Human Rights (PANTHER) Principles in Development Planning

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Human Rights (PANTHER) Principles in Development Planning

PANTHER is a mnemonic devised by FAO, which stands for the human rights principles of **P**articipation, **A**ccountability, **N**ondiscrimination, **T**ransparency, **H**uman dignity, **E**mpowerment and **R**ule of law. The conscious and deliberate application of these principles allows development planners to design complementary, integrated and targeted strategies of empowerment, equality and inclusion, with express safeguards and mechanisms for redress and accountability. Note that these principles are not "stand-alone" principles but are best applied in tandem with each other.

Participation

Participation is the direct control, ownership and management by the people of public decision making. Participation is inclusive; it actively encourages people to organize themselves and to genuinely, freely, actively participate in decision making. Participation requires efforts to reach out to those most affected by public decisions and the inclusion of the less privileged, vulnerable and affected population in decision making. Participation mandates the incorporation of people's views in all public decisions and actions. Participation must be *voluntary, recognized by law*, *free* or not subject to sanction or threat, and *active*.[1]

In order to *freely participate* in the development planning process, all actors—claimholders, duty bearers and other actors—must be provided with *full and complete information in media understood by them and in a timely manner*; claimholders must be *encouraged to organize themselves* and the autonomy of their organizations must be *respected and protected at all times; formal mechanisms* must also be in place to allow claimholders and other actors to question policy and planning decisions, bring complaints, demand compensation or restitution, and hold government accountable.

UN treaty monitoring bodies recommended guidelines to ensure the human rights principle of participation. The UN Committee on the Elimination of Racial Discrimination emphatically stressed that no decisions directly relating to the rights and interests of indigenous peoples must be taken without their informed consent.[2] The UN Committee on the Elimination of Discrimination against Women noted research that indicates that if women's participation reaches 30 to 35 percent (generally termed a "critical mass"), there is a real impact on the content of decisions, and so recommended that in every public forum where issues of public life are decided

[1] The *IAP2 Core Values of Public Participation* (2007) adopted by the International Association for Public Participation best describe the human rights principle of participation: the *Core Values* stress that participation is based on the right of those affected by a decision to be involved in the decision-making process and on the guarantee that the public's contributions will influence the decision. The *Core Values* recognize that participation promotes sustainable decisions. International Association for Public Participation, *IAP2 Core Values of Public Participation*, 2007.

[2] General Recommendation XXIII, "On the rights of indigenous peoples," adopted by the United Nations Committee on Racial Discrimination at its fifty-first session, 1997, UN Doc. A/52/18, annex V.

upon, neither sex should constitute less than 40 percent.[3] The UN Committee on the Rights of the Child required that the principle of participation be guaranteed to every child, especially the indigenous child, and thus recommended the adoption and implementation of special participation strategies to involve indigenous children and their communities in developing, implementing, and evaluating programs, policies and strategies related to the implementation of the CRC.[4]

There are different levels or gradations of participation. The UN OHCHR (2003) identified four stages of participation in policy-making related to poverty reduction strategies: preference revelation; policy choice, implementation and monitoring, assessment and accountability.[5] OHCHR stressed that the practice of democracy, which is broader than electoral democracy, as well as empowerment, are preconditions for genuine participation.

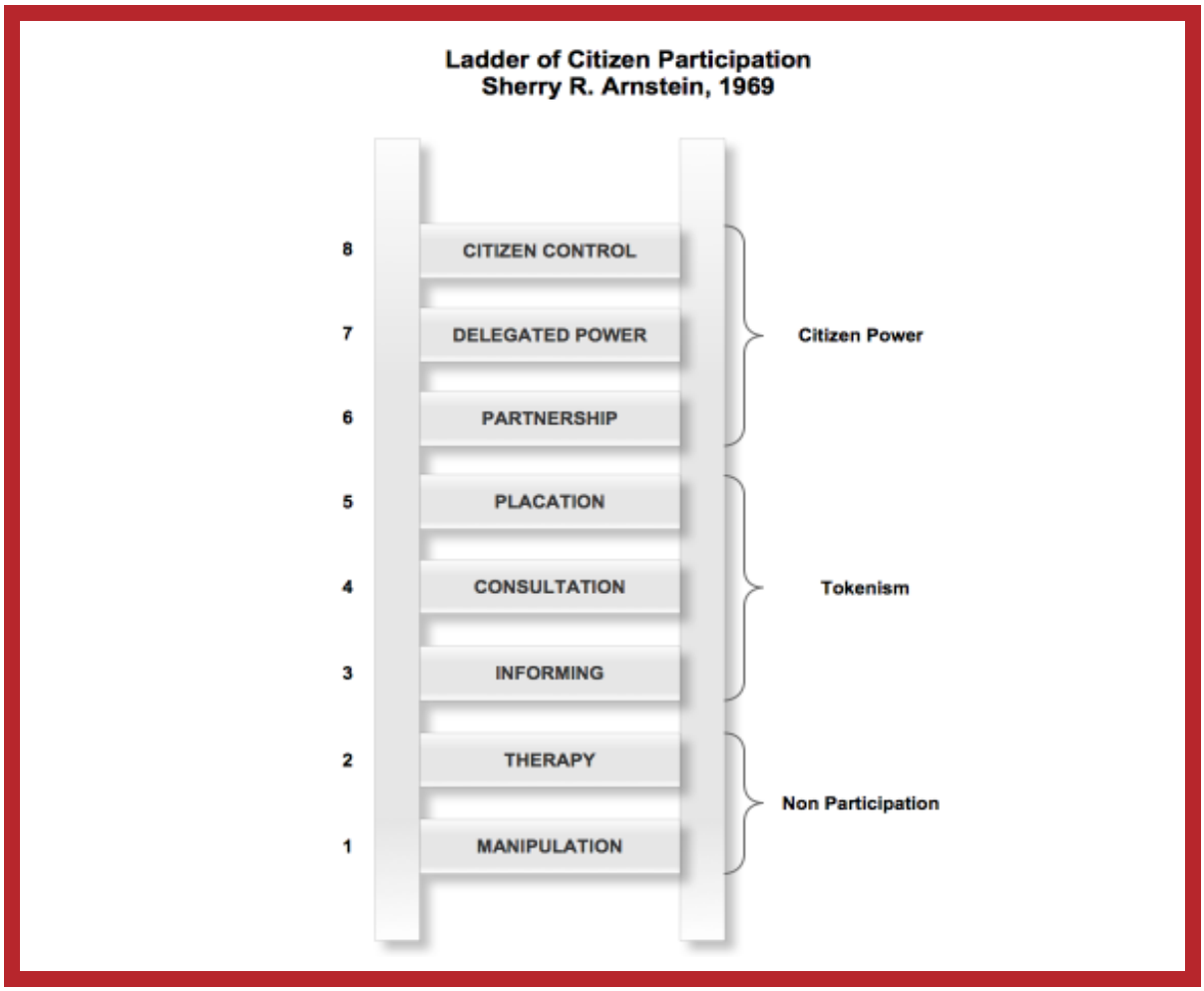
Arnstein (1969) developed a "ladder of citizen participation," depicting eight (8) levels of participation. At the lowest levels are what Arnstein calls *manipulation* and *therapy*, which she characterizes as **nonparticipation**, since these represent a "substitute for genuine participation. Their real objective is not to enable people to participate in planning or conducting programs, but to enable power holders to 'educate' or 'cure' the participants." The next set of levels (*informing, consultation* and *placation*) Arnstein characterizes as **tokenism** because these "allow the have-nots to hear and to have a voice. When they are proffered by power holders as the total extent of participation, citizens may indeed hear and be heard. But under these conditions, they lack the power to ensure that their views will be heeded by the powerful. When participation is restricted to these levels, there is no follow-through, no 'muscle,' hence no assurance of changing the status quo." The top three levels (*partnership, delegated power* and *citizen control*) represent what Arnstein calls **citizen power with increased degrees of decision-making clout** since *partnerships* "enable citizens to negotiate and engage in trade-offs with traditional power holders" while *delegated power* and *citizen control* allow "have-not citizens [to] obtain majority decision making … or full managerial power."[6]

