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**THE IMPORTANCE OF HUMAN RIGHTS  
IN ERADICATING POVERTY ON A GLOBAL SCALE**

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**Summary:** The problem of global poverty which concerns both developing and developed countries has over years been understood mainly in terms of economics and measured with regard to what people have or possess or how much money they can spend on a daily basis. Nevertheless, international organizations which have been strongly interested in eradicating poverty and creating conditions of freedom from want have realized that poverty is first of all denial of human rights, both civil/political and social/economic/cultural. What is more, there has been strong discussion about whether poverty is denial of a synthesis of human rights or if a new human right, the right to live free from extreme poverty, is emerging and what the consequences of such an evolution would be.

§ 1. The aim of this paper is double: firstly, to address the parameter of human rights' promotion and protection in eradicating extreme poverty on a global scale –rather than thinking that it is solely a financial matter- and secondly, to present briefly the discussion about recognizing a new human right, *the right to live free from extreme poverty*.

§ 2. In 2000, heads of State and Government from all over the world agreed on the 'Millennium Development Goals' and adopted for this reason the 'Millennium Declaration'. Among these goals (hereinafter: MDGs) one has explicitly<sup>1</sup> to do with the *eradication of extreme poverty and hunger* (MDG 1). This goal is further explained in Section III of the United Nations Millennium Declaration<sup>2</sup>. It is not the first time that the global community expresses its concern about extreme poverty and declares its commitment to alleviate it. However, it is the first time that this goal is *quantified* and a *target date* is set, too (2015). In particular, MDG 1 is further analyzed in a) halving, between 1990 and 2015, the proportion of people whose income is less than \$1 a day b) achieving full and productive employment and decent work for all, including women and young people c) halving, between 1990 and 2015, the proportion of people who suffer from hunger<sup>3</sup>.

§ 3. Today, less than four years are left and the situation is roughly as follows: a) in 2015 about 920 million people will still be living under the poverty line b) there will be more people suffering from hunger than in 1990 (925 million instead of 815 million) c) one in four children under the age of five will still be underweight (though this was almost one in three in 1990)<sup>4</sup>. These facts are not at all satisfactory. Even if one would argue that the MDGs (MDG 1 in particular) can still be achieved –which is far from being realistic- there will still be millions of people living on less than \$ 1.25 a day<sup>5</sup> or/and suffering from hunger, which in fact means that poverty<sup>6</sup> will still be

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<sup>1</sup> As Fukuda-Parr (2006) explains, MDG 8 is also of much relevance to the problem of poverty.

<sup>2</sup> A/Res/55/2, 8 September 2000

<sup>3</sup> <http://www.un.org/millenniumgoals/poverty.shtml> accessed 4 September 2011

<sup>4</sup> These and other facts available at [http://www.un.org/millenniumgoals/pdf/MDG\\_FS\\_1\\_EN.pdf](http://www.un.org/millenniumgoals/pdf/MDG_FS_1_EN.pdf)

<sup>5</sup> '2008 World Development Indicators – Poverty Data – A supplement to World Development Indicators 2008' <http://siteresources.worldbank.org/DATASTATISTICS/Resources/WDI08supplement1216.pdf>

<sup>6</sup> Alston (2005) observes that poverty is not characterized by the Millennium Declaration 'as a human rights violation per se'.

there. This shows that there has to be a change of view and that economic estimations are not sufficient themselves for the eradication of poverty.

§ 4. This change of view should be towards promotion and protection of all human rights. Since the late 1980s extreme poverty has inextricably been linked by the UN<sup>7</sup> with human rights. In 1993 the *Vienna World Conference on Human Rights* ended up adopting a ‘Declaration’ and a ‘Programme of Action<sup>8</sup>’ where (para 14) extreme poverty is described as a problem which ‘inhibits full and effective enjoyment of human rights’ and where it is also mentioned that extreme poverty is first and foremost a violation of human dignity (para 25). What is more, extreme poverty is understood as a problem which can only be tackled through the promotion and protection of *all* human rights which are ‘universal, indivisible and interdependent and interrelated’ (para 5). One could say that this Declaration and Programme of Action have opened a new era in understanding poverty in terms of human rights.

§ 5. This new way of thinking about poverty was reiterated in the Declaration and Programme of Action which were agreed upon in the Copenhagen World Summit for Social Development (1995) and in many of the reports prepared by Special Rapporteurs and Independent Experts of the United Nations since 1996. Among them, one could focus on the definition given to the problem of extreme poverty by Despouy (1996) and by Sengupta (2008). Despouy describes extreme poverty as ‘lack of basic security’ that does not let individuals ‘assume basic responsibilities’ and ‘enjoy fundamental rights<sup>9</sup>’ whereas Sengupta believes that extreme poverty is ‘a composite of income poverty, human development poverty and social exclusion<sup>10</sup>’. These two definitions show that focus is no more on the economic dimension of poverty –which certainly is very important- but on social exclusion and human rights. Last but not least, the United Nations is on the way of elaborating ‘Guiding Principles on extreme poverty and human rights<sup>11</sup>’. Although these principles have not yet crystallized it is obvious that poverty is again understood as denial of human rights.

