



WHAT WORKS?
Promising Practices in International Development

HUMAN RIGHTS AND DEVELOPMENT

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We will not enjoy security without development, we will not enjoy development without security, and we will not enjoy either without respect for human rights. This statement was said by former UN secretary-general Kofi Annan, and today I will explain why.

I want to start by citing two persons I got to know some years back in India. A young landless labourer told me – when I first met her - that all the people of her village were friends. Gheeta was her name. After a few months she realised that I was not a spy for the landlord or for the village administration, and she told me a different story:

I quote: I find it very unfair that some people have so much food, and we have so little. It should have been equal. But if I would ask a question to the landlord, he would punish me. There is nothing in the world that I fear more than the rich. I am afraid of their harassment, afraid of their violence. And I am afraid of losing my job.

In another village, I got to know a landlord. His name was Rajah. In the beginning, he told me that they were all good friends in his village. After four months or so, he told me a different story.

He said: We don't like people from lower castes. We don't like to see casteless and low-caste people own land. So sometimes villages get demolished, or families get killed. Many have been killed by our thugs, because they wanted to develop or because they demanded higher salaries."

He also told me that his family sometimes asked the local government or the local police for assistance. For example, they would ask the police to imprison people who protested when the landlord took their land or they could ask the village

administration to register land in the name of their cat or their dog or a death relative, so they would seem to be the proper owner of the land. The police staff and governmental officials would do it for a small bribery or out of fear, he told me.

Gheeta's and Rajah's situations are not unique. You can find similar stories in several places in several countries. In such situations, it is not enough to dig a well or put up an electric cable to get development. We need to focus on the human beings, in order to make sure that no-one is left out.

For this reason – as well as several others – I will argue today that a human rights based approach is useful and important in development cooperation.

The HR approach is useful in development, and in this lecture I will give you a couple examples that prove the impact that HR has.

First a few words about what human rights are and what a human rights-based approach is.

Human rights are universally agreed and legally binding standards for a life in dignity, equality and freedom. Their objective is not to provide total care to passive recipients, but to promote the development of individuals with equal rights and free from fear and want. All human rights have corresponding state obligations to respect, protect and fulfil the human rights.

The human rights based approach consist of cross-cutting human rights principles that are expected to guide the state and their partners in the promotion and implementation of human rights – and in the promotion and implementation of general development programmes as well.

The human rights approach helps us focus on people, not services or things. It can help us identify and change the inequity between Gheeta and Sanjay. How can promote a fair, effective and non-discriminatory health care? Educational system? Taxation policy? And so on? I will argue that a human rights approach is the way to go. Very soon I will give you a couple of examples on why.

But first, a quiz. I will give you two statements about human rights, and you should try to find out if they are true or false.

Statement 1: The right to health means that everybody has the right to be healthy. Is this true or false? (pause) This is false. The individual's health cannot be guaranteed by any public government, however, wealthy, but everybody should be guaranteed at least basic health care services. Human rights-based health programmes do not only focus on the infrastructure and vaccines, but – not the least – on how to develop health systems that are non-discriminatory, available, accessible, affordable, acceptable and of good quality.

Statement 2: Countries in a difficult financial situation do not have the duty to ensure human rights such as the right to food. True or false? This is also false. All countries that have ratified the human rights convention have the duty to respect, protect and fulfill the human rights. If you are a poor country, you have fewer resources to spend, but you should spend maximum available resources and realize the human rights progressively as your economy develops.

I would like to share with you an example from the Norwegian development cooperation on how a human rights-based approach can be a tool for development. This particular project was run by the Norwegian Church Aid and its local partner in Tanzania, and their focus was on the human rights principles transparency and accountability as tools to enhance the right to water. The normative criteria for the right to water is that it is available, accessible, affordable, acceptable and safe.

Before telling about the concrete project in Tanzania, I will explain the human rights based method they used. The project was based on something called a Public Expenditure Tracking System, abbreviated PETS.

