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**IMPLEMENTATION OF HUMAN RIGHTS COUNCIL RESOLUTION 6/13
OF 28 SEPTEMBER 2007 ENTITLED “THE SOCIAL FORUM”**

**Background report submitted by the United Nations High Commissioner
for Human Rights pursuant to paragraph 8 of Human Rights Council
resolution 6/13 entitled “The Social Forum”**

* Pursuant to General Assembly resolution 60/251 of 15 March 2006 entitled “Human Rights Council”, all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, including the Sub-Commission, were assumed, as of 19 June 2006, by the Human Rights Council. Consequently, the symbol series E/CN.4/Sub.2/..., under which the Sub-Commission reported to the former Commission on Human Rights, was replaced by the series A/HRC/Sub.1/... as of 19 June 2006. Pursuant to Human Rights Council resolution 5/1 (annex) of 18 June 2007 entitled “Institution-Building of the United Nations Human Rights Council”, by which the Council agreed to decide at its sixth session on the most appropriate mechanisms to continue the work of the working groups of the former Sub-Commission, including the Social Forum, and the subsequent adoption of Human Rights Council resolution 6/13, the symbol series A/HRC/Sub.1/..., under which the Social Forum reported to the former Sub-Commission, has now been replaced by the series A/HRC/SF/... .

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Introduction

1. The Social Forum was originally an initiative of the Sub-Commission on the Promotion and Protection of Human Rights,¹ as endorsed by the Commission on Human Rights and the Economic and Social Council. The Forum was composed of 10 members of the Sub-Commission, 1 of whom served as its Chairperson. Following one preliminary meeting in 2001, four sessions were held in 2002, 2004, 2005 and 2006 prior to the annual sessions of the former Sub-Commission.
2. In its resolution 6/13, the Human Rights Council decided to preserve the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations.
3. In the same resolution, the Council decided that the 2008 Social Forum should focus on questions relating to the eradication of poverty in the context of human rights, capturing best practices in the fight against poverty in the light of grass-roots presentations to the Social Forum and the social dimension of the globalization process.
4. Also in the same resolution, the Council requested the United Nations High Commissioner for Human Rights to present a report as a background contribution for the dialogues and debates to be held at the 2008 Social Forum. The present report has been prepared in accordance with that request.

I. ORGANIZATION OF THE SOCIAL FORUM

5. In resolution 6/13 the Council requested the President of the Council to appoint the Chairperson-Rapporteur of the Forum from candidates nominated by regional groups, and invited the appointed Chairperson-Rapporteur to announce, in a timely manner, the most appropriate dates for convening the 2008 Social Forum after holding consultations with Member States and other stakeholders.
6. In December 2007, H.E. Mr. Mousa Burayzat, the Permanent Representative of Jordan to the United Nations Office at Geneva was appointed as the Chairperson-Rapporteur of the 2008 Social Forum.
7. As mandated by the Council, the Social Forum will meet for three working days and devote one day to thematic discussions on poverty and human rights and the work of the international human rights mechanisms in the field of economic, social and cultural rights and the right to development in relation to poverty; one day to discussion on the social dimension of the globalization process; and one day to an interactive debate with relevant thematic special procedures mandate-holders of the Human Rights Council.²

¹ E/CN.4/SUB.2/RES/2001/24.

² Resolution 6/13, para. 5.

8. In order to facilitate the debates during the 2008 Social Forum, the present report presents an overview of the work of the international human rights mechanisms in the field of economic social and cultural rights and the right to development in relation to poverty. The report also provides a context to the discussion on the social dimension of globalization, as well as an overview of the discussions and conclusions of the previous sessions of the Social Forum, in order to allow for further reflection and consideration to be given to its past achievements and future priorities. The last section of the report presents a brief overview of the contributions received in response to the note verbale and letter sent by the Office of the High Commissioner for Human Rights (OHCHR) on 4 June 2008 inviting stakeholders to provide input on the issues identified in resolution 6/13.

II. POVERTY AND HUMAN RIGHTS AND THE WORK OF THE INTERNATIONAL HUMAN RIGHTS MECHANISMS IN THE FIELD OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND THE RIGHT TO DEVELOPMENT IN RELATION TO POVERTY

9. This section provides a brief overview of the extent to which United Nations human rights mechanisms have been dealing with issues relating to poverty, including what some mechanisms have defined as extreme poverty, as background to the first day of the Social Forum, where the topic entitled “Questions relating to the eradication of poverty in the context of human rights” will be discussed.

A. Conceptual and normative premises

10. There is no internationally agreed definition of poverty, although a number of human rights mechanisms, including the mandate-holders of the special procedures, have given substance to this concept, and that of extreme poverty, in human rights terms.

11. Poverty has been characterized by the High Commissioner as the gravest human rights challenge faced by the world today. Poverty is frequently both a cause and a consequence of human rights violations. In resolution 59/186 the General Assembly characterized extreme poverty as a violation of human dignity.

12. Recent attempts to redefine poverty have evolved considerably from conventional income deprivation approaches or so-called “money metric” definitions. Contemporary theories underscore the fundamental links between development and freedom, whereby poverty is understood as the deprivation of basic capabilities rather than merely as lack of income on its own.

