

## FOREWORD

This publication finally brings together in one volume *The Rights Way to Development – A Human Rights Approach to Development Assistance* and *The Rights Way to Development – Manual for a Human Rights Approach to Development Assistance* (the *Manual*).

*The Rights Way to Development – A Human Rights Approach to Development Assistance* was published by the Human Rights Council of Australia in 1995 and, although reprinted in 1996, demand continues to outstrip supply. The *Manual* has also been in constant demand since it was first published in 1998.

The two volumes go together naturally. The report addresses the conceptual issues, the *Manual* tackles the practical questions of implementing the human rights approach. The *Manual* seeks to answer the questions prompted by the first: what does the human rights approach to development assistance mean in practice and how do we do it?

*The Rights Way to Development – A Human Rights Approach to Development Assistance* began as a look at the policy and practice of Australia's aid agency with a view to providing recommendations that would have wider application to aid practice. It became a comprehensive critique of the arbitrary nature of aid and a call for a new approach to official development assistance – the human rights approach – that could fulfill the potential of aid to assist the poor to realise their human rights.

The authors of the first volume, Eric Sidoti and André Frankovits, researched the practices of donors and in particular of Australia's aid agency in the Philippines and Papua New Guinea. This research served to crystallize many shortcomings in the development assistance of the day as it tapped the views of professionals, communities and NGOs. We have omitted the report of these two field visits in the current volume since they have dated and the projects explored have either changed significantly or come to an end.

In this new volume much of the Australia-specific content of the first report – including the critique of Australia's aid practice – has also been deleted. Much of what was written then had relevance for other development agencies and some of the criticisms would be applicable today. However, more than five years on there is also a much wider acceptance of the human rights approach to aid and considerable interest in the conceptual basis of the approach.

*The Rights Way to Development Manual* was produced in response to questions about what a new human rights approach might mean in practice for development agencies.

The *Manual* broke new ground with its outline of how the human rights approach might affect the country programming cycle of a bilateral development agency – from the country analysis, through the setting of objectives and agreement on strategy to monitoring and evaluation. It pays particular attention, like the initial *Rights Way to*

*Development* report, to the issue of participation. While it is based on the country programming strategy approach familiar to many development agencies and is aimed at the staff in bilateral development agencies, it has proven to be useful to others in multilateral agencies and NGOs.

With the growing acceptance of the human rights approach among policy makers, the need for practical guidance has grown. The *Manual* is a work in progress and were we to tackle the task of writing today it would be quite different. Specifically, the *Manual* needs to be tested against the experience of programmers in the field. It is our hope that the future input of these programmers and of others using the *Manual* will extend its scope and improve its content. We have therefore not edited it in any significant way.

Some things have changed in the years since the first report was produced. Many others have not. Acceptance of the international development targets by most international development agencies should be seen as progress. So should the more singular focus on poverty eradication over and above national strategic and trade interests. The World Bank's Comprehensive Development Framework (CDF) and the UN's Development Assistance Framework (UNDAF) are steps in the right direction with respect to both a common framework and more inter-agency cooperation.

Human rights are both more widely referred to and better understood than when the initial report and the *Manual* were produced. Human rights have become more entrenched in international relations. Regional human rights regimes in Europe, Latin America and Africa have taken on increasing significance. Most bilateral donor agencies now give great prominence to human rights and human rights have been placed at the centre of UN reform. The pros and cons of negative conditionality no longer dominate the discussion of human rights and aid. Correcting an historic imbalance, there has been much greater emphasis given to economic, social and cultural rights. These rights are better understood and better defined than ever before. Since the *Manual* was published the International Committee on Economic, Social and Cultural Rights has issued new General Comments on the Right to Education and the Right to Health.

The human rights approach to development is no longer a radical new idea. For example, it is the theme of the UNDP Human Development Report 2000. It is referred to in the policies of UN agencies such as UNDP, UNICEF and WHO, and bilateral agencies such as the UK's Department for International Development and the Swedish International Development Agency. The human rights approach has also been taken on by significant and influential development NGOs such as Oxfam, Trocaire, CARE International, Save the Children and Action Aid.

Sharing experiences of applying the human rights based approach among these various organizations has begun in earnest. This was tellingly demonstrated at the international workshop on the promotion of the approach held in Sweden in October 2000. The Executive Summary of the report of that workshop, *Working Together*, can be found as an appendix to this volume.

Among those things that have *not* changed is the continuing prevalence of poverty wherever we look. Poverty continues to be pervasive in our shrinking world and the gap between rich and poor continues to grow between countries and within countries. In spite of this only a few governments are increasing their aid budgets to reach or move beyond the UN target of 0.7% of GNP.

In May 2001 the UN Committee on Economic, Social and Cultural Rights adopted a statement on poverty which it defines it as ‘a human condition characterized by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights’. It goes on to recommend ‘the integration of international human rights norms into participatory, multi-sectoral national poverty eradication or reduction plans’.

*The Rights Way to Development* report and the *Rights Way to Development Manual* represent an attempt to provide some practical recommendations for the integration of these norms in programming and national planning for sustainable development. Many others are pursuing similar objectives. It is our hope that the publication of this volume bringing together policy and practical recommendations will make a contribution to the documentation called for by development practitioners. It is also hoped that it will assist the efforts of human rights and development communities to ‘work together’ with the poor for the realization of all rights and the end of poverty.

*The Rights Way to Development: A human rights approach to development assistance* was researched and written by Eric Sidoti and André Frankovits for the Human Rights Council of Australia. *The Rights Way to Development Manual* was researched and written by André Frankovits and Patrick Earle. Both publications benefited from the input of the other members of the Human Rights Council and in particular the *Manual* benefited from the insights and advice of Eric Sidoti, Meaghan Morris and Chris Sidoti who formed the advisory group. We also acknowledge input and generosity from many people without whose help over the past six years the publications would not have seen the light of day. Lack of space prevents us from naming them individually, but we thank you all. Finally we would like to express our gratitude to Margo Picken and Larry Cox of the Ford Foundation for their unstinting support during the life of the project.

André Frankovits and Patrick Earle, May 2001