Poverty Reduction and Human Rights

A Practice Note

June 2003

Contents

<u>Acknowledgements</u>

Acronyms

BDP	-	Bureau for Development Policy
CAT	-	Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
CCA	-	Common Country Assessment
CEDAW	-	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	-	International Convention on the Elimination of All Forms of Racial Discrimination
CRC	-	Convention on the Rights of the Child
HURIST	-	Human Rights Strengthening Programme
ICCPR	-	International Covenant on Civil and Political Rights
ICESCR	-	International Covenant on Economic, Social and Cultural Rights
MDGs	-	Millennium Development Goals
OHCHR	-	Office of the High Commissioner for Human Rights
UDHR	-	Universal Declaration of Human Rights
UNDAF	-	United Nations Development Assistance Framework
UNDP	-	United Nations Development Programme
UNICEF	-	United Nations Children's Fund
UNIFEM	-	United Nations Development Fund for Women

Executive Summary

"I am often asked what is the most serious form of human rights violations in the world today, and my reply is consistent: extreme poverty." – Mary Robinson

Poverty is a denial of human rights. Human rights refer to rights that are inherent to the person and belong equally to all human beings. Their realisation has to be carried out as a participatory, accountable and transparent process, implying equality in decision-making. Human rights instruments – such as the Universal Declaration of Human Rights – provide a coherent framework for practical action – at the international, national and sub-national levels – to reduce poverty.

The principles of equality and non-discrimination address one of the root causes of poverty. Poverty strategies target individuals and groups that are socially excluded, marginalized, vulnerable and disadvantaged. The human rights-based approach to poverty reduction espouses the principles of universality and indivisibility, empowerment and transparency, accountability and participation. It addresses the multi-dimensional nature of poverty beyond the lack of income. Poor people cannot not treated as if they constitute a homogeneous group, or as if discrimination occurs indiscriminately.

Integrating human rights in poverty reduction strategies does not so much changes 'what' is to be done as to 'how' and 'why' activities are undertaken. By applying a human rights-based approach to poverty reduction, UNDP will strengthen its policy, programming and capacity development support to programme countries. In particular, it will:

1. Encourage all actors to adopt a human rights-based approach in tailoring and customising the MDG targets to the local context.
2. Focus on the capacities of duty-bearers to meet their obligations to respect, protect and fulfil rights; as well as the capacities of rights-holders to claim their rights.
3. Enhance the synergy between poverty reduction and democratic governance. Programmes for local governance, access to justice, capacity of human rights institutions, grassroots initiatives for community development, and human rights education will be included among pro-poor poverty programming.
4. Engage in the work of UN Human Rights Treaty Bodies; particularly strive to incorporate selected and relevant recommendations that result from periodic reviews into its programme development.
5. Promote and support participatory assessment methodologies that link rights, obstacles and strengths around which poor people can secure their livelihood.
6. Build in-house capacity to undertake multi-disciplinary reviews and analyses that maximise meaningful participation of the poor.

The notion of participation is at the centre of a human rights-based approach to poverty reduction. The poor must be considered as the principal actors of development; they can no longer be seen as passive recipients; they are strategic partners rather than target groups. Human rights change in a fundamental way the relationship between service providers and service recipients, and between claim-holders and duty-bearers.

1. Introduction

What does a rights approach mean? It means a clear understanding of the difference between right and need. A right is something to which one is entitled solely by virtue of being a person. It is that which enables an individual to live with dignity. A right can be enforced and entails an obligation on the part of the government. A need, on the other hand, is an aspiration that can be quite legitimate but it is not necessarily associated with an obligation on the part of the government to cater to it. The satisfaction of a need cannot be enforced. Human rights make the difference between being and just merely existing.

The Universal Declaration of Human Rights recognises human rights as the foundation of peace, justice and democracy. Within this UN normative framework, UNDP in 1998 adopted its policy of *"Integrating Human Rights with Sustainable Human Development"*. Subsequently, in 2000 and 2002, the Human Development Reports affirmed that human development is essential for realising human rights, and human rights are essential for full human development.

Human rights are inalienable entitlements; they constitute the ground-rules for human development. As such, the 'dignity and worth' of the human person is to be regarded as both a means and an end of development. The human rights framework reflects the crucial interdependence of economic, social and cultural rights, on the one hand, and civil and political rights, on the other.