13. The Committee on Economic, Social and Cultural Rights (CESCR) has provided the most comprehensive and rights-sensitive definition of poverty to date, and in its statement on poverty defines it as “a human condition characterized by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights”.³

³ Statement adopted by the Committee on Economic, Social and Cultural Rights, E/C.12/2001/10, para. 8.

14. A definition of extreme poverty as proposed by the former independent expert on the question of human rights and extreme poverty, Arjun Sengupta, also makes explicit links to the human rights framework as discussed further below.

15. Important linkages between poverty and human rights are recognized in the outcomes of various world summits and conferences, including the 2000 United Nations Millennium Declaration and 2005 World Summit. Member States have frequently recognized the interrelatedness of development, peace and security and human rights as mutually reinforcing pillars of the United Nations, and have committed themselves to mainstreaming human rights in their development policies and activities, including in relation to efforts to achieve the internationally agreed development goals and Millennium Development Goals (MDGs).

16. There is also an emerging recognition among many development practitioners and policymakers that successful poverty reduction strategies should be anchored in key human rights principles and standards as they are enshrined in core international human rights instruments.

B. The Human Rights Council

17. In its resolution 7/27 entitled, “Human rights and extreme poverty”, the Human Rights Council affirmed that the fight against extreme poverty must remain a high priority for the international community. The Council invited the High Commissioner to further consult with stakeholders on a set of draft guiding principles on extreme poverty and human rights, and to convene an expert meeting on this subject. The Council further requested the High Commissioner to submit a report to the Council on the consultation results, no later than its last session of 2009, to allow it to take a decision on the way forward with a view to the possible adoption of guiding principles on the rights of persons living in extreme poverty. OHCHR is planning to continue consultations with relevant stakeholders, including through the organization of a three-day seminar on the draft guiding principles, before March 2009.

C. The Sub-Commission on the Protection and Promotion of Human Rights

18. In resolution 1990/15, the Commission on Human Rights requested the Sub-Commission to examine the question of extreme poverty and exclusion from society in greater depth and to carry out a specific study of this question. The final report of the Sub-Commission’s Special Rapporteur on this issue, Leandro Despouy, presented a historical and analytical overview of extreme poverty from a human rights standpoint, encouraged greater awareness of the seriousness of the phenomenon, and made a number of recommendations at international and national levels to address the problem.⁴

19. The question of extreme poverty and human rights has otherwise been a regular feature on the Sub-Commission’s agenda under the aegis of annual meetings of the Social Forum, as mentioned above, providing a space for dialogue between States, civil society and other

⁴ E/CN.4/Sub.2/1996/13.

stakeholders, and the former ad hoc group of experts on the implementation of existing human rights norms and standards in the context of the fight against extreme poverty,⁵ on issues concerning globalization, human rights and poverty.

D. Special procedures of the Human Rights Council

20. Issues connected with poverty and their interlinkages with human rights have been reflected to varying extents in the work and reports of a number of Special Rapporteurs and independent experts of the Human Rights Council and Commission on Human Rights, including those listed below.

21. In its resolution 1998/25, the Commission on Human Rights established the mandate of an independent expert on the question of human rights and extreme poverty to, inter alia, evaluate the relationship between the promotion and protection of human rights and extreme poverty, including through the evaluation of measures taken at the national and international levels to promote the full enjoyment of human rights by persons living in extreme poverty.

22. In her annual reports from 1999 to 2004 to the Commission on Human Rights, the first independent expert on the question of human rights and extreme poverty, Anne-Marie Lizin, focused on best practices in fighting poverty, country visits, inclusion of human rights standards in poverty reduction efforts, the role of international cooperation, strengthening social security systems, the need for legislation on a guaranteed minimum income and the integration into the labour force for those most deprived.

23. Arjun Sengupta, appointed as independent expert on the question of human rights and extreme poverty in August 2004, proposed that extreme poverty be defined as a combination of income poverty, human development poverty and social exclusion.⁶ In his annual report to the sixty-first session of the Commission on Human Rights on the activities undertaken in the course of his mandate,⁷ the independent expert also dealt in some depth with the conceptual relationship between extreme poverty and human rights. He recommended, inter alia, that it is relatively straightforward to establish that a denial or violation of human rights would create conditions for the spread of extreme poverty; that it may, however, be desirable to regard extreme poverty as a denial or violation of human rights so that the corresponding obligations are not limited only to the fulfilment of human rights, but extend also to the actual eradication of poverty; and that national actions should aim directly at fulfilling civil, political, economic, social and cultural rights to remove income and human development poverty as well as social exclusion.

24. In March 2008, Magdalena Sepúlveda Carmona was appointed as independent expert on the question of human rights and extreme poverty. In its resolution 8/11, the Human Rights Council called for the independent expert, inter alia, to further examine the relationship between

⁵ A/HRC/Sub.1/58/16.

⁶ A/HRC/7/15.

