



INFORMATION SHEET

HUMAN RIGHTS AND DEVELOPMENT

What are human rights?

There is no universally agreed definition for human rights. The basic notion of human rights lies in people's recognition of the need to protect and affirm every other person's individual dignity.

The concept of human rights is not new – identifying and protecting important rights and freedoms has been part of all societies throughout history and is central to the world's major religions. The understanding of human rights continues to evolve today.

Where are human rights found?

Human rights can be found in laws, such as in national constitutions, domestic laws, regional laws or International Law.

Sometimes the phrase 'human rights' is used to refer to binding international human rights laws. International human rights laws differ from the general concept of human rights because they concern the express human rights that have been universally agreed to by member states at the United Nations in treaties. (See the 'International law and human rights' information sheet for more information).

Some domestic laws also refer to human rights and are usually based on the rights found in human rights treaties. In 2009, the Australian government is consulting on whether it will develop an Australian Human Rights Act.

Human rights are not only found in specific laws; the phrase 'human rights' is often used in a general sense to refer to human dignity. Therefore, people also use the general concept of human rights to add weight to their argument that they have suffered an abuse of their inherent dignity as a person or that they are entitled to particular treatment. For example, some groups claim free public transport is a right but there is no specific human rights law that deals with this issue.

What is the link between human rights and development?

Human rights and human development share a common purpose – to secure the freedom, wellbeing and dignity of all people everywhere.

Human rights add value to the development agenda because states can be held to account to human rights laws – especially those to which they have agreed to be legally bound.

Human rights also provide a common language and framework within which development agencies can explain the diversity of their work from programs to advocacy.

HUMAN RIGHTS AND DEVELOPMENT (continued)

What is the 'human rights based approach' to development?

A human rights based approach to development refers to a framework for human development that is normatively based on international human rights laws and operationally directed to promoting and protecting human rights.

Therefore, a human rights based approach is:

- *normative*: in that it provides a vision of what development strives to achieve – freedom, well-being and dignity of all people everywhere;
- *operational*: in that it provides a set of tools for planning, implementing, monitoring and evaluating human development activities.

Sometimes a more general definition of a human rights based approach to development is used which refers to the protection and promotion of human dignity through the empowerment of aid beneficiaries.

Why is the human rights based approach to development important?

According to the United Nations Development Program, a human rights based approach enables better development outcomes by analysing and addressing the inequalities, discriminatory practices and unjust power relations which often obstruct human development.

A human rights based approach highlights the human rights entitlements of people and corresponding obligations of a state in development debate, and encourages empowerment and capacity building with local communities.

A human rights based approach also focuses on the most marginalised and disadvantaged in society as their human rights are most widely denied or left unfulfilled. Focusing on marginalised and disadvantaged persons should greatly improve human development for everyone.

What is the right to development?

The right to development is often confused with a human rights based approach to development but these are different concepts. The right to development is contained in a Declaration that was adopted by the United Nations General Assembly in 1986. A declaration is not legally binding in international law. (See the 'International law and human rights' information sheet).

The United Nations Commission on Human Rights (now the Human Rights Council) established a Working Group on the Right to Development in 1998. See [OHCHR – Right to development](#).

Further information:

[Frequently asked questions on a human rights-based approach to development cooperation](#), Office of the United Nations High Commissioner for Human Rights (2006)

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