The Results-Oriented Annual Reports (ROAR) show increased human rights activities in UNDP, both in terms of number of countries reporting, and in the scope of activities. In fact, the ROAR 2000 registered human rights – including political, social and economic dimensions – as a key focus in governance, with almost 40% of country offices providing assistance for advocacy, awareness raising, action planning and development of the underlying institutional framework. Discrimination and violence against women, and the implementation of CEDAW are increasingly registered as an area of intervention. UNDP's close partnerships with OHCHR and UNIFEM greatly facilitate expansion of activities. However, integrating human rights with human development requires more than strengthening partnerships. Human rights mainstreaming is the business of all UNDP staff.

This Practice Note outlines a framework for human rights integration in poverty reduction and provides practical steps to guide UNDP programming. The framework is purposely kept generic, as it should be applicable to a range of country situations and programming modalities; whether the focus is on macroeconomics, trade policies, micro-finance, reporting on the Millennium Development Goals, or livelihood skills. Entry points for human rights-based programming vary, thus approaches and strategies need to be tailored to the local situation.

2. Poverty reduction and human rights

The definition of poverty is steadily moving towards a human rights-based vision highlighting its underlying multitude of causes. The increased awareness that the respect for human rights is a sine qua non for socio-economic outcomes challenges the proposition that income should be used as a good and sufficient proxy indicator for measuring poverty. UNDP's attempt to capture the multi-dimensional nature of poverty is expressed in its efforts to develop the Human Development Index, the Gender-related Development Index, and the Human Poverty Index. These efforts have opened up avenues for more holistic approaches to poverty analysis, reduction strategies and monitoring.

The Human Development Report 2000 conveyed the central message that poverty is an infringement on freedom, and that the elimination of poverty should be addressed as a basic entitlement and a human right – not merely as an act of charity. It calls for a framework for development, trade and investment that respects, protects and promotes human rights, encouraging greater commitment by donor governments to provide adequate funding of human rights priorities. Furthermore, it suggests that debt, economic policies and structural adjustment programmes should be assessed in terms of their impact on human rights. In mapping out a strategy for poverty reduction within a human rights context, the HDR 2000 stressed that:

- Economic growth should be pro-poor.
- Budgets must adequately support priority human concerns.
- The political space should be expanded to ensure appropriate participation
- Environmental resources and social capital of poor communities should be protected.
- All forms of discrimination should be removed.
- Human rights should be secured in law.

Important and valuable insights have also been gained from the actual experiences of poor people themselves. UNDP's Poverty Report 2000 *"Overcoming Human Poverty"* highlighted transparent and inclusive governance as an important link between the formulation of national anti-poverty policies and actual poverty reduction. Transparency and accountability are deemed essential by poor people to bring about institutional change to reduce poverty, including the way the poor are treated by service providers.

