



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/1996/L.18
3 April 1996

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Item 5 of the provisional agenda

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Afghanistan*, Algeria, Argentina*, Austria, Belgium*, Benin, Canada, Chile, Colombia, Costa Rica*, Cuba, Cyprus*, Denmark, El Salvador, Ethiopia, France, Germany, Greece*, Guatemala*, Honduras*, Ireland*, Israel*, Italy, Madagascar, Malawi, Mauritius*, Mexico, Mongolia*, Nicaragua, Nigeria*, Paraguay*, Peru, Philippines, Poland*, Portugal*, Romania*, Russian Federation, Senegal*, Slovakia*, South Africa*, Switzerland*, Ukraine and Venezuela: draft resolution

1996/... Human rights and extreme poverty

The Commission on Human Rights,

Recalling that, in accordance with the Universal Declaration of Human Rights, the International Covenants on Human Rights recognize that the ideal of free human beings enjoying freedom from fear and want can be achieved only if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

* Including States represented on the Commission by observers, in accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling that the eradication of widespread poverty, including its most persistent forms, and the full enjoyment of economic, social and cultural rights and civil and political rights remain interrelated goals,

Deeply concerned by the fact that extreme poverty continues to spread throughout the countries of the world, regardless of their economic, social or cultural situation, and gravely affects the most vulnerable and disadvantaged individuals, families and groups, who are thus hindered in the exercise of their rights and their fundamental freedoms,

Noting the provisions of the Convention on the Rights of the Child, which recognizes that there are in all countries in the world children living in especially difficult conditions and that special attention should be paid to such children,

Welcoming the relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,

Recalling its resolution 1990/15 of 23 February 1990, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to carry out a specific study of extreme poverty and social exclusion, its resolution 1991/14 of 22 February 1991, in which it recommended that the Sub-Commission should give attention more particularly to the conditions in which the poorest themselves can convey their experience and their thinking, its resolution 1992/11 of 21 February 1992, its resolution 1993/13 of 26 February 1993 approving the appointment of Mr. Leandro Despouy as Special Rapporteur for that study, its resolution 1994/12 of 25 February 1994, in which it approved the recommendations of the Special Rapporteur relating to the organization of a seminar on extreme poverty and the denial of human rights, and its resolution 1995/16 of 24 February 1995, in which it took note of the conclusions and recommendations of that seminar (E/CN.4/1995/101) and invited the Special Rapporteur to give due attention to the Declaration and Programme of Action of the World Summit for Social Development,

Recalling also General Assembly resolutions 48/719, dated 21 December 1993, in which the Assembly proclaimed the International Year for the Eradication of Poverty, which will be celebrated in 1996, and 49/179, dated 23 December 1994, in which the Assembly reaffirmed that extreme poverty and social exclusion constitute a violation of human dignity and that States must foster participation by the poorest,

Welcoming the adoption by the General Assembly of resolution 50/107, dated 20 December 1995, in which the Assembly proclaimed the first United Nations Decade for the Eradication of Poverty (1997-2006),

Stressing that, in the Copenhagen Declaration and Programme of Action, Governments committed themselves to eradicating poverty throughout the world through national action and international cooperation, taking account of the fact that this is an ethical, social, political and economic imperative of humankind,

Recalling that, in the Copenhagen Declaration, Governments committed themselves to ensuring that all men and women, especially those living in poverty, may exercise the rights, utilize the resources and share the responsibilities that enable them to lead satisfying lives and contribute to the well-being of their families, communities and humankind,

Recalling also that in the Copenhagen Declaration and Programme of Action States decided to formulate or strengthen, preferably by the year 1996, the International Year for the Eradication of Poverty, national policies and strategies geared to substantially reducing all forms of poverty, reducing inequalities and eradicating absolute poverty, and to develop a precise definition and assessment of absolute poverty,

Recalling in addition the Declaration and Programme of Action of the Fourth World Conference on Women, which recognizes the persistent and increasing burden of poverty on women,

Bearing in mind in this context the actions already undertaken in the relevant forums to ensure the realization of economic, social and cultural rights,

Mindful of the second interim report on human rights and extreme poverty (E/CN.4/Sub.2/1995/15), submitted to the Sub-Commission at its forty-seventh session by the Special Rapporteur, Mr. Leandro Despouy,

