*This document provides the reader with a basic understanding of the Human Rights Based Approach.*

**The Human Rights Based Approach**

A human rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to development of capacities for promoting and protecting human rights.

It seeks to analyze inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress.

**The UN Common Understanding on HRBA**

**Goal**: All programmes of development co-operation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments

**Process**: Human rights standards and principles guide all development cooperation and programming in all sectors and in all phases of the programming process

**Outcome**: Development cooperation contributes to the development of the capacities of ‘duty-bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights

**Added Value of HRBA**

Normative value

* Universal legal standards for a life with dignity

Instrumental value

* Contributes to more sustainable development outcomes
* Ensures a higher quality of the process
* Clarifies the purpose of capacity development

Institutional reasons (UN comparative advantage)

* Impartiality to deal with sensitive issues
* Holistic analysis and integral responses to problems

**HRBA compared with the Needs-based Approach**

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| **Needs Based Approach** | **HRBA Approach**  |
| People deserve help | People have a rights to assistance  |
| Resources are scarce so some people will lose out  | Even with scarce resources all persons are taken into consideration |
| Meets needs without empowerment  | Recognizes rights can only be realized with empowerment  |
| States and state institutions are encouraged but not obligated to act on peoples needs  | States and institutions are legally and morally bound to act |
| All work leads towards predetermined goals  | While the goal is important, the process and the outcome are equally important  |
| Individuals are objects of development interventions  | Individuals are empowered to claim their rights  |
| Focuses on the immediate causes of the problem  | Focuses on the immediate, underlying and root causes of a problem  |

**The 3 Step Approach**

**Causality Analysis**

The Causality Analysis is an essential first step/technique for identifying causes of a problem which can then be used to formulate appropriate responses. The HRBA states that if a problem is caused by three different conditions, all three conditions must be addressed. The Causality Analysis identifies which rights are not being realized and their immediate, underlying and root causes:

* **Immediate** causes are the most direct causes, which have a direct manifestation in individuals and households;
* **Underlying** causes normally involve service delivery and behavior;
* **Root** causes can include tradition, economic resources, ideology, cultural aspects

The key questions are:

* Why is there a problem?
* Which rights are being violated?

**Role Pattern Analysis**

The Role Pattern Analysis identifies the key actors involved in the case. It is used to classify the stakeholders as claims-holders or duty-bearers. It must be ensured that all relevant actors are specifically identified. This means that particular marginalized groups are identified, even within a larger group. For example, those living in slums may be considered a marginalized group, but *within* that group children, women and disabled people are further marginalized. The key questions are:

* Who are the rights-holders? Who are the duty-bearers?
* What are their ideal and actual roles?
* Who else has a responsibility?

**Capacity Gap Analysis**

The Capacity Gap Analysis is to analyse why the right is being violated or at risk of violation. A basic assumption underlying the approach proposed here is that rights are violated because claim-holders lack the capacity to claim the right, and/or duty-bearers lack the capacity to meet their duties.

Capacity is an essential prerequisite for rights holders to claim their rights and for duty bearers to be able to fulfill their obligations. Capacity entails different elements, all of which need to be analyzed to identify capacity development needs. The key questions are:

* What capacities do rights-holders have and/or need to claim their rights?
* What capacities do duty-bearers have and/or need to fulfill their duties?

The analysis of rights holders should analyse:

* **Understanding**: Does the rights-holder know that he or she has rights and can claim them? If not, why?
* **Resources**: Does the rights-holder have the financial, technical and human resources to claim his or her rights? If not, why?
* **Risks**: What risks might ensue from claiming his or her right?

The analysis of duty bearers should analyse:

* **Motivation (accountability):** Does the duty bearer feel an obligation to perform the role according to the obligation? If not, why not?
* **Authority**: Does the duty bearer have authority to perform the role according to the obligation? If no, who does?
* **Resources**: Does the duty bearer have human, organisational and financial resources to perform the role according to the obligation? If not, what’s missing?