More recently, the Administrator described UNDP's understanding of sustainable human development as the vision that every individual everywhere, man or woman, girl or boy must have the opportunity to fulfil their potential, that they must have choices, and the power to make them, over how they live. Equality of rights for all is the indispensable foundation on which human development must be built.
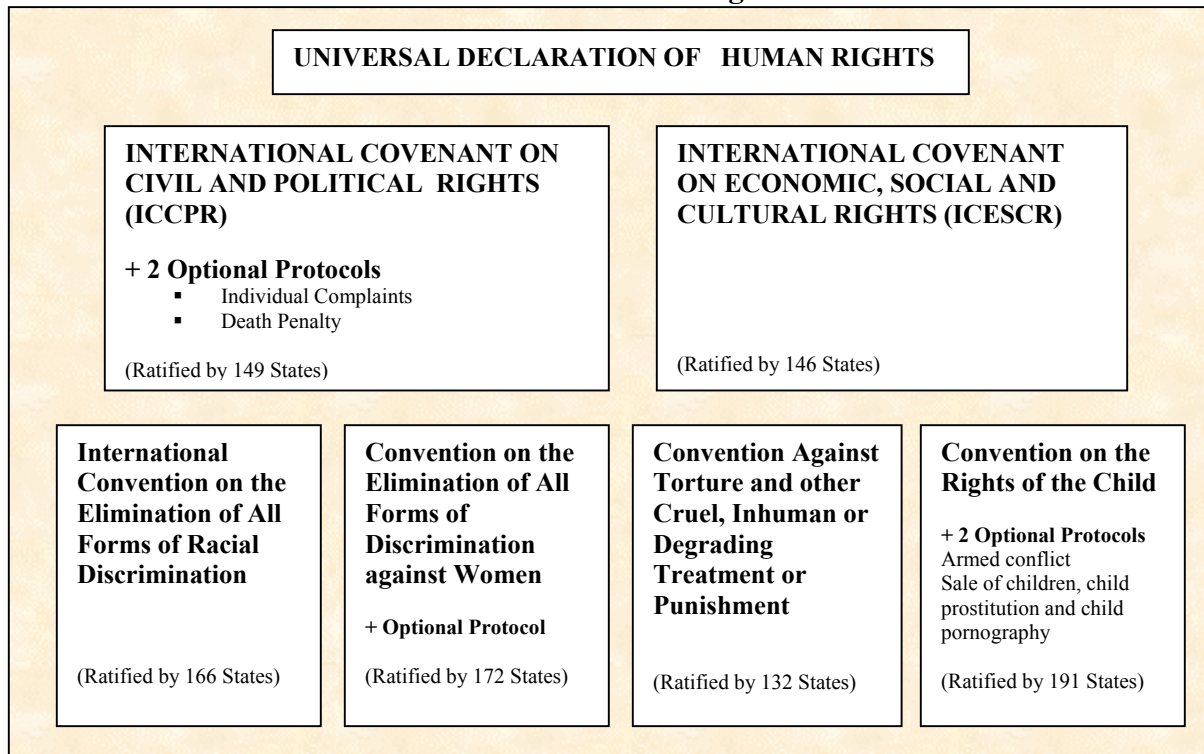
The Millennium Declaration recognises the importance of human rights. It states: *"We will spare no efforts to free our fellow men, women and children from the abject and dehumanising conditions of extreme poverty. We are committed to making the right to development a reality for everyone and to freeing the entire human race from want."*

3. The normative framework

The normative framework for human rights, codified in the 1948 Universal Declaration of Human Rights (UDHR), is the basis for national and international policy setting for poverty reduction. It provides the crucial set of norms and values to guide policy making through the respect of human rights that are inherent to the person and belong equally to all human beings regardless of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The international community has developed a comprehensive legal framework for the protection and promotion of human rights (box 1). The International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, together with the UDHR constitute the International Bill of Rights. Alongside these, specific conventions were drafted to protect the rights of certain vulnerable groups, such as women and children, and to address certain specific rights, such as the elimination of racial discrimination. States become parties to these covenants and conventions voluntarily. Committees, or 'treaty monitoring bodies', composed of independent experts of recognised competence in the field of human rights who are elected by States Parties, monitor the implementation of the core human rights treaties. All countries have ratified at least one of the major six United Nations human rights conventions, and 80 per cent of States have ratified four or more. The list of ratifications can be found at www.unhchr.ch/tbs/doc.nsf.

Box 1: The Core UN human rights treaties

UNIVERSAL DECLARATION OF HUMAN RIGHTS			
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR) **+ 2 Optional Protocols** - Individual Complaints - Death Penalty (Ratified by 149 States)		**INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR)** (Ratified by 146 States)	
International Convention on the Elimination of All Forms of Racial Discrimination (Ratified by 166 States)	**Convention on the Elimination of All Forms of Discrimination against Women** **+ Optional Protocol** (Ratified by 172 States)	**Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment** (Ratified by 132 States)	**Convention on the Rights of the Child** **+ 2 Optional Protocols** Armed conflict Sale of children, child prostitution and child pornography (Ratified by 191 States)

Under international human rights law, States Parties have specific obligations to (i) respect, (ii) protect and (iii) fulfil the rights contained in the conventions. Failure to perform any one of these three obligations constitutes a violation of such rights.

i. The obligation to <u>respect</u> requires State Parties to refrain from interfering with the enjoyment of rights. For example, the right to housing is violated if the State Party engages in arbitrary forced evictions.

ii. The obligation to <u>protect</u> requires State Parties to prevent violations of rights by third parties. For instance, the failure to ensure that private employers comply with basic labour standards may amount to a violation of the right to just and favourable conditions of work.

iii. The obligation to <u>fulfil</u> requires State Parties to take appropriate legislative, administrative, budgetary, judicial and other measures towards the full realisation of rights.