1. Reaffirms that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. Also reaffirms that, in accordance with the Vienna Declaration and Programme of Action, it is essential for States to foster participation by the most destitute in the decision-making process in their communities, in the promotion of human rights and in efforts to combat extreme poverty;

3. Draws the attention of the General Assembly, specialized agencies, United Nations bodies and intergovernmental organizations to the contradiction between the existence of situations of extreme poverty and exclusion from society, which must be overcome, and the duty to guarantee full enjoyment of human rights;

4. Encourages the Committee on Economic, Social and Cultural Rights to pay more attention in its work to the question of extreme poverty and exclusion from society;

5. Welcomes the fact that the Committee on the Rights of the Child, in its discussion and work, gives attention to the situation of children living in extreme poverty with a view to promoting the enjoyment by all children of all rights recognized in the Convention on the Rights of the Child, and encourages the Committee to continue in this way;

6. Recalls that, to ensure the protection of the rights of all individuals, non-discrimination as regards the poorest and the effective exercise of all human rights and fundamental freedoms, a better understanding is needed of what people living in extreme poverty, including women and children, endure and thought must be given to the subject on the basis of the experience and ideas of the poorest themselves and of those working alongside them;

7. Endorses Sub-Commission resolution 1995/28 dated 24 August 1995, in which the Sub-Commission took note with appreciation of the second interim report of the Special Rapporteur on human rights and extreme poverty (E/CN.4/Sub.2/1995/15), and commended him for having included in his report testimony and observations by the most destitute persons, since that created greater awareness of the living conditions of those in extreme poverty and a better understanding of the link between extreme poverty and human rights;

8. Welcomes the fact that the Special Rapporteur, in his second interim report, took into consideration the Copenhagen Declaration and Programme of Action;

9. Awaits the final report on the study undertaken by Mr. Leandro Despouy to be submitted to the Sub-Commission at its forty-eighth session and its potential contribution to the International Year for the Eradication of Poverty and the International Decade for the Eradication of Poverty (1997-2006);

10. Draws the attention of Governments, within the framework of the elaboration of the definition of absolute poverty requested in the Copenhagen Declaration and Programme of Action, to the reflection undertaken by the Special Rapporteur concerning such a definition;

11. Invites the Special Rapporteur to continue to give special attention to the following aspects in preparing his reports:

(a) The effects of extreme poverty on the enjoyment and exercise of all human rights and fundamental freedoms of those affected by it;

(b) Efforts by the poorest themselves to exercise their rights and participate fully in the development of the society in which they live;

(c) Conditions in which the poorest can convey their experiences and ideas and become partners in the realization of human rights;

(d) Means of promoting a better understanding of the experiences and ideas of the poorest and those working alongside them;

12. Also invites the Special Rapporteur in the recommendations which he will submit in his final report to suggest appropriate follow-up measures;

13. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance for the fulfilment of his mandate, particularly his consultations with United Nations bodies, Governments, specialized agencies, and intergovernmental and non-governmental organizations, including, as appropriate, assistance from those with experience of the subject;

14. Welcomes the fact that the events organized by the United Nations to celebrate the International Day for the Eradication of Poverty on 17 October focused on the poorest and gave due attention to events organized worldwide since 17 October 1987 on the theme "Rejection of extreme poverty", which have underlined the relationship between extreme poverty and human rights;

15. Invites States, the organs of the United Nations and intergovernmental and non-governmental organizations, in conformity with the Declarations and Programmes of Action of Vienna and Copenhagen, to take into account, in the activities to be undertaken within the framework of the International Year and the International Decade for the Eradication of Poverty, the links existing between the eradication of poverty and the realization of human rights, and also the efforts of the poorest to combat poverty and the importance of associating them with the elaboration, implementation, follow-up and evaluation of these activities;

16. Requests the Secretary-General to make the second interim report of the Special Rapporteur available to the special session of the Commission for Social Development within the framework of the follow-up process of the World Summit on Social Development on the question of eradication of poverty, and to the next substantive session of the Economic and Social Council, where the coordination segment will be devoted to activities undertaken to eradicate poverty;

17. Decides to consider this question at its fifty-third session under agenda item 5.

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