

# Rights and empowerment in development programming

## Understanding a Rights-Based Approach to Development

On July 25, Pact hosted an event titled “Experiences in Rights-based Development Programming.” This session brought together more than 40 participants from a range of donor, implementer, and other organizations to explore rights-based approaches (RBAs) as a concept, as well as practical considerations in putting rights at the center of programming. The event was loosely an outgrowth of Pact’s development of a handbook for USAID field officers under the USAID-funded and Freedom House-led Human Rights Support Mechanism (HRSM), titled “[Applying Rights-Based Approaches: A practical how-to note on integrating principles of empowerment into almost any development activity.](#)”

Moderated by Pact’s Global Director for Governance, Mason Ingram, the event included a diverse set of discussants with broad and varied experience designing and applying RBAs:

- Virginia Atkinson, Inclusion Advisor, International Foundation for Electoral Systems
- Emily Janoch, Director of Knowledge Management and Learning, CARE
- Andrew Solomon, Senior Rule of Law Advisor, USAID Center of Excellence on Democracy, Human Rights and Governance
- Brian White, Senior Technical Advisor for Community Strengthening, Pact

Discussants reviewed the key attributes of rights-based programming, emphasizing the ways in which it challenges traditional models of development. The conversation explored the extent to which RBAs require flipping top-down approaches to development assistance. The discussion also covered granular questions such as *what kind of skills and mindsets are required for staff leading rights-based programs?* and *how do RBAs intersect with participatory approaches such as human centered design?* Importantly, these and other questions were explored not only by discussants, but the broader room of experts. A few of the many insights covered by discussants and other participants in the conversation are outlined below.

**RBAs are (or require) an empowerment approach.** Discussants alternatively described RBAs as encompassing or requiring *community-led, stakeholder-driven, or bottom-up* approaches to development. While the precise language differed, discussants agreed that RBAs are fundamentally about empowerment, i.e. empowering stakeholders to **claim** rights or entitlements they are owed according to local, national, or international law or conventions. This empowerment approach must shape all aspects of RBAs, most of all partnership strategies. RBAs require not only taking maxims like “**nothing for us without us**” seriously, but developing partnership approaches that place rights-holders in the driver’s seat.

**RBAs have a discrete intellectual and programmatic lineage.** While RBAs may require a participatory approach to programming built around empowerment, they do not represent just any participatory development approach. RBAs are rooted in a legal tradition stipulating that individuals and communities are entitled to certain rights, many of which are recognized as **universal**, bound by international conventions but further codified in national and local law. RBAs deliberately employ strategies (including discrete legal strategies) directed toward the achievement of these rights, including the **progressive realization** of socio-economic rights that may be enshrined in constitutional or other foundational legal texts.

**RBAs stand in contrast to charity-based models of assistance.** On the typology of development approaches, RBAs represent in many ways the opposite of charity approaches to supporting or “helping” individuals and communities. While sophisticated development approaches have, perhaps, moved beyond a charity paradigm, vestiges of the assistance model persist, particularly in how state and other often well-intentioned actors seek to aid marginalized groups, such as persons with disabilities. Persons with

disabilities and other communities have used a rights-based framework to claim and demonstrate their agency to allies and others who would treat them as less than fully independent actors.

***Legal expertise is valuable but “vernacularization” is often essential to successful RBAs.***

Lawyers and legal experts have key roles to play in executing rigorous, rights-based programs. Simply put, RBAs should be built upon a sound understanding of the law, and lawyers are essential to the deployment of legal strategies such as strategic litigation. However, RBAs should not be left to (or necessarily led by) lawyers. True empowerment requires that rights-based programs vernacularize key legal concepts so that individuals and communities can effectively use the law and the language of rights as a tool.

***Rights-based programs are best led by diverse and representative teams.*** Discussants emphasized that staff leading rights-based programs must be grounded in an understanding of rights-based strategies and buy into participant-led programming approaches. Teams should be diverse in multiple senses. RBAs involve multidisciplinary approaches requiring various skills and perspectives. Programs deploying RBAs should ideally be staffed by individuals from the constituencies being served. One discussant, for example, noted how making reasonable accommodations for staff with disabilities made a project more sensitive to the challenges being faced by communities being targeted by that project.

***RBAs and the language of rights provide a means of fighting stigma and discrimination.*** RBAs provide a framework for supporting right-holders who may be marginalized, stigmatized, or not fully visible to demand to be seen differently by rights-holders and fellow citizens. Nearly all discussants provided specific examples of how discrete marginalized communities have used RBAs to address their disenfranchisement, including women, persons with disabilities, and LGBTI. One discussant, for example, described how RBAs provide a critical entry point for extending health access to “key populations” such as LGBTI, who may be criminalized in particular contexts.

## The Conversation Moving Forward

While we covered a lot of ground in the discussion, there were key issues related to RBAs that we left unexplored or under-discussed. We began a conversation around strategies for measuring the impact of RBAs, noting the relevance of various community-based monitoring and evaluation approaches. However, future conversations could further probe into approaches for capturing the degree to which RBAs contribute to empowerment and defined sector outcomes. Furthermore, we could more fully unpack potential challenges to RBAs. Pact is interested in convening further discussion on rights-based programming. Among other topics, future conversations could explore the following:

***The linkage between rights-based and social accountability approaches.*** Parallel to RBAs, there is a long and well-developed area of practice aimed at the promotion of social accountability. Social accountability approaches borrow language from the RBA tradition, framing programming around the promotion of accountability between duty-bearers and right-holders. Many practitioners who do not think of themselves as engaging in rights-based programming may commonly implement social accountability initiatives. There is an opportunity to further delineate the linkages and distinction between RBAs and social accountability-based approaches to development.

***The application of RBAs where state authorities or other duty bearers lack the capacity to provide for or protect rights.*** Many RBAs are explicitly aimed at increasing citizen awareness of their rights and supporting individuals and communities to claim those rights. RBAs also focus on supporting duty-bearers to deliver on their commitments. However, there are cases where state authorities or other duty-bearers clearly lack the capacity to meet their obligations, meaning that there is a risk that RBAs could undermine already tenuous state-citizen relations. There is a need to discuss effective, do-no-harm approaches to rights-based programming in cases where duty-bearers are especially weak.

### For More Information

**Mason Ingram**

Global Director of Governance  
[mingram@pactworld.org](mailto:mingram@pactworld.org)

**Kate Byom**

Governance Advisor  
[kbyom@pactworld.org](mailto:kbyom@pactworld.org)

Pact is an international, nonprofit organization with forty years of experience. Our vision is a world where those who are poor and marginalized exercise their voice, build their own solutions, and take ownership over their future.