States are obliged to move as expeditiously and effectively as possible towards the implementation of these obligations. Constraints due to the limits of available resources cannot be interpreted as a reason for inaction. The 1993 World Conference on Human Rights states, *"While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognised human rights"*. It is important to distinguish inability from unwillingness. Any deliberate retrogressive measures require the most careful consideration, and need to be fully justified by reference to the totality of the rights provided for in the treaty concerned and in the context of the full use of the maximum available resources.

The entire UN system – including the funds, programmes and specialised agencies – has a responsibility to support State Parties in these efforts: *" States have to undertake steps, individually and through international assistance and cooperation, to the maximum of their available resources with a view to achieving progressively the full realisation of the rights recognised"* (Article 2.1 ICESCR). Since human development means expanding people's choices and enhancing their freedoms, empowering people goes beyond the development of human resources as means to economic growth and generation of income. UNDP has a particular role to play in supporting countries to integrate the human rights approach in their development efforts, based on the human development paradigm.

4. The right to development

The 1986 UN Declaration on the Right to Development provides important guidance in linking norms, processes and implementation by addressing development as a comprehensive economic, social and political process. Particularly since the World Conference on Human Rights (1993), the right to development has been reaffirmed as an inalienable human right in numerous General Assembly resolutions, above all in the Millennium Declaration. That Declaration recognises the importance of human rights, reaffirms them as fundamental values and treats them as both cross-cutting and category specific.

If injustices and discrimination in society are the main reasons for poverty, then as an effective operational mechanism, the human rights-based approach to development demands:

- Participation and transparency in decision-making – implies making participation throughout the development process a right and the obligation of the state and other actors to create an enabling environment for participation of all stakeholders.
- Non-discrimination – implies that equity and equality cut across all rights and are the key ingredients for development and poverty reduction.
- Empowerment – implies empowering people to exercise their human rights through the use of tools such as legal and political action to make progress in more conventional development areas.
- Accountability of actors – implies accountability of public and private institutions and actors to promote, protect and fulfil human rights and to be held accountable if these are not enforced.

Box 2: Human rights principles

▪ **UNIVERSALITY**	and	**INDIVISIBILITY**
▪ **EQUALITY**	and	**NON-DISCRIMINATION**
▪ **PARTICIPATION**	and	**INCLUSION**
▪ **ACCOUNTABILITY**	and	**RULE OF LAW**

Human rights and human development are two sides of the same coin. A human rights-based approach provides both a vision of what development should strive to achieve, and a set of tools and essential references. It is based on the values, standards and principles captured in the UN Charter, the UDHR and subsequent legally binding human rights instruments. It attaches importance not only to development *outcomes*, as traditional approaches do, but also to the development *process*, as the latter implies the participation of all stakeholders to ensure that their interests and rights are included in the ultimate development outcomes.

A human rights-based approach provides a deeper and broader understanding of the root causes and consequences of poverty. It does so by linking a comprehensive analysis of poverty to a normative framework that seeks to guarantee results and accountability for efforts in the process of poverty reduction. Its added value is not only a more conducive enabling environment for development through the realisation of people's rights, but also the empowerment of people to participate in the decision-making process and fully contribute to development. Thus, poor people become the principal actors and engaged subjects of development, rather than its passive recipients. They are considered central partners, rather than 'target groups', in pursuit of human rights entitlements. This distinguishes the human rights-based approach to development from a welfare or basic needs approach in terms of the relationship between the State, on the one hand, and individuals and local communities, on the other. It also brings in legal tools and institutions – laws and the judiciary – as a means to secure freedoms and human development

To quote the UN Office of the High Commissioner for Human Rights a human rights-based approach has the potential to advance the goal to poverty reduction in a variety of ways by:

- urging speedy adoption of a poverty reduction strategy, underpinned by human rights, as a matter of legal obligation;
- broadening the scope of poverty reduction strategies to address the structures of discrimination that generate and deepen poverty;
- strengthening civil and political rights, which can play an instrumental role in addressing the cause of poverty;
- confirming that economic and social rights are binding obligations, not just programmatic aspirations;
- adding legitimacy to the demand for ensuring meaningful participation of the poor in decision-making processes;
- cautioning against retrogression and non-fulfilment of minimum core obligations in the name of policy trade-offs; and
- strengthening institutions through which policy-makers can be held accountable for their actions.