⁷ E/CN.4/2005/49.

the enjoyment of human rights and extreme poverty; identify alternative approaches to removing all obstacles to extreme poverty; make recommendations on how persons living in extreme poverty can participate in the definition of measures to promote the full enjoyment of their human rights; and work on issues concerning discrimination and extreme poverty. In her initial intervention at the Council, Ms. Sepúlveda affirmed that she intends to work to identify good practices among existing public policies aimed at people living in extreme poverty and to continue promoting the incorporation of a human rights approach into development policies.

25. The independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, has a mandate very relevant to the issue of poverty. The current mandate-holder is Cephias Lumina. Past holders of this mandate have analysed the impact of debt relief programmes on poverty reduction and the realization of human rights and have concluded that current notions of debt sustainability within the Bretton Woods institutions do not sufficiently reflect the MDGs and human rights objectives. Their work has focused on the reform of international financial institutions, trade reform policies and structural reforms in health and education.

26. The mandate-holder until 2008, Bernards A. Nyamwaya Mudho, initiated a process of producing draft general guidelines to be followed by States and by private and public, national and international financial institutions in the decision-making and execution of debt repayments and structural reform programmes, including those arising from foreign debt relief, to ensure that compliance with the commitments derived from foreign debt will not undermine the obligations for the realization of fundamental economic, social and cultural rights, as provided for in the international human rights instruments.⁸ The work will be finalized by the current mandate-holder.

27. The mandate of the Special Rapporteur on the right to food has also dealt with issues closely connected with poverty. In his first annual report,⁹ former Special Rapporteur Jean Ziegler identified seven major economic obstacles that hinder or prevent the realization of the right to food, including inter alia, challenges associated with global trade, external debt, developments in biotechnology, including genetically modified plants, and ownership of international patents by agribusinesses from the North. In the context of the global food crisis in 2008, the present mandate-holder, Olivier de Schutter, has highlighted among other things the “duty of international cooperation” according to the International Covenant on Economic, Social and Cultural Rights and the Charter of the United Nations, Article 56, Millennium Development Goal 8 and desired qualities of food aid. The requirement on States to respect their human rights obligations in other international contexts, such as in international trade negotiations, has also been underscored.

⁸ See A/HRC/4/10, A/61/464, E/CN.4/2006/46, E/CN.4/2005/42.

⁹ E/CN.4/2001/53.

28. The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Paul Hunt, has devoted substantial attention to issues relating to poverty. In his report to the sixtieth session of the Commission on Human Rights,¹⁰ for example, he addressed the issue of sexual and reproductive rights within the framework of internationally agreed poverty reduction goals. The Special Rapporteur emphasized in the report that the rights to sexual and reproductive health have an indispensable role to play in the struggle against intolerance, gender inequality, HIV/AIDS and poverty. In the same report, he explored the relationship between the right to health and poverty reduction, using the Poverty Reduction Strategy of Niger as an example.

29. The independent expert on minority issues, Gay McDougall, has included an explicit focus on the MDGs in her work, examining how development strategies framed by the MDGs impact upon the rights of minorities.¹¹ The former Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Miloon Kothari, worked extensively on issues connected with affordability and financing of housing for the very poor, the so-called “gentrification” process in the context of housing, and criminalization of the poor and homeless. The mandate-holders on the situation of human rights and fundamental freedoms of indigenous peoples and on the right to education have also been among the more active in this domain.

E. Human rights treaty bodies

30. Certain human rights treaty bodies, notably the Committee on the Elimination of Discrimination Against Women (CEDAW), and the Committee on the Rights of the Child (CRC), have considered issues connected with poverty and the MDGs in their work. For example, they have considered macroeconomic and trade policy issues affecting the realization of the rights concerned (CRC), and urged States parties to implement the Committee’s recommendations in order to help achieve the MDGs (CEDAW).¹²

31. The Committee on Economic, Social and Cultural Rights (CESCR) has been particularly active in this domain. In its 2001 statement,¹³ the Committee strongly recommended the integration of international human rights norms into national poverty eradication or reduction plans. In its various concluding observations, the Committee has also expressed concern at the potentially adverse effects that economic policies and free trade agreements could have on the enjoyment of economic, social and cultural rights. In this connection, the Committee has often

¹⁰ E/CN.4/2004/49.

¹¹ See e.g. A/HRC/4/9/Add.1.

¹² Report of the Committee on the Elimination of Discrimination Against Women, A/61/38, supplement No. 38.

¹³ E/C.12/2001/10.

called upon States parties to use their voting rights in international financial institutions to protect economic, social and cultural rights, or at least to prevent actions that might violate these rights.

F. The Working Group on the Right to Development

32. The Working Group on the Right to Development addressed poverty eradication as one of the critical steps in the promotion and realization of the right to development. It recognized that poverty is a multifaceted problem which requires an equally multifaceted approach addressing economic, political, social, environmental and institutional dimensions on all levels.¹⁴ The Working Group also noted that from the perspective of the right to development, aid (and official development assistance) policies must be guided by human rights, the right to development and poverty reduction objectives.¹⁵

G. The Office of the United Nations High Commissioner for Human Rights

33. The United Nations High Commissioner for Human Rights has noted that: “Poverty prevails as the gravest human rights challenge in the world. Combating poverty, deprivation and exclusion is not a matter of charity. By tackling poverty as a matter of human rights obligation, the world will have a better chance of abolishing this scourge in our lifetime ... Poverty eradication is an achievable goal.” Resolution 8/11 of the Human Rights Council invites OHCHR to pursue further work in this area.

