During the past decade, a rights-based approach (RBA) to development has proliferated and blurred the distinction between human rights advocacy and development work. As Ellen Dorsey wrote in her October 2008 Monday Developments article, RBA is attractive because it shifts “the tenor of the discourse from charity to entitlement” and elevates development goals to “recognized standards and principles” with enhanced international legitimacy. More critical observers have cautioned that RBA may be just another rhetorical fad masking a history of failed development efforts. In this essay, we offer lessons regarding trade-offs and challenges associated with implementing RBA on the ground. These lessons are based on a recent evaluation of Plan International’s transition towards RBA in Guatemala, as well as interviews with more than 20 other development NGOs active in the country. We focus on how adopting an RBA framework has affected the effectiveness and sustainability of development interventions as well as the accountability of development NGOs.

Effectiveness and impact

A shift towards RBA means viewing poverty as a human rights issue, which implies addressing the causes of exclusion and discrimination. In practice, some NGOs have translated this shift into expanded and sometimes contentious advocacy aimed at strengthening local civil society groups. Others have emphasized a more cooperative and technical approach designed to strengthen the capacity of duty bearers in addition to empowering rights holders. In contrast to conventional human rights advocacy, a cooperative approach seeks to improve government capacity through financial and technical support, and presumes that a government is unable (rather than unwilling) to fulfill its obligations.

Organizations emphasizing cooperation with the government aim to reduce the dependency of local communities on NGO aid by ensuring the delivery of those services now provided by public authorities as the appropriate duty bearers. Supporting the government with technical expertise and financial means has the advantage of securing and extending services, but it does not necessarily address underlying power inequalities and structural barriers that often inhibit rights claims of marginalized populations. The challenge for NGOs adopting RBA is to translate an analysis of why those services were not provided in the first place into a strategy that gradually decreases government reliance on external aid. This entails looking beyond technical support and adopting advocacy efforts designed to challenge political and social factors affecting the accountability of the public authorities to local communities.

Patterns of exclusion and discrimination can also challenge the implementation of RBA at the community level. NGOs adopting RBA are asked to pay particular attention to the most vulnerable and disadvantaged community members, but they or their local partners may find it difficult to overcome deeply rooted patterns of social and economic inequality. Addressing these difficulties of reaching the poorest members of a community and supporting their meaningful participation in political processes requires influencing long-established community dynamics and structures. To do so effectively, NGOs should develop an analysis of existing patterns of discrimination at the community level and prepare their staffs for engaging community leadership about this issue. NGOs (and donors) adopting RBA should be aware that reaching the poorest and most vulnerable requires significant research and dialogue.

Sustainability

RBA promises to overcome the shortcomings of unsustainable project-based interventions and to reduce the dependency on external aid. Sustainability is accomplished when local communities can independently obligate government.
agencies to deliver services and can also effectively monitor the quality of those services. In order to support this form of long-term change, development NGOs are likely to look beyond the local level and adopt advocacy strategies and partnerships with national-level civil society and networks of like-minded groups, including human rights groups and social movements. Advocacy and collaboration amplify the voice of civil society and are essential in shaping national-level legislation and long-term policies securing government support of local communities.

Challenges to the sustainability of RBA are manifold, yet they differ from sustainability challenges faced in previous development efforts. While assistance-focused delivery of services frequently failed to foster long-term independence, RBA can create new forms of dependency as local communities rely on NGOs for organizing their representation and maintaining political spaces and access to local and national government authorities. The challenge is to gradually transfer these capabilities to the local level and create not just the individual, but collective capacity of rights holders.

A second sustainability challenge concerns the local government as a duty bearer. Here, a lack of resources and weak administrative capacities can undercut the sustainability of any advocacy efforts, in particular when a high turnover in elected offices weakens political leadership. Strengthening municipal staff and local consultative bodies plays an important role in overcoming long-term challenges due to an unstable and resource-poor context. Seeing direct service delivery as a means to achieve sustainable development outcomes, and not an end in itself, is only a small, first step in the right direction.

**Accountability**

RBA offers the opportunity to redefine the relationship between NGOs and the communities they are working to support. While the core accountability relationship fostered by RBA is between citizens and government authorities, NGOs are challenged to clearly define their own responsibilities based on the extent of their presence and influence.

While NGO accountability has lately become a buzzword, several challenges emerge when using RBA to strengthen “downward” accountability. First, the idea of universal human rights can undermine the motivation underlying consultations with participants when those principles are viewed as nonnegotiable and as a sufficient basis to legitimize development interventions. Accountability mechanisms under RBA may as a result shift toward project monitoring and increased participation in project execution, which are critical functions but do not sufficiently address NGOs’ responsibilities towards local participants. Second, attention can shift entirely away from NGOs and towards the accountability relationship between government and its people. Third, result-driven donor requirements may make it more difficult for an NGO to give significant voice to local communities.

It is important for NGOs to address these challenges by defining the role of human rights principles in their mission and strategies, by developing policies to resolve potential conflict between different stakeholders, and by making explicit their own responsibilities that come with the power they possess. By acting as a duty bearer, NGOs gain legitimacy, lead by example and encourage the practice of rights claims. While human rights are universal, local communities have to actively define the meaning of those rights for themselves and understand that duties are spread across a range of actors in the public and private arena.

Transitioning toward RBA offers development NGOs a powerful framework to improve their practices. However, along with many promises, rights-based approaches bring with them significant challenges. They require an international NGO to systematically transform its organizational culture, governance, staff attitudes, incentives, skills and programming practices. In practice, many organizations tend to resist such transformation, not necessarily because of a lack of commitment, but because of organizational constraints such as lack of staff capacity and countervailing demands from various stakeholders, in particular donors. Strong and committed leadership on every level of an international NGO is essential to overcome any tendency to “water down” the organizational implications of RBA. Only then can RBA generate the benefits to the development field that many are hoping and waiting for.

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