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North Carolina**

**Conference on  
“Human Rights, an Endangered Concept: The United Nations  
and the Advancement of Human Rights”  
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**Closing Keynote Address by Stephanie Kleine-Ahlbrandt  
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**Eradicating Poverty : One of the Gravest Human Rights  
Challenges of our Time**

Chairperson,

Fellow Speakers,

Ladies and Gentlemen,

I am honoured to address this Conference on Human Rights and would like to thank the West Triangle and Wake County Chapters of the UN Association for inviting me to present the closing remarks. The conference comes at a critically important moment in history for the human rights movement, and the discussions today were correspondingly thoughtful and rich. The subject on which I wish to concentrate today is that of tackling poverty as one of the gravest human rights challenges of our time. I wish to cover three aspects of this issue:

- The international legal framework with respect to economic, social and cultural rights and how poverty is linked to the realization of all human rights;
- Challenges to the concept of economic, social and cultural rights as rights on equal standing with civil and political rights;
- Ways in which we can think about making a difference in the global fight against poverty.

I wish to start with an anecdote. The last time I was in the Carolinas 17 years ago, a few classmates and I had decided to drive down during Spring Break to help victims of Hurricane Hugo to repair their homes. I remember one family in particular, near McClellanville, comprised of a single mother and her four children. She had a hard face with lines as weathered as her dwelling. Working for a week in the hot sun, we were able to apply enough shingles and drywall to superficially cover the damage to their house, but no amount of repair would really save that house, which was full of rot and termites. It was a helpless feeling to know that our work would make little difference to the otherwise abysmal conditions in which her family and others like her lived.

More recently, in Zimbabwe last week, I witnessed the tragic effects of the political and economic crisis that has befallen that country. With 80 percent unemployment and 1000 percent inflation, untold numbers of Zimbabweans are unable to afford bread, margarine or meat. Once considered the “jewel of Africa”, the majority of Zimbabweans are now unable to meet their basic needs.

Globally, freedom from want is an empty promise today for more than two billion people who survive on less than two dollars a day; for more than 800 million people who suffer from under nourishment; for 30,000 children around the world who die each day of preventable causes; for 1,600 women who die daily in pregnancy or childbirth; for the thousand million people still without access to clean water supplies; and 2.6 billion who lack access to basic sanitation.

These statistics are shameful enough, but they fail to convey the humiliation, the hopelessness, and the lack of dignity suffered by those living in poverty. Poverty is not just about insufficient income and material goods, but also a lack of resources, opportunities, and security which undermines dignity and exacerbates vulnerability. Listening to a family living in absolute poverty, they speak of the **lack** of many things: the lack of self respect, the indignity and humiliation of a refugee camp, the invisibility of being homeless, the helplessness in the face of violence or natural disaster.

For women, in many regions of the world, gender itself a further risk factor which often includes: the secret violence of household abuse, the private oppressions of lack of property or inheritance rights, the lifelong deprivations that go with lack of schooling and the structural problem of political exclusion.

These are not just unfortunate realities of life; they constitute a human rights scandal of shocking proportions. We have a responsibility to respond, rooted not only in the demands of human decency but also in legally binding international human rights obligations. All States have ratified at least one of the core seven international human rights treaties, and 80 per cent have ratified four or more. The world community has also subscribed to the Millennium Development Goals which set concrete targets for joint international efforts to tackle poverty and marginalization.<sup>1</sup> The World Summit in 2005 reiterated such commitments.

Next year marks the 60th anniversary of the Universal Declaration of Human Rights, which recognizes the equal importance of all human rights: civil, cultural, economic, political and social rights. The interdependence and indivisibility of all human rights are reflected in the main international human rights treaties and were reaffirmed in 1993 Vienna Declaration and Programme of Action.<sup>2</sup>

A comprehensive human rights approach not only addresses misperceptions and myths surrounding the poor, but it can also help to find sustainable and equitable pathways out of poverty. By recognizing the explicit obligations of States to protect their populations against poverty and exclusion, this approach underscores government responsibility towards creating an environment conducive to public welfare. It also enables the poor to help shape policies for the fulfillment of their rights, and seek effective redress when abuses occur.