34. The High Commissioner submitted a Plan of Action to the Secretary-General in 2005 in response to the request of the latter in his report: “In larger freedom: towards development, security and human rights for all”.¹⁶ In her Plan of Action, the High Commissioner identified poverty and global inequities as a priority theme for the attention of OHCHR. Beyond supporting the Human Rights Council and other mandated bodies on these issues, OHCHR has supported the High Commissioner’s voice and advocacy on poverty and human rights issues and has dedicated increased attention to capacity-building and more effective partnerships with development agencies within the United Nations development system.

III. THE SOCIAL DIMENSION OF THE GLOBALIZATION PROCESS

35. The questions of globalization and its impact on the full enjoyment of human rights and the social dimension of the globalization process have been the subject of several reports within the United Nations system, including, notably, several reports of the Secretary-General on “Globalization and its impact on the full enjoyment of all human rights”,¹⁷ reports of the

¹⁴ E/CN.4/2002/28/Rev.1, para. 105.

¹⁵ E/CN.4/2006/26, para. 45.

¹⁶ A/59/2005.

¹⁷ A/55/342; A/56/254; A/57/205; A/58/257; A/59/320; A/60/301; A/61/281; A/62/222.

High Commissioner for Human Rights exploring the linkages between globalization, trade liberalization and human rights,¹⁸ and the report of the World Commission on the Social Dimension of Globalization (the World Commission).¹⁹

36. The General Assembly took note of the World Commission's report as a contribution to the international dialogue towards a fully inclusive and equitable globalization and called upon the organs and bodies of the United Nations to consider within their mandates the report of the World Commission.²⁰

A. Key characteristics of globalization and its institutional context

37. The report of the World Commission highlighted the complexity and far-reaching effects of globalization and considered "the liberalization of international trade, the expansion of FDI, and the emergence of massive cross-border financial flows" as the key characteristics of this phenomenon.²¹

38. Specifically, globalization has resulted in increasing movement of goods, firms and money across borders, which is not accompanied by free movement of people; growing interdependence in economic relations, including trade, investment, finance and the organization of production globally; rapid integration of financial markets; emerging markets that have gained most from growth in North-South investments; technological revolutions which have led to an interconnected world and a serious North-South imbalance in access to knowledge and

¹⁸ E/CN.4/Sub.2/2001/13; E/CN.4/Sub.2/2002/9; E/CN.4/2002/54; E/CN.4/2003/49; E/CN.4/2004/40; E/CN.4/2004/49/Add.1.

¹⁹ The World Commission on the Social Dimension of Globalization was created by a decision of the International Labour Organization's Governing Body in 2001 in order to prepare a major authoritative report on the social dimension of globalization. The World Commission was composed of a group of Commissioners, broadly representative of diverse and contending actors and interests, with recognized eminence and authority, and co-chaired by the Presidents of Finland and the United Republic of Tanzania. In 2004, the World Commission produced its report entitled "A Fair Globalization: Creating Opportunities for All". See A/59/98-E/2004/79 (annex).

²⁰ General Assembly resolution 59/57. The former Commission on Human Rights also requested "the High Commissioner to invite organs and bodies of the United Nations and other relevant multilateral bodies and international organizations, including the World Trade Organization, to consider, within their mandates, the report of the World Commission on the Social Dimension of Globalization". E/CN.4/RES/2005/17, para 13.

²¹ A/59/98-E/2004/79 (annex), para. 132.

technology; increased social and political interaction among organizations and individuals across the world; and changes in the policy environment, with structural adjustments encouraged by international financial institutions towards a market economy.²²

39. Globalization has also led to changes in the institutional context for international economic relations. The advent of the World Trade Organization (WTO) created a new multilateral trading system which goes beyond trade in goods and includes regulation of trade in services, intellectual property rights and investment. New global production systems have shifted flows of foreign direct investment towards developing countries, as a result of which, multinational enterprises have emerged as key actors. Private financial flows (banks, hedge funds, equity funds, and rating agencies) have also gained more importance at the international level, and have surpassed official flows. In the absence of effective supervisory systems of these global financial actors, economies are prone to financial crises as a result of failure of these institutions. Furthermore, the least developed countries (LDCs) are marginalized from financial markets and are not able to mitigate the effects of decline in official development assistance.²³

B. The impact of globalization

40. The main concern in relation to globalization is its effect on economic growth in poor countries, on reduction of global poverty, and its potential impact on increasing inequalities and undermining socio-economic security within countries. According to the World Commission: "The social impact of globalization is not only confined to countries that have been marginalized from the process or less successful in their attempts to integrate into the global economy. Even in the relatively successful countries significant social costs are involved in the form of transitional adjustment costs, in some cases quite large."²⁴

41. The social impact of trade, investment and financial liberalization is also important in considering the social dimension of the globalization process. Trade liberalization could create losers even in the long run and trade reforms could exacerbate poverty temporarily. Human rights law concerns itself in particular with the situation of the individuals and vulnerable groups who might suffer during the reform process. Even where the net social benefit from trade liberalization favours the majority in a certain country, the principle of non-discrimination under human rights law requires immediate action to protect the human rights of those who do not benefit. In the case of trade liberalization agreements, this means that States should use existing flexibilities in the agreements where they exist, and WTO members should consider improving or adding flexibilities where appropriate.²⁵

²² Ibid., paras. 131-155.

