

Linkage between Right to Development and Rights-based Approach: An Overview

*Khandaker Farzana Rahman**

1. Introduction

The concept of right to development has been inserted into the rights discourse quite recently, though it was known earlier that the proper implementations of human rights tend to secure the life standard and progressive development of the community. New concepts of development expressed its concern for the overall betterment of human being.¹ Right to Development (RTD) is being recognized as a collective right in the human rights arena.

On the other hand, Rights Based Approach (RBA) has an inseparable link with right to development which seeks for the identification of issues to make a need based assessment. In brief, a human-rights approach translates poor people's needs into rights, and recognizes individuals as active subjects and stakeholders. It further identifies the obligations of states that are required to take steps – for example through legislation, policies and programs with a view to respect, promote and fulfill the human rights of all people within their jurisdiction.² RBA addresses rights based issue to achieve goals adopted by MDG, like alleviating poverty, promoting education, ensuring gender equality and empowerment of the women, developing a global partnership for development etc. In this article, the right to development is being tried to accurately affiliate with the framework known as Rights Based Model with a view to characterizing a successful coordination between the two. Thus if the states intend to adjust their methods of functioning and fulfill their obligations to the beneficiaries according to the rights based model, the recognized human rights such as economic, social, cultural rights involved in human development would be enjoyed and respected by an individual irrespective of his class, group, origin and any other attributes.

* Lecturer, Department of Law, Northern University Bangladesh (NUB), Dhaka. E mail: law.akhi@gmail.com

¹ Seikh Hafizur Rahman Karzon, *Development and Human Rights: Bangladesh Perspective in Human Rights and Development*, Dr. Mizanur Rahman (Ed), (ELCOP, Dhaka:2002) p. 83

² Karin Dawidson, *Evaluating the Mainstreaming of Rights from “a Rights Perspective”*, SADEV, Paper presented at the HRIA in Practice Conference, 23–24 November 2006, Zandvoort, the Netherlands, p 4

2. Right to Development

Keiba M Baye, Chairman of the Commission on Human Rights, in its 33rd session launched the idea of the Right to Development for the first time.³ In contemporary usage, the demonstrated quest of the third world for development was recognized in the 1986 UN Declaration on the Rights to Development (DRTD), subsequently reaffirmed by the Vienna Declaration and Program of Action by the World Conference on Human Rights.⁴

The Right to Development is the Right to a process of Development where all human rights – economic, social and cultural rights and civil and political rights – are realized. An improvement in realization of the Right to Development means that at least some rights should improve while no rights are violated. Implementing the right to development would require implementation of a development policy for the economy as a whole. It would harmonize policies for realizing individual rights with a programme for economic growth, respecting standards of human rights.

The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.⁵

Declaring RTD as human rights once again, Article 2, DRTD notes, the human right to development also implies the full realization of the right of people to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

2.1. Component rights of the right to development:

Naturally most human rights have several related rights. The component rights of the RTD include:

³ Workshop Report on Right to Development Project, Centre for Development and Human Rights, India, 2002, p 2

⁴ Dr. M. Rafiqul Islam, *Development as a Human rights An Economic Analysis from the Perspective of the Third World Perspective*, in Human Rights and Development, (ELCOP, Dhaka:2002) p 2

⁵ Article 1, Declaration on the Right to Development 1986

A. Right to participation: It is now treated as an indispensable feature of all forms of development.⁶

B. Human centered development: A HR approach to development puts people first and promotes human centered development.⁷

C. Right to fair distribution: The right to fair distribution of benefits of economic development for the states.

D. Principle of non-discrimination: The right to nondiscrimination in development 'without distinction of any kind, such as, race, sex, religion, political or option, national or origin, property, birth or other status'.⁸

E. The right to self determination: The human right to development also implies the full realization of the right of peoples to self determination, which includes...their inalienable right to full sovereignty over all their natural wealth and resources.

F. Respect to human rights: The right to the free and complete fulfillment of human being with full respect for human rights and fundamental freedoms must be facilitated.⁹

2.2. Clarifying the nature of the RTD:

If the core content of the RTD is relatively straight forward, the motivations for clarifying the nature of the right are more problematic. The debate remains open. Current interpretations see the RTD as:¹⁰

1. The aggregate of economic, social and cultural rights.
2. The economic dimension of the right to self determination.
3. Only an 'Umbrella right', useful shorthand to describe all rights.
4. The right to a particular process of development.
5. The application of already recognized international rights to new sphere of international activity.
6. The right of people affected by the development process to realize their human rights through development process
7. A programmatic tool to maintain human rights principles into development.

