

VISION TEXT

RIGHTS BASED

APPROACH



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Summary

In the text below, the following organisations KIYO, Solidagro and Viva Salud, describe the general framework for their approaches to human rights, to which these organisations will relate and adhere. This report deals with drawing up a framework for human rights as well as tackle the various basic principles, underlying the approaches to human rights based on their vision. KIYO, Solidagro and Viva Salud believe that every development is based on the realisation and implementation of rights. Regardless of whether it concerns children's rights, the right to health or the right to food, it's only when the entitled parties to these rights (right holders) are able to claim these rights, that people in positions of power (duty bearers)- primarily but not exclusively in government agencies - will fulfil their duty to respect, protect and implement these rights. Our organisations use the following strategies to realise these changes: capacity building, empowerment, provision of direct services, lobbying and advocacy, and building local support by raising awareness.

1. Introduction

Through a joint programme financed by the DGD, called 'Standing Up As One For the Rights For All 2017-2021', KIYO, Solidagro and Viva Salud aspire to mainstream their rights based approach for development. In this respect, we focus on protecting the rights of the most vulnerable people in the world.

The internal coherence of the policy statement lies in the human rights approach. Although each of the three organisations have built up expertise in one aspect of it (children's rights, the right to food and the right to health), they all have an underlying strategy in common, which binds them into a more coherent set of policies. Moreover, by working out a joint program surrounding these three elements, the whole becomes more than the sum of its parts and we lift its operation to a higher and more universal level by jointly aspiring to "mainstream" the human rights approach to development.

The purpose of this vision statement is to provide a general description of our rights based approach, in which a number of common pillars are identified to clarify the basis of our statement. The document will initially be used to support the employees of the three organizations in their work.

At a later stage, the vision statement will enable us to translate the joint rights based approach of KIYO, Solidagro and Viva Salud in an accessible way and to communicate it to an external audience and the public at large.

2. Human Rights

The Universal Declaration of Human Rights was adopted by the UN General Assembly in 1948. In a time when the world lay in ruins after two world wars, nearly all countries in the world were united in adopting the most ambitious declaration in the history of mankind. These human rights include a minimum number of conditions, which need to be met for people to be able to lead decent lives.¹

The Universal Declaration of Human Rights has been used as the basis for two binding treaties concerning human rights, i.e. the International Treaty Concerning Civil Rights and Political Rights and the International Treaty Concerning Economic, Social and Cultural Rights. The latter became effective in 1966 and addressed the matter and put into more concrete terms what constitutes 'a decent life'.

As childhood is particularly fragile in some countries, and in order to safeguard the implementation of all human rights in said childhood years, a special convention was established in 1989 to protect and support children in achieving their full potential. This convention would become known as the United Nations Convention on the Rights of the Child.²

In the meantime, the UN has adopted some 300 treaties and (non-binding) declarations, concerning human rights, such as the Convention on the Elimination of All Forms of Discrimination against Women (1979).

All those agreements are based on the following principles:

- > **Universality** – Every right is universal. They are recognised by the United Nations and most countries have included them in their constitution. They have a place in international law and nearly all countries have implemented the legal obligation to respect those rights.
- > **Non-discrimination** – Human rights apply to everyone, regardless of race, belief, political affiliation, gender, rank or social status. Non-discrimination does not mean that everyone should be treated the same way at all times, but they should be treated equally. Sometimes preferential treatment is needed to tackle discrimination. *Public Participation, inclusion and public involvement* are crucial pillars to this end.
- > **Indivisibility** – There is no hierarchy of human rights. They all have equal priority and cannot be the subject of compromise. They are also linked to each other and interdependent, meaning that no right can be completely fulfilled without the other.
- > **Inalienable** – Human rights can never be taken away.
- > Human rights always have **an individual and a collective component**. Collective rights may apply to groups and communities. Collective rights go beyond the sum of everyone's individual interests. For example, every individual has the right to education to develop their critical thinking skills and intellectual capacities. Accessible, high-quality education is equally in everyone's collective interest as it helps the community as a whole to move forward by, for example, developing treatments for diseases, devising solutions for long-term drought, and transferring knowledge to future generations.

1. The Universal Declaration of Human Rights is a declaration – not a treaty, and therefore, strictly speaking, non-binding. But according to the UN Commission for International Law, a declaration adopted by a large number of countries over time has more or less equal status.