²³ Ibid., paras. 156-169.

²⁴ Ibid., paras. 171-173.

²⁵ E/CN.4/2002/54, para. 34.

42. In order to assess the social impact of globalization, the World Commission went beyond economic performance and examined the situation of employment, income inequality and poverty over the past two decades and concluded that open unemployment rates have increased and “The economic benefits and social costs of globalization are not evenly distributed among social groups. In many countries some workers have been adversely affected by trade liberalization [...]”²⁶ People with capital, entrepreneurial ability, and education and skills, and those associated with internationally competitive national enterprises have benefited from globalization, while the poor, illiterate and unskilled workers, and vulnerable groups like indigenous peoples, and in some cases women, have suffered disproportionately.²⁷

43. The Universal Declaration of Human Rights provides that “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.”²⁸ In his preliminary report on “Globalization and its impact on the full enjoyment of all human rights” the Secretary-General elaborated on this international and social order and stated that “According to the norms and standards of international human rights law, such an international and social order is one that promotes the inherent dignity of the human person, respects the right of people to self-determination and seeks social progress through participatory development and by promoting equality and non-discrimination in a peaceful, interdependent and accountable world” and “The norms and standards of international human rights law have an important role in providing principles for globalization.”²⁹

44. Reports of the High Commissioner for Human Rights on questions of globalization, trade liberalization and human rights have also underlined the potential impact of trade liberalization on vulnerable people and groups and have called for human rights impact assessments of trade agreements, and special and differential treatment targeted at vulnerable groups and developing countries.³⁰

45. The High Commissioner also pointed out that while increases in information and communication technology have improved opportunities to participate in global decision-making, “more and more decisions affecting people locally are being taken globally, yet democracy remains essentially national and decision-making structures at the global level have not always adapted at an adequate pace. These developments have highlighted the need for reform, including through the promotion of participatory rights in global decision-making”.³¹

²⁶ A/59/98-E/2004/79 (annex), para. 207.

²⁷ Ibid., paras. 208, 210 and 214.

²⁸ See article 28 of the Universal Declaration of Human Rights.

²⁹ A/55/342, paras. 7 and 8.

³⁰ E/CN.4/2002/54, paras. 46, 47 and 49; E/CN.4/Sub.2/2002/9, para. 72; E/CN.4/Sub.2/2003/9, para. 63.

³¹ E/CN.4/2005/41, para. 47.

46. Debates over economic globalization and its impact are also closely related to the questions of environmental protection, social consequences of climate change and competition for access to natural resources. Industrialization and increased capacity to produce can lead to more pollution and environmental erosion, but can also result in technological advances that contribute to sustainable development.

47. Globalization has also produced major changes in patterns of migration. Different factors, such as the declining costs of transportation, the universal reach of the media, and the emergence of new market institutions such as agents or intermediaries have greatly reduced barriers and created incentives to migrate.³² However, migration is a matter of widespread concern for countries of in-migration and out-migration alike. In many low-income countries there has been criticism of the barriers to broad-based migration to industrialized countries, and concern about the “brain drain”, which has undermined efforts to build national capabilities. Illegal immigration and the international trafficking of people, particularly women, have increased sharply. It has been estimated that there are 15 to 30 million illegal or irregular immigrants worldwide. Migrants from all regions, particularly women, are often driven into an illegal economy in countries of destination, leaving them vulnerable to exploitation.³³

48. In order to make globalization a positive force for all, with its benefits shared equitably, a comprehensive and coherent set of migration policies and initiatives are required. All migrants should be accorded the full protection of human rights and the full observance of labour laws applicable to them, including the principles and labour rights embodied in the ILO Declaration on Fundamental Principles and Rights at Work.³⁴

49. On the other hand, globalization has contributed to a stronger sense of interdependence and global community, commitment to shared universal values, and solidarity among peoples across the world, and increased awareness of global disparities. The global market economy has demonstrated great productive capacity and has the potential to contribute significantly to economic growth and development and reducing poverty.³⁵

50. The 2008 Social Forum may address: (a) the contours of a human rights approach to issues of concern in the context of globalization; (b) safeguarding vulnerable groups and people in the context of globalization and trade liberalization; and, finally, (c) specific themes related to the social dimension of globalization suggested by Member States, civil society organizations and other stakeholders, as reflected in the last section of this report.

³² A/59/98-E/2004/79 (annex), para. 430.

³³ Ibid., para. 74.

³⁴ United Nations Conference on Trade and Development, twelfth session, Accra Accord, para. 56.

³⁵ E/CN.4/Sub.2/2002/9, para. 68.