It should be recognised however, that this approach requires a review of programming frameworks such as the results-based management system. Baselines should incorporate human rights standards, while targets should always be based on disaggregated data.

Global targets cannot be imposed on each and every country, independent of its specific situation. The quantitative MDG targets must be translated into nationally agreed targets that balance ambition with realism. Over-ambitious targets are not likely to trigger action or mobilise social actors; non-challenging targets are unlikely to mobilise extra resources or to foster pro-poor policy reforms. Tailoring and customising the MDG targets is essential for enhancing the sense of national ownership of the MDGs. Similarly, a human rights-based approach is dynamic, and leaves scope for tailoring it to the specific context. The approach is based on a full understanding of the political, social, cultural and legal context in which people live. The non-negotiable core of the human rights principles is found in four pairs mentioned in Box 2. They should be understood as follows:

1. Universality and indivisibility
Every woman, man and child is entitled to enjoy her or his human rights simply by virtue of being human. It is this universality of human rights that distinguishes them from other types of rights – such as citizenship rights or contractual rights. The principle of universality requires that no group, such as geographically remote communities, be left out of the reach of development assistance and public policies. Despite the recognition of the universality principle, many still question the validity of the principle of universality. This is easily countered by applying what could be called the Ramcharan test: *Just ask any human being: Would you like to live or die? Would you like to be tortured or enslaved? If there is any critic of universality who would argue that an individual would choose death to life, and serfdom to freedom, let us hear from that critic".*

Enjoyment of one right is indivisibly inter-related to the enjoyment of other rights. For instance, enjoyment of the highest attainable standard of health requires enjoyment of the rights to information and education as well as the right to an adequate standard of living. All human rights – civil and political or economic and social – should be treated with the same respect. Policies and programmes should not aim at implementing one particular right alone. Poverty encroaches on a set of rights that cannot be subdivided into separate rights. Some insist on the immediate protection of civil and political rights while conceding that economic, social and cultural rights depend on affordability. This distinction is artificial, for two reasons. First, there is no clear-cut division between civil/political rights and social/economic rights. Second, all rights have resources implications. By ratifying human rights conventions, the state takes on the obligation to provide material assistance and to support programmes for the poor, including through international co-operation.

However, the fact that all human rights should be accorded the same respect doesn't preclude priority setting in programming support. The scarcity of resources and institutional constraints often require establishing priorities, for instance favouring food, basic education and health.

2. Equality and non-discrimination
Human rights are for everyone, as much for people living in poverty and social isolation as for the rich and educated. International law prohibits discrimination in the enjoyment of human rights on any ground, such as ethnicity, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The term "or other status" is interpreted to include personal circumstances, occupation, life style, sexual orientation and health status. People living with HIV and AIDS for instance, are entitled to the enjoyment of their fundamental human rights and freedoms without any unjustified restriction.

Equality also requires that all persons within a society enjoy equal access to the available goods and services that are necessary to fulfil basic human needs. It prohibits discrimination in law or in practice in any field regulated and protected by public authorities. Thus, the principle of non-discrimination applies to all state policies and practices, including those concerning healthcare, education, access to services, travel regulations, entry requirements and immigration.

3. Participation and inclusion
An essential principle of the international human rights framework is that every person and all peoples are entitled to participate in, contribute to, and enjoy civil, economic, social, cultural and political development in which human rights and fundamental freedoms can be realized. This means that participation is not simply something desirable from the point of view of ownership and sustainability, but rather a right with profound consequences for the design and implementation of development activities. It is concerned with access to decision-making, and is critical in the exercise of power. The principles of participation and inclusion mean that all people are entitled to participate in society to the maximum of their potential. This in turn necessitates provision of a supportive environment to enable people to develop and express their full potential and creativity.

4. Accountability and the rule of law
States have the primary responsibility to create the enabling environment in which all people can enjoy their human rights, and have the obligation to ensure that respect for human rights norms and principles is integrated into all levels of governance and policy-making. The principle of accountability is essential for securing an enabling environment for development. Human rights do not simply define the needs of people, but recognize people as active subjects and claim-holders, thus establishing the duties and obligations of those responsible for ensuring that needs are met. As a consequence, the identification of duty holders has to feature as an integral part of programme development.