⁶ Abdullah Al Faruque, *Participation as a Human rights: Its Implication for Development, Human Rights and Development*, Dr. Mizanur Rahman (Ed), (ELCOP, Dhaka:2002), p 83

⁷ Julia Hausermann, 'Can We Do Anything Sensible with a Rights-Based Approach to Development?', Talk given at the Overseas Development Institute, London, 31 March, 1999

⁸ Preamble, DHRD 1986

⁹ Article 1(2), DHRD

¹⁰ Helene Piron, *The Right to Development: A Review of the Current State of the Debate for the Department for International Development*, April 2002, p. 11

2.3. The right to development in the international instruments

2.3.1. Declaration on Social Progress and Development 1969

The innate relation between rights and development has been designated in the Declaration on Social Progress and Development for the first time. Article 2 says, ‘social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice’

Then Article 6 connotes, ‘social progress and development require the participation of all members of society in productive and socially useful labour and the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property.’

2.3.2. The Declaration on the Right to Development 1986

The right to development is an inalienable human right by virtue of which every human person and all people are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

The human person is identified as the beneficiary of the right to development, as of all human rights. RTD imposes obligations both on individual states - to ensure equal and adequate access to essential resources - and on the international community - to promote fair development policies and effective international cooperation.

2.3.3. The Vienna Declaration and Programme of Action 1993

The Vienna Declaration and Programme of Action (VDPA) 1993 adopted at the World Conference on Human Rights dealt extensively with the right to development. Article 10 of this declaration specifically reaffirms that right to development as an integral part of fundamental human rights.

VDPA acknowledges and reaffirms the solemn commitment of the states to cooperate with each other in ensuring development and eliminating obstacles to development. It firmly places the responsibility of international community to promote an effective international cooperation for the realization of the right to development and to the elimination of obstacles to development.

The conference also recognizes that lasting progress towards the implementation of the right to development requires effective development

policies at the national level, as well as equitable economic relations and a favorable economic environment at the international level.

2.3.4 World Summit for Social Development 1995

States and governments are committed to a political, economical, ethical and spiritual vision for social development that is based on human dignity, human rights, democracy, equality, respect The states will create a framework for action to promote universal respect for and observance and protection of all human rights and fundamental freedoms including the right to development.¹¹

2.3.5. Fourth World Conference on Women, Beijing 1995

The state shall ensure the full enjoyment by women and the girl child of all human rights and fundamental freedoms and take effective action against violations of these rights and freedoms.¹²

2.4. View of International organizations and non governmental organizations on the RTD debate

Many social movements and NGOs have recognized the importance of integrating rights into development works not as a separate approach but as an essential part of holistic process.¹³ The International development organizations are not usually active in the RTD debate- this is the prerogative of states. They are however invited to attend the Open- Ended Working Group on the RTD and to present their attempts to integrate or not HRs concerns into their policies and strategies. Moreover, there are few NGOs actively involved in the RTD debate, probably because the concept remains unclear, the debates highly politicized, and not conducive to practical discussion.¹⁴ Most of them don't acknowledge RTD as a separate right.

3. Rights Based Approach

A rights-based approach to development is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally connected to facilitate human

¹¹ Article 25, World Summit for Social Development 1995

¹² Article 23, Beijing Conference

¹³ Jennifer Chapman, Right Based Development: The Challenge of Change and Power, Global Poverty Research Group, 2005, p 3

¹⁴ Laure-Helene Piron, The Right to Development: A Review of the Current State of the Debate for the Department for International Development, April 2002, p. 14

rights.¹⁵ A 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.¹⁶

The OHCHR argues that while the RBAs are currently receiving much attention, the idea is not new and many of its elements have been tried over the years by organisations such as the ILO, UNICEF, UNDP, OXFAM and Care.¹⁷ Basically a rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development. The norms and standards are those contained in the wealth of international instruments. A HRBA leads to better and more sustainable outcomes by analyzing and addressing the inequalities, discriminatory practices and unjust power relations which are often at the heart of development problems.¹⁸ A rights-based approach to development includes the following elements:

