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It is important not to confuse policies that aim to fulfil human rights (including rights subject in part to progressive realization such as the right to water, to food, to health, to education or to housing), with poverty reduction strategies that are not rights-based. To see what distinguishes each, consider the [following excerpts \(/c4x/LouvainX/Louv2.01x/asset/\\_Materials\\_Human\\_Rights-based\\_approaches\\_to\\_poverty\\_reduction\\_Final\\_.pdf\)](/c4x/LouvainX/Louv2.01x/asset/_Materials_Human_Rights-based_approaches_to_poverty_reduction_Final_.pdf) from the *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies* published in 2006 by the Office of the High Commissioner for Human Rights. Then try answering the following two questions:

## HUMAN RIGHTS APPROACHES TO POVERTY REDUCTION - EXERCISE (2/2 points)

1. The fact that, due to resource constraints, some rights may not be realized immediately, implies that:

- ☐ The State may choose at which speed it should make progress towards the full realization of the right in question;
- ☒ The State may choose at which speed it should make progress towards the full realization of the right in question, but it should adopt a time-bound plan of action setting benchmarks, specifying which steps shall be taken, and including accountability mechanisms; ✓
- ☐ These rights are programmatic, rather than imposing immediate obligations on the State;
- ☐ The State has no duty to take action towards fulfilling the right subject to progressive realization, unless the international community provides international assistance and cooperation.

### EXPLANATION

The obligation to fulfil human rights is not merely a 'programmatic' norm, setting 'general policy goals' the realization of which can be deferred indefinitely. Although it may be impossible to immediately fulfill certain rights subject to progressive realization, what distinguishes simple poverty reduction strategies from a human rights-based approach to development and to poverty reduction is the underlying idea that progress towards certain outcomes is owed as a matter of obligation, rather than merely as a matter of simple political choice. This implies that policies to fully realize rights must be clearly set out in national plans, must be time-bound and benchmarked. Such plans must also define how progress is measured. In this sense, rights subject to progressive realization also have 'immediate' components, including the development of such plans as are necessary for the State to make progress. Finally, it is important to note that although lack of domestic resources imposes an obligation for the State to seek international assistance and cooperation, States are duty-bound to start fulfilling rights regardless of whether such international assistance is forthcoming, by using those domestic resources available adequately, and by adopting the national plans and policies to fully realize all rights.

2. The definition of the steps that should be taken to realize human rights should be made:

- ☐ By the respective departments of government, who are best positioned to assess the needs, the constraints facing the State and the opportunities for progress;
- ☐ By the government, in close cooperation with the community of donors, including multilateral lending institutions;
- ☒ By the government, in close cooperation with the local civil society, representing all relevant segments of society; ✓

- By the government, based on the best practices recommended by international institutions.

#### EXPLANATION

State ownership of its own development and poverty reduction policies is a corollary of the right to development, as recognized in the UN Declaration on the Right to Development, as well as on common Article 1 of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. This principle implies that States must retain their independence when negotiating the terms and conditions under which foreign aid is to be granted to the State, rather than being subjected to conditions and requirements that clearly conflict with the democratically expressed development choices of the State. This also implies that governmental authorities are not given the exclusive role of deciding which policies to pursue: the development of a policy framework for development should be participatory and inclusive. In this sense, neither internationally accepted 'best practices', nor donor preferences are a substitute for country ownership of development and poverty reduction policies designed with the participation of civil society.

Check

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