IV. OVERVIEW OF PAST SOCIAL FORUMS

A. First session - The relationship between poverty and the right to food

51. The first session of the Social Forum on 2 August 2002 focused attention on the close interrelationship between hunger and poverty. The discussions highlighted the central importance of the identification of the poor, participation and empowerment of the poor, and accountability and non-discrimination as fundamental human rights principles, as well as the importance of human rights-based approaches to development as the most effective means of achieving these goals. The Forum also agreed that eradication of poverty requires a multidimensional strategy to empower the poor for the realization of their human rights, including the right to food.³⁶

52. The Forum concluded that “economic globalization is not a law of nature but a process whose direction is the product of decision-making by particular actors, in particular in the field of economic law and policy. Unless properly regulated, globalization will produce not only winners but many losers, and measures must therefore be taken to safeguard the economic and social rights of those who otherwise may become poor and marginalized as a consequence of economic globalization”.³⁷

53. The Forum recommended that States should adopt a national strategy on the right to adequate food, taking into consideration the realization of other relevant rights, such as education and health, and ensuring broad participation of representatives of the poor and civil society organizations.³⁸ At the international level, the Forum suggested the United Nations system, related agencies and other international organizations (in particular the international financial institutions and the World Trade Organization) should incorporate universally recognized human rights norms, including the right to food, and principles into their work, activities and value systems with due respect to their respective mandates.³⁹

B. Second session - Poverty, rural poverty and human rights

54. The 2004 Social Forum recalled that there are millions of poor people in all regions of the world, with many living in extreme poverty. Inequalities are growing and constitute a threat to peace at community, national and international levels.⁴⁰

³⁶ E/CN.4/Sub.2/2002/18, para. 62.

³⁷ Ibid., para. 53.

³⁸ Ibid., para. 71.

³⁹ Ibid., para. 73.

⁴⁰ E/CN.4/Sub.2/2004/26, para. 58.

55. The Forum highlighted the different characteristics of poverty in urban and rural settings. In the latter case agricultural labourers, small farmers, fisherfolk, forest-dwellers, and pastoralists may be equally poor but they often have different and, at times, conflicting interests regarding access to resources and land use. Indigenous peoples and minorities, refugees and internally displaced persons deserve special attention to counter patterns of discrimination leading to social exclusion and poverty. The human rights approach increases the effectiveness of poverty eradication policies, requiring disaggregated data targeting the poorest, and framing action upon binding legal obligations for the fulfilment of all human rights.⁴¹

56. The Forum recommended that all Governments and international institutions should recognize that poverty and extreme poverty must be addressed from a human rights perspective which brings value to policymaking by emphasizing the importance of empowerment and non-discrimination, involving the poor and listening to their experiences and perspectives, and strengthening accountability for poverty eradication.⁴²

57. The Forum noted the inadequate protection of the rights of those who live in extreme precariousness and vulnerability and are often ignored by urban elites and urged renewed debate on the ways and means to make existing instruments and mechanisms more effective.⁴³

58. The Forum recognized the need to continue work to strengthen dialogue and policy consistency between the programmes and decisions of international economic organizations and those of human rights bodies and organs, emphasizing that Member States should display consistency in their positions from one body to the other.⁴⁴

C. Third session - Poverty and economic growth: challenges to human rights

59. The 2005 Social Forum recalled that poverty is a worldwide phenomenon, affecting all countries including developed States and democracies⁴⁵ and that economic growth is a necessary but insufficient condition to eradicate poverty. Growth without equity could eventually increase poverty. Human rights provide a universally accepted set of standards and principles that can help identify and assess economic growth policies in terms of whether they will lead to an equitable and sustainable reduction of poverty.

⁴¹ Ibid., para. 66.

⁴² Ibid., para. 77.

⁴³ Ibid., para. 79.

⁴⁴ Ibid., para. 94.

⁴⁵ E/CN.4/Sub.2/2005/21, para. 58.

60. The meaningful, active and free participation of people in decisions affecting them is a central component of a rights-based approach to poverty reduction. Participation will also hone poverty reduction programmes towards the real needs of the poor and ensure respect for cultural practices. It will also engender ownership of communities, regions and nations in the poverty reduction programmes designed for their benefit.⁴⁶

61. Moreover, human rights require accountability mechanisms to be accessible, transparent and effective. Accountability mechanisms can exist at all levels of the poverty reduction process, with those located at the national level usually being the most meaningful and effective. These mechanisms can range from judicial review and enforcement of human rights obligations through administrative procedures.⁴⁷ At the international level, State accountability under human rights instruments is promoted by a range of actors, including the United Nations human rights treaty bodies. International development actors, non-governmental organizations (NGOs), transnational corporations and international organizations should also be accountable for their actions aimed at poverty reduction.⁴⁸

62. The Forum recommended that the Sub-Commission consider means of enhancing active, full and meaningful participation of the poor in the process of formulating policies and strategies to attain the MDGs.⁴⁹ It was underlined that meaningful accountability requires the establishment of mechanisms to address grievances, such as public hearings, social audits, judicial review, and recommended that all relevant actors adapt these mechanisms to the local context.⁵⁰ Also, the 2005 Social Forum invited the international community to devise ways to implement its responsibility to promote and protect economic, social and cultural rights.⁵¹

D. Fourth session - The fight against poverty and the right to participation: the role of women

63. The 2006 Social Forum raised awareness of the increasing feminization of poverty and the fact that women were the main actors in organizations combating poverty and social exclusion.⁵² Women suffered a higher degree of vulnerability than men due to the lack of access to assets and opportunities, especially in rural and mountain areas.⁵³ In addition, women suffer higher

⁴⁶ Ibid., para. 61.