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<sup>7</sup> As Marks (2009) observes, it was in 1987 that the Committee on Economic, Social and Cultural Rights began to examine global poverty in terms of human rights.

<sup>8</sup> A/CONF.157/23, 12 July 1993

<sup>9</sup> E/CN.4/Sub.2/1996/13, 28 June 1996 (Annex III)

<sup>10</sup> E/CN.4/2005/49, 11 February 2005, para 18

<sup>11</sup> These principles were first included as Annex to the Sub-commission on the Promotion and Protection of Human Rights Resolution 2006/9, 24 August 2006.

§ 6. This new approach, however, is not only followed by the United Nations. There are other international organizations -regional or global, general or specialized- which also understand poverty as mainly an issue of denial of human rights. Among them one could choose as appropriate examples the Council of Europe and the International Labor Organization, each one for a particular reason.

§ 7. On the one hand, the Council of Europe is a regional international organization with a long standing tradition as to the protection of fundamental rights. In 1996 it has gone further than other international organizations by introducing a new article 30 in its (Revised) European Social Charter<sup>12</sup>. This article is very important to understanding poverty under a human rights perspective for it not only describes it as a denial of all human rights but (also) as a denial of a new human right, namely *the right to protection against poverty and social exclusion*. What is more, the notion of access is of great importance: poverty hinders access to employment, education, culture, social and medical assistance. As a result, it is rather described as a limitation to what people *can do* than as to what they *possess* (as the economic approach would suggest)<sup>13</sup>.

§ 8. On the other hand, the International Labor Organization (hereinafter: ILO), a specialized international organization, has also contributed much to the global effort against poverty by setting norms and standards for work, i.e. for the most important and decent way to live free from poverty. The ILO is not, as one would perhaps assume, active only in labour issues -but in all social issues. This enlargement of its interest and action has been proclaimed in 1944 when the *Declaration of Philadelphia* was adopted by its International Labour Conference. This Declaration was added as Annex to the 1919 Constitution of the ILO and in its part II (para a) it was stated that

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<sup>12</sup> This article guarantees the right to protection against poverty and social exclusion and reads as follows: ‘With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake: a) to take measures within the framework of an overall and co-ordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance; b) to review these measures with a view to their adaptation if necessary’.

<sup>13</sup> This does not mean, however, that income deprivation is excluded: as is stated in the Explanatory Report of the European Social Charter (para 116, <http://conventions.coe.int/treaty/en/Reports/Html/163.htm>) ‘measures may or may not imply financial benefits’. In other words, financial benefits are part of an anti-poverty strategy but this strategy should go beyond them.

the ILO shall not only act for workers but for *all human beings*. Therefore the ideal of social justice which served as a basis for the ILO since its foundation (para 1 of the Preamble its Constitution) was perceived of as applicable to society in general. The 2008 Declaration on *Social Justice for a Fair Globalization*<sup>14</sup> reaffirmed this conviction which throughout these years has not only been realized with regard to income<sup>15</sup> but with regard to human development<sup>16</sup> and social inclusion<sup>17</sup> as well.

§ 9. The abovementioned examples show that there is on an international level a significant movement towards understanding poverty more as a human rights issue than as a purely financial matter. How poverty is connected with human rights, how it could otherwise be connected with them and what are the most important implications of this connection will be briefly presented in the following paragraphs.

§ 10. Extreme poverty is first of all a real situation; a situation of not having what one would like and would need to<sup>18</sup>. Its main aspects are lack of income, lack of social inclusion, lack of chances and opportunities for the individual. If we try to explore the relationship between human rights and poverty we could see that the latter is relevant to all human rights and in fact shows their interdependence and interrelatedness<sup>19</sup>. Let us examine, for example, the human rights which are included in the two Covenants which were adopted in 1966 by the United Nations and which cover civil/political and economic/social/cultural rights respectively.

§ 11. The International Covenant on Civil and Political Rights<sup>20</sup> protects human rights which are of a civil or political nature. Many of them are directly or indirectly related to the problem of poverty; life (art 6) is threatened when there is extreme poverty,

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<sup>14</sup> [http://www.ilo.org/public/english/bureau/dgo/download/dg\\_announce\\_en.pdf](http://www.ilo.org/public/english/bureau/dgo/download/dg_announce_en.pdf) accessed 4 September 2011

<sup>15</sup> E.g. Convention (hereinafter: C) 131 (1970) and Recommendation (hereinafter: R) 135 (1970) about minimum wage; C 173 (1992) and R 180 (1992) about protection of workers' claims in case of insolvency of their employer.

<sup>16</sup> E.g. C 47 (1935) and R 116 (1962) about weekly hours of work; R 98 (1954) and C 132 (1970) about holidays with pay.

<sup>17</sup> E.g. C 102 (1952) about minimum standards on social security or C 118 (1962) on equality of treatment.