[3] General Recommendation 23, "Political and public life," adopted by the United Nations Committee on Discrimination against Women at its sixteenth session, 1997, UN Doc. A/52/38.

[4] General Comment 11, "Indigenous children and their rights under the Convention," adopted by the United Nations Committee on the Rights of the Child at its fiftieth session, 2009, UN Doc. CRC/C/GC/11.

[5] UN Office of the High Commissioner for Human Rights, *Draft Guidelines: A Human Rights Approach to Poverty Reduction Strategies*, 2002.

[6] Sherry R. Arnstein, *A Ladder of Citizen Participation*, JAIP, Vol. 35, No. 4, July 1969, at pp. 216-224.



Arnstein, however, cautions:

> "The ladder juxtaposes powerless citizens with the powerful in order to highlight the fundamental divisions between them. In actuality, neither the have-nots nor the powerholders are homogeneous blocs. Each group encompasses a host of divergent points of view, significant cleavages, competing vested interests, and splintered subgroups. The justification for using such simplistic abstractions is that in most cases, the have-nots really do perceive the powerful as a monolithic "system," and powerholders actually do view the have-nots as a sea of "those people," with little comprehension of the class and caste differences among them.
>
> It should be noted that the typology does not include an analysis of the most significant roadblocks to achieving genuine levels of participation. These roadblocks lie on both sides of the simplistic fence. On the powerholders' side, they include racism, paternalism, and resistance to power redistribution. On the have-nots' side, they include inadequacies of the poor community's political socioeconomic infrastructure and knowledge-base, plus difficulties of organizing

a representative and accountable citizens' group in the face of futility, alienation, and distrust."[7]

UNDP/CSOPP (1997) presented 9 levels or degrees of participation, adapted from UNCDF (1996), ranging from *manipulation* or nonparticipation to *self-management* or the "pinnacle" of participation:[8]

UNDP/CSOPP's Nine Degrees of Participation	
Level	**Description**
Manipulation	Lowest rung applies to situations of "non-participation," where participation is contrived as the opportunity to indoctrinate.
Information	When stakeholders are informed about their rights, responsibilities, and options, the first important step towards genuine participation takes place. The main drawback of this stage is that emphasis is placed on one-way communication, with neither channel for feedback nor power for negotiation.
Consultation	Two-way communication, where stakeholders have the opportunity to express suggestions and concerns, but no assurance that their input will be used at all or as they intended. Therefore, it could be said that at this level stakeholders are "participating in participation." The most frequent approaches to consultation are chaired meetings where stakeholders do not contribute to the agenda, public hearings, and surveys.
Consensus-building	Stakeholders interact in order to understand each other and arrive at negotiated positions which are tolerable to the entire group. A common drawback is that vulnerable individuals and groups tend to remain silent or passively acquiesce.
Decision-making	When consensus is acted upon through collective decisions, this marks the initiation of shared responsibilities for outcomes that may result. Negotiations at this stage reflect different degrees of leverage exercised by individuals and groups.
Risk-sharing	This level builds upon the preceding one but expands beyond decisions to encompass the effects of their results, a mix of beneficial, harmful, and natural consequences. Things being constantly in flux, there is always the element of risk, where even the best intended decisions may yield the least desired results. Hence accountability is fundamental at this level, specially when those with the greatest leverage may be the ones with the least risk.
Partnership	Entails exchange among equals working towards a mutual goal. Note that equal as applied here is not in terms of form, structure, or function, but in terms of balance of respect. Since partnership builds upon the preceding levels, it assumes mutual responsibility and risk sharing.
Self-management	Pinnacle of participatory efforts, where stakeholders interact in learning processes which optimize the well-being of all concerned.

[7] Sherry R. Arnstein, *A Ladder of Citizen Participation*, JAIP, Vol. 35, No. 4, July 1969, at pp. 216-224.
[8] UNDP/CSOPP, *Empowering People – A Guide to Participation,* 1997.

UNDP/CSOPP interpreted participation in two broad and distinct areas of development: participation as a *means* or "a process whereby local people cooperate or collaborate with externally introduced development programs or projects," and participation as an *end* or a goal in itself. UNDP/CSOPP stressed that participatory processes do not necessarily follow structural, pre-determined and linear directions and the principle of participation, manifested through people's real and authentic involvement, must be incorporated in every stage of the development process.[9]

IAP2 devised the Public Participation Spectrum, which differentiates the five levels of participation according to the goals of participation and the promise to the public.[10]

IAP2's Public Participation Spectrum					
	Inform	**Consult**	**Involve**	**Collaborate**	**Empower**
Public Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and assumptions, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice ad recommendations to the maximum extent possible.	We will implement what you decide.

Theis (2004) identified eight levels of children's participation,[11] ranging from *information* to *full responsibility over all aspects of the situation*. Theis characterizes children's participation as ranging from *passive to active*: at the lowest level of participation, "children receive information and services"; at mid range, "children provide input"; while at the most active grade, "children have responsibility for planning and action."

[9] UNDP/CSOPP, *Empowering People – A Guide to Participation,* 1997.
[10] International Association for Public Participation, *Public Participation Spectrum*, 2007.
[11] Joachim Theis, *Promoting Rights Based Approaches*: *Experiences and Ideas from Asia and the Pacific*, 2004.