- Express linkage to human rights
- Accountability
- Empowerment
- Participation
- Non-discrimination and attention to vulnerable groups

The rights-based approach to development empowers people to demand justice as a right, not as charity, and gives communities a moral basis from which to claim international assistance where needed.¹⁹ The approach, however, does not solve all problems of development. Although it advocates an agency model of change (emphasizing that the individual/groups should be actively involved in political, social and economic activities), it says less about institutional mechanisms of change or underlying axis of change, it explicitly identifies the actor (States etc.) as the ultimate duty holding instance

¹⁵ <http://www.unhcr.ch/development/approaches.html>, Accessed 27 February, 2009

¹⁶ Mary Robinson, UN High Commissioner for Human Rights 2001

¹⁷ Dzodzi Tsikata, The Rights-Based Approach to Development: Potential for Change or More of the Same, Community Development Resources Association, See: [a/articles/The%20Rights-Based%20Approach%20to%20Development%20Potential%20for%20Change%20or%20More%20of%20the%20Same%20by%20Dzodzi%20Tsikata.doc](#), Last visited: 22/02/2010

¹⁸ Human rights-based Approach to Development Programming: UN Development Group, Available at: <http://www.undg.org/?P=221>, Last visited: 22 February, 2010

¹⁹ Kofi Annan, Secretary-General of the United Nations: Annual Report on the Work of the Organization 1998.

and how the obligations take various form to fulfill people's rights by providing rights related goods.²⁰

3.1. Characteristics of Human Development Approach:

3.1.1. Non discrimination and principle of equality:

A development project meets the requirements of RBA when it includes irrespective of differences, *e.g.*, sex, religion, ethnicity, language, gender, age, property, and birth status and so forth. This twin principle is the basic principle of the human development model. It is also reflected in the declarations and conventions of UN.

3.1.2. Interdependence and indivisibility of human rights

Human rights model supports that all human rights are indivisible and interdependent, whether they are civil or political rights, such as the right to life, equality, before the law and freedom of expression, economic, social and cultural rights, such as the right to work, social security and education, or collective rights, such as right to development, and self determination.

3.1.3. Accountability

RBA model focuses on raising levels of accountability in the development process by identifying claim holders (and their entitlements) and corresponding duty holders (and their obligations). In this regard they look both at the positive obligations of duty holders to protect, promote, and provide) and at their negative obligations (to abstain from violations). They take into account the duties of the full range of relevant actors, including individuals, states, local organizations and authorities, private companies, aid donors and international institutions. States are required to take immediate steps for the realization of the rights concerned²¹ so that a failure to take the necessary steps, or any retrogression, will flag a breach of the state's duty.

3.1.4. Human rights and participation

The link between human rights and participation has long been recognized. The only criterion for the realization of freedom is whether or not the individual actively participates in determining his life and that of society, and this not only by the formal act of voting but in his daily activity, in his work

²⁰ Bard Anders Andreassen, *Shifting Notions of Development-Implications for the Rights to Development?*, Paper Presented in Forum for Development Studies, No 2, 1997

²¹ Article 2, International Convention on Economic, Social, and Cultural Rights 1966.

and in relation to others. The link was given prominent in the report of ILO Director General to the World Employment Conference.

A basic need oriented policy implies the participation of the people in making the decisions which affect them.²² The satisfaction of an absolute level of basic need as so defined should be placed within a broader framework-namely the fulfillment of basic human rights, which are not only end in themselves, but also contribute to the attainment of other goals.

3.1.5. Attention to vulnerable groups

One important aspect of non discrimination is to put special attention towards the backward or marginalized sections. Women, children, elderly people, poor, diseased people can be considered as the vulnerable people in the community. The development programs should underscore the betterment of this section and execute programs and projects to uplift into a level where they can meet minimum standard of life at least can claim their rights.

4. Necessity of the debate on the relationship between RBA and RTD

At the outset, the nature of RTD is a subject of many disagreements and debates. The world is presumed to be divided into two parts on this debate. The northern view considers the RTD as a synthesis right which encompasses all rights, whereas the southern view depicts the RTD as a new, separate right. Moreover, the former view defines RBA as an element of the RTD and recommends the development of human rights indicators and the latter view illustrates it as creating new conditionality and is cautious on human rights indicators.²³ There is no empirical research on the findings of the debate. However there is a meaningful urgency to point out the comparisons between RTD and RBA.

