

## The human rights-based approach: A lever for transformation

**Achieving the Sustainable Development Goals (SDGs) is inseparable from realizing human rights. A commitment to human rights cannot be optional for development actors, whose commitment is based on a precise operational methodology.**

### An international, European, and French agenda

Since the adoption of the Universal Declaration of Human Rights in 1948, an extensive body of texts has guaranteed human rights and committed signatory states to:

- **Respect rights:** states must not violate them.
- **Protect rights:** states party to the treaty must ensure that third parties do not violate rights, specifically by promulgating laws and establishing effective procedures for redress.
- **Implement rights:** states must take the necessary measures to ensure, facilitate, and promote the exercise of guaranteed rights.

At the international level, the 2030 Agenda reminds us that “the achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights” (UN 2015, 6). On this basis, **human rights form the backbone of the SDGs**, 92% of whose targets are legal obligations recognized in international human rights treaties, ratified by the vast majority of countries.

At the European level, the human rights-based approach (HRBA) is now at the heart of the European Union’s external activities. As a legal obligation, it applies to all EU-funded activities.

In France, the government’s Human Rights and Development strategy and its action plan states that “the rights-based approach not only applies to development programs focusing on democratic governance and the rule of law, but to all development sectors as a whole.” (French Ministry for Europe and Foreign Affairs 2019, 10) In 2023, following the Presidential Development Council, France’s Interministerial Committee for International Cooperation and Development (CICID) reaffirmed this commitment and set ten priority objectives, including “promoting human rights”.

However, the global context is marked by a severe curtailment of civic space and an unprecedented decline in human rights, the enjoyment of which is all the more threatened by the consequences of global warming and environmental destruction. Development institutions therefore have a responsibility to bring to the fore a development approach resolutely based on human rights.

### Authors

**Farid LAMARA** (AFD)  
**Serge RABIER** (AFD)

## The human rights-based approach to development

### An operational methodology

From an operational point of view, the HRBA means implementing development programs and projects that aim to advance human rights. It includes, for example, supporting and assisting states in fulfilling their obligations, and strengthening the capacity of rights-holders to assert their rights (see Box 1).

---

### Box 1. The ID4D project: Promoting access to rights in Nigeria

In Nigeria, only 12% of residents have a national identification number, and less than 1% have an identity card. Yet, access to social services generally requires proof of identity. In this context, the ID4D project, co-financed by the Agence française de développement (AFD) (French Development Agency) via a sovereign loan, the World Bank, and the European Investment Bank (EIB), aims to create a single digital identity to guarantee Nigerians' right of access to services and goods, and thus to strengthen human rights in Nigeria. The first phase of the ID4D project focused on the protection of personal data and the associated rights of the people concerned. The project supported the Nigerian government in adopting a law on the protection of personal data. Using the HRBA methodology, the project provides equal access to benefits without discrimination, with a gender-specific approach, attention to the inclusion of people with disabilities, and consideration of remote areas. More generally, the project aims to help the Nigerian authorities fulfill their human rights obligations, including Article 16 of the International Covenant on Civil and Political Rights (the right to recognition as a person before the law), and to help rights-holders assert their rights.

---

### Consistency and convergence of approaches

Recent studies have drawn a parallel between **the realization of human rights and the reduction of multidimensional inequalities** (de Schutter 2023). In emerging and developing countries, high proportions—often majorities—of the populations experience inequalities of various kinds. These keep them in vulnerable situations that not only violate their rights but also undermine their ability to assert them. The HRBA therefore raises the issue of the convergence of development actors' activities promoting the advancement of human rights and the reduction of multidimensional inequalities. This issue is at the heart of the European Union's human rights strategy, as is that of **intersectionality**. Intersectionality means considering individuals in all their diversity and taking into account all the types of discrimination, obstacles, and barriers that people may encounter in different situations. This requires an understanding of the structural causes of discrimination and the ways in which these emerge.