Theis' Levels of Children's Participation		
	Level	**Description**
Children have responsibility for planning and action	8 Full responsibility	Participants have full responsibility for all aspects of the given situation, project or organization.
	7 Decision-making authority	Participants are authorized to make specific decisions within clearly defined terms of reference.
	6 Implementation responsibility	Participants are designated to implement a specific decision or project. Responsibility is delegated to a group.
Children provide input	5 Input toward decisions	Participants provide ideas to be considered in decision-making. Plans may be presented or open questions may be asked.
	4 Input toward implementation	Participants provide ideas on how a decision can be implemented.
Children receive information and services	3 Education	Participants are assisted in understanding decisions, how they are affected and what is expected of them.
	2 Persuasion	People are encouraged to agree or give consent to decisions.
	1 Information	People are informed of decisions and guidelines established on their behalf.

The higher levels or grades of participation referred to in the different figures developed by different authors above are more consistent with the human rights principle of participation.

There are numerous forms and methods of participation in development, which UNDP/CSOPP classified into five broad categories: *stakeholder analysis* (which includes analysis of social relations, analysis of social-economic differentiation between stakeholders, and gender analysis); *local level information gathering and planning* (e.g., participatory rural appraisal, rapid rural appraisal and participatory action research); *project/program planning* (for example, ZOPP and Project Cycle Management); *multi stakeholder collaboration* (e.g., round tables, national selection committees); and *large group interventions* (which include open space, future search, process consultation, and technology of participation through workshops, focused conversations, and event planning/orchestration).[12]

Participation in national development planning is crucial. The more people who genuinely and freely participate in development planning, the greater the success of the development plan. If claimholders, duty bearers and other actors not only are *truly involved*—but also *feel involved* because they see the impact of their contributions in the final outcome—they will support the implementation of the plan. The following tips may assist development planners apply the human rights principle of participation in national development planning:

1. **Know the actors in development planning**. Understand **claimholder** rights, values, aspirations, needs, interests, capacities and resources. Know how they think, and what is

[12] UNDP/CSOPP, *Empowering People – A Guide to Participation,* 1997.

most valuable to them. Recognize that even among the disadvantaged claimholders, there are those who are *most vulnerable, most at risk of deprivations and who therefore require special attention*. Understand **duty bearer** obligations, capacities, interests, value systems and resources. Know what motivates them to act. Understand **other actors'** interests, values, attitudes, capacities and resources. Know how they relate to and/or exert influence over claimholders and duty bearers.

2. **Understand and examine the political, social and cultural context in which participation is to occur.** Participation does not take place in a vacuum, but its development and progress will be influenced by a variety of factors inherent in the context in which participation occurs. At the beginning of any participatory action, identify and analyze the factors that could influence the process.[13]

3. **Recognize and address the barriers to participation**, as these affect the quality, timing, location, and success or failure of the development planning process. The UN Committee on the Elimination of Discrimination against Women identified the obstacles to women's participation in public and political life: cultural framework of values and religious beliefs; lack of services; men's failure to share tasks associated with organization of household and with care and raising of children; double burden of work; economic dependence on men; long and inflexible hours of public and political work; stereotyping of women; financial constraints; influence or control of men over women's choices; complacency taken when women are appointed to public bodies; and traditional and customary attitudes that discourage women's participation.[14] Design safeguards to address barriers to participation.

4. **Set participation goals** in national development planning to ensure high quality dialogue and informed decisions. Atlee (2008) devised an initial list of possible desirable outcomes of participation, which he categorized into *input outcomes* (e.g., "Participating citizens have chosen from among options provided them by officials." "Public judgment has shaped public policy, public opinion and/or public behavior."); *participation outcomes* (e.g., "There has been opportunity for all interested people to participate." "Everyone involved—including citizens generally—feel the process has been fair."); *social consensus outcomes* (e.g., "Citizens have come to agree with the policies officials want to pursue."); *diversity outcomes* (e.g., "Conflict in the community has been addressed and there is more mutual understanding." "The diversity in the community—or around the issue—has been used creatively."); and *quality of output outcomes* (e.g., "Realistic solutions have been chosen that can be readily implemented within the scope of existing institutions and players." "Recommendations have been developed that can demonstrate measurable results within a few months or years." "Public policies and programs have resulted that prove to have long-term, broadly beneficial impacts acknowledged by the whole community.").[15]

[13] UNDP/CSOPP, *Empowering People – A Guide to Participation,* 1997.

[14] General Recommendation 23, "Political and public life," adopted by the United Nations Committee on Discrimination against Women at its sixteenth session, 1997, UN Doc. A/52/38.

[15] Tom Atlee, *A First Consideration in Designing Multi-Process Dialogue and Deliberation Programs: Possible Outcomes of Public Participation,* 2008.

5. **Ensure that women actively participate in national development planning and make every effort to ensure that no sex constitutes less than 40 percent of total participants.**[16]

6. **Incorporate diverse interests and cultures in the development planning process.** The Philippines is not a monolithic, but a multi-cultural society, with diverse interests and cultures that offer unique perspectives and contributions to national development planning. It is thus important to consciously include all who represent various—even conflicting—perspectives, views, cultures, information, experiences, needs, interests, values, and aspirations in the development planning process.

7. **"Invoke multiple forms of knowing.** Community wisdom comes from interplay of stories (with their full emotional content), facts, principles, reason, intuition, imagination, inspiration, and compassion or empathy. To the extent that any one of these dominates or is missing, the outcome will be less wise."[17]

8. **Use proposed policies, strategies, programs, projects, positions or other proposals as bases for discussion—not as firm (or hard-line) decisions to be handed down to those involved in national development planning.** A hard-line position on a proposed policy, strategy, program, or project can prevent better alternatives, and can discourage public support. Development planners are encouraged to apply, instead, an *exploratory approach*, noting reactions and existing positions, proposals and solutions, while exploring the assumptions, interests, needs, values, vision, and experiences, etc. which give rise to the reactions, positions, proposals and solutions.

9. **Develop active listening, nonviolent communication and dynamic facilitation skills and create a conversational environment where claimholders, duty bearers and other actors freely, voluntarily and actively speak, listen and participate in the development planning process.**

10. **Avoid one-way or non-conversational forms of participation** that correspond to levels 1 to 5 of Arnstein's *Ladder of Citizen Participation*, levels 1 to 3 of UNDP/CSOPP's *Nine Degrees of Participation,* columns 1 and 2 of the International Association for Public Participation's *Public Participation Spectrum,* and levels 1 to 5 of Theis' *Levels of Children's Participation*. Strive for genuine consensus, but if this is not possible, respect articulated differences. Provide *balanced, fair, accurate* information to enable all to effectively participate in development planning.

