

# Moving Towards Guiding Principles on Extreme Poverty and Human Rights

*“The lack of basic security connotes the absence of one or more factors enabling individuals and families to assume basic responsibilities and to enjoy fundamental rights. The situation may become widespread and result in more serious and permanent consequences. The lack of basic security leads to extreme poverty when it simultaneously affects several aspects of people’s lives, when it is prolonged and when it severely compromises people’s chances of regaining their rights and of reassuming their responsibilities in the foreseeable future.”*

Leandro Despouy, UN special rapporteur on human rights and extreme poverty, Final report, 1996

The draft guiding principles “Extreme poverty and human rights: The rights of the poor” is the first international document which sets out clearly the implications of existing international laws in relation to the human rights of people living in extreme poverty. They recognize that, on the one hand, people living extreme poverty suffer from multiple violations of their human rights, and, on the other, that they themselves are the first to act to change their situation and that of their families.

## Why are guiding principles necessary?

- To identify human rights violations as a root cause of extreme poverty and an obstacle to its eradication.
- To reinforce existing instruments such as the Universal Declaration of Human Rights and the two International Covenants on Economic, Social and Cultural Rights and Civil and Political Rights, and foster their implementation in the context of extreme poverty.
- To set out clear and detailed guidelines for effectively designing and implementing policies and programmes that ensure the full enjoyment of human rights by all people, including people living in extreme poverty.
- To underline that because extreme poverty constitutes a threat to life and a violation of human rights "priority attention should be given and foster their implementation in the context of extreme poverty given to those suffering most from poverty and exclusion".

## What is the process for developing the guiding principles?

As a result of a long and ongoing process inspired by the experiences of people living in extreme poverty, the first version of draft guiding principles were written by UN human rights experts in 2006.

At the request of the Human Rights Council, the Office of the High Commissioner for Human Rights carried out consultations to obtain the views of all stakeholders, including non-governmental organisations, especially those in which people in situations of extreme poverty express their views.

In October 2009, the Human Rights Council requested the Independent Expert on Human rights and extreme poverty : "to submit a progress report presenting her recommendations on how to improve the draft guiding principles on extreme poverty and human rights to the Council no later than its fifteenth session (September 2010), to allow the Council to take a decision on the way forward with a view to a possible adoption of guiding principles on the rights of persons living in extreme poverty by 2012."

# The draft guiding principles take a human rights approach to the fight against extreme poverty based on three principles...

## The indivisibility of human rights

All human rights are universal, indivisible and interdependent and interrelated and it is only by acting for the defence of human rights in their totality, and not separately, that long lasting results will be achieved in the fight against poverty.

Yozo Yokota, a member of the expert group that prepared the draft guiding principles, describes a three dimensional relationship between human rights and extreme poverty:

**1. Extreme poverty itself is a violation of human rights:** it prevents people from attaining an adequate standard of living and the full enjoyment of their economic, social, cultural, civil and political rights.

**2. Extreme poverty induces other violations of human rights:** people living in poverty are frequently subject to violations of human rights such as child labour, slavery, trafficking, sexual exploitation or prostitution.

**3. Human rights violations can drive people to fall into extreme poverty:** violations such as discrimination, deprivation of the right to education, and lack of political rights are some of the reasons many people fall into poverty.

*“Persons living in extreme poverty are entitled to the full enjoyment of all human rights, including the right to participate in the adoption of decisions which concern them, and to contribute to the well-being of their families, their communities and humankind.”*

Draft guiding principles "Extreme poverty and human rights: The rights of the poor", pp.4

## Participation of people living in extreme poverty

The draft guiding principles underline the importance of participation of people living in

extreme poverty in the conception, implementation and evaluation of all programmes and policies which affect their lives. This not only increases the effectiveness of anti-poverty programmes, but it also respects their right to a voice in the lives of their communities and nations.

## Non-discrimination of people living in extreme poverty

Stereotypes prevail in many countries about the laziness of people living in poverty, their ignorance, and

their contentment with their situation. In consultations with people living in extreme poverty on the draft guiding principles, organized by ATD Fourth World, participants explained how such views have an effect on their access to fundamental rights. Moreover, the fact of living in extreme poverty only serves to aggravate all other forms of discrimination, whether they be linked to race, ethnic background, religion, physical disability, gender or age. (See "Dignity in the Face of Extreme Poverty", International Movement ATD Fourth World, Feb. 2008)

*“Poverty is more than just a lack of income; it is also lack of health care, education, access to political participation, decent work and security. All these factors are interdependent.”*

'Observance of the International Day for the Eradication of Poverty' Report of the Secretary-General (A/61/308), Sept 2006

## How could the adoption of the draft guiding principles have an impact on...

...the lives of people living in extreme poverty?

