

CHECK AGAINST DELIVERY



Social Forum 2008

Geneva 1-3 September 2008

Dr. Magdalena Sepúlveda Carmona

**Independent Expert on the question of human rights and extreme
poverty**

Mr. Chairperson-Rapporteur, H.E. Ambassador Musa Burayzat, the Permanent Representative of the Kingdom of Jordan
Distinguished members of the Human Rights Council,
Excellencies,
Ladies and gentlemen,

It is an honour for me to participate in this important event. The Social Forum of the Human Rights Council provides a unique opportunity for a lively and interactive dialogue between the United Nations human rights protection system and various stakeholders, including community based organizations.

The resolution of the Human Rights Council (RES. 6/13) that decided that the 2008 Social forum should continue to focus on the question relating to the eradication of poverty in the context of human rights, reaffirms that the elimination of poverty is not a question of charity. It is an important and pressing human rights issue.

In previous years, the social forum has achieved a number of important results. It has stressed that human rights and poverty are linked in at least 3 ways:

- *Poverty can be both a cause and consequence of human rights violations.*
- *The realization of all human rights and efforts to eliminate extreme poverty are mutually reinforcing.*
- *Human rights norms and principles provide the framework for poverty reduction and/or eradication.*

Recent developments in the human rights field have demonstrated that poverty is one of the worst forms of violation of human dignity. Poverty is often linked with the denial or violation of various human rights that are enshrined in major human rights treaties, such as the International Covenant on Economic, Social and Cultural rights, the Covenant on Civil and Political Rights, the Convention for the Elimination of all forms of Discrimination, the Convention on the Rights of the Child, the Convention for the Elimination of

Discrimination against Women and the Disability Convention. These treaties as well as regional instruments establish the normative framework for addressing the reduction of poverty from a human rights perspective. All human rights treaties impose legal obligations on States – and other actors– towards people living in poverty.

Over the years, various human rights organs of the United Nations as well as from regional systems have advanced our understanding of the interrelation between poverty and human rights. For example, the Committee on Economic, Social and Cultural Rights has emphasized that while certain economic, social and cultural rights such as the right to adequate food and housing, the right to the highest standard of health, and the right to water are characterized by the principle of progressive realization, there are some components that must be exercised with immediate effect. Deprived of adequate food, drinking water and shelter, individuals cannot survive and States and the international community have a duty to implement a minimum core level of these rights immediately.

Even in situations where resources are limited, States have an obligation to demonstrate that they are taking, reasonable and appropriate measures to prevent poverty, given the available resources.

Human rights bodies have also stressed the crucial importance of civil and political rights. Rights that are enshrined in major human rights treaties –as well as national law and constitutions– such as the freedom of expression, the right of association, the right to vote, the right to access to justice, the right to access to information, the right to be identified as a person before the law must be ensured otherwise policies to reduce poverty would not have the expected result.

As noted by several stakeholders, the interdependence of all rights is absolutely essential in order to eradicate poverty.

Over the last several years, it has become evident that from a human rights perspective, any initiative to address the situation of those living in poverty must be guided by the principles of *equality and non-discrimination, participation, transparency, and accountability*.

The human rights system also provided for mechanisms – at the national and international level– to monitor compliance of public policies for poverty reduction with human rights standards.

During recent years we have witnessed enormous economic growth in many countries. We have also learned that while economic growth may be important for reduction of poverty, it is not sufficient in itself. Human rights norms and principles provide us with a universally accepted set of standards that can help to identify and assess economic growth policies in terms of whether they will lead to an equitable and sustainable reduction of poverty. They provide a framework for policies that contribute to making poverty reduction strategies more effective and, at the same time, identify the responsibility of the different actors for the content and implementation of such strategies.

During recent years, we have also seen that a number of political commitments have been made which underline the shared international responsibility for poverty reduction and the need for a partnership between developed and developing countries against extreme poverty.¹ However, these promises have not always been kept².

Some recent crises have shown us that some groups such as children, women and the disabled, are more vulnerable to extreme poverty. Like ethnic minorities and indigenous populations, in times of crisis, they are worst affected by poverty, hunger and forced displacement.

¹ Including, for example: The Declaration on the Right to Development (1986) (A/RES/41/128), Millennium Summit (2000) (A/RES/55/2); the Doha Ministerial Declaration issued at the 4th World Trade Organization Ministerial Conference in 2001(WT/MIN(01)/DEC/1); the International Conference on Financing for Development (2002) (A.Conf.198/11), and the Johannesburg World Summit on Sustainable Development (2002) (A/C.2/57/L.83). Goal 8 of the MDGs sets out the clear need for a global partnership to address the current inequities in the global trading system, the necessity of addressing the problem of debt and ensuring that advancements in technology and science benefit all countries.