11. **Be aware of issues that can create tensions or trade-offs when designing and implementing participatory development planning.** Atlee (2008) identified an initial list of issues that could affect the outcome of participation: *dialogue issues* (e.g., whether to encourage freewheeling discussions or to maintain order by having fixed agendas or time limits; whether to set aside or resolve or use conflict for learning and transformation; whether decisions should be arrived at through consensus or negotiations or compromise or voting or

[16] General Recommendation 23, "Political and public life," adopted by the United Nations Committee on Discrimination against Women at its sixteenth session, 1997, UN Doc. A/52/38.

[17] Co-Intelligence Institute, *Principles to Nurture Wise Democratic Process and Collective Intelligence in Public Participation*, 2008.

whether to gather input or explore opinions and value judgments); *participation issues* (e.g., whether the activity is open or limited by invitation; whether participation is to be direct or vicarious), *power issues* (e.g., whether emphasis is placed on participant or decision-maker or expert contributions; whether the discussion centers on the impact on society as a whole or on segments of society or on participants or on decision-makers; whether to support representative democracy or participatory democracy or deliberative democracy or support community or self-organization), and *other issues* (e.g., whether participation is to be a "one-time event" or an ongoing process; whether affordability and/or time constraints or quality outcomes determine the nature of participation).[18]

12. **Set up and implement mechanisms to monitor participation in national development planning.**

Accountability

Academics and public administration scholars have posited two general approaches towards understanding accountability:[19]

- *Accountability as answerability*, or accountability as deriving from external—generally political—control, accountability as compliance with rules and elected officials' preferences, accountability as a principal-agent relationship where the agent is responsible to a principal, accountability as hierarchical answerability, accountability that shapes bureaucratic behavior through sanctions and penalties; and

- *Accountability as meeting expectations*, or accountability as self-control based on expectations and norms, accountability with overlapping relationships (not principal-agent) which reflects different expectations, accountability as bureaucratic discretion in identifying, defining and managing expectations, accountability as the conscious balance between multiple sources of democratic control, accountability as adherence to professional ethics and responsible behavior.

In the context, however, of human rights, the principle of accountability, a key feature of democracy, is directly related to human rights obligations of conduct and of result. The human rights principle of accountability is broader than *answerability* and *managing expectations*.

The human rights principle of accountability is also *responsiveness* to those most affected by public decisions, actions and performance, *especially* those most vulnerable or most at risk of exclusion and discrimination. It is *fairness* in conduct, treatment and actions. It is the *achievement*

[18] Tom Atlee, *A Second Consideration in Designing Multi-Process Dialogue and Deliberation Programs: Creative Tensions as Trade-Offs or Potential Synergies,* 2008.

[19] *See, among others, scholars cited in* Muhittin Acar, Chao Guo and Kaifeng Yang, *Accountability When Heirarchical Authority is Absent: Views from Public-Private Partnership Practitioners*, The American Review of Public Administration, Vol. 38, No. 1, March 2008; J. Bart Morrison and Paul Salipante, *Governance for Broadened Accountability: Blending Deliberate and Emergent Strategizing*, Nonprofit and Voluntary Sector Quarterly, 2007; and Philip H. Jos and Mark E. Tompkins, *The Accountability Paradox in an Age of Reinvention: The Perennial Problem of Preserving Character and Judgment*, Administration and Society, Vol. 36 No. 3, July 2004.

of human rights objectives and outcomes. It is *responsibility* not only for policies, decisions, actions, services, goods and associated performance but also for the consequences of these policies, decisions, actions, services, goods and associated performance. It is *inclusiveness,* collaborative with defined processes of genuine, voluntary, active, free and full participation and involvement. The human rights principle of accountability is *competency, effectiveness, efficiency* and *professionalism* in actions and performance and *timely delivery* of resources, institutions, goods and services implicit in human rights.

Accountability resides in all actors in national development planning:

- Claimholders are accountable for responsibly exercising their human rights; claimholder accountability may be reflected in active and conscientious observance of the rights of others in society, exercise of informed choices at all times, and specific and concrete contributions to development planning consistent with human rights, etc.

- Duty bearers are accountable for consistently exercising their human rights obligations, for their actions and decisions, and for the impact of their actions and decisions on claimholders. Duty bearer accountability may be reflected in regulation and oversight activities, absence of corruption and abuse, application of child-friendly, child-protective and child-sensitive measures, implementation of gender-sensitive and gender-responsive mechanisms, etc.

- Other actors are accountable for their actions and decisions and for the kind and extent of influence they exert over claimholders and duty bearers. Other actor accountability may be reflected in active and conscientious observance of the rights of others in society, non-engagement in corruption, and positive and substantial contributions to the political, economic, social and international order that guarantees human rights for all.

The following tips may facilitate the application of the human rights principle of accountability to national development planning:

1. **Act responsibly at all times.** Know claimholder rights and the limits of exercising human rights. Know your obligations, transform them into concrete doable actions, and respect the limits and constraints human rights impose on your actions and decisions.
2. **Treat everyone fairly.** Do no harm and do not engage in, or support, corrupt and abusive practices. Disengage from supporting any effort that is likely to discriminate against those most vulnerable, or likely to lead to breaches of human rights.

3. **Address factors that could inhibit claimholder, duty bearer and other actor accountability and design safeguards.** Barriers to accountability could stem from cultural, attitudinal or value systems, and from financial considerations (low or poor pay, lack of benefits, etc.). Structural issues such as absence of formal or objective rules, procedures and standards to exact accountability or lack of or weak implementation of existing laws or rules could also hinder accountability. It is important to identify these factors, understand where

and how these factors come into play, and design innovative safeguards to prevent these factors from compromising accountability.

4. **Base policy decisions and development plans on credible, accurate, and factual information.** Avoid arbitrarily modifying formulae to compute development indicators, as these may result in development plans that are not responsive to people's rights, freedoms and entitlements.

5. **Periodically and timely disclose credible and balanced information and prevent mis-information and dis-information** to encourage informed decision making by all actors in national development planning.

6. **Fully and publicly disclose all business, financial, political and other interests** so that people may know whether and how these interests affect public policy and the national development plan.

7. **Include fair and formal mechanisms that people may use to hold public officers accountable.** Incorporate accountability processes and systems in national development planning.

8. **Use resources wisely.**

9. **Achieve the objectives of human rights in a competent, efficient, effective, responsive, professional and ethical manner.** Accountability mandates that all public officials responsibly, efficiently and professionally comply with all their obligations, regularly attend public functions and meetings, and at all times exhibit principled and ethical behavior.

Nondiscrimination

Nondiscrimination is the entitlement to all human rights without distinction of any kind, exclusion, restriction or preference based on race, color, ethnic origin, sex, gender stereotypes, prejudices and expected roles, language, religion, political or other opinion, national or social origin, descent, inherited social status, property, birth, disability, age, nationality, marital and family status, sexual orientation and gender identity, health status, place of residency, economic and social situation and membership in group.