2. It should be pointed out that the United States are the only Member State of the United Nations who have not signed the Declaration. In fact, in June 2018, they left the UN Human Rights Council.

3. Rights Based Approach

According to KIYO, Solidagro and Viva Salud, development is based on the implementation of rights. Inequality and various other forms of injustice in the world, such as no access to education, food or healthy living conditions, are therefore the result of unimplemented, infringed or violated human rights.

KIYO, Solidagro and Viva Salud strive for changes, based on better safeguarding human rights and children's rights, and in order to achieve this we look through a pair of rights based glasses.

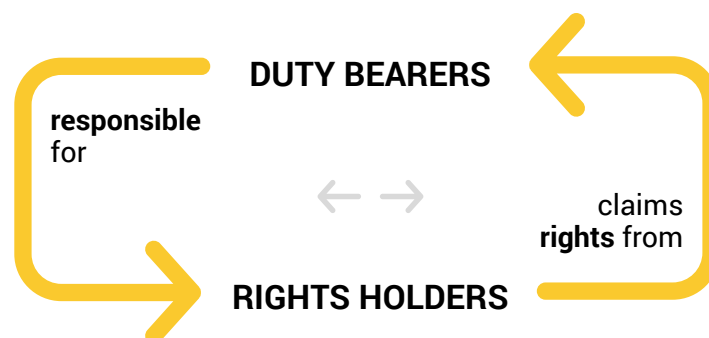
This rights based approach is based on a normative, internationally accepted framework of human and children's rights treaties and additional protocols, and forms the core of our programs. It is a holistic framework for sustainable change.

Duty Bearers and Rights Holders

Human rights entail rights and duties. Our rights based approach concentrates on the relationship between duty bearers and rights holders.

Duty bearers are those who have an obligation or a responsibility to respect, protect, promote and implement these human rights. They are primarily, but not exclusively, the government. Every person must also respect the rights of others.

Rights holders of these human rights are those who need to know their rights, and who are able to claim and realise their human rights. The rights based approach therefore assigns an active role to rights holders. They are considered agents of change and not merely passive recipients of help.



The Change We Intend To Make

The change that KIYO, Solidagro and Viva Salud want to bring about is that the rights of beneficiaries, and especially children's rights, the right to food and the right to health, are better safeguarded.

In order to achieve this, concrete changes must be initiated among duty bearers and rights holders, and the power relationships between them must be changed in favour of the latter.

On the one hand, we strive for duty bearers to better assume their obligations to respect, protect and implement human rights. On the other hand, we want to ensure that rights holders are better able to claim their rights.

4. Four Basic Principles to Approaches to Human Rights

4.1 Focus on Human Rights Rather Than Needs

The rights approach aims to achieve a structural change. It is important that we address the root causes of unimplemented, infringed and violated rights. However, certain situations also require immediate relief from needs, such as hunger, acute medical problems or shelter. The support offered to people in their time of need alleviates an emergency, but is also part of the rights based approach. It is about the realisation and implementation of a right that rights holders are incapable of realising for themselves at that particular time.

4.2 The Role of the Authorities

If we acknowledge that someone has a right, then we also have to acknowledge that someone else has a duty and has certain responsibilities. The ultimate duty of implementing people's rights lies with the authorities. By signing and ratifying international treaties, the authorities are required to incorporate the provisions of those treaties into national law and to comply with minimum standards and procedures so that the population can enjoy its rights.

The government does not have to do everything all by itself, but it has to do everything in its power to fulfil its responsibilities. They can do so by providing services and making rules and laws that, for example, regulate companies, oblige healthy working conditions, make education affordable and accessible to all, and guarantee freedom of expression.

Additionally, government departments and government agencies at any and every level are important because they are the only actors in society that have to be actively held accountable in order to receive funding from the (tax-paying) population. They can also be controlled and audited in a democratic fashion. Moreover, they have a duty to serve the public interest by establishing a legislative and supervisory framework within the human rights framework.

Within the framework of children's rights, civil society, local communities, families, parents, caregivers and alike are also responsible for the well-being of children and are seen as duty bearers.

4.3 Rights Holders as Agents of Change

The rights approach is a framework aimed at sustainable change in cooperation with the local population, and not merely for the benefit of the population. It is an approach that starts from the potential of the local population to gather strength to realise and implement their rights themselves and to transcend their potential dependence on external help by helping them to get organised. We view rights holders as agents of change. Therefore, it is necessary that people know their rights and that they have ample opportunities to claim them.