Law must protect rights. Any dispute about them is not to be resolved through the exercise of some arbitrary discretion, but through the adjudication by competent, impartial and independent processes. These procedures will ensure full equality and fairness to all parties, and determine the questions in accordance with clear, specific and pre-existing laws, known and openly proclaimed. All persons are equal before the law, and are entitled to equal protection. The rule of law ensures that no one is above the law, and that there will be no impunity for human rights violations.

5. Integrating human rights in the programming process

Human rights provide a normative framework for achieving development priorities. It demands a comprehensive set of benchmarks and indicators for measuring progress beyond legal and institutional frameworks and constructs. Values, principles and standards of human rights must guide and permeate the entire development programming process. Applying a human rights approach to programming starts with the UNDAF process and continues further in the preparation and formulation of the UNDP country programme.

The success of human rights-based development strategies will rest on the acceptance of a social contract that recognises and respects the primacy of universal human rights vis-à-vis the development process as a whole. As such, respect for human rights is to be reflected in a State's norms, institutions, legal frameworks and enabling economic, political and policy environment. Intrinsic steps in this regard, based on earlier mentioned principles, have to be taken through:

- advocacy: sensitisation of all stakeholders in the broadest sense of the word
- capacity: creation of a sustainable system of enforcement (not necessarily legal)
- implementation: application of human rights in law and reality
- monitoring: effective systems for societal monitoring of human rights enforcement

Box 3: Human rights and support for education – an example

Studies have traditionally shown that the rate of return on public investment in primary education is higher than on post-primary schooling. Government and donors have a limited amount of funds available to support the education sector. If new studies would to show that post-primary education yields higher returns, would they make a difference?

The market logic would re-direct funds towards higher levels of education, as this provides the highest rate of return. The human rights-based logic, on the other hand, would be unaffected by these results. Government has the responsibility – the International Covenant on Economic, Social and Cultural rights (article 13) – to respect, protect and fulfil the right to basic education. The article states, *"Primary education shall be compulsory and available free for all"*. Hence, the results of the new studies would not really matter as to the priority objective. Primary education is a fundamental right and entitlement; it would keep the highest level of priority focused on basic education even if the rate of returns to such public investment would be lower than other options.

To be meaningful and sustainable, poverty reduction must be both empowering and lead to empowerment of those who are left behind. They are based on the recognition of the potential of the people's efforts to reduce poverty, and seek to facilitate an enabling environment for their own initiative and solution. A human rights approach to poverty reduction entails:

- ensuring that poverty analysis addresses the multiplicity of causes of deprivation, exclusion and discrimination of the poor.

- ensuring that duty-bearers are identified with their obligations, as well as the capacity gaps as to why they are not meeting them.
- ensuring that claim-holders and their capacities to effectively assert their rights are identified.
- supporting the collection of disaggregated data to identify those most in need.
- identifying obstacles to the implementation of the human rights-based approach by addressing the different interests and cultural, social and economic realities.
- designing policies and programmes based on the above analysis that address, in a targeted and disaggregated manner, poor people and marginalized groups.
- applying a holistic approach to human rights and poverty reduction through the integration of economic/social rights together with civil/political rights.
- ensuring that such an approach is applied inter-sectorally and across line ministries and UN agencies
- empowering people to participate fully, equally and responsibly in decision-making.
- monitoring progress and results, as well as budgetary inputs, including share that reaches units of service delivery (e.g. local school and rural clinic) – tangible proxy indicators for good governance.
- supporting legal instruments and law enforcement capacity.
- conducting advocacy and awareness raising campaigns and fostering access to information in a user-friendly way in local languages for broader outreach (e.g. NHDRs and MDGRs).

Human rights-based development strategies will, above all, depend on the determination, acceptance and implementation of the interrelated aspects of duty-bearers to fulfil their obligations to claim-holders. This is important in that it provides entry points for the assignment of responsibilities to specific agencies and agents. To meet their obligations to claim-holders, duty-bearers must be recognised to have responsibility, authority and the necessary resources.

1. Identifying duty-bearers
The most recent CCA/UNDAF Guidelines go a long way in integrating human rights with the development process. In fact, the systematic integration of human rights principles and gender equality features prominently among the guiding principles for the programming process. The operational guidelines advocate the application of a "causality tree analysis" to identify root causes and their inter-linkages, the differentiated impact of selected development challenges, as well as the roles and responsibilities of different national and international partners.