5. The different criterion of the relationship between RTD and RBA:

5.1. Legal framework:

Regarding the propositions of RTD, it maintains only one frame work that is to be mentioned in the constitution of a particular country. This right is widely respected in the African Charter on Human and Peoples' Rights adopted June 27, 1981:

²²Renate Heierli-Hogaust, *The Satisfaction of Basic Needs-old Demands, New Strategies*, Institute for Latin-American Studies and Development Co-operation, University of St. Gall, Volume XVI, No 6, November, 1981, p 287

²³<http://www.unhchr.ch/development/approaches-02.html>, last visited: 22 February 2009

Convinced that it is henceforth essential to pay a particular attention to the right to development and that civil and political right cannot be dissociated from economic, social and cultural rights in their conception as well as universality and that the satisfaction of economic, social and cultural rights is a guarantee for the enjoyment of civil and political rights.²⁴

Moreover this right is inserted in the directive principles of state policy of the domestic constitutions of some countries, such as Uganda, Ghana. The government of Uganda recognizes the right to development of the state as a whole and of all its peoples. It provides for this right in the new constitution of 1995. Here, the right to development finds its expression among the National Objectives and Directive Principles of State Policy as objective number nine.

But it is noteworthy to say the right to development in these countries has not yet found real reflection on the life of the ordinary people, many of whom are still excluded from participating in the development process. This is because on basis of the violation of the right to development, no writ has yet been entertained or tried in the courts of Uganda or Ghana. Since that, the states must get beyond constitutional provisions to translate these guidelines into concrete human well-being guided by comprehensive principles and an approach most suitable for the realization of this right to development.

Thus RTD is commonly pondered in the substantive text of theory, not in practice. And we reckon that when any practice is not broadly accepted by the states, it can't reach to the standard of customary law. Furthermore, RTD is not recognized and accepted by any non governmental organizations or donor agencies. If the donor agencies expect positive changes for the aid receiving countries towards the poverty alleviation and better governance, they ought to focus on the principles of right based model including the right to development

5.2. Contents:

The right to development is the right to a development process where all rights can be progressively realized. Both the process of development and the outcomes of the process can be regarded as human rights claimed by the people of a country for the benefit of all individuals. The right is exercised collectively but enjoyed individually. The related obligation is appropriate

²⁴ Preamble, African Charter on Human and Peoples' Rights, 1981

development policy by the state (the primary duty-bearer) and co-operation by other states and international institutions. However an allegation raises regarding this rights that there is no specific contents.

Even though the RTD should not be understood merely as an umbrella right or as a sum of rights, it can be compared to be a vector of all human rights. $(r_1 + r_2 + \dots + r_n = R)$.²⁵ In this vector each element is a human rights just as the vector itself is a human rights. Being all rights independent, the requirement for improving the RTD is the promotion or improvement in the realization of at some human rights whether civil, political or cultural, social, while no other deteriorates.

Now this formula seeks for a considerable decision whether it is practically possible or not. The answer surprisingly leads to a negative response. Suppose, any state constitution guarantees the right to development in its supreme policy. Consequently the people would achieve the right to move to the court on any violation of this right and the domestic courts seem to be burdened with multiplicity of suits.

Meanwhile, attempts are underway to undermine other rights in various ways, such as by treaties, the ICCPR, ICESCR, CRC, CAT, CEDAW have been recognized worldwide. In contrast, as the right to development tends to exercise the debatable contents, DRTD cannot reach to the credibility of the customary international law.

Human development model, however, in regard to its contents, outlines how aid agencies should work on from the core of the current evidence around the added value of human rights for development, transparency and accountability. Lastly, it addresses both conceptual and practical challenges to human rights within the evolving development partnerships between donors and partner countries, as well as the human rights issues at the programming level.

5.3. Enforceability

Some presume that the right to development has a limited recognition in the UN charter. Article 55 of the UN Charter points out:

²⁵ Arjun Sengupta, *On the Theory and Practice of the Right to Development*, Human Rights Quarterly, vol 24 The John Hopkins University Press, p 867

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and
- c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Later on article 56 provides, 'all members shall pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55'.

