembly resolution 41/128 of 4 December 1986, UNHCHR, <http://www2.ohchr.org/english/law/rtd.htm>, retrieved 12 May 2010

⁸ Office of the United Nations High Commissioner for Human Rights, *op cit*, p.15

⁹ UNIFEM 2003, *What is a rights-based approach to development*, www.unifem-ecogov-apas.org, retrieved 17 May 2010

3. Mukti Australia's Response

MA recognises the human rights approach to development. We are committed to ensuring that those we work with have equal rights and opportunities, including meaningful participation, inclusion, security and dignity, irrespective of nationality, race, religion, gender, age or political persuasion. We are committed to ensuring that our development work, projects and programs do not violate any human rights.

MA will:

- Promote understanding amongst our staff and the staff of our partners, PRMM, and WoH, of the historical and systematic violations of human rights which are part of the underlying causes of poverty.
- Prioritise funding for projects which incorporate strategies for empowerment and participation of claim-holders and which promote local ownership of the project.
- Recognise that the protection of human rights requires particular attention be paid to groups facing discrimination, including women, people with disabilities and people living with HIV/AIDS.
- Encourage our partners to be aware of, and consider in relation to its projects, internationally agreed human rights norms and standards, including the United Nations Universal Declaration of Human Rights and the United Nations Declaration on the Right to Development.

4. Implications for Practice

MA will:

- Build knowledge and resources on human rights approaches to development to better incorporate this approach into our work with our partners in India and Sri Lanka.
- Consider ways for MA and our partner organisations to incorporate advocacy components into new and existing projects.
- Adhere to policies that seek to address existing, and prevent reinforcement of, discrimination against minority groups.
- Consider ways for MA and our partner organisations to better incorporate and encourage meaningful participation by all claim-holders in all stages of the development process.