The system is designed to empower right-holders at the grassroots level to demand rights-based services from relevant public bodies. For this purpose, people participating in PETS committees are trained to read and analyze public budgets and accounts, and to monitor how financial plans are implemented. If realities on site differ from the budget and the reported accounts, the committees have been trained on how to file complaints. They will secure interventions against corruption by higher level government officials.

The example I will share with you is about hijacked water services in Kilolo in Tanzania.

At the beginning of the programme, the water situation in Kilolo was very difficult. The community only had access to public water once a week for a few hours. The most reliable water supply was provided by private business: a retired colonel sold water to water-boys who used bicycles to transport and sell water in Kilolo and neighbouring villages. Community members felt that the prices were much too high. Some women paid with sexual services because they were desperate to get water from the water vendors.

The local PETS committee found out that the local government water officer was the same retired colonel who was selling the water as his private business!

They found that money had come from the district to develop the water systems, and that the colonel had hijacked the public water sources!

He hired middlemen who came with trucks at night and collected water, and “cycling water boys” sold the water for a high price to the inhabitants.

The money went into his own pocket. The committee asked the village government to call a meeting and they used the opportunity to ask the water officer a number of simple but pertinent questions: *Who owns this water? Why doesn't the community get water? What is the problem?*

The retired colonel refused to provide answers and instead replied “*When did you ever see a rat chasing a cat?*” Following the meeting the retired colonel fabricated a case against the human rights activists and some of the key activists were imprisoned and charged with damaging public property. Others got their shops closed down.

The human rights activists continued their work and shared their report with a Member of Parliament. They also contacted the District Commissioners. As a result, the legal case that had been fabricated against them was dropped, the corrupt water officer was replaced, and the water was released to the community.

On the top of that, the village assembly has become much more attentive to the issues raised by the people of Ilula.

The Kilolo case shows how human rights can empower citizens to raise questions. The local authorities have now realized that citizens have questions and are demanding accountability not only in implementation but also in priority setting.

The project has had impact on several levels:

It has lead to empowerment of rights-holders to demand rights-based services from local government bodies.

It has lead to improved gender equality: Women are very active in tracking public expenditure and have received a higher status in the local community after securing better service delivery.

It has lead to accountability is at the local level. People at the grassroots are able to hold their leaders to account when public resources are misused.

It has lead to better service delivery from local government. Ordinary citizens are now able to determine and ensure value for money by comparing public resources used, with the public services offered.

And of course, most importantly, the right to water has been fulfilled.

Several academic studies come up with more or less the same results as Rehema Mbawanji in Kilolo: A human rights-based approach to development programmes has the potential to lead to positive change.

First: A recent study by the UK Interagency Group on Human Rights Based Approaches compared 14 human rights based and 14 non-human rights based development projects in Bangladesh, Malawi and Peru.

Both kinds of projects led to immediate impacts, which benefited stakeholders and resulted in improved living conditions for the target groups.

The human rights based projects generated a greater range and depth of positive impacts, because they focused on underlying causes of poverty. These projects' results were also more sustainable, and lasted even during difficult times. The human rights projects lead to:

1. Strengthened asset accumulation
2. Reduced vulnerability
3. Reduced social exclusion
4. Improved access to justice
5. Enhanced livelihood security and diversification
6. Increased knowledge and skills
7. Increased protection against gender-based and other social discrimination
8. Increased protection against work-based exploitation

Second: Last year, the World Bank published a study, financed by Norway, on human rights and economics. It concluded that the human rights approaches may improve development outcomes and the quality of economic growth, both in short and in longer terms. It found that human rights can be an effective tool for poverty reduction for three reasons: (a) Human rights contribute to empowerment and social protection of marginalized groups. (b) Human rights reinforce the work on equity and equality. (c) Human rights bring added attention to legal approaches.

Third: The economist Alfredo Sfeir-Younis has found that human rights are highly correlated with economic development and are often forerunners for it.

He says that ensuring human rights is a vital step toward economic development because when people are denied their rights, it often results in social instability, war and other conflicts. These, again, have vast economic consequences.