Equality guarantees that women and men enjoy all human rights on an even, like or same basis. Equality, however, does not mean that women and men are treated in exactly the same way in every situation. Equality recognizes that certain conditions in society sometimes result in—or maintain—inequality; hence governments must take temporary special measures to remove those conditions that cause or perpetuate inequality. Equality allows government to extend preferential treatment to women who experience inequality or imbalance for a limited time in order to correct their situation. Equality requires that public decisions and actions target both women and men and address gender factors, issues and concerns that contribute to inequality.

For a better understanding of the human rights principle of nondiscrimination, *see* General Comment 18 adopted by the UN Human Rights Committee, General Comments Nos. 16 and 20 adopted by the UN Committee on Economic, Social and Cultural Rights, General Recommendations XIV and XXXII adopted by the UN Committee on Racial Discrimination, General Recommendations 5 and 25 adopted by the UN Committee on Discrimination Against Women, and General Comment 11 adopted by the UN Committee on the Rights of the Child, as well as Part II, Chapter 3.

The following tips may assist development planners apply the principle of nondiscrimination:

1. **Identify and address claimholders' inherent disadvantages, and the prejudices, customary and other practices that prevent claimholders from enjoying their human rights.** The UN Committee on the Elimination of Racial Discrimination noted that racial discrimination does not always affect women and men equally or in the same way and that some forms of racial discrimination have unique and specific impact on women. It thus becomes necessary to take into account gender factors or issues interlinked with racial discrimination, by understanding and addressing the obstacles, disadvantages and difficulties women face and by analyzing the relationship between gender and racial discrimination.[20]

2. **Disengage from supporting any action that has unjustifiable disparate impact upon any individual or group distinguished by the prohibited grounds of discrimination.**

3. **Base development plans on disaggregated data and information.** Disaggregation of data and information should be by the prohibited grounds of discrimination and further disaggregated by gender.

4. **Design temporary special measures to secure to disadvantaged groups the full and equal enjoyment of human rights and fundamental freedoms.** Nondiscrimination does not signify uniform treatment when there are significant differences in the situation between one person or group and another, or in other words, if there is an objective and reasonable justification for differential treatment.[21] Temporary special measures constitute legitimate differentiation under human rights instruments, when these are intended to correct discrimination, when the criteria for such differentiation are reasonable and objective and when the aim is to achieve legitimate purposes.[22] Temporary special measures are positive action, preferential treatment, and quota systems to address women's integration into education, economy, politics and employment.[23] Special measures include affirmative measures,

[20] General Recommendation XIV, "On gender-related dimensions of racial discrimination," adopted by the United Nations Committee on Racial Discrimination at its fifty-sixth session, 2000, UN Doc. HRI/GEN/1/Rev. 9 (Vol. II), 27 May 2008.

[21] General Recommendation XXXII, "The meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination," adopted by the United Nations Committee on Racial Discrimination at its seventy-fifth session, August 2009.

[22] General Comment 18, "Nondiscrimination," adopted by the United Nations Human Rights Committee at its thirty-seventh session, 1989, UN Doc. HRI/GEN/1/Rev. 9 (Vol. I), 27 May 2008 and General Recommendation XIV, "On gender-related dimensions of racial discrimination," adopted by the United Nations Committee on Racial Discrimination at its fifty-sixth session, 2000, UN Doc. HRI/GEN/1/Rev. 9 (Vol. II), 27 May 2008.

[23] General Recommendation 5, "Temporary special measures," adopted by the United Nations Committee on Discrimination against Women at its seventh session, 1988, UN Doc. A/43/38.

affirmative action or positive action and special and concrete measures, which include the full span of legislative, executive, administrative, budgetary and regulatory instruments at every level of government and plans, policies, programs and preferential regimes in employment, housing, education, culture and participation in public life for disfavored groups.[24]

The UN Committee on the Elimination of Racial Discrimination has cautioned against confusing "special measures … with specific rights pertaining to certain categories of persons or communities, such as, for example the rights of persons belonging to minorities to enjoy their own culture, profess and practice their own religion and use their own language, the rights of indigenous peoples, including rights to lands traditionally occupied by them, and rights of women to nonidentical treatment with men, such as the provision of maternity leave, on account of biological differences with men. Such rights are permanent rights, recognized as such in human rights instruments. … The distinction between special measures and permanent rights implies that those entitled to permanent rights may also enjoy the benefits of special measures."[25]

The Committee laid down the conditions for the adoption and implementation of special measures: special measures must be appropriate to the situation to be remedied, be legitimate, be necessary in a democratic society, respect principles of fairness and proportionality, and be temporary. The Committee also articulated the following guidelines governing the design and implementation of special measures:[26]

- Special measures must be designed and implemented on the basis of need grounded in realistic appraisal of the current situation of individuals and communities concerned and based on disaggregated accurate data incorporating a gender perspective;

- Special measures must be designed and implemented based on prior consultation with affected communities and active participation of such communities;

- The sole purpose of special measures is to ensure the equal enjoyment of human rights by all;

- Special measures must be temporary and shall not be continued after the objectives for which they have been taken have been achieved. The measures should cease to be applied when objectives have been sustainably achieved. The length of time permitted for the duration of special measures will vary in light of their objectives, means used to achieve them and results of their application;

[24] General Recommendation XXXII, "The meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination," adopted by the United Nations Committee on Racial Discrimination at its seventy-fifth session, August 2009.

[25] General Recommendation XXXII, "The meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination," adopted by the United Nations Committee on Racial Discrimination at its seventy-fifth session, August 2009.

[26] General Recommendation XXXII, "The meaning and scope of special measures in the International Convention on the Elimination of Racial Discrimination," adopted by the United Nations Committee on Racial Discrimination at its seventy-fifth session, August 2009.

- Special measures must be carefully tailored to meet particular needs of groups or individuals concerned; this includes careful consideration of whether negative human rights consequences will arise for individuals and communities consequent upon abrupt withdrawal of special measures especially if such have been established for a lengthy period of time.