We need to investigate which process of social change and social emancipation takes place in a country, and who takes the lead in that process, and who plays a dynamic role in said process. Only then does the question arise: "What can we do to support that process to be truly effective?" This means that we have to keep an open mind to the dynamics within local communities and within certain countries. We have to be aware of the potential present locally and nationally. Furthermore, we have to listen to the solutions local people propose, and identify the problems they experience. A thorough context analysis will help us to this end.



Employees of Etoile du Sud (Congo) take to the streets on International Women's Day



Consultation of young people on national policy (Philippines)

4.4 A Fundamentally Sound Analysis

In our approach, we opted to base ourselves on human rights in our analysis of inequality and injustice. This normative framework helps us to analyse the situation from the perspective that certain rights are not being respected, instead of the view that certain needs must be met.

In practice, this means that the structural causes of unimplemented, infringed and violated rights must be identified. The following components are crucial in this regard: the identification of rights holders whose rights are being violated, the responsible duty bearers, and what these duty bearers require to bring about change. In addition, the origin and nature of the sources that we consult to make a context analysis are important, as well as the active involvement of rights holders.

This analysis is the basis of our strategic choices to bring about change among duty bearers and rights holders. KIYO, Solidagro and Viva Salud use different strategies to bring about changes for duty bearers and rights holders, such as capacity building, empowerment, providing direct services, influencing policies and strengthening public support by raising awareness of certain issues.



Participatory workshops as a means to better understand analyses and contexts (Philippines and Belgium)

5. KIYO's, Solidagro's and Viva Salud's Strategies

Based on a context analysis, which in turn is founded on violated and infringed rights, KIYO, Solidagro and Viva Salud use different strategies to bring about the desired changes for duty bearers and rights holders. These strategies are complementary and mutually reinforcing.

5.1 Capacity Building

Capacity building takes place in various areas:

- > Usually, we help our partners in the South to support local social movements that serve as a lever for rights holders to claim their rights collectively.
- > Our organisations invest in enhancing and strengthening the capacities of duty bearers, such as governments, actors and agencies who are responsible for safeguarding and protecting human rights of the local population.
- > We support and collaborate with local, national and international networks that can have an impact on relevant policy mechanisms.
- > Additionally, KIYO, Solidagro and Viva Salud collaborate to enhance the capacity of our partner organisations in order for them to implement the intervention strategies in a more efficient manner.



A Senegalese group of local women is supported to improve their organizational skills. "For the women of the village, having their own piece of land is a huge step forward. By earning money that contributes to the family budget and expenses, we are more respected and our voices are heard in our village community," says Djeneba Camara, chairwoman of a local women's group (Senegal).

5.2 Empowerment

Empowerment is the set of processes that develop the capacities of rights holders, both as individuals and collectively as social groups, in order to know their rights, and subsequently claim, realise and implement their rights with the aim of introducing changes on a personal level and, moreover, initiating social changes.

KIYO, Solidagro and Viva Salud also work with local partners on the collective empowerment of rights holders by organizing them in social movements.



Invigorating young people by using theater techniques on themes, such as gender-related violence (youth club, Burundi)

5.3 Providing Direct Services

Through our local partners we offer services to rights holders whose rights are (potentially) violated or infringed upon so we can improve their living conditions. Basically, we help to implement their human rights by offering them quality service.

This is also a way to remind duty bearers of their responsibilities and to provide them with suggestions and potential solutions. These local initiatives can sometimes lead to inspiring and innovative models that we in turn can propose in our lobbying and advocacy efforts at regional, national and even international levels. If we use a good and proper strategy, this may even lead to these models being copied in other regions or being included in government policies. Furthermore, we aspire to always link direct services to a strategy of sustainable inculcation, in which certain direct services are given a more permanent place in local government policies.



The need for water is so great that farmers are forced to get organized and thus enabling them to do an incredible job together (Bolivia) © Coen Wubbels

5.4 Advocacy and Lobbying

Together with our partners and networks at local, national, regional and international level, KIYO, Solidagro and Viva Salud exert influence on the policies of duty bearers by reminding them of their responsibilities and monitoring relevant legislation and its implementation. We influence policies by formulating requirements and suggesting alternatives through research and publications, by campaigning about certain local issues, mobilising people, performing certain watchdog tasks and having direct talks with policy makers.

