

**Expert Seminar:
Extreme Poverty and Human Rights**

**Geneva
23-24 February 2007**

Outline of the Presentation by

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The presentation will be in three parts:

- (1) The concept of extreme poverty
- (2) The link between extreme poverty and human rights
- (3) The policy implications of seeing extreme poverty as denial of human rights

The concept of 'extreme poverty'

There appears to be some ambiguity about the way extreme poverty is defined in the two reports by the Independent Expert.

Since extreme poverty must be seen as an extreme form of poverty (as the Independent Expert rightly acknowledges), the simplest way to define extreme poverty would be to define poverty first and then to identify some thresholds of severity so that people below them would be designated as 'extremely poor' and those above them as 'moderately poor'. The Independent Expert has not followed this strategy. Instead, he has defined extreme poverty as the intersection of what he considers to be three dimensions of poverty, viz. income poverty, human development poverty and social exclusion. There are several problems with this approach.

First, since the Independent Expert does recognise extreme poverty as an extreme form of poverty, he is probably assuming that anyone who belongs to his proposed intersection of three types of deprivations would most likely be at the bottom rungs of the poor. This assumption may or may not be valid. It's entirely possible for someone to suffer from moderate forms of all three deprivations.

Second, to think of low income and low levels of human development as distinct dimensions of poverty is deeply problematic. Under the capability perspective, which the Expert endorses, there is no room for including income as a constituent dimension of poverty – it has a purely instrumental role. In practical measurements, income may

sometimes be used as a proxy for some not-easily-measurable constituents, but here we are dealing with the conceptual definition of extreme poverty, not its practical measurement.

Third, to think of social exclusion as a dimension of poverty is also problematic. There is no doubt that many of those who are extremely poor in terms of human development are very likely to be socially excluded. But that can't be the reason for including social exclusion as a separate dimension. The idea of a separate dimension can only be justified if it is argued that a socially excluded person should be considered as poor even if she doesn't suffer in other dimensions such as low levels of human development or income, etc. I don't see the justification for doing so. In my view, social exclusion and poverty are very closely related but conceptually distinct categories.

Suppose a person suffers from an extremely low very level of human development, but not from social exclusion. Then, by the intersection criteria, she would not be considered extremely poor. Is that acceptable? On the other hand, if it is argued this scenario is not plausible because such a person would necessarily be socially excluded, then social exclusion is redundant as a separate dimension. Either way, there is a conceptual problem here.

In my view, it is simplest to think of poverty as failure of 'basic capabilities' and then to define extreme poverty as severe failure of basic capabilities. In this case, there will be two thresholds for each basic capability – one at a higher level to define poverty and another at a lower level to define extreme poverty.

The Link between Extreme Poverty and Human Rights

In thinking of the link between extreme poverty and human rights, one needs to distinguish between two types of questions: (a) can extreme poverty be seen as denial of human rights? (b) can extreme poverty be seen as being caused by the denial of human rights? There are no great conceptual difficulties in answering (b) in the affirmative. The real debate is about (a).

Yet, in the first report of the Independent Expert, the two questions seem to have got mixed up. He poses question (a), but tries to answer it by way of answering (b). There are, for example, statements to the effect that extreme poverty would be equivalent to denial of human rights if and only if one causally follows from the other.

I would argue that causality is not the issue when one tries to answer question (a). The relevant issue here is whether conceptually poverty constitutes a denial of some (not necessarily all) human rights. In other words, can we say that the deprivations that constitute poverty also constitute denial of human rights?

Taking the perspective of capabilities and freedoms, the answer is clearly yes. From this perspective, poverty consists in being deprived of certain elementary freedoms – e.g.,

freedom from hunger, from avoidable diseases and premature mortality, from the curse of ignorance and illiteracy, etc. But these freedoms have already been recognised as part of human rights; therefore, the lack of these freedoms can also be seen as denial of the corresponding human rights. In this sense, poverty can be seen as denial of human rights. Freedom is the conceptual bridge that links poverty with human rights.

The second report of the Independent Expert comes close to drawing the link in the manner described above – a conceptual as opposed to a causal link. I endorse this approach.

The policy implications of seeing extreme poverty as denial of human rights

The two reports of the Independent Expert try to draw some policy implications of seeing extreme poverty as denial of human rights. Before commenting on the validity of this exercise, I would like to distinguish here between two broad types of policies for poverty reduction.

The first type can be described as the ‘technical’ type – e.g. should we have an employment-oriented policy focus, should we have minimum wage laws, how we should reallocate public expenditure, and so on. The other type may be called ‘institutional’, dealing with the creation of appropriate institutions for formulating, implementing and monitoring the implementation of technical policies.

In the first report, the Independent Expert says a great deal about the technical type – e.g., on policies for employment generation. In my view, however, the technical aspect of policies is not the right focus when it comes to identifying the policy implications of seeing poverty as denial of human rights. The technical details of pro-poor policies are unlikely to differ much whether poverty is conceptually linked with human rights or not. The real difference would come in the institutional aspect.

Two features of the institutional framework would be especially important if poverty is seen as denial of human rights – viz. the institutions for ensuring accountability of duty-bearers, and the institutions for ensuring effective participation of right-holders in the formulation, implementation and monitoring of policies.

The Independent Expert does emphasise the importance of institutions for accountability, especially in his second report. The importance of institutions for effective participation, however, needs more emphasis than it has received so far. As the Independent Expert has acknowledged in other contexts (e.g. with regard to Right to Development), there is a process aspect and an outcome aspect of the human rights approach to policy-making. The right to participate in policy processes is an essential part of the process aspect of the human rights approach. Recognition of poverty as denial of human rights should help strengthen the participatory processes along with accountability mechanisms.