

## **Firelight Newsflash! 29 April, 2008**

### Human Rights Principles

Human rights are universal and inalienable; indivisible; interdependent and interrelated. They are universal because everyone is born with and possesses the same rights, regardless of where they live, their gender or race, or their religious, cultural or ethnic background. Inalienable because people's rights can never be taken away. Indivisible and interdependent because all rights – political, civil, social, cultural and economic – are equal in importance and none can be fully enjoyed without the others. They apply to all equally, and all have the right to participate in decisions that affect their lives. They are upheld by the rule of law and strengthened through legitimate claims for duty-bearers to be accountable to international standards.

**Universality and Inalienability:** Human rights are universal and inalienable. All people everywhere in the world are entitled to them. The universality of human rights is encompassed in the words of Article 1 of the Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights."

**Indivisibility:** Human rights are indivisible. Whether they relate to civil, cultural, economic, political or social issues, human rights are inherent to the dignity of every human person. Consequently, all human rights have equal status, and cannot be positioned in a hierarchical order. Denial of one right invariably impedes enjoyment of other rights. Thus, the right of everyone to an adequate standard of living cannot be compromised at the expense of other rights, such as the right to health or the right to education.

**Interdependence and Interrelatedness:** Human rights are interdependent and interrelated. Each one contributes to the realization of a person's human dignity through the satisfaction of his or her developmental, physical, psychological and spiritual needs. The fulfilment of one right often depends, wholly or in part, upon the fulfilment of others. For instance, fulfilment of the right to health may depend, in certain circumstances, on fulfilment of the right to development, to education or to information.

**Equality and Non-discrimination:** All individuals are equal as human beings and by virtue of the inherent dignity of each human person. No one, therefore, should

suffer discrimination on the basis of race, colour, ethnicity, gender, age, language, sexual orientation, religion, political or other opinion, national, social or geographical origin, disability, property, birth or other status as established by human rights standards.

**Participation and Inclusion:** All people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being. Rights-based approaches require a high degree of participation by communities, civil society, minorities, women, young people, indigenous peoples and other identified groups.

**Accountability and Rule of Law:** States and other duty-bearers are answerable for the observance of human rights. In this regard, they have to comply with the legal norms and standards enshrined in international human rights instruments. Where they fail to do so, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law. Individuals, the media, civil society and the international community play important roles in holding governments accountable for their obligation to uphold human rights.

## **HOW DOES A HUMAN RIGHTS FRAMEWORK DIFFER FROM A NEEDS BASED FRAMEWORK**

Most donors and NGOs take a basic needs approach to their work. They identify the basic requirements of beneficiaries and either support initiatives to improve service delivery or advocate for their fulfilment.

A growing number of donors, CBO and NGOs take a human rights based approach to their work. They work to fulfil the rights of people, rather than the needs of beneficiaries. There is a critical distinction: A need not fulfilled leads to dissatisfaction. In contrast, a right that is not respected leads to a violation, and its redress or reparation can be legally and legitimately claimed. A human rights-based approach to programming differs from the basic needs approach in that it recognizes the existence of rights. It also reinforces capacities of duty bearers

(usually governments) to respect, protect and guarantee these rights.

In a rights-based approach, every human being is recognized both as a person and as a right-holder. A rights-based approach strives to secure the freedom, well-being and dignity of all people everywhere, within the framework of essential standards and principles, duties and obligations. The rights-based approach supports mechanisms to ensure that entitlements are attained and safeguarded.

Governments have three levels of obligation: to respect, protect and fulfil every right.

To respect a right means refraining from interfering with the enjoyment of the right.

To protect the right means enacting laws that create mechanisms to prevent violation of the right by state authorities or by non-state actors. This protection is to be granted equally to all.

To fulfil the right means to take active steps to put in place institutions and procedures, including the allocation of resources to enable people to enjoy the right. A rights-based approach develops the capacity of duty-bearers to meet their obligations and encourages rights holders to claim their rights. Rights are indivisible, interdependent and interrelated. The human rights-based approach focuses on those who are most vulnerable, excluded or discriminated against. The human rights-based approach constitutes a framework of action as well as a methodological tool to achieve sustained progress towards respect of human rights, development, peace, security, eradication of poverty, and achievement of the Millennium Development Goals.