Furthermore, violations of human rights are a major determinant of poverty, Sfeir-Younis says. To take away the power to use - and allocate - human rights endowments is to convict poor people to poverty. Human rights principles form a set of norms central to the humanisation of development processes and outcomes.

Fourth: Lorenz Blume and Stefan Voigt look into the impact of human rights on economic development. They find that human rights have a strong positive influence on the accumulation of physical capital, accumulation of physical capital and total

factor productivity.

In addition, they state that we can argue for a human rights-based approach to development cooperation, also irrespective of the economic consequences, as long as people value being treated decently. Most people I know, do appreciate that.

In order to succeed, we must make sure that we do not only focus on the end results. We should also make sure that every single step that is taken towards our goal is fully grounded in human rights principles. Does the programme focus on participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law? In short, these seven principles can be abbreviated PANTHER.

Let me explain:

PARTICIPATION: If we wish to build a school in a refugee camp, we must ensure that we ask the girls and the boys what is important to them. In some places, girls will not dare do go to school if the boys' latrines are next door to the girls'. Meaningful participation in the planning process is the best way to make sure that the project is relevant and good to those it is meant for!

ACCOUNTABILITY: If we wish to strengthen the health services in a given community, we cannot simply establish a private health clinic right next to the governmental health centre. Instead, we must collaborate with the local government and local health workers in order to strengthen the existing public health care and make sure the government is accountable to its citizens on a long-term and sustainable basis.

NON-DISCRIMINATION: If you construct a community well, we should make sure that also those who are the most marginalised in the society get access to the well. A human rights-based approach requires a constant effort to include all groups in society, regardless of ethnic origin, religion or belief, gender, sexual orientation or political adherence.

TRANSPARENCY: All development policies must be transparent. Accordingly, development plans can be put up on the public bulletin boards. And budgets and financial reports can be made public and information about these ought to be available, accessible and understandable.

HUMAN DIGNITY: Human dignity should guide all development programmes. Does the energy programme treat all stakeholders in a respectful way? Do stakeholders feel they and others have dignity? Or are people threatened, like in the example of Gheeta and Rajah.

EMPOWERMENT: We cannot afford to neglect the issue of power. Development

programmes may tilt power relations – intentionally or unintentionally. They may make those in power even more powerful, or they may give a voice to marginalised, excluded or stigmatised groups.

RULE OF LAW: Finally, it is important to keep an eye on rule of law in development programmes. Justiciability reinforces the progressive realization of human rights. It provides relief by giving legal recognition to the rights of the poor. Rule of law is one of the necessary steps towards implementation of State accountability.

We have research-based and empirical on-the-ground-evidence of the positive impact of human rights approaches to development. We have evidence that poverty, inequality and corruption can be reduced on a sustainable basis. Human rights approaches can also accelerate economic development – and is thus a good example of a win-win situation.

But. Human rights are not automatically respected, protected and fulfilled, by merely including human rights buzzwords in programme plans and reports. They need to be included in a systematic, thorough, context sensitive and locally owned way and developed by multiple stakeholders. Human rights programmes – as well as other programmes – should be developed in line with the human rights principles such as participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law – the PANTHER. The PANTHER should be included from the preparation of the programme until the very end – and beyond.

Human rights are more than rights for the majority and for the affluent populations. The litmus test of human rights-based programmes is the extent to which it leads to respect, protect and fulfill the rights of its minorities and marginalised groups.

The risks for human rights of being captured by elites and middle classes are always present, but the empirical examples and research findings I have presented demonstrate important potential gains also with regards to improved living conditions and quality of life for people living in poverty as well as well as for the economic development on macro-level.

We must not forget that human rights have a value in themselves, as they place people at the centre of development processes. People should not not seen as beneficiaries with needs, but as active citizens with rights, dignity and entitlements.

I will close by citing Rehemba Mbwanji in Kilolo in Tanzania:

I see a big difference. We had difficulties accessing water, but now we can get as much water as we need.