In an era of increasing economic globalization and growing inequality within and between states, there is an urgent need for grassroots groups, NGOs, academics, and other organizations and individuals to unite in claiming, promoting, and defending economic and social rights on equal par with civil and political rights. Around the world, activists and advocates are using the framework of economic, social and cultural rights (ESCR) to bolster their struggles for justice and against oppression. In framing poverty and deprivation as violations of economic, social, and cultural rights, an obligation is placed on the state and, increasingly, on corporations and other non-state actors, to prevent and remedy these situations. The ESCR framework helps transform the understanding of human suffering, even in cases initially prompted by natural disasters, as a product of human decision-making, not just as the natural outcome of an “act of god” or the shortcomings of the individual.

The ESCR framework puts the onus on those in power to justify or change policies and practices which undermine human rights. Using this framework, activists have brought legal cases before courts and dispute resolution bodies to demand change, documented and publicized recurring violations, petitioned various human rights enforcement mechanisms of the United Nations and Regional Systems, engaged with UN Special Rapporteurs, mobilized communities, developed alternative legislation, analyzed domestic budgets and international trade agreements to ensure

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<sup>1</sup> World leaders agreed to a common agenda at the start of this century aimed at making globalization work for all people. These commitments, laid out in the UN Millennium Declaration and distilled in the UN Millennium Development Goals, provide internationally agreed targets, including halving those in extreme poverty and hunger by 2015, achieving universal primary education for boys and girls by 2015; and specific targets for promoting gender equality and empowerment of women; combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development.

<sup>2</sup> Vienna Programme of Action and Declaration, A/CONF.157/23.

respect of human rights, and have built solidarity and networks between communities locally and across the globe. ESCR unites women and men, migrants and indigenous people, youth and elders, of all races, religions, political orientations, and economic and social backgrounds in a common struggle for universal human freedom and dignity.

### **Challenges**

Yet as suggested, one of the largest challenges to fighting poverty is the perception that poverty is a regrettable but accidental condition or as an inevitable consequence of decisions and events occurring elsewhere, or even as the sole responsibility of those who suffer it.

Compounding this erroneous perception, some influential states, including the US, continue to be skeptical about the validity of individual claims to recognition and defense of economic, social and cultural rights.<sup>3</sup> The US has not ratified significant economic, social and cultural rights standards, including the Convention on Economic, Social and Cultural Rights (ICESCR), and is opposed to developing international mechanisms to enforce these rights, such as the Optional Protocol to the ICESCR. Nor is it a party to two of the most important international instruments to protect the rights of particularly vulnerable groups, the Convention on the Rights of the Child and the Convention on the Elimination of Discrimination against Women.<sup>4</sup>

Especially when we reflect on the adage, “think globally, act locally,” it is all the more embarrassing that we in the US, one of the wealthiest countries in the world, continue to struggle with both poverty and extreme poverty. According to the report of the UN Special Rapporteur on Extreme Poverty submitted to the 2006 session of the Commission on Human Rights, there are not only no significant trends to indicate that extreme poverty is being reduced in the US, but there is qualitative and anecdotal evidence pointing to a rise in extreme poverty.<sup>5</sup> The Special Rapporteur further pointed out that the infant mortality rate is higher in the US than in Malaysia – a country with an average income one quarter that of the US. And the Indian state of Kerala has an urban infant death rate lower than that for African Americans in Washington, DC.<sup>6</sup>

The Economist magazine recently echoed the US’s unfortunate view of economic, social and cultural rights, when on 24 March it carried a leader article (“Stand up for your rights”) which argued that economic and social rights were “a distraction” and that no useful purpose was served

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<sup>3</sup> The US stated, for example, “at best, economic, social and cultural rights are goals that can only be achieved progressively, not guarantees. Therefore, while access to food, health services, and quality education are the top of any list of development goals, to speak of them as rights turns the citizens of developing countries into objects of development rather than subjects in control of their own destiny.” *Comments submitted by the USA, report of the open-ended working group on the right to development*, UN Doc E.CN.4/2001/26.