The UN Committee on the Elimination of Discrimination against Women stresses the need to consider biological as well as socially and culturally constructed differences between women and men and recognizes that "under certain circumstances, nonidentical treatment of women and men will be required in order to address such differences." The Committee views temporary special measures as "part of a necessary strategy to achieve de facto or substantive equality in the enjoyment of human rights" but cautions: "measures must not discriminate against men." The Committee stressed that temporary special measures are aimed at accelerating de facto equality between men and women and to accelerate the modification and elimination of cultural practices and stereotypical attitudes and behavior that discriminate against or are disadvantageous to women especially in the areas of credit and loans, sports, culture, recreation, legal awareness, education, economy, politics and employment. Temporary special measures should be discontinued when the objectives of equality of opportunity and treatment have been achieved. Temporary special measures include a wide variety of legislative, executive, administrative and other regulatory instruments, policies and practices such as outreach or support programs; allocation and/or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected with time frames; and quota systems. The Committee stresses that questions of qualifications and merit of groups or individuals targeted to benefit from temporary special measures "need to be reviewed carefully for gender bias as they are normatively and culturally determined."[27]

The UN Committee on the Rights of the Child recommended the design and adoption of special measures for indigenous children who face multiple facets of discrimination.[28]

Transparency

Transparency means that all public actions and decisions are visible, free from obscurity, unhidden, clear and distinct. Transparency requires that public documents, decisions, rules, regulations and processes are readily and freely accessible, contain complete information, are released on a timely basis, are written in easily understandable language and presented in people-friendly forms and media. Transparency allows claimholders and other actors to see openly into all activities of duty bearers.

Transparency is closely allied to the human rights principles of participation and accountability: in national development planning, transparency supports participation by ensuring

[27] General Recommendation 25, "Article 4, paragraph 1, of the Convention (temporary special measures)," adopted by the United Nations Committee on Discrimination against Women at its thirtieth session, 2004.

[28] General Comment 11, "Indigenous children and their rights under the Convention," adopted by the United Nations Committee on the Rights of the Child at its fiftieth session, 2009, UN Doc. CRC/C/GC/11.

that the availability of and access to information leads to informed choices; transparency can also be used to hold duty bearers accountable for managing the country's development and ensuring a corruption-free and abuse-free development environment; at the same time, transparency enhances public trust, public confidence, and public support for the national development plan.

Among the requisites for transparency are: clear rules and procedures, availability and direct accessibility to high quality and complete information, and timeliness of disclosure.

The following tips may aid the application of the human rights principle of transparency to national development planning:

1. **Know how claimholders access or receive information.** In the Philippines, studies have shown that most Filipinos access information from radio or television—not from newspapers. Transparency in the Philippines would therefore be enhanced if broadcast media, such as radio and television, were the prime means of communication used by duty bearers to communicate with—and provide information to—claimholders.

2. **Keep information as simple as possible and create opportunities for claimholders to freely and actively participate in development planning.** Use language known to and commonly used by claimholders. Avoid using technical vocabulary that would not be easily understood. Know the functional literacy rates of claimholders and adopt media such as cartoons or comics whenever appropriate.

3. **Provide timely information and act with dispatch and deliberation.** This is especially important in times of public emergencies, such as natural calamities, when the timely and immediate disclosure of information as well as speedy and responsive actions could help avoid loss of life or irreparable harm or injury to those most affected by the calamity.

4. **Understand the impediments to transparency and design safeguards.** These impediments could include, among others, technological barriers or lack of access to technology when technology (internet) is the desired means of communication, failure to consider disabilities, lack of records or poor record keeping, lack of access to records or information, excessive or bureaucratic rules and requirements for accessing information, lack of timely publicized information, or lack of resources to publish information.

5. **Develop and maintain effective and coordinated anti-corruption policies**, especially in the areas of public procurement and management of public finances. Corruption in these areas have been found to lead to waste of already scarce public resources, distortion of the market, and unfair advantage to a select few, which in turn erodes public confidence in the national development plan.

6. **Develop and disclose well-defined rules and regulations and procedures for accessing information**, which are open to public scrutiny, and which include clear standards when information cannot be disclosed, procedures to appeal denials of disclosure of information, and other relevant mechanisms.

Human Dignity

Human dignity is the basis of all human rights and rests on the intrinsic value or worth of the human person. Human dignity is immutable: it is the same at all places and at all times. Human dignity is non-negotiable and irreversible.

The human rights principle of human dignity affirms the fundamental value of every human being. The principle of human dignity—much like the notion of human rights—is informed by four philosophical frameworks that together describe the totality of the human person: the *cosmo-centric framework of antiquity*, which explains human dignity on the basis of the nature of human beings; the *Christo-centric framework*, which describes human dignity "in the image and likeness of God … and in the relationship with God this likeness brings about"; the *logo-centric framework of modernity*, which discusses human dignity as a tribute to reason; and the *polis-centered framework of post-modernity*, which explains human dignity in relation to social acceptability. "Human dignity as the fundamental value of human beings is common to the frameworks treated, yet each understands it to rely upon, or to be conditioned by, different features of human reality: human nature; God-relatedness; the faculty of reason; or recognition within society. This is because the four conceptions each understand the human to consist in different things, and consequently take the fundamental value of the human being to consist in different aspects of its being. The human being exists in and through these aspects, which characterize it essentially."[29]

Human dignity recognizes that those most vulnerable to human rights deprivations—persons living in poverty, women, children, indigenous people, the elderly, persons with HIV/AIDS, persons with disabilities—need special measures and protection to overcome their vulnerability. Human dignity requires the consideration of the impact on those vulnerable and most affected by public policy and action, identification of potential risks arising from public policy and development plans, inclusion of risk management to prevent further deprivations, and the inclusion of mitigation strategies and safeguards.

The principle of human dignity differentiates the notion of *safeguards vis-à-vis safety nets*. Safeguards are *anticipatory* and *proactive,* designed to prevent harm or threats to human rights and eliminate risks of human rights deprivations. Safety nets, on the other hand, are *reactionary,* assume that harm or threats will ensue from the adoption of the development plan, policy, strategy, program or project; the Philippines defines social safety nets as "short-term bridging mechanisms to disadvantaged and vulnerable groups that are meant to protect them and strengthen their capacity to cope with the effects of economic dislocation, disasters and calamities, and structural adjustments."[30] The human rights principle of human dignity encourages resort to safeguards, rather than safety nets.

[29] Mette Lebech, *What is human dignity*?, undated.

[30] Medium Term Philippine Development Plan 2001-2004, at 220.

The following tips may assist development planners apply the human rights principle of human dignity:

1. **Pay special attention to those most vulnerable.** Identify claimholders carefully, noting not only their vulnerabilities, but also recalling that among vulnerable claimholders are those who are *more vulnerable* and *most* at risk. Recall that discrimination includes the notion of *intersection,* which recognizes that some claimholders face *multiple discrimination* or discrimination on prohibited grounds that intersect with each other. Consider, for example, that among indigenous peoples, indigenous women, indigenous children, or indigenous persons with disabilities may be more vulnerable within their own communities.

2. **Design complementary strategies that reinforce the totality of human dignity and the interdependence and inter-relatedness of human rights.** While strategies may, on their face, appear to affect one aspect of human life, these strategies may, in fact, affect other facets of human life. Hence, the need for complementary and integrated development strategies to address the multifaceted and multidimensional aspects of human life with dignity.

