ISHR’S SUMMARIES OF DOCUMENTS FOR THE 5TH SESSION OF THE COUNCIL


Mandate holder

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Mandate

The mandate was established in 1998 to evaluate the relationship between the promotion and protection of human rights and extreme poverty and to make recommendations and proposals in the sphere of technical assistance. The independent expert is supposed in particular to take into account the obstacles encountered and progress made by women living in extreme poverty as regards the enjoyment of their fundamental rights as well as the outcome of the World Conference against Racism and the World Summit on Sustainable Development. The mandate is carried out through country visits and consultations with men and women, living in extreme poverty and the communities in which they live, on ways of developing their capacity to express their views and organise themselves, also involving national human rights bodies in this exercise. The independent expert has also been asked to work on the contents of a possible draft declaration on human rights and extreme poverty.

Activities

- Annual report
- The report takes into account the observations of the group of experts, which met in Geneva at a workshop on 23 and 24 February 2007 to consider the different aspects of the approach of the Independent Expert on human rights and extreme poverty.

Annual Report

Scope:

This third report builds upon the Independent Expert’s two earlier reports in 2005 and 2006, as well as on his mission report on conditions of extreme poverty in the USA. In the present report, the Independent Expert explores the link between human rights and extreme poverty by outlining the following three considerations that contribute to the distinct value added of viewing extreme poverty in terms of violation or denial of human

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1 Summary prepared by Christopher Lee, Intern, ISHR, and edited by Gareth Sweeney, Information Program, ISHR.
rights: the multidimensionality of poverty, the core characteristics of poverty, and programmes for eradicating extreme poverty.

Summary and key conclusions:

A human-rights based approach can apply both to theoretical considerations in terms of developing a consensus on the core characteristics of extreme poverty, and to the practical application of policies for the eradication of extreme poverty.

The multidimensionality of poverty

- The international community had affirmed that poverty was not only confined to economic deprivation, but extended to social, cultural, and political deprivation as well.
- In accordance, the Independent Expert defined poverty as a composite of income poverty, human development poverty, and social exclusion.
- Those who suffer from income poverty are those who have a dispensable income or expenditure below an agreed level that can be considered the minimum required for leading a sustainable life. People suffering from human development poverty are regarded as those who lack access to those certain basic goods and services that make it possible to lead a meaningful life. Social exclusion refers to the basic security of the individual’s ability to lead an adequate social existence.
- The Independent Expert suggests that extreme poverty can be regarded as a union of sets of people who are extremely income-poor, extremely human development-poor, and extremely socially excluded. The internationally accepted definition of extreme poverty is that of having to live on an income of less than US$ 1 a day in terms of purchasing power parity. However, many developing countries have adopted a definition of extreme poverty which is at a much lower level, and human development poverty and social exclusion must be contextually defined depending on the characteristics of each country’s social and economic structure.

Core characteristics of poverty

- At the above-mentioned workshop it was suggested that poverty should be considered simply as a failure of ‘basic capabilities’, and extreme poverty as severe failure of ‘basic capabilities’. In such a framework income poverty has no independent role, as poverty should be taken as a deprivation of such elemental freedoms as freedom from hunger, from avoidable diseases and premature mortality, and from the curse of ignorance and illiteracy. The capability approach is consistent with the approach adopted by the Independent Expert, as a person’s set of being is understood as a vector of functioning.
- Some differences arose in the workshop regarding the inclusion of the notion of social exclusion in the definition of poverty. Several participants suggested that its inclusion shifts the notion of extreme poverty to a holistic and more political level, and thus serves to emphasize the political dimension of extreme poverty. The Independent Expert believes that the inclusion of social exclusion has a distinct value added because deprivation resulting from social exclusion may be quite different from deprivation of income and of human development. Social exclusion should not be omitted simply because it is difficult to measure.
- The workshop also addressed the issue of whether extreme poverty, in itself, is a condition caused by a human rights violation. The Independent Expert suggested that accepting extreme poverty as a denial of human rights would create an obligation for the State to act, provided that the fulfilment of those obligations is feasible. Consequently, duty-bearers would be forced to adopt adequate anti-poverty policies.

Programmes for eradicating extreme poverty

The Independent Expert suggests that it would be useful to carry out a systematic survey of all such practical applications and policies for eradicating poverty, with the view to analysing the successes and failures in terms of human rights achievements. The Independent Expert analysed the following policies.
• **Poverty reduction in Africa.** In the African Continent, considerable experience has been accumulated with the implementation of poverty reduction strategies initiated by the International Monetary Fund and the World Bank. These strategies were based on the recognition that engineering economic growth through structural adjustment programmes may exacerbate inequality and poverty, and in the absence of conscious efforts to mitigate these side effects, social resentment and popular discontent may increase to the extent that it negatively impacts on the growth process. Poverty reduction strategies incorporated in Poverty Reduction Strategy Papers (PRSPs) are meant to counter this tendency. The three main features of all PRSPs are macroeconomic reforms and trade liberalization, the redirection of social policy towards the provision of welfare services, and the emphasis on ownership and popular participation. However, the PRSPs in most countries were based on ex post consultations that were not genuinely participatory. The programmes are prepared by technocrats in collaboration with IMF and World Bank, with consultations with the civil society taking place only after the main elements of the strategy have been determined. Hence, organizations such as labour and trade unions and professional associations are sidetracked in the process, and democratic intuitions such as the parliament are also not involved. As a result, PRSPs often undermine the growth of democracy, rather than strengthen it. However, despite these criticisms, it is generally recognized that the PRSPs have brought anti-poverty programmes to the forefront of national development policies and have highlighted the nature of political regimes and governance in Africa. Nevertheless, PRSPs have still failed to emphasize the importance and relevance of the human rights-based approach for addressing the problems of governance in an objective manner that would invariably lead to the design of policies in conformity with human rights standards.

• **Poverty reduction in Asia.** Over the last decade, poverty reduction has become a major concern in almost all Asian countries. Many Asian countries have adopted PRSPs with the broad participation of civil society as the framework for their efforts at poverty reduction. Most countries in the Asia-Pacific region focus on the majority of the poor population, with programmes aimed at reducing poverty, increasing access to basic services like education, health, and safe drinking water, as well as addressing the issues of equity, non-discrimination and participation through targeted safety net programmes. While many of the implementation processes are still in infancy, success has been apparent. Most Asian countries also attach importance to providing social safety nets for targeted vulnerable groups such as women, children, the disabled and the elderly. These programmes have generally been successful as well. In Asia, the lack of civil society participation during the drafting of PRSPs has been a subject of criticism. Most case studies demonstrate a general failure to directly involve poor people, and the absence of a clear and appropriate framework for participation. Monitoring and accountability, however, still remain the weakest aspects of the implementation of a rights-based approach to development. The existence in most countries of the region of democratic political systems makes possible the setting up of the monitoring and accountability procedures that are an essential ingredient of the rights-based approach to development. In addition, an extensive institutional framework needs to be in place, including a well functioning parliament and parliamentary committees, semi-judicial institutions such as human rights commissions and ombudsmen, and an effective system of decentralization.

• **Poverty reduction in the European Union through social protection and social inclusion.** Nearly 16 per cent of the EU population is living at risk-of-poverty. Social protection systems are fairly well developed in the EU and they attempt to provide adequate coverage to at-risk-of poverty populations affected by unemployment, old age, ill-health, inadequate income and parental responsibility. The member States are responsible for implementing and financing social protection programmes in their own countries, but the EU coordinates these national social security schemes through EU legislation to ensure that persons may move freely within the region without adversely affecting their rights to social protection.
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