The tree analysis divided in three parts: the causal analysis, the obligation analysis, and the capacity analysis. The causal analysis aims to achieve consensus on the causes of the problems, the obligation analysis establishes the responsibility of the duty-bearer, whilst the capacity analysis identifies why duty-bearers do not seem to be able to perform their duties properly. By identifying the causes, obligations and capacities, the relationship between them becomes the crucial determinant for programming. It is through this analysis that programme objectives, a mix of strategies and priority interventions will become clearer in the new programme.

2. Empowering claim-holders
Of the same crucial nature is the need to identify and empower claim-holders. If men and women, households and communities are to assert their rights, they must first be knowledgeable and able to communicate effectively with duty-bearers, in order to negotiate for a share of the resources. Awareness of human rights and good communication are essential to the process of asserting rights. Thus, advocacy, learning, capacity building and social mobilisation are necessary strategies to pursue human rights.

The process of empowerment will be significantly strengthened when people – claim-holders – fully take part in decision-making. It is, therefore, that grassroots development initiatives, poverty hearings and participatory poverty assessments, which reflect the views of disadvantaged and marginalized people, have great potential and merit. In keeping with the Declaration on the Right to Development, participation has to be active, free and meaningful. If treated as a mere formality, frustration and mistrust will taint and undermine the further development process.

Box 4: The UN Common Understanding regarding the human rights-based approach

1. All programmes of development co-operation, policies and technical assistance should further the realisation of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.
2. Human Rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process.
3. Development cooperation contributes to the development of the capacities of 'duty-bearers' to meet their obligations and/or of 'rights-holders' to claim their rights.

Inter-Agency Workshop on a Human Rights-based Approach in the context of UN Reform, Stamford, May 5 – 7, 2003

6. Democratic Governance and the Millennium Development Goals

"Sustained poverty reduction requires equitable growth, but it also requires that poor people have political power. And the best way to achieve that in a manner consistent with human development objectives is by building strong and deep forms of democratic governance a all levels of society. This means ensuring that institutions and power are structured and distributed in a way that gives real voice and space to poor people and creates mechanisms through which the powerful – whether political leaders, corporations or other influential actors – can be held accountable for their actions." – Mark Malloch Brown

The Millennium Declaration reaffirms the importance of democratic governance in poverty reduction. By stressing the realisation of the right to development, the Declaration brings the entire range of human rights (civil, political as well as economic and social) into the poverty discourse. It emphasises the values of freedom, equality, solidarity, tolerance and shared responsibility as key ingredients in pursuing its goals. Implementing the MDGs must take account of both process and outcome, something inherent to a human rights-based approach.

A human rights-based approach will be concerned with the questions of who is affected by MDG progress and how targets are reached. Poor people are not treated as if they were a homogeneous group, or as if discrimination occurs indiscriminately. It demands accountability and inclusiveness of the process, thus avoiding situations in which a national MDG target is met but progress by-pass women, minorities or indigenous peoples.

Formal institutional arrangements of governance must be assessed as to how they impact on the lives of the most disadvantaged people, in terms of substantive political participation and policy responsiveness to the concerns of poor and marginalized people. Equality and non-discrimination; participation and inclusion; accountability and the rule of law must all be underpinned by regulatory frameworks inscribed in effective and democratic governance structures. After all, underlining the findings of the UNDP Poverty Report 2000, much of the helplessness and sense of powerlessness of poor people comes from the experience with corrupt, uncaring, inefficient officers and public authorities. Free and fair elections, a free and independent media, a separation of powers, and encouragement of an open civil society are all important for poverty reduction.

Box 5: Good governance and poverty reduction

From the human development perspective, good governance is democratic governance, meaning:
- People's rights & fundamental freedoms are respected, allowing them to live with dignity;
- People have a say in decisions that affect their lives;
- People can hold decision-makers accountable;
- Inclusive and fair rules, institutions and practices govern social interactions;
- Women are equal partners with men in public spheres of life and decision-making;
- People are free from discrimination based on ethnicity, gender, or any other attribute;
- The needs of future generations are reflected in current policies;
- Economic and social policies are responsive to people's needs and aspirations.