⁴⁷ Ibid., para. 71.

⁴⁸ Ibid., paras. 73 and 76.

⁴⁹ Ibid., para. 79.

⁵⁰ Ibid., para. 94.

⁵¹ Ibid., para. 101.

⁵² A/HRC/Sub.1/58/15, para. 50.

⁵³ Ibid., para. 53.

unemployment rates and lower wages and still dominate the informal economy sector.⁵⁴ It was also pointed out that participation of women in economic, social and political life is still limited and that women's empowerment was crucial to eradicate poverty.

64. It was also recognized that gender equality in the private, social, political and international sphere is necessary to eradicate the feminization of poverty. The Forum recommended that States establish institutional mechanisms and monitoring mechanisms to ensure that gender equality is respected in different spheres of activity.⁵⁵ It was also recommended that States take substantive measures to promote and ensure women's rights. At the national level, States should elaborate gender-sensitive policies, address the special needs of women living in poverty, in particular through increasing efforts to promote and protect the rights of rural, mountain and farming women,⁵⁶ and revise their legislation to ensure that it promotes gender equality and disseminate information on the use of the Optional Protocol to the Convention on the Elimination of Discrimination against Women.⁵⁷ The Social Forum urged States to increase education and professional training of women to achieve higher levels of their participation in economic activities.⁵⁸ The Forum was of the view that addressing the root causes of the feminization of poverty and the growing gap between the rich and the poor were prerequisites to eradicating poverty.⁵⁹

65. In response to paragraph 4 of Human Rights Council decision 1/102, the Social Forum held a discussion of its purpose, methods and procedures, and content and substantive focus as a contribution to the Sub-Commission's report containing its visions and recommendations for future expert advice to the Council. It was widely agreed that the Social Forum should continue to focus on the most vulnerable and on providing them with a space for interactive dialogue between human rights mechanisms and civil society organizations and act as a source of ideas on issues of poverty for the entire human rights system. It should not be an isolated event but a process that benefits the whole human rights system. It was proposed that when setting the agenda, the Social Forum seek the input of relevant United Nations actors, such as the special procedures and NGOs working in the field. Linking the agenda to other activities carried out within the United Nations human rights system would also be crucial for ensuring follow-up to its recommendations.⁶⁰

⁵⁴ Ibid., para. 58.

⁵⁵ Ibid., para. 67.

⁵⁶ Ibid., paras. 68 and 71.

⁵⁷ Ibid., para. 68.

⁵⁸ Ibid., para. 82.

⁵⁹ Ibid., para. 54.

⁶⁰ Ibid., para. 98.

V. CONSULTATION WITH MEMBER STATES AND OTHER STAKEHOLDERS

66. On 4 June 2008, in accordance with Council resolution 6/13, OHCHR sent notes verbales to the Member States and letters to other stakeholders named in that resolution seeking their input in preparation for the 2008 Social Forum, specifically soliciting concrete ideas and suggestions on: “how best the Forum can be utilized to move forward the intended purposes of HRC resolution 6/13, namely the eradication of poverty in the context of human rights; and the specific themes on which the Social Forum should focus to address the social dimension of the globalization process, during the 2008 Forum and beyond”.

67. Responses were received from the following Member States: Bahrain, Burkina Faso, Cyprus, Egypt, Mauritius, Oman, Switzerland and Tunisia. Responses were also received from the following international organizations, national human rights institutions and non-governmental organizations: World Health Organization, Human Rights Commission of Malaysia (SUHAKAM), the National Centre for Human Rights of Jordan; AKUAIPA WAIMAKAT (Asociación para la Divulgación, Promoción y Defensa de los Derechos Humanos e Indígenas de los Territorios y Asentamientos Wayuu de La Guajira), Friedrich Ebert Stiftung, Fumudeste (Fundación de Mujeres por el Desarrollo del Este), Fundación Prosurgir, International Federation of University Women, Mouvement International ATD Quart Monde, and the World Organisation against Torture (OMCT).⁶¹

68. All States and organizations that submitted contributions strongly supported the Social Forum, with specific reference made to its value as a platform for interactive dialogue between the United Nations human rights machinery, Member States and other stakeholders, including grass-roots organizations.