² For example, according to the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD-DAC), in 2006 there was a fall in real term of the Official Development Assistance (ODA) provided by the countries members to the OECD, See, *Final ODA flows*, DCD/DAC/RD (2007) 15/RD2, of 10 December 2007. In contrast, according to the Stockholm International Peace Research Institute (SIPRI), the world military expenditure is estimated to have increased 6 per cent in real term over 2006 - an increase of 45 per cent since 1998. See, SIPRI Yearbook 2008: Armaments, Disarmament and International Security available at <http://www.sipri.org/>

We should learn the lessons and capitalize from past achievements. It is now time to move from words to action – putting human rights standards into practice

Eliminating poverty and promoting human rights are inter-related objectives articulated in many UN core documents including the UN Charter and the Millennium Development Declaration and Goals.³ However, it is widely recognized that the inequality gap has widened⁴ and that extreme poverty continues to undermine the rights and dignity of more than one billion people around the globe. It is certainly time to redouble efforts to reduce poverty.

This forum is ideally placed to promote the incorporation of a human rights approach to poverty and to identify good practices that truly change the dramatic situation of people living in poverty. There are many examples of good practice. The challenge is to replicate and expand them. Make them sustainable.

The forum should continue to focus on discrimination, both as a cause and a consequence of poverty. It should recommend concrete measures to eliminate discriminatory laws and practices and to assist those who suffer disproportionately the impacts of discrimination.

Poverty is never going to be eliminated if we fail to listen to those living in poverty and involve them fully in policies that affect them. Participation is indeed a human right that must be promoted in this forum, in particular participation of women.

³ There are an extensive number of resolutions related to extreme poverty that have been adopted by the UN General Assembly and the former Sub-Commission on the Promotion and Protection of Human Rights. Many of these resolutions were adopted prior to the establishment of this mandate by the former Commission on Human Rights. See in general: UNGA: A/RES/52/134(1997); A/RES/55/106(2000); A/RES/57/211(2003). On the observance of the International Day against Poverty see: A/RES/47/196(1992). On the International Year for the Eradication of Poverty see: A/RES/48/183(1993). On the Observance of the International Year for the Eradication of Poverty and the Proclamation of the 1st United Nations Decade for the Eradication of Poverty see: A/RES/50/107. On the Implementation of the 1st UN Decade for the Eradication of Poverty (1997-2006), including the proposal to establish a World Solidarity Fund for Poverty Eradication, see: A/RES/56/207(2001), on the Implementation of the 2nd UN Decade for the Eradication of Poverty (2008-2017) see A/RES/62/2005 (2008). For resolutions of the former Commission on Human Rights see: E/CN.4/RES/2000/12 (2000); E/CN.4/RES/2001/31(2001); E/CN.4/RES/2002/30(2002); E/CN.4/Sub.2/1996/2(1996). For resolutions of the former Sub-Commission on the Promotion and Protection of Human Rights see: E/CN.4/SUB.2/RES/2001/8 (2001); E/CN.4/SUB.2/RES/2002/13(2002).

⁴ There are several reliable studies in this direction, see, for example, a research carry out for the World Bank, by the economist Branko Milanovic, *An even higher global inequality than previously thought*, 28 December 2007.

Women are mobilizing throughout the world, organizing themselves and developing proactive programmes to lift themselves and their families out of poverty and these are experiences that must be shared and disseminated.

UN member States have repeatedly acknowledged that the elimination of extreme poverty requires international assistance and cooperation. Human Rights treaties provide explicit obligations to provide international assistance and cooperation, for example, in article 2.1 and 11 of the ICESCR and article 4 of the CRC⁵. These are legally binding obligations that must be clarified and stressed.

The forum may also raise awareness of the need to comply with human rights obligations when decisions are being made at the international level, for example, when bilateral and multilateral trade and investment agreements are being negotiated.

This social forum should also build on the work of the previous sessions and continue promoting the draft Guiding Principles on “Extreme Poverty and Human Rights: the Rights of the Poor” prepared by the Sub-Commission on the Promotion and Protection of Human Rights in 2006. The draft Guiding Principles are another important step towards the recognition of the multifaceted problems faced by those living in situations of extreme poverty.

Mr. Chairman,

Let me conclude by saying that today, as food prices rise and the number of people living in extreme poverty in many countries increases, States, inter governmental organization and civil society

⁵ ICESCR - Article 2 1: “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.” ICESCR Article 11.1. “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.” CRC Article 4. “States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation”.

acting together within the framework of the United Nations, must be seen to be doing everything they can to fight against extreme poverty from a human rights perspective.

For the last 4 years, this initiative of the former Sub-Commission on the Promotion and Protection of Human Rights (the Sub-Commission) opened the space for very useful discussions between experts and activists from all regions of the world, with an active participation of people living in poverty.

Now, under the Human Rights Council, the Forum may continue its important role as a sounding board on the emerging concerns around the world. Most important, due to its inclusive nature, it may provide very useful recommendations to the diverse community working for the promotion of human rights and development around the world.

This Social Forum provides an opportunity to the Human Rights Council to translate commitments into practice. At the same time, it will permit the Council to strengthen its leadership role in the promotion and protection of all human rights. For this reason, I hope we are able to focus on precise recommendations while addressing the various issues on the agenda.