

## STEP 4

# Righting Wrongs

### *MORAL VALUE 10: EQUALITY AND EQUITY*

## **EXERCISE 19, THE RIGHT TO DEVELOPMENT**

*Overview:* Article 3 of the UN Declaration on the Right to Development calls for development that benefits the people affected and requires planning in which those affected participate. According to a statement by James C.N. Paul, "There is growing recognition of the need to "democratize" activities carried on in the name of "development" and of the need to make those who engage in these activities more accountable to internationally recognized standards which protect peoples' rights and their environment. Hopefully, these objectives will be reflected in the evolution of international law. The articulation and application of the Human Right to Development should play a central role in these efforts." *Third World Legal Studies, 1992.*

*Objectives:* The participants should:

- gain some familiarity with the the right to development in the Development Declaration and the right to participate in development in Article 14 of CEDAW
- be able to make the connection that people's participation is important in small matters (Case 1) and large (Case 2)
- be able to justify their views on the value of participation by those affected by a development project

*Procedures:* Facilitator, give names to the persons involved in the cases set out below but here referred to simply as "G." Open up full discussion of G's case, remembering what lessons participants drew from it. A reporter may be necessary to keep track of their points. See if these points apply to the larger development scenario described and allow full critical discussion of the irrigation plan. Then close with a discussion of how the UN Development Declaration should be understood. The facilitator should take steps to study a copy of the complete UN Declaration on Development

*Materials:* CEDAW, Article 14; UN Declaration on the Right to Development

*Sequence:* **Step 1.** Ask the participants if they have had the experience in their lives that some activity affecting them would have turned out better if they had been consulted, but the people in charge did not care to hear them?

**Step 2.** Tell the participants the story of the "all knowing engineer." named G.

## G's CASE (1)

Once there was an engineer who called a group of labourers to dig a hole at one of his clients houses. They did not feel comfortable with the task. Seeing their hesitancy G assured them that he will be paying them well. Half-hearted, they began digging holes as ordered. After they dug to a depth of one meter, the engineer instructed them to stop and do the same in another nearby spot. This went on until five holes were dug. Then, the labourers refused to dig any more unless G tells them the purpose of their work.

Reluctantly he told them that the sewer system of the house has failed to function and because the layout of the sewer system could not be found, he is trying to trace it by trial and error. The labourers began laughing, much to G's distress. One of them said: "Sir, we worked as masons on the house and we remember where the sewer pipe is laid. It is exactly there, close by the door, unusual as that may appear." That is where they dug, and that is where the engineer found the pipes that solved the problem.

**Step 3.** Ask the respondents by the "go around" method to say what the lessons of G's story are?

**Step 4.** Facilitator input: Ask the participants to consider Case (2). Suppose that an international funding agency has loaned a very large sum to the government to construct an irrigation system that will divert streams and rivers from their natural course. Suppose there will be inevitable social disruption as a result with local village people forcibly displaced. Suppose a study shows that an increase of water-borne or water-related diseases is commonly associated with irrigation projects. Also, suppose that the new water routes will affect those displaced to new locations in such a way that women and children water who regularly carry it will have three times longer to walk to fetch water. Ask if participants see any lessons from G's case that can be applied to the big irrigation project.

**Step 5.** Tell participants to imagine that the funding agency in step 4 has been warned of possible opposition to the proposed plan, and as a result they have sent in a consulting sociologist named Dr. Helga Olson from Sweden to ask people like them to identify various ways that their human rights should be taken into account in the planned construction. Be sure to name the various human rights that apply connected to related issues that the agency should take into account in the irrigation plans. Ms. Olson tells local people she wants to hear their ideas about the human rights that authorize them to be consulted on, comment about, and criticize the funding agency's development project. She says to complete this task, they "had better take a good close look at Article 14 of the Convention on the Elimination of All Forms of Discrimination Against Women." Engage in some brainstorming whereby participants try to identify and explain the human rights that they think apply to them as they insist on being consulted regarding the project. The facilitator will have to keep careful account of those ideas that are mentioned, perhaps with the help of a volunteer to report.

**Step 6.** Next, explain to the participants that in fact there is a UN Declaration on the Right to Development. Read parts of it. Explain also that CEDAW refers to the "right to development." Read Article 14 to them, and ask participants to try to explain what they think it means. What do they think it should mean? How could they apply the Declaration on Development as well as the Women's Convention to the development project and to those affected by the water irrigation plan in Case 2?

**Appendix, *UN Declaration on the Right to Development (1986); Convention on the Discrimination of All Forms of Discrimination Against Women (1981).***

*UN Declaration on the Right to Development, (1986) Article 2*

1. The human person is the central subject of development and should be the active participant and beneficiary of the right to development
  
2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfillment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.

*CEDAW, Article 14*

2. States Parties shall take all appropriate measures to elimination discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: (a) To participate in the elaboration and implementation of development planning at all levels.