Human Rights Based Approach to Development: Human Rights UP-FRONT

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UN Normative / Guiding Framework and Reference Points

• Universal Declaration of Human Rights;

• 1993 Vienna Declaration and Program of Action, adopted by consensus at the 1993 World Conference on Human Rights;

• The UN Statement of Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming adopted by the United Nations Development Group (UNDG) in 2003;

• Works on Human Development by Amartya Sen and Mahbub ul Haq (both – co-authors and contributors to UNDP’s Human Development Report and Human Development Index);

• The most recent Report of the UN Special Rapporteur on Extreme Poverty and Human Rights as of August-September 2015.
Key aspects of HRBA to Development

• The contemporary global order defined by the UN Charter and Universal Declaration of Human Rights has fundamental human rights as its foundational cornerstone. Yet human rights somewhat develop in an isolated pocket, somewhat outside the mainstream development discourse.

• HRBA means that human rights need to become top development priorities and units of development success measurement. Development needs to be measured in specific people and their rights, and not in kilometers, square meters or spent budgets;

• HRBA means that we give the concerned people the opportunity to make decisions about their lives – hence the HRBA principles of transparency, participation, accountability;

• HRBA means that development needs to bring equitable development outcomes and impacts, hence the HRBA principle of non-discrimination.
Key aspects of HRBA to Development

• HRBA is normative programming principle underpinning all UN development cooperation and programming. It is to be applied in all sectors and all phases of the programming process.

• HRBA focuses on the development of capacities of duty bearers to meet their obligations and the right holders to claim their rights.

• HRBA leads to better and much more sustainable results. It does so by analyzing and addressing the inequalities, discriminatory practices and unjust power relations that are often at the heart of development problems and which pose a serious threat to development progress if left unaddressed.

• The key supporter is the office of the United Nations High Commissioner for Human Rights (OHCHR), which has a mandate from the international community to promote and protect all human rights, and assist the UNCT in its related work.
Good Practices

• Joint UNDP/OHCHR project (funded by the Government of Norway), which includes Human Rights Mainstreaming;

• Joint UNDP/UN Women Integrated Local Development Program (funded by the Governments of Sweden and Denmark);

• Regional Gender-Responsive Budgeting project implemented by UN Women (funded by the Government of Austria);

• A plan for a new integrated, strengthened and mainstreamed National Human Rights Action Plan;

• UN Diversity and Accessibility Initiative – Internalizing Equality and Human Rights.
The Human Rights up Front (HRuF) initiative was launched by the UN Secretary-General in 2013.

Its purpose is to ensure the UN system takes **early and effective action to prevent or respond to large-scale violations of human rights** or international humanitarian law.

To be achieved **through institutional and cultural change** within the UN system, so that human rights and the protection of civilians are seen as a system-wide core responsibility.

It encourages staff to take a **principled stance** and to act with **moral courage** to prevent serious and large-scale violations, and pledges Headquarters support for those who do so.
Human Rights Up-Front: Operational Side

• HRuF also calls for operational changes that promote system-wide analysis, early warning and early action in response to situations of concern.

• By ensuring the UN system is working together, HRuF helps the Organization use the full breadth of its mandates and capacities to address complex risks that affect people and Member States.

• HRuF also seeks to change the way the UN System engages politically, by proposing an earlier and more forthright sharing of information with Member States on human rights violations and wider UN concerns and greater engagement with regional actors.
Human Rights Up-Front: Moldova

- Regional Quarterly Review – summer 2015;
- Surge capacity deployed by OHCHR;
- Country assessment performed:
  - Civil unrest with potential of mass and/or grave violations of human rights;
  - Marginalization of “minority” regions leading to tensions along various lines;
  - Degradation of economical and social rights and disproportional effect on most vulnerable and discriminated;
  - Potential escalation along and within the Transnistrian region.
- Framework for continued monitoring set;
- Visit of the Assistant Secretary General on Human Rights on 20-23 December 2015.
Moldova under international monitoring

• Special Rapporteur on Extreme Poverty and Human Rights – Sept 2013: **Disproportionate vulnerability of certain groups** as well as obstacles to poverty reduction such as corruption and **gaps in policy implementation in terms of human rights-based approach**.

• Special Rapporteur on the Rights of Persons with Disabilities: **Need for a systemic change and mind-shift** from a dehumanizing (objectifying) medical approach to PwD to a rights-based and inclusionary approach rooted in the int’l HR framework (CPRD, etc);

• **Universal Periodic Review**: from 2011 to 2016 – 122 recommendations – serious challenges!