The human rights-based approach to programming addresses development complexities and humanitarian assistance holistically. It takes into consideration the connections between individuals and the systems of power or influence and endeavors to create dynamics of accountability.

This is a two-way street: individuals and communities need to be fully informed about their rights and to participate in decisions that affect them. Governments and other duty bearers often need assistance to develop the capacity, the resources and the political will to fulfil their commitments to human rights.

A Human Rights Framework Calls for Interventions and Strategies to:

Promote justice for women on the basis of equality between women and men (equity)

Enable women and men to claim their rights (empowerment)

Ensure that women and men are involved in the design and implementation of development initiatives (participation)

Make services accountable to the women and men who use them (accountability)

National human rights institutions – including human rights commissions, ombudsman offices, and specialized institutions that protect the rights of a particular vulnerable group – are increasingly active in a wide range of human rights causes, and UNFPA has been instrumental in supporting them.

## **A FEW RESOURCES ON HUMAN RIGHTS PROGRAMMING AND ADVOCACY**

### **PROGRAMMING RESOURCES**

Circle of Hope: Protecting children's rights in a world with AIDS

[www.planusa.org/stuff/contentmgr/files/d9ee355af9fc9e39564ba31f686d519b/misdocs/plancircleofhope2006.pdf](http://www.planusa.org/stuff/contentmgr/files/d9ee355af9fc9e39564ba31f686d519b/misdocs/plancircleofhope2006.pdf)

A conceptual foundation for child rights based programming.

Human Rights BAsed Programming - What is it?/How to do it?

[www.unfpa.org/upload/lib\\_pub\\_file/680\\_filename\\_hr\\_book.pdf](http://www.unfpa.org/upload/lib_pub_file/680_filename_hr_book.pdf)

This two-in-one handbook can help you turn the concept of a 'human rights-based approach' into reality on the ground. It breaks down human rights-based approach into its various components, and provides a checklist for development practitioners to use in implementing and evaluating their programmes.

A rights based approach to development

[www.awid.org/publications/primers/factsissues1.pdf](http://www.awid.org/publications/primers/factsissues1.pdf)

A rights based approach to development builds on the experiences and expertise of two significant branches of the women's movement: development and human rights. This primer describes the approach, presents its benefits to the development community, and suggests some ways that it can be used.

ACT NOW: A resource guide for young women on HIV/AIDS

[www.awid.org/publications/ActNow.pdf](http://www.awid.org/publications/ActNow.pdf)

## **ADVOCACY RESOURCES**

Child Rights Information Network

<http://www.crin.org/about/index.asp>

The Child Rights Information Network (CRIN) is a global network that disseminates information about the Convention on the Rights of the Child and child rights amongst non-governmental organisations (NGOs), United Nations agencies, inter-governmental organisation (IGOs), educational institutions, and other child rights experts.

International HIV/AIDS Alliances - OVC Toolkit - Children's Rights

[www.aidsalliance.org/sw492.asp](http://www.aidsalliance.org/sw492.asp)

This section looks at issues relating to children's rights, particularly in relation to HIV/AIDS. Other sections look in detail at children's participation, stigma and discrimination, protection from abuse, exploitation, neglect and trafficking and legal issues.

HIV/AIDS and Human Rights: Young People in Action

[www.aidsalliance.org/graphics/OVC/documents/0000120e00.pdf](http://www.aidsalliance.org/graphics/OVC/documents/0000120e00.pdf)

This joint UNESCO/UNAIDS manual seeks to provide practical support to people wishing to work on human rights issues relating to young people and HIV/AIDS.

Ending Child Marriage: A guide for global policy action

[www.unfpa.org/upload/lib\\_pub\\_file/662\\_filename\\_endchildmarriage.pdf](http://www.unfpa.org/upload/lib_pub_file/662_filename_endchildmarriage.pdf)

The publication outlines this global problem and the reasons why child marriage persists, assesses how it contravenes many international human rights

standards, and then provides policy and programmatic recommendations. It will assist organizations to accelerate action and advocate for an end to this practice.