

# Dossier “Gender and rights-based approaches”

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## Scope

Can rights-based approaches forward the development agenda of gender equality? This dossier aims to address this question focusing on the application of rights-based approaches, and in particular their use in programmes and interventions that work towards achieving gender equality.

The dossier is a spin-off from '[Gender, rights and development. A global sourcebook](#)' published in the [Gender, Society and Development series](#), by the Royal Tropical Institute (KIT) in June 2008.



If you would like to add a new resource or have suggestions or comments on these pages, please contact the editor, Minke Valk ([m.valk@kit.nl](mailto:m.valk@kit.nl)) KIT Information & Library Services.

## In-Depth

### From theory to practice

Since its emergence the rights based approach has been adopted by various UN organizations, donors, and NGOs. Many organizations have articulated a position on rights-based approaches and developed frameworks and tools. As a result a multiplicity of rights-based approaches has emerged with varied meanings attributed to what constitutes rights-based approaches.

The UN Common Agreement on Human Rights Based Approaches (2003) seemed to provide a template for the rights-based work of international multilateral and some bilateral agencies. The work of Office of the United Nations High Commissioner for Human Rights has been influential on further clarifying the basic principles of rights-based approaches and on pointing out that there is no one rights-based approach but rather agreement on principles. The ODI publication entitled '*to Claim our rights: livelihood security, human rights and sustainable development*' by Moser & Norton (2001) provides a conceptual framework for addressing issues of empowerment and poverty reduction, by examining the links between human rights and asset and livelihood security as they relate to the issue of sustainable development. The framework developed is one of the most significant attempts to bring the two worlds – human rights and human development – together in a way that is useful for development practitioners.

Several reviews on rights based approaches and practice are now available, including the IDS Bulletin 2005 entitled 'Developing rights'. From these reviews it is learned that, no matter how any organization or agency articulates its vision for a rights-based approach, it must be interrogated for the extent to which it enables those whose lives are affected the most by development interventions to articulate their priorities and claim genuine accountability from development agencies. Equally important is the extent to which the agencies become critically self-aware and address inherent power inequalities in their interaction with those people needs interrogation.

### Rights-based approach and gender equality

Is the concept of a rights-based approach a useful framework or methodology for achieving gender equality and women's rights?

The response of gender advocates, and feminists to the turn to rights has been mixed. Some women's human rights activists have embraced the rights turn on the basis that gender and development, and especially the gender mainstreaming strategy, has not been effective in securing women's rights (AWID 2002). Others remain sceptical. The rights-based approach has been critiqued by sections of the women's movements as depoliticizing (Bradshaw 2005). The approach is seen to represent another instalment of contestation within the gender and development approaches thus further fragmenting the gender and development field (Tsikata 2004).

Two related shortfalls are observed. One, that the turn towards rights, participation and social inclusion in development discourses has often overlooked gender relations in investigating the distribution of rights, resources and recognition. Two, that rights based approaches in development have overlooked gender relations because they have been informed by universalistic conceptions about rights.

### References

- AWID (2002) 'A Rights-based Approach to Development' Briefing Paper, Association for Women's Rights in Development, Toronto
- Bradshaw, S (2005) 'Is the rights focus the right focus? Considerations of the utility of the Rights Based Approach for women's movements in Nicaragua'
- Moser, C & A. Norton with Tim Conway, Clare Ferguson, Polly Vizard (2001) ' to Claim our Rights : livelihood security, human rights and sustainable development ' ODI, London
- Tsikata, D (2004) The rights-based approach to development: potential for change or more of the same? Volume 35 Number 4 October 2004

(Based on: Maitrayee Mukhopadhyay (2007). Call for Contributors: Gender, Rights & Development. Unpublished document)

## KIT's Involvement

KIT has contributed to the development of methods, tools and capacity building programmes to assist duty bearers (donors, governments and NGOs) and rights claimants to work with rights-based approaches in development. As part of the work programme, the [Gender, rights and health](#), is an online distance learning course will take place from 3-9-2012 - 9-11-2012.