Source: Human Development Report Office (HDR 2002)

The importance of discrimination in reaching the MDGs – based on ethnicity, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status – cannot be overstated. Discrimination is a form of social exclusion, and often a cause of poverty. In extreme cases, discrimination and exclusion may lead to conflict. Systemic discrimination reduces the ability of individuals to benefit from and contribute to human development. In Amartya Sen's words: "*no concept of poverty can be satisfactory if it does not take note of the disadvantages that arise from being excluded from shared opportunities enjoyed by others*".

7. Practical Steps

The Human Development Report 2000 indicates that the process of human rights-based development will avoid being *ruthless*, leaving losers to abject poverty; *jobless,* creating little employment; *voiceless*, failing to ensure participation of people; *futureless*, destroying the environment for future generations; and *rootless,* destroying cultural traditions and history. The human rights content of public policy will create stronger and more equitable public, civil and community institutions, which in turn increases the capacity to overcome obstacles and cope with shocks.

UNDP will take the following six concrete steps to further contribute to the realisation of human rights and the reduction of poverty:

1. Governments and other actors will be encouraged to adopt a human rights-based approach in tailoring and customising the MDG targets to the local context.

2. Development assistance will focus on the capacities of duty-bearers, at all levels, to meet their obligations to respect, protect and fulfil rights; as well as the capacities of rights-holders to claim their rights.

3. A country's ability to reduce poverty is intimately linked to its capacity for democratic governance and the strength of its civil society. As such, UNDP will enhance the synergy between poverty reduction and democratic governance. Programmes for local governance, access to justice, capacity of human rights institutions, grassroots initiatives for community development, and human rights education will be included among pro-poor poverty programming.

4. UNDP will engage in the work of UN Human Rights Treaty Bodies, particularly strive to incorporate selected and relevant recommendations that result from periodic reviews into its programme development.

5. Rights-sensitive participatory assessment methodologies will be developed to link rights, obstacles and strengths around which poor people can secure their livelihood. A concrete example of participatory methodologies is South Africa's "*Speak Out on Poverty Hearings*".

6. In-house capacity will be built to undertake multi-disciplinary reviews and analyses that maximise meaningful participation of poor women, indigenous groups and disadvantaged people.

8. Resources

UNDP has several types of resources available to assist staff in addressing human rights integration with poverty reduction:

- **Human Rights-talk**, the knowledge network on human rights, connects over 230 colleagues who also include guest-users from UN Agencies and independent experts from NGOs, Civil Society and academia.

- **Knowledge network on poverty reduction,** a network that connects over 700 colleagues, a diverse group of policy advisers, programme and project staff. The network holds frequent on-line discussions on a variety of topics. Members exchange lessons learned and good practice on key poverty reduction issues (e.g. pro-poor policies, trade, PRSPs, social policy reform); generate knowledge and share information; and provide quick referrals to experts and organisations.

- **The HURIST-Programme**, a joint programme of UNDP and the OHCHR, supports the implementation of UNDP's policy on human rights, as presented in *Integrating Human Rights with Sustainable Human Development*. Priority attention is devoted to human rights-based approaches in UNDP's practice areas and the development of tools such as human rights mainstreaming programme reviews; human rights-based participatory assessments; and human rights-based performance assessment.

- **The Thematic Trust Funds on Poverty Reduction and Democratic Governance** both offer assistance in furthering a human rights-based approach to poverty reduction. The Service Line on "Access to justice and human rights" earmarks specific funds for the integration of human rights with development programming.

- **The UN Office of the High Commissioner for Human Rights** is a vital partner in furthering the human rights agenda. It provides technical assistance to innovative programmes and plays a catalytic role in human rights mainstreaming, fostering coherence and collaboration in human rights-based approaches within the UN.

- **UNIFEM** is the strategic partner for UNDP in promoting women's rights. As other UN Agencies and Programmes, notably UNICEF for children's rights, UNIFEM offers practical lessons in the application of a human rights-based approach to programming.

- **Tools and publications.** Several documents and manuals have been posted on the networks and website. Among them are the 1998 *"Report of the Oslo Symposium on Human Development and Human Rights"*, the 1999 *" Survey of UNDP Activities in Human Rights"*, the 2000 *"Administrator's Note on Implementing Human Rights in the New Millennium"*, and the 2001 *"UNDP Training Manual on Human Rights and Programming"*.