<sup>4</sup> The United States is the only industrialized country that has not ratified CEDAW, which has now been ratified by 185 countries. By not ratifying, the U.S. is in the company of countries like Iran, Sudan, and Somalia. CEDAW has been in limbo in the U.S. Senate since President Carter signed it and sent it to the Senate Foreign Relations Committee for a vote in 1980. Not only did the Senate Foreign Relations Committee fail to vote on CEDAW at that time, it failed to even hold a hearing on it until 1990, ten years later. In 1993, sixty-eight senators signed a letter asking President Clinton to support ratification of CEDAW. After a thirteen-to-five favorable vote (with one abstention) by the Foreign Relations Committee in 1994, a group of conservative senators blocked a Senate floor vote on CEDAW. In June 2002, the Senate Foreign Relations Committee held a hearing on CEDAW. On July 30, 2002, the Committee voted twelve to seven in favor of sending CEDAW to the full Senate for ratification. Unfortunately, the full Senate did not vote on CEDAW before the end of the 107th Congress. For CEDAW to move forward, the Senate Foreign Relations Committee will again need to vote in favor of sending the treaty to the full Senate for ratification.

<sup>5</sup> UN Doc. E/CN.4/2006/43.Add.1.

<sup>6</sup> *Ibid*, para 33.

by viewing basic necessities such as food, health and housing as human rights.<sup>7</sup> It went further, criticizing Amnesty International for "muffling what was once its central message" by broadening its focus to include economic, social and cultural rights.

We must strongly disagree with such a proposition, which harkens back to the days of the Cold War, when the fight against communism kept economic and social rights off the mainstream human rights agenda. It ignores the substantial progress made over the last 20 years by UN bodies, national courts and community-based struggles to make economic and social rights enforceable. Rather than being criticized for diluting its focus, Amnesty International should be commended for embracing a more holistic vision of human rights, and lending the credibility of its brand and the mobilising power of its worldwide membership to efforts to make economic and social rights a reality.

Our job as human rights activists and professionals is therefore still quite clear: we must continue to push for the recognition of the framework of dignity and rights, as opposed to compassion or charity, so that those living in poverty are treated as "victims", without considering anti-poverty measures in terms of entitlement. We need to be part of the ever-growing cultural and social movement that seeks, firstly, to raise awareness of the problem and secondly, that refuses to accept poverty as a natural, insoluble phenomenon in the modern world. The establishment of higher levels of such commitment and obligation on the part of people like yourselves, as well as the international community, might help resolve the contradiction in which decisions are taken at the economic and financial system at the national and international levels are unconnected to and often counteract social policies intended to address poverty.

### **How do we effect change?**

*Where, after all, do universal human rights begin? In small places - close to home - so close and so small that they cannot be seen on any maps of the world. Such are the places where every man, woman and child seeks equal justice, equal opportunity, and equal dignity, without discrimination. Unless these rights have meaning there, they have little meaning anywhere.*

- Eleanor Roosevelt

Just last month, there was an encouraging human rights victory right here in North Carolina, for labour rights organizations. The International Labour Organization's Governing Body ruled that North Carolina, and therefore the USA, was in violation of several of the provisions in ILO Conventions, including the Freedom of Association Convention. It agreed that there had been blatant violations of workers rights to collectively bargain in North Carolina and as such, a failure by the USA to uphold its obligations arising from membership in the ILO to protect fundamental rights which are the subjects of conventions 87, 98 and 151.<sup>8</sup> It instructed the US to promote the establishment of a collective bargaining framework in the public sector in North Carolina – with the participation of representatives of the state and local administration and public employees' trade unions, and the technical assistance of the ILO if necessary – and to take steps aimed at bringing local legislation, in particular, through the repeal of NCGS 95-98, into conformity with

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<sup>7</sup> The article can be found at: [http://www.economist.com/opinion/displaystory.cfm?story\\_id=8888856](http://www.economist.com/opinion/displaystory.cfm?story_id=8888856) Responses to the article can be found on the Economist letters page: <http://www.economist.com/debate/theinbox>

<sup>8</sup> "The complainants allege that the legislation of North Carolina expressly prohibits the making of any collective agreement between cities, towns, municipalities, or the State and any labour or trade union in the public sector, thus violating ILO principles on collective bargaining. They also allege that the Government violates ILO freedom of association principles by frustrating the very purpose of forming workers' organizations." Reports of the Committee on Freedom of Association, 344<sup>th</sup> Report of the Committee on Freedom of Association, Geneva, March 2007.

freedom of association principles, thus ensuring effective recognition of the right of collective bargaining throughout the country's territory.

Such a victory says a lot for the efficacy of actions at the local and national levels to hold governments – including our own – to account to widely-ratified international human rights treaties. We must continue to do so, and not be daunted by the prospect of reaching international levels with such issues. There are many ways to become involved with international monitoring mechanisms, and I am happy to discuss them more with you today.