---

### Box 2. Extract from Olivier de Schutter's report, pp. 47–48

"The Mahatma Gandhi National Rural Employment Guarantee Act (NREGA) came into force in India in 2006. It is the largest public works scheme in the world. It guarantees adult members of rural households 100 days a year of wage employment in public works, with a remuneration corresponding to the legal minimum wage. [...] Several provisions [...] creating the NREGA [...] provide for women to benefit from priority access to the scheme (a third of jobs are in principle reserved for them), and for the same to apply to members of 'Scheduled Castes' (the Dalits) and 'Scheduled Tribes' (indigenous communities). [...] The statistics concerning the beneficiaries of the scheme indicate that the representation of women stands at 55%, while the representation of members of 'Scheduled Castes' (SCs) is 22% and 18% for members of 'Scheduled Tribes' (STs). However, we know nothing about the representation of women within the categories of 'Scheduled Castes' or 'Scheduled Tribes'. Therefore, it cannot be excluded that the good representation of women in the scheme in general especially concerns women who do not belong to these categories, which are among the most disadvantaged in Indian rural society. A recognition of the reality of intersectional discrimination should have prompted the collection of data on the representation of women in the SCs and STs, in order to be able to adjust the scheme, where necessary, to ensure that they can benefit from it."

---

## The human rights-based approach in practice

### Which rights are we talking about?

The HRBA is based on a precise corpus of international legal texts enshrining a wide range of human rights.

Two categories are well represented:

- **civil and political rights** (freedom of expression, access to justice, prohibition of torture, right to participate in public life, right to security, right of assembly, etc.);
- **economic, social, and cultural rights** (rights to food, health, social protection, water, education, decent working conditions, etc.).

In addition, there are **rights specific to certain categories of people**, such as women, children, refugees, migrants, indigenous peoples, and people with disabilities, and, more recently, **the right to a healthy environment** (recognized in 2021 by the Human Rights Council and in 2022 by the UN General Assembly).

Once ratified, these texts **place binding obligations on states (duty-bearers)**. This means that people who are within their territory are **entitled to these rights (rights-holders)** and can assert them against the state. Nevertheless, they often face difficulties in asserting them meaningfully. By offering development actors an operational methodology, the HRBA aims to remedy these difficulties in applying the corpus of human rights.

## Guidelines for integrating the HRBA into development projects and programs

The HRBA has two objectives:

- To apply the “do no harm” approach: projects must not lead to human rights violations;
- To produce as many positive effects as possible: the realization of human rights must be part of projects’ purpose.

In practice, this means supporting partner states in implementing their human rights obligations, and helping populations assert their rights.

**To ensure implementation of the first objective** (do no harm), development donors such as AFD Group refer to the World Bank’s environmental and social standards<sup>[1]</sup>. These include certain human rights standards (e.g., on forced displacement of populations, indigenous peoples, and local communities; land rights; decent employment). But they do not contain a “human rights” pillar per se, and ultimately they contribute to the invisibility or fragility of analyses on this topic. Some standards, such as the UN Guiding Principles on Business and Human Rights, are more demanding. But the “do no harm” dimension of the HRBA should ideally entail a specific human rights analysis.

---

### Box 3. The Terrindigena project, supporting the rights of indigenous communities and their environment in the Amazon

The Amazon is currently suffering from deforestation, degradation of its ecosystems, and overexploitation of its resources. At the same time, the rights of indigenous peoples and local communities are increasingly under threat. In the face of these challenges, conventional approaches focus on creating protected areas and recognizing indigenous territories, which represent around 47.2% of the Amazon. To contribute to this process, the Terrindigena project brings together 18 indigenous organizations in 16 indigenous territories spread across Brazil, Colombia, Ecuador, and Peru. Its main aims include:

- Strengthening local governance tools to ensure territorial protection, along with better representation of indigenous rights and stronger affirmation of the principle of free, prior, and informed consent;
  - Monitoring endogenous and exogenous pressures and threats at the community level;
  - Developing income-generating activities that adhere to traditional values and cultures and respect ecosystems.
- 

**To ensure the implementation of the second objective** (making the advancement of human rights an integral part of projects’ goals), the HRBA relies on five working principles that facilitate the program or project’s contribution to the realization of human rights.