In the awakening of the RTD, the United Nations (UN) and the Organization of African Unity (OAU) have regarded the issue of development by declaring development a right and responsibility. The right to development has been addressed through an African contribution to the international human rights discourse. The right to development is formally recognized in the African Charter on Human and Peoples Rights. Article 22 of this charter provides that:

All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind, states shall have the duty, individually or collectively, to ensure the exercise of the right to development.

Without any doubts the rights based approach is likely to be accepted and enforced as a hard law that creates obligation on the international community. This framework becomes so indubitable in the activities of the actors of international and regional levels.

5.4.Consensus

The World Conference on Human Rights, held in Vienna in 1993, dealt broadly with the right to development. It adopted the Vienna Declaration and Program of Action, which recognizes that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing.

The World Conference reaffirmed by consensus the right to development as a universal and inalienable right and an integral part of fundamental human rights. It further stated that, while development promotes the enjoyment of all

human rights, lack of development may not be invoked to justify the abridgement of internationally recognized human rights.

Some NGOs consider the Declaration on the Right to Development a useful extension of the 1948 Universal Declaration of Human Rights because it places the protection and promotion of human rights in the context of a globalizing economy and places greater emphasis on the international economic system. Others find its holistic approach to human rights attractive in theory, but say the inter-governmental discourse associated with the right to development is too paralyzed in "political posturing" to realistically expect its broad principles to be translated into practical policy changes. Others note that there is less divergence among governments than in the past, and it is worth combining the broad principles contained in the right to development with the more specific content of rights and responsibilities spelled out in the International Bill of Human Rights, associated instruments and world conference agreements. Finally right to development is seen to be considered as an umbrella right, not as a separate right.

Although some UN agencies such as the United Nations Children's Fund (UNICEF) have followed human rights approach to their policy work for a number of years, the 1997 reform plans of UN Secretary-General Kofi Annan to mainstream human rights across all areas of the organization's work, including social and economic affairs and development, has played a catalytic role. These initiatives are filtering through the UN system in numerous ways, including developing a common approach for enhancing the human rights dimension in development operations in the process of elaborating the United Nations Development Assistance Framework (UNDAF) to apply to UN country-level activities.

The Office of the High Commissioner for Human Rights (OHCHR) plays a central role in this mainstreaming effort. Ms. Robinson (Head of OHCHR) has repeatedly stressed her intention to place more emphasis on economic, social and cultural rights in order to restore the balance between all categories of rights. OHCHR is establishing partnerships with a number of other UN bodies that have integrated, or intend to develop, a human rights approach to their economic and social work.

For instance, it has recently signed a memorandum of understanding with the United Nations Development Program (UNDP), which last year published a

policy document on Integrating Human Rights with Sustainable Human Development. Likewise, The Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) has announced that his organization will examine, in cooperation with the OHCHR, the economic implications of human rights instruments in UNCTAD's work. Ms. Robinson has established regular dialogue with the International Monetary Fund (IMF) and the World Bank and sits on all four executive committees of the UN Secretary-General, who defined human rights in his reform programme as a "cross-cutting issue."²⁶

6. Development aid and human development model:

The assistance generates the flows of official financing administered with the promotion of the economic development and betterment of developing countries as the main objective. The allocation and disbursement of aid is often linked to donors' foreign policy or commercial interests, and tied to products or consultancy services from the donor country. The tying of aid is estimated to increase costs by up to 30%.²⁷ The main beneficiaries of this practice are firms and consultants in donor countries. Already in 2001, the OECD DAC issued the recommendation to untie aid.²⁸ Although many donors committed to untying in general, they still fall short in implementation, excluding key areas such as food aid and technical assistance from agreements and still relying heavily on their own firms. Germany and Spain, for instance, still tie one third of their aid to their own goods and services.²⁹ But in the context of global development it is incumbent on donors to ensure that their policies and actions do not directly lead to regression, defined by the Committee on Economic, Social, and Cultural Rights as a violation of human rights.³⁰

²⁶ <http://www.globalpolicy.org/soecon/trade/unctad/unctadin.htm>, Accessed 22/02/2009

²⁷ UNDP. Human Development Report 2005, p. 12.