3. **Engage in risk analysis and risk management.** Carefully assess the human rights consequences of planning decisions, policies, strategies, programs and projects and identify potential risks, threat or harm that may arise (*see* section on risk analysis in Part III, Chapter 5). Address all potential risks, threat or harm by designing safeguards and risk mitigation strategies.

Empowerment

Empowerment acknowledges and respects the people's capacity to think and act freely for and on their own behalf to create solutions to address their own problems, control their own destinies and fulfill their potential. Empowerment emphasizes people's efforts to realize their human rights and bring about the necessary changes to address their situation. Empowerment encourages people to exercise choice in the face of power relations and structures in society. Empowerment builds the capacity of people to engage in the decision-making process.

To understand the principle of empowerment, it is important to understand the nature of power. Feminist discourse has contributed much to understanding the multidimensional nature of power as a relational construct, and proposes four perspectives of power: **power to**, **power with**, **power from within**, and **power over**:[31]

Power To refers to the generative and productive capacity to take action, to organize and change existing hierarchies;

Power With emphasizes collective action to solve problems and attain goals;

[31] *See* Cecilia Luttrell and Sitna Quiroz with Claire Scrutton and Kate Bird, *Understanding and Operationalising Empowerment,* October 2007; Kwok-Fu Wong, *Empowerment as a panacea for poverty – old wine in new bottles? Reflections on the World Bank's conception of power*, Progress in Development Studies 3,4 (2003) pp. 307-322; and Sarah Mosedale, *Towards A Framework For Assessing Empowerment*, 2003.

Power from Within, or personal power, emanates from increased individual consciousness, self-confidence, self-esteem and self-respect and involves the development of abilities to overcome internalized control or oppression;

Power Over refers to the ability to influence and coerce, to force someone or some group to take actions against their will, or, positively stated, to resist force; it may include the ability to prevent certain people or issues from being heard and the ability to legitimize some voices and discredit or render others voiceless.

These perspectives reflect the dynamic and fluid nature of power and are not mutually exclusive as they can coexist and operate within particular places and at particular times. They also indicate that power may be covert and overt, visible and hidden, and controlled by physical, economic and social strength, socialization and social practices.[32]

Luttrell and Quiroz (2007) present the different dimensions of empowerment:[33]

- **Economic empowerment**, which seeks to ensure that people have appropriate skills, capabilities, resources and access to secure sustainable incomes and livelihoods;

- **Human and social empowerment**, which is a multidimensional social process that helps people gain control over their own lives, and fosters power in people to act on issues they consider important;

- **Political empowerment**, or the capacity to analyze, organize and mobilize, which results in collective action needed for collective change; and

- **Cultural empowerment**, or the redefining of rules and norms and the recreating of cultural and symbolic practices.

The different roles of empowerment in development, widely attributed to Oakley, include empowerment as participation, empowerment as democratization, empowerment as capacity building, empowerment through economic improvement, and empowerment and the individual.

Luttrell and Quiroz (2007) describe the two general approaches currently applied to bring about empowerment: the agency approach, which seeks to build the capacity of individuals to act independently and to make their own free choices, and the structural approach, which seeks to change law, rules and social forces (e.g., social class, religion, gender, ethnicity, customs, etc.) that limit or influence the opportunities that determine the actions of individuals. The authors contend that these approaches are a product of debate over whether change ensues because of social structures or through individual and collective action. The authors illustrate the differences between the agency and structural approaches to empowerment:[34]

[32] Kwok-Fu Wong, *Empowerment as a panacea for poverty – old wine in new bottles? Reflections on the World Bank's conception of power*, Progress in Development Studies 3,4 (2003) pp. 307-322.
[33] Cecilia Luttrell and Sitna Quiroz with Claire Scrutton and Kate Bird, *Understanding and Operationalising Empowerment,* October 2007.
[34] Cecilia Luttrell and Sitna Quiroz with Claire Scrutton and Kate Bird, *Understanding and Operationalising Empowerment,* October 2007.

Luttrell and Quiroz: Comparing Objectives from an Agency and a Structural Perspective		
Type of power relation	An 'agency' approach to empowerment	Transforming 'structures' for empowerment
Power Over: the ability to coerce and influence the actions and thoughts of the powerless	Changes in power relations within households and communities and at the macro level, e.g. increased role in decision making and bargaining power	Respect equal rights of others, challenge to inequality and unfair privileges
Power To: the capacity to act, to organize and change existing hierarchies	Increased skills, access and control over income and resources, and access to markets and networks	Increased skills and resources to challenge injustice and inequality faced by others
Power With: increased power from collective action, social mobilization and alliance building	Organization of the less powerful to enhance abilities to change power relations; Increased participation of the less powerful	Supportive organization of those with power to challenge injustice, inequality, discrimination and stigma
Power from Within: increased individual consciousness, self- dignity and awareness	Increased confidence and awareness of choices and rights; widened aspirations and ability to transform aspiration into action	Changes in attitudes and stereotypes; commitment to change

The human rights based approach to development planning places the human being at its very core, and thus incorporates the principle of empowerment. To facilitate the application of the empowerment, the following tips may be instructive:

1. **Recognize power relations and dimensions in national development planning.** It may be useful to adopt Gaventa's *Power Cube* (*see* Part III, Chapter 5) to understand power relations and dynamics, and to identify the different "spaces" or areas where power is exercised and decisions are made. These could provide helpful entry points to facilitate change.

2. **Identify factors that motivate claimholders to act and facilitate claimholders informed decision making.** Be aware of those factors that inhibit claimholder action and design appropriate safeguards.

3. **Concretize entitlements and freedoms of action to facilitate claimholder empowerment.**

4. **Assist claimholders to know and responsibly exercise their human rights, assist duty bearers to adhere to their human rights obligations, and assist other actors to exercise their rights with due regard for the rights of claimholders and the obligations of duty bearers.**

Rule of Law

Rule of Law is more than a mechanical or narrow or rigid application of laws and rules; it is *equity, fairness, justice* and *impartiality* in determining conflicting claims. It is a fair and just legal framework coupled with impartial and effective implementation. The principle of the rule of law requires: (a) that *conflicts be resolved impartially, on the basis of fact, in accordance with law, and without improper influence or pressure;* (b) availability and accessibility of independent and impartial judicial or administrative forums to act on conflicts; (c) provision of appropriate remedies and effective redress mechanisms, including appeals mechanisms; and (d) inclusion of efficient monitoring mechanisms to ensure impartial and just implementation of laws, rules and regulations.