As organisations, we are more often than not too small to have direct influence on a macroeconomic scale. That is why it is necessary to join forces at the local, regional and international level by using our networks and alliances.



Collaborating with other organizations to increase support for a rights based approach and influence policies (Belgium)



Senegalese and Gambian farmers and organizations take to the streets to claim their right to fertile land (Senegal and Gambia)

5.5 Building Support by Raising Awareness

In order for us to bring about change and challenge the status quo, broad support from the local population and the public at large are necessary. We strengthen support for the rights based approach by popularising our views, educating people, raising awareness and mobilising people into social movements. All of this is supported by research, training, gaining expertise, transfer and exchange of information and knowledge.

On the one hand, we work closely together with our partners to strengthen the support for the rights of rights holders, so that they become more aware of their rights and the ways in which they can claim them. On the other hand, we also strengthen the support for human rights in relation to duty bearers, for them to become more aware of their responsibility and duty to respect, protect and implement these human rights.



Young activists protest violence against children (Brazil)

6. Conclusion

When we talk about the rights based approach to development, we talk about our shared vision on people and society in general. Our approach is based on the normative, internationally accepted framework of the treaties on human rights and children's rights and additional protocols. We believe that every development in society is based on the implementation of rights. Above all, people are at the heart of our rights based approach - women, men, workers, farmers, children, teenagers, and alike. It is crucial for our approach to put people front and centre to play an active role as rights holders, and the way in which they organise themselves in society. After all, they are the real agents of change.

We want to realise certain changes, i.e. everyone's human rights should be better safeguarded, and especially children's rights, the right to food and the right to health. In order to implement these rights, certain changes must take place on the part of the duty bearers and rights holders. Duty bearers, i.e. primarily the government, must assume their responsibility. Rights holders must have the capacity to claim their rights. In order to achieve that, the balance of power must change in favour of the latter.

On the basis of a thorough context analysis of disrespected, infringed and violated rights and the structural causes of said violations, KIYO, Solidagro and Viva Salud identify and use different strategies to realise changes at the level of duty bearers and claimants. These strategies include capacity building, empowerment, direct services, policy influencing, and growing popular support by raising awareness.

Within the rights based approach, actions will therefore be taken, such as raising awareness with and mobilising both duty bearers and rights holders in favour of implementing human rights by building support; holding duty bearers to account through advocacy and lobbying; and helping the latter to fulfil their obligations by strengthening their capacities.

We help to enable adults and children, i.e. rights holders, to claim and implement their rights both as individuals and collectively as social groups. Furthermore, we address gaps in services through direct assistance and promote sustainable solutions through lobbying and advocacy.

The rights based approach of KIYO, Solidagro and Viva Salud is a holistic approach, focused on sustainable change and embedded in human and children's rights treaties.



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7. References

2017 – “Together We Stand Up For Everyone’s Rights 2017-2021”

1948 – Universal Declaration of Human Rights

Nine Core International Human Rights Instruments:

1965 – International Convention on the Elimination of All Forms of Racial Discrimination

1966 – International Covenant on Civil and Political Rights

1966 – International Covenant on Economic, Social and Cultural Rights

1979 – The Convention on the Elimination of All Forms of Discrimination Against Women

1984 – The Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment

1989 – Convention on the Rights of the Child

1990 – International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families

2006 – The International Convention on the Protection of All Persons from Enforced Disappearance

2006 – International Convention on the Rights of Persons with Disabilities

Some of the treaties are supplemented with optional protocols that deal with specific problems.

In addition to the aforementioned international fundamental human rights treaties, there are many other universal instruments relating to human rights.

2006 - Office of the United Nations of High Commissioner for Human Rights – FAQ on a human rights-based approach to development cooperation.

2015 - Agenda 2030 - Sustainable development

2004 - Charter 11.11.11

2018 Lecture - Civil partnership for development effectiveness (external session consortium days)

The International Journal of Human Rights - Strengths and weaknesses in a human rights-based approach to international development – an analysis of a rights-based approach to development assistance based on practical experiences

Right to health in the light of the Rights Based Approach through empowerment

Democracy Founded on People’s Sovereignty, IBON International, 7 June 2016

Jody Heymann, Adèle Cassola, Amy Raub, and Lipi Mishra - “Constitutional Rights to Health, Public Health and Medical Care: The Status of Health Protections in 191 Countries”, Global Public Health 8, No. 6 (10 July 2013): 639–653. doi:10.1080/17441692.2013.810765