For more information:

- [Rights-based approaches to development](#)
- [Social Development and Gender Equity](#)

## Publications

- [Resource pack on gender and HIV/AIDS](#)
- [Working from a rights-based approach to health service delivery to sex workers](#)
- [Gender, rights and development](#)
- [Gender and access to justice in sub-Saharan Africa](#)

## Projects

- [Building up rights-based approaches to HIV/AIDS in Pakistan](#)
- [Human rights and good governance review of Danida Sector Programme Support](#)
- [Support to orphans and vulnerable children: a rights-based perspective](#)
- [Building gender synergy, mechanisms, actions, rights and training](#)
- [Rights-based approach in Royal Netherlands Embassy programmes](#)

## Resources

Hereunder you will find (links to) articles and publications that have not (yet) been included in the library collection:

### 2011

- [A toolkit for mainstreaming gender and rights based approaches in agricultural plantations in Lake Victoria Basin in the context of HIV & AIDS](#)  
Kenya: ACTS Press, African Centre for Technology Studies, Lake Victoria Basin Commission | 2011 | 68pp.
- [Human rights-based approaches to development: justice and legal fiction in Africa](#)  
Wing S. Social Science Research Network. Working Paper Series | August 2011 | 29pp.

## 2010

- [Developing human rights-based strategies to improve health among female sex workers in Rwanda](#)  
Binagwaho A. et al. Health and Human Rights in Practice, 12(2) 2010
- [Gender and Rights: a resource guide](#)  
Gendernet & Royal Tropical Institute (KIT) | 2010  
*An 'online tool for self-study and reference document for more experienced practitioners.'*
- [Human rights based approaches to maternal mortality reduction efforts](#)  
IIMMHR | 2010 | 32pp.
- [A human rights-based approach to programming: practical information and training materials](#)  
UNFPA | 2010

## 2009

- [Rights-based approaches: Exploring issues and opportunities for conservation](#)  
Campese J. et al. Bogor: CIFOR and IUCN / 2009 / 334pp. Includes an article on gender/women.
- [Review of the integration of a human rights-based approach and gender mainstreaming in health sector planning and processes in Yemen](#)  
Rostedt A. et al. WHO / 2009 / 51pp.

## 2008

- [Human rights-based approaches and European Union development aid policies](#)  
International EU Office / 2008) / 37pp.
- [Making the MDGs work for all: gender-responsive rights-based approaches to the MDGs](#)  
UNIFEM | 2008 | 219pp.

## 2007

- [Applying a rights-based approach: an inspirational guide for civil society](#)  
Danish Institute for Human Rights | 2007 | 47pp.

## 2006

- [A rights-based approach to realizing the economic and social rights of poor and marginalized women: a synthesis of lessons learned](#)  
Kapur A. et al. ICRW | 2006 | 24pp.
- [Frequently asked questions on a human rights-based approach to development cooperation](#)  
OHCHR | 2006 | 50pp.

## 2003

- [Rights-based approaches](#)  
ODI. Key Sheet 18 | 2003 | 2pp.

To keep informed of the latest KIT Library's acquisitions, you can subscribe to [KIT Library's thematic RSS feeds or e-mail alerts](#)

## Websites

- [Child Rights Information Network \(CRIN\), Human Rights-Based Approaches to Programming, sub-theme Gender](#)
- [Equal in Rights, Human Rights-Based Approach to Development](#)
- [United Nations Population Fund \(UNFPA\), Human Rights-Based Approach](#)
- [United Nations Development Group, Human Rights-Based Approach to Development Programming](#)
- [UN Women, Gender Issues, Women's Rights](#)
- [Human Rights Watch, Women's Rights Division](#)
- [International Women's Rights Action Watch \(IWRAP\) Asia Pacific](#)
- [HRBA Portal: UN Practitioner's portal on Human Rights Based Programming](#)

## Glossary

### Gender equality

Gender equality entails the concept that all human beings, both men and women, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles, or prejudices. Gender equality means that the different behaviours, aspirations and needs of women and men are considered, valued and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female. (ABC of women worker's rights and gender equality. Geneva: ILO, 2000) (Source: [UN-INSTRAW](#))

### Human rights

Human rights are universal legal guarantees protecting individuals and groups against actions and omissions that interfere with fundamental freedoms, entitlements and human dignity. Human rights law obliges Governments (principally) and other duty-bearers to do certain things and prevents them from doing others. (Source: Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation. Office of the High Commissioner of Human Rights, 2006)

### Human rights-based approach

A human rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress. (Source: Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation. Office of the High Commissioner of Human Rights, 2006).