<sup>18</sup> According to Koubi (2004) poor people suffer from insufficiency whereas extremely poor suffer from lack.

<sup>19</sup> As abovementioned, interdependence and interrelatedness were proclaimed in the Vienna Declaration and Programme of Action, para 5.

<sup>20</sup> <http://www2.ohchr.org/english/law/ccpr.htm> accessed 4 September 2011

poverty is ‘inhuman or degrading’ (art 7) for poor living conditions violate human dignity<sup>21</sup>, poverty is a form of slavery (art 8), it is more difficult for poor people to protest against arbitrary arrest or detention (art 9), poor people often lack the necessary resources to access the courts (art 14) and they often do not have all necessary documents which would allow them to be recognized as persons before the law (art 16). Moreover, poor people are more often than not excluded from political participation and exercise little political influence (art 25).

§ 12. Furthermore, the International Covenant on Economic, Social and Cultural Rights<sup>22</sup> guarantees rights which are evidently related to poverty too. Work (arts 6 - 7) is the most important and dignified means to escape from poverty, social security (art 9) is absolutely necessary for fear of situations which might lead to chronic deprivation<sup>23</sup>, the ‘adequate standard of living’ (art 11) is nothing else than a standard of living far from poverty, health (art 12) can only be effectively protected when there are sufficient resources. Education (art 13) cannot be protected when there is poverty – as children have to work instead of attending school lessons<sup>24</sup> - whereas it can increase possibilities for living free from poverty. Finally, taking part in cultural or artistic life and being able to profit from scientific progress (art 15) are impossible under conditions of poverty.

§ 13. As a result, poverty is a situation which is relevant to almost all human rights and which evidences their interdependence and interrelatedness. This way of thinking about poverty has an important advantage but a significant drawback too; it describes poverty as a synthesis of many violations of many human rights but fails to address the issue in a unified and holistic way. This means that if poor people want to protect themselves against poverty they have to do so by invoking this or that human right, therefore failing to address the problem as a whole. This is why some argue that we should now go a step further by recognizing *a new human right*, the right to be free from poverty.

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<sup>21</sup> Davidsson (2005) argues that poverty can in some cases cause as much suffering as a physical attack and Dupré (2009) agrees that poverty is lack of dignity.

<sup>22</sup> <http://www2.ohchr.org/english/law/ceschr.htm> accessed 4 September 2011

<sup>23</sup> Such as old- age, invalidity, sickness, unemployment or employment injury.

<sup>24</sup> According to Arat (2002), poverty leads to child labour.

§ 14. Among them, Skogly (2002) expressed the idea that there might be a right not to be poor. Two years later, Mbonda (2004) described the way towards a right to freedom from poverty whereas Follesdal and Pogge (2005) edited 'Real World Justice' where the idea of creating a new human right -the right to live free from poverty- and also mechanisms for its enforcement can be found. Moreover, Pogge (2007) edited 'Freedom from Poverty as a Human Right – Who owes what to the very poor?' and Bilchitz (2007) tried to examine how social and economic rights can be justified and enforced. It seems that now, more than ever, we can at least discuss –if not accept- the recognition of a new human right, the right to be free from poverty.

§ 15. There are of course many objections that can be raised. Cultural relativism, for those who accept it, not only would mean different perceptions of human rights but of poverty too. The problem of resources could be another impediment: how could one have a claim for a minimal standard of living if the country where one lives simply does not have the necessary resources<sup>25</sup>? Who could make use of this new right and who would be in charge of examining violations of it? Would there be any differences between this right and the right to development or the right to food? What exactly is the normative aliud which would render the recognition of such a right necessary?

§ 16. It is very often said that poverty cannot be tackled effectively if poor people do not participate in all decisions which are of concern to them. In fact, a new human right would allow the neediest to protest against situations, decisions or even traditions which make them poor –i.e. they will be able to express themselves about what *they* think poverty is and about anything which causes poverty *for them*<sup>26</sup>. Furthermore, they could address the problem as a whole and they would not be obliged to refer to several rights, such as the right to housing, the right to health, the right to education etc. Finally, this new human right would tear down the opinion that poor people are responsible for their situation; nobody could be blamed for not exercising a right –in this case, the right to live free from extreme poverty- but everybody could blame whoever (individuals, states, international organizations, multinational enterprises) would cause extreme poverty -because it would violate a human right.

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<sup>25</sup> Lack of resources has to do, according to Jheelan (2007), with the debate about enforceability of social and economic rights.

<sup>26</sup> As Pieterse (2007) notes, it is very important that poor people participate actively in decision-making and that their own experiences and needs are taken into consideration.

§ 17. The aforementioned thoughts are not to be taken as conclusions. They are just to be taken as food for further thought and as suggestions, opposition to which would be as much precious as support of. Of course this issue needs much more in-depth study. The aim of this paper was just to draw the attention to this new trend, that is the global effort against poverty through the recognition of a new human right, and to stimulate further discussion.

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