The human rights principle of rule of law is closely associated with the right of reparation (*see* Chapter 2). The UN Committee on the Rights of the Child stressed: "For rights to have meaning, effective remedies must be available to redress violations. … Where rights are found to have been breached, there should be appropriate reparation, including compensation, and, where needed, measures to promote physical and psychological recovery, rehabilitation and reintegration ..." The Committee recommended the adoption and implementation of effective, child-sensitive procedures available to children and their representatives, including child-friendly information, advice, advocacy, support for self-advocacy, and access to independent complaints procedures and to the courts with necessary legal and other assistance.[35]

The UN Human Rights Committee stressed that the principle of rule of law "applies not only to procedures for the determination of criminal charges against individuals but also to procedures to determine their rights and obligations in a suit at law." The Committee said that the principle of the rule of law carries with it strict adherence to the rights to equality before the courts, equal access to courts, fair and public hearings, competent counsel, impartial and independent judiciary established by law and guaranteed in practice, fair and public hearing, presumption of innocence, the right to challenge the conduct of the case if they believe it to be unfair, and the right to appeal or seek review of a decision.[36]

The rule of law is an important principle in national development planning, for it affords those disadvantaged by or excluded from enjoying the benefits of the national plan the opportunity to seek redress. At the same time, it reminds duty bearers to strictly comply with their human rights obligations. The following tips may assist the application of the principle of rule law in national development planning:

1. **Incorporate recourse mechanisms** to allow claimholders to question policy decisions, strategies, programs, and projects and to bring complaints in the event that these result in harm or damage.

[35] General Comment 5, "General measures of implementation of the Convention on the Rights of the Child (Arts. 4, 42 and 44, para. 6)," adopted by the United Nations Committee on the Rights of the Child at its thirty-fourth session, 2003, UN Doc. HRI/GEN/1/Rev.9 (Vol. II), 27 May 2008.

[36] General Comment 13, "Article 14 (Administration of Justice)," adopted by the United Nations Human Rights Committee at its twenty-first session, 1984, UN Doc. HRI/GEN/1/Rev. 9 (Vol. I), 27 May 2008.

2. **Consciously and deliberately comply with obligations arising from the right of reparation and associated rights of the principle of the rule of law.**

3. **Assist claimholders claim their right of reparation.** Recognize that the right of reparation can help heal wounds and divisions, and can lead to greater support for the national development plan.

4. **Ensure the independence and impartiality of the judiciary and other arbitral bodies** by, among others, according them sufficient budgetary resources to accomplish their obligations impartially and effectively.

5. **Recognize and address the barriers or obstacles to the rule of law and design appropriate safeguards.**

Measuring PANTHER Principles

Measuring PANTHER principles in national development planning remains a significant challenge. The human rights community, including the United Nations family, has yet to make substantial gains in devising indicators to measure many of the PANTHER principles, since these would be more qualitative than quantitative in nature. The UN has proposed a set of preliminary indicators to measure nondiscrimination and equality, and rule of law.[37]

The environment and development community, however, appear to have made better inroads in identifying indicators to measure the human rights principles of participation, transparency, accountability and rule of law, due in large part to the adoption of the *Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters*.[38] The Convention grants the public rights and imposes on parties and public authorities obligations relating to access to information, access to participation, and access to justice in the field of the environment. The Convention focuses on the *how* rather than the *what* of policy processes, regulatory processes and environmental and social aspects in environmental matters. Based on the *Aarhus Convention*, the Electricity Governance Initiative, the World Resources Institute, the Prayas Energy Group in Pune, India and the National Institute for Public Finance and Policy developed the *Electricity Governance Toolkit*, which attempted to measure good governance in the electricity sector. The toolkit was piloted in February 2005.

In the meantime, UNDP/CSOPP devised an initial list of quantitative and qualitative indicators to measure participation.[39]

[37] United Nations Office of the High Commissioner for Human Rights, *Report on Indicators for Monitoring Compliance with International Human Rights Instruments*, presented at the fifth inter-committee meeting of the human rights treaty bodies in Geneva, 19-21 June 2006, UN Doc. HRI/MC/2006/7; United Nations Office of the High Commissioner for Human Rights, *Principle of Non-discrimination and Equality (UDHR, Art. 1, 2 and 7) with Explanatory Note on the Attributes and Indicators*, 2009.

[38] Adopted by the UN Economic Commission for Europe (UNECE) on 25 June 1998.

Table 7 provides sample indicators proposed or used by the UN, the UNDP/CSOPP and the *Electricity Governance Toolkit*.

Table 7. Sample Indicators to Measure PANTHER Principles

Panther Principles	Sample Indicators		
	United Nations	**UNDP/CSOPP**	**Electricity Governance Toolkit**
Participation	Not available	Improved and more efficient service delivery; no. of project level meetings and attendance levels; percentages of different groups attending meetings; no. of direct project beneficiaries; project input take-up rates; no. of local leaders assuming positions of responsibilities; no. of local people involved in different stages of project; organizational growth at community level; representation in government or political bodies with relation to project; interaction and building of contacts with other groups and organizations	Role and mandate; wide and balanced representation; access to financial resources; periodic meeting with public notification; public registries of documents; opportunity for consultation; outreach to vulnerable communities; quality of input; breadth of input; summary of public participation; and responses to public participation
Accountability	None available	None available	Disclosure of interests; reasoned reports; active with regular meetings; public consultations and open meetings; public availability of submissions; public availability of documents; formal mechanisms to communicate with executive; financial report; review of progress; dissemination in local language; adequate time for debate; attendance of members; disclosure of methodology; clear outreach strategy

[39] UNDP/CSOPP, *Empowering People – A Guide to Participation,* 1997.

Table 7 (Continued). Sample Indicators to Measure PANTHER Principles			
Panther Principles	**Sample Indicators**		
	United Nations	**UNDP/CSOPP**	**Electricity Governance Toolkit**
Nondiscrimination	Work participation rate by gender; estimate of access by women and girls to food within household; proportion of underweight children; proportion of disabled and mentally challenged persons accessing public/social institutional services	None available	None available
Transparency	None available	None available	Information about policy positions; availability of loan documents and conditions; information about financial disbursements; information about technical assistance; clarity of process; ease of access and breadth of distribution; timeliness; volume of coverage; balance of coverage; quality of coverage; mechanisms for prevention of market power; scrutiny of competition pre-conditions
Human Dignity	None available	None available	None available
Empowerment	None available	None available	None available
Rule of Law	No. of complaints, no. of victims disaggregated, disposition of cases	None available	None available

EXECUTIVE SUMMARY

Chapter 4, Human Rights (PANTHER) Principles in Development Planning, defines each human rights principle (participation, accountability, nondiscrimination, transparency, human dignity, empowerment and rule of law), describes their contributions to the formulation of complementary, integrated and targeted strategies of inclusion, equality and empowerment, and proffers tips to assist development planners rigorously apply human rights principles, more easily remembered through the mnemonic "PANTHER." Chapter 4 includes Human Rights Recapitulative Table 7 (*Sample Indicators to Measure PANTHER Principles*).