**The principles could:**

- Help people living in extreme poverty to understand and

advocate for their rights.

Offer hope to those living in extreme poverty through the recognition of their reality and voice, and give them confidence in the value of their contribution to society.

- Open the door to their participation in decision-making processes, which would help to improve the effectiveness of the policies and programmes that affect them.

*“According to the ILO, 70-80% of the world do not have access to formal social security. Among them, 20% live in extreme poverty. In 2007 there were 190 million people unemployed in the world.”*

International Social Security Review 60(2-3)

...decision makers?

**The principles could:**

- Clearly establish who are the rights

holders and who are the duty bearers. They spell out the responsibilities of States and the international community, as well as public and private entities.

- Highlight the importance of evaluating how their decisions will affect the lives of people living in poverty. This involves identifying the poorest in society, particularly those without a voice.
- Promote a human rights approach, which emphasises the process as well as the outcomes. The neglect of rights in the aim of attaining other policy objectives is seen as unjustifiable.
- Provide the foundation for sustainable programmes and steady economic growth, because they establish the need for long-term solutions to poverty.

*“There is no obvious relationship between levels of child well being and GDP per capita.”*

Innocenti Report Card 7, 2007 Child poverty in perspective: An overview of child well-being in rich countries.

...the work of civil society organisations and citizens?

**The principles could:**

- Provide a new advocacy tool that could help encourage

decision makers to devote the necessary resources towards the achievement of already agreed objectives and to adopt a participatory approach to the fight against extreme poverty.

- Strengthen the normative human rights basis of poverty eradication measures
- Provide a common legal framework that could help harmonise action, improve partnerships on the ground, and build the foundations for efficient multi-stakeholder dialogues.
- Provide a tool with which to disentangle rights issues and develop new programmes to explain and disseminate the principles to decision makers and people living in poverty.
- Help to raise awareness and change mentalities in the wider community about extreme poverty.
- Provide a clear point of departure for stakeholders – civil society organisations, local decision-makers, and people living in poverty – to develop the policies, services, and tools required for promoting, protecting, and fulfilling the rights of those living in extreme poverty.

*“Being forced to live in poverty is a violation of human rights and those who suffer from poverty most are often working hardest to fight it- but noone sees their efforts or recognises their fight so they are not included in debates on policy.”*

Statement by Moraene Roberts, ATD Fourth World, at Expert Seminar on Extreme Poverty and Human Rights, Geneva, 2007

## The draft guiding principles can already be put into action...

In consultations with civil society carried out by the UN Non-governmental Liaison Service, some NGOs confirmed that they have already started applying the draft guiding principles to their work, basing their actions on these principles. In that sense, the text is already being considered as "soft law" in international law, and can be quoted and referred to.

### **You can:**

- Apply the principles in your daily work.
- Use the human rights approach to poverty eradication that they embody to influence public attitudes and global strategies.
- Advocate for policy makers to identify the people that are the most vulnerable to extreme poverty and encourage them to work with them to develop and implement appropriate solutions.

## What can you do to support their adoption?

- Disseminate the text and encourage others to help raise awareness about its existence, including through articles about the draft guiding principles posted on your website, or published in your newsletters,
- Lobby your government to give priority to the text, and contribute to its finalisation and adoption,
- Use the draft guiding principles to encourage UN human rights bodies and States to continue their work on the eradication of extreme poverty, including by supporting the work of the Independent Expert on Human Rights and Extreme Poverty and raising the issue in Universal Periodic Reviews,
- Contribute to the work of the Independent Expert on the draft guiding principles by submitting to her recommendations through the office of the High Commissioner for Human Rights.

*"Wherever human beings are condemned to live in extreme poverty, human rights are violated.  
To come together to ensure that these rights be respected is our solemn duty."*

Joseph Wresinski, Commemorative Stone in Honour of Victims of Extreme Poverty laid on the Liberties and Human Rights Plaza in Paris, 1987

## For more information on the draft guiding principles and their history:

[www2.ohchr.org/english/issues/poverty/consultation/index.htm](http://www2.ohchr.org/english/issues/poverty/consultation/index.htm)

[www.atd-fourthworld.org/-Human-rights-and-extreme-poverty-.html](http://www.atd-fourthworld.org/-Human-rights-and-extreme-poverty-.html)

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