69. Member States provided a variety of ideas and suggestions as to how the Forum can contribute to the eradication of poverty in the context of human rights. Some contributions were related to the working methods of the Forum. In this connection, it was noted that the Forum should ensure an interactive dialogue within the United Nations system, as well as with international financial and development institutions on social development issues; it should allow for the participation of relevant stakeholders in order to ensure their voices were heard and promote network-building between participants. A suggestion was made that the materials, presentations and conclusions of the Forum be disseminated to States and all relevant stakeholders as a way to best utilize its work. It was also suggested that the Forum benefit from studies of academics or experts dealing with the eradication of poverty, such as the work of the Commission on Legal Empowerment of the Poor. A suggestion was also made to establish a follow-up process, for example in the form of a report containing the conclusions of the Forum and the concrete measures to be put in place in order to fully integrate its outcomes into the work of the United Nations system. It was also noted that the experiences of mechanisms of dialogue

⁶¹ Full texts of the responses received from States, national human rights institutions and civil society organizations will be made available on the website of OHCHR (<http://www2.ohchr.org/english/issues/poverty/sforum.htm>).

between authorities and civil society at local, national, regional and international levels concerned with the eradication of poverty should be presented at the Forum, with a view to collecting a range of best practices that can inspire other States or regions.

70. The contributions from Member States also raised substantive issues that should be addressed by the Forum in order to advance the eradication of poverty in the context of human rights. The food crisis as an obstacle to the right to adequate food was highlighted as an issue of central importance. It was pointed out by one State that the Forum should submit a recommendation to the Human Rights Council to build on the outcome of its seventh special session on the negative impact on the realization of the right to food of the worsening of the world food crisis. In addition, concrete proposals were made to alleviate poverty, such as the development of policies and the improvement of programmes in favour of the most vulnerable and poorest families. Other proposals made included the development and enhancement of poverty alleviation partnerships between governments and the private sector, the enactment of legislation to provide for comprehensive social safety nets and tax exemptions for institutions investing in development projects for poor families. In this context, one State described the successful experiences of its National Solidarity Fund, a programme of poverty alleviation for isolated and rural areas, which is financed by voluntary contributions made by the population. This initiative has resulted in a considerable reduction of the poverty level through, for example, the construction of housing, schools, and health centres. It was noted that this programme has attracted international interest and is now being replicated in other States.

71. Similarly, another State described its efforts to improve the socio-economic situation of the poor through the implementation of a series of programmes. An Eradication of Absolute Poverty Programme, administered by a Special Committee comprising all stakeholders, including the public and private sectors and non-governmental organizations, was established to look into the specific needs of the poor and provide urgent assistance to the children and the unemployed in identified pockets of poverty. A public-private Economic Empowerment Programme was also set up to provide technical assistance to the most vulnerable groups, in order to empower them to enter the labour market and set up micro and small enterprises.

72. A wide range of topics were proposed for discussion on the social dimension of the globalization process and/or the question of poverty eradication in the context of human rights. They included the following: international cooperation and national efforts to revitalize social policies, including subsidization management to give priority to vulnerable groups; the role and responsibility of the State and other relevant actors in the promotion of the social dimension of globalization and in fostering social and economic development and security; eradication of poverty and the right to solidarity; food security, the right to adequate food and the right to water; the effects of globalization on labour and the right to decent, just and favourable conditions of work; social integration; migration; information flow; poverty as an obstacle to the enjoyment of the right to education and the right to health; climate change and its impact on the access to natural resources; the principle of non-discrimination as a means to eradicate poverty; the impact of globalization on employment generation; the impact of technology on poverty reduction; the role of civil society in the eradication of poverty at grass-root levels; the process and mechanisms required to increase technical support among States in the eradication of poverty; the restricted access of States with debt burden and weak domestic infrastructure to efforts to reduce poverty; adequate procedures of poverty alleviation in the light of liberalism.

73. The contributions from civil society organizations and other stakeholders also included suggestions on how best to utilize the Forum to move forward the eradication of poverty in the context of human rights. It was emphasized that the Forum should benefit from the participation of people in poverty and civil society actors who can demonstrate that those living in poverty themselves can act as agents for change. It was also suggested that the format of the Forum be broadened to address measurements of the results of development strategies and accountability performance by governments, international institutions, civil society, and the private sector. It was also suggested that the Social Forum could function as a permanent platform of dialogue and discussion to monitor progress in achieving the MDGs. To that end, it was suggested that the Forum build on the United Nations inter-agency experience on poverty eradication.

74. It was noted that the Forum, in addition to focusing on those in extreme poverty and LDCs, should also pay attention to emerging groups of poor communities in rapidly developing countries, particularly the urban poor and that their participation in the Forum should be encouraged. The feminization of poverty was also mentioned by several organizations as an issue that needs to be addressed by the Forum. It was also held that the Forum could contribute to the eradication of poverty by addressing a variety of issues, such as clarifying the definition of poverty; enhancing the text of the draft guiding principles on extreme poverty and human rights; studying the links between the denial of economic, social, and cultural rights and the prevalence of violence and torture; analysing the relationship between climate change, and resulting poverty and migration; and social determinants of health and health inequities.

75. A wide range of themes were proposed to address the social dimension of globalization by civil society organizations and other stakeholders. They included: globalization and its effect on cultural, religious and ethnic minorities; the effect of globalization on urban growth, migration and the rapid emergence of displaced persons in developing countries; access of poor communities to new technologies; national implementation of the United Nations guidelines on integrating human rights into poverty reduction strategies.