²⁸ The Reality of Aid: Aid Effectiveness: Democratic Ownership and Human Rights", 2008, p 165

²⁹ Concord, hold the applause! EU governments risk breaking aid promises. EU Aid Watch Report 2007, p. 13

³⁰ Andre Frankovits, Rules to Live by: The Human Rights Approach to Development The Fletcher Journal of Development Studies, Vol XVII , 2002, p 11

**Table 1: Top ten recipients of receiving Overseas Development Aid
(USD million: 2003-2004)³¹**

Country	ODA (\$US in Million)
Iraq	3244
Congo	3183
China	2341
India	1717
Indonesia	1544
Afghanistan	1449
Egypt	1308
Pakistan	1247
Ghana	1160
Vietnam	1142

From the charts³² below, we can easily reach on the decision that the aid giving countries don't tend to follow the HR approach of development. Most of the cases, they are likely to donate to those countries which are war effected or have prospects of developing industries. But the third world or poor countries like Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Cape Verde, Chad, Sierra Leone, Togo, Tuvalu, Uganda are left ignored in the extent of developmet aid.

Iraq	148
Tanzania	110
Mozambique	98
Uganda	60
Sudan	58
Palestine	53
Afghanistan	51
Zambia	51
Kenya	49
Vietnam	45

Iraq	4266
Afghanistan	1459
Sudan	725
Combodia	562
Egypt	541
Nigeria	514
Congo	486
Pakistan	465
Ethiopia	344
Kenya	304

³¹ www.oecd.org, last visited: 22 February, 2009

³² *Ibid*

China	1284
Nigeria	1074
Indonesia	1038
Iraq	845
Philippines	738
Vietname	711
India	609
Tanzania	381
Malaysia	308
Srilanka	306

Turkey	486
Palestine	397
Morocco	337
Serbia	303
Ethiopia	284
Sudan	277
Egypt	271
Afghanistan	264
Mozambique	212
Tanzania	194

For instance, US being the wealthiest, strongest and most influential nation, it is worth seeing how their actions or inaction affect other nations. One notable area is US foreign aid. Being a major part of the International Monetary Fund, World Bank and even helping to formulate the United Nations over 50 years ago, their actions can be felt around the world. Around the world for numerous years, many have criticized the US for cutting back on its promised obligations and responsibilities.

Furthermore, when it has provided aid, it has been tied to its own foreign policy objectives.³³ Again while much of the promises for aid donation have included spin and fancy accounting, these promises have rarely been delivered upon, or if they have and subsequently failed, no-one has been held accountable. However, it is important for borrowers to have an important role in defining what the debt sustainability means.³⁴ The underlying borrowers' interest in debt sustainability design is to make sure that the debt sustainability in the long run would lead to a sustainable development in that country. Therefore it is evident that at least the plain act of sending conditionality dollars without following RBA principles to recipient developing countries is not the way of reaching good and sustainable governance in the poor countries.³⁵

³³ Anup Shah, Foreign Aid for Development Assistance, <http://www.globalissues.org/article/35/foreign-aid-development-assistance>, accessed: 22 February 2010

³⁴ Debt and Trade: Making Linkages for the Promotion of Development, Centre of Concern, 2009

³⁵ Mohammad Jashim Uddin and Ashrafun Laila, Bangladesh Institute of International Strategic Studies Journal, Vol 26, No 1, 2005, P 54

6. Conclusion

The human development approach is basically complementary. The HR approach to development can be seen as a method of promoting human development carried out in a manner fulfilling human rights including RTD. Such an approach is specified in the DRTD 1986 and in subsequent international resolutions as a participatory, accountable and transparent process with equity in decision making and sharing of the fruits or outcome of the process, as well as maintaining all the civil and political rights. The objectives of development are set up as claims of entitlements of right holders which duty bearers are expected to protect, promote, respecting international human rights standards based on equity and justice.³⁶ A human rights approach to development in fact recognizes primarily the legal obligation of members of human rights treaties to development cooperation and development efforts and so goes beyond human rights as the content of development policy.

The inclusion of this obligation into the human rights monitoring system of the United Nations (UN) is part of such an approach. So the Rights based Approach and Right to Development can go simultaneously. Any social development process can be translated into a sustainable and progressive process through the implementation of the model.

³⁶ Brigitte Hamm, *A Human Rights Approach to Development* in *Human Rights Quarterly* 23.4 (2001) p 125