We should also recall that while governments have the primary responsibility for achieving the MDGs and, generally speaking, for upholding human rights, other actors have responsibilities too. Indeed, let us recall that, according to the Universal Declaration of Human Rights, “all organs of society” have responsibilities to promote greater respect for human rights.

Practical suggestions:

1. Debate the issues: Educate / Inform / Encourage / Inspire others:
  - Utilize the upcoming occasion of the 60<sup>th</sup> Anniversary of the UDHR to emphasize its message about the interdependence and indivisibility of all human rights
  - Use the upcoming half-way point to the MDG 2015 targets to firm up commitment and re-commitment to the MDGs.
  - Debate the issues with friends or colleagues on the basis of the latest news
  - Draw the attention of elected representatives to relevant issues – both international and domestic, including local
  - Write a letter or op-ed for your local newspaper calling for increased awareness by officials and businesses in your community of these issues.<sup>9</sup>
  - Get involved in community projects to combat poverty, keeping in mind that the full participation of people living in poverty should be ensured in the design, implementation, monitoring, and assessment of programs.
  
2. In our role as consumers, there are also many ways to do our part:
  - Buy fair trade products
  - Ask questions about ethical investing in pension funds
  - Ask your bank / supermarket / energy supplier / oil company if they have an ethical policy. If they don't, ask them why not? If they fail to give a satisfactory answer, consider switching to a competitor.
  - The Fair Trade movement is one of the most powerful responses to the problems facing commodity producers and gives the consumer an opportunity to use your purchasing power to tilt the balance, however slightly, in favour of the poor.<sup>10</sup>
  
3. Sign up for (or donate time or money to) some of the exiting existing campaigns, for example:
  - Amnesty International's Dignity Campaign (see <http://www.amnesty.org>)

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<sup>9</sup> The Letters to the Editor section of a newspaper is one of the most widely read sections of the newspaper and can reach a large audience. For advice about placing an op-ed in a major U.S. newspaper, visit: <http://www.ccmc.org/oped.htm>

<sup>10</sup> Visit [TransFairUSA.org](http://TransFairUSA.org), the home of the Fair Trade certification agency for the US. This consciousness can help make economic globalization an opportunity, not a threat, to people around the world.

- The NGO Coalition for an Optional Protocol to the CESCR, which supports the creation of an important mechanism to bring justice to victims of violations of economic, social and cultural rights ([www.opicescr-coalition.org](http://www.opicescr-coalition.org) [www.opicescr-coalition.org](http://www.opicescr-coalition.org)).
- ESCR Net, whereby you can enter into discussion with other activists working on these issues, or join a Working Group that provides a structure to move beyond dialogue with other activists to undertake joint actions, develop new strategies and resources, and carry out substantive and project-focused work together (<http://www.escr-net.org/getinvolved/>).
- The Leaders Statement on the Right to Health, a project by Paul Hunt, United Nations Special Rapporteur on the Right to the Highest Attainable Standard of Health and Mary Robinson, former High Commissioner for Human Rights and Executive Director of Realizing Rights: The Ethical Globalization Initiative ([www.realizingrights.org](http://www.realizingrights.org)).
- Trade and Poverty Forum (TPF): An independent forum composed of highly regarded citizens from six key developing and industrialized democracies: Brazil, India, South Africa, Japan, the European Union, and the United States. A project of the German Marshall Fund of the United States (GMF), TPF was established in February 2003 to mobilize political will and economic resources in the global fight against poverty. TPF members have mobilized around a set of concrete recommendations that are requisite for addressing poverty and reaching trade agreements that meet the needs of the both industrial and developing countries (<http://www.tradepovertyforum.org/>).
- Make Trade Fair, a growing, international movement which ensures that producers in poor countries get a fair deal. This means a fair price for their goods (one that covers the cost of production and guarantees a living income), long-term contracts which provide real security; and for many, support to gain the knowledge and skills that they need to develop their businesses and increase sales (<http://www.maketradefair.com>).

To conclude, let us recall the words of the Universal Declaration: “Everyone has duties to the community in which alone the free and full development of his or her personality is possible.” In our day and age, the community is our entire globe, and human rights, which embody the fundamental values of all human civilizations, are our common language.