- **The principle of participation, inclusion, and access to decision-making:** communities should be directly involved in all stages of the project cycle. In the case of indigenous peoples, for example, this means ensuring their free, prior, and informed consent.
- **The principle of accountability and rule of law for all:** projects should help to support states in implementing their human rights obligations and enable them to better account for progress in access to rights. In the context of the right to water, for example, this might involve access to this resource for the most vulnerable populations, or raising awareness of human rights and means of redress.
- **The principle of transparency and access to information** mirrors the previous two. To ensure effective participation, but also to ensure the availability of legal remedies, rights-holders must be able to access project-related information at every stage of the project cycle (open data).
- **The principle of non-discrimination and equality of access:** communities must have equal access to the benefits of a project, without discrimination of any kind, paying particular attention to the most vulnerable groups (indigenous peoples, children, LGBTIQ+ people, migrants, women, etc.) and, in general, to groups in the Bottom 40.
- **The principle of the legality, universality, and indivisibility of human rights** means ensuring that all human rights likely to be affected by a project are identified and taken into account. For example, a project to protect and restore ecosystems may simultaneously involve the rights to health, to a healthy environment, to healthy food, to water, and even the right of local communities to freely dispose of natural resources. Project activities must comply with all the human rights guaranteed in international treaties and respect all international obligations in this area.

Finally, there are many indicators available for measuring the expected impacts on human rights of interventions by development actors. According to the Office of the United Nations High Commissioner for Human Rights, these are “specific information on the state or condition of an object, event, activity or outcome that can be related to human rights norms and standards; that addresses and reflects human rights principles and concerns; and that can be used to assess and monitor the promotion and implementation of human rights”<sup>[2]</sup>.

---

[1] Three roadmaps including human rights issues are currently being finalized at AFD (on citizens and institutions, climate and nature, and social links).

[2] See Office of the United Nations High Commissioner for Human Rights, 2012. Human Rights Indicators: A Guide to Measurement and Implementation. Available at: [https://www.ohchr.org/sites/default/files/Documents/Publications/Human\\_rights\\_indicators\\_en.pdf](https://www.ohchr.org/sites/default/files/Documents/Publications/Human_rights_indicators_en.pdf)

However, there is no methodology for measuring the integration of the HRBA (Rask and Dalton 2023a). This is why a pilot rating system along the lines of the OECD/DAC markers has been created via a partnership between AFD and the Danish Institute for Human Rights<sup>[3]</sup>.

This operational methodology for the benefit of the entire development community, currently undergoing testing at AFD, should make it possible to integrate and report on the HRBA. In view of current environmental issues (climate, biodiversity, environment) and the fact that planetary boundaries are being exceeded, the HRBA, which is a powerful lever for achieving the SDGs, will nevertheless have to be implemented in an ecocentric way, with the aim of acting for the living world as a whole.

[3] See Carol Rask’s presentation of the tool: <https://www.youtube.com/watch?v=Nyv8hghJ6Lg> (from 5h57 to 6h29).

Table 1 – Pilot system for measuring the HRBA

Ignores human rights	Does not include or refer to human rights.	-1
Does not violate human rights (not targeted as an objective)	Human rights standards are primarily used to assess and mitigate risks and to ensure that the activity being financed does not have a negative impact on human rights.	0
Progressive on human rights (significant objective)	Human rights principles (transparency, accountability, participation, equality, and non-discrimination) are integrated into the intervention process.	1
Transformative on human rights (main objective)	Achieving human rights is the main objective, and structural barriers to the enjoyment of rights are taken into account in interventions.	2

Reference list

**French Ministry for Europe and Foreign Affairs** 2019. *Human Rights and Development: A Human Rights-Based Approach to Development Cooperation*. [https://www.diplomatie.gouv.fr/IMG/pdf/policy\\_paper\\_human\\_rights\\_cle01e941.pdf](https://www.diplomatie.gouv.fr/IMG/pdf/policy_paper_human_rights_cle01e941.pdf)

**Rask, Carol and Paul Dalton.** 2023a. *Measuring a Human Rights-Based Approach to Development*. Copenhagen: AFD/DIHR.

**Rask, Carol and Paul Dalton.** 2023b. *A Human Rights-Based Approach Accountability Mechanism. The HRBA Check*. Copenhagen: DIHR.

**Schutter (de), Olivier.** 2022. “The Approach Based on Human Rights and the Reduction of Multidimensional Inequalities: A Combination Inextricably Linked with the Achievement of the 2030 Agenda”. *Research Paper* n° 260.

**UN.** 2015. *Transforming our World: The 2030 Agenda for Sustainable Development*. <https://sdgs.un.org/2030agenda>.

