

## « You Will Enter the United Nations »

Leandro Despouy

Leandro Despouy is a jurist from Argentina. His credentials include a professorship at the University of Buenos Aires. Between 1984 and 1993, he was a member of the UN Sub-Commission on Human Rights. He was the head of the Argentinean delegation to the UN Commission on Human Rights from 1987 to 1989. In 1993-94, he was a member of the United Nations Mission and of the Organisation of American States in Haiti. Since then, Mr. Despouy has served as a human rights expert for various international organisations. During his exile from Argentina, he worked as a professor in France

In June 1996, delegates representing members of A TD Fourth World from five continents met in Geneva with Boutros Boutros-Ghali, Secretary General of the United Nations. On this occasion, Leandro Despouy presented the delegates with the Final Report on Human Rights and Extreme Poverty of which he is the Special Rapporteur.

I would like to share several reflections on the origin and the subject of this report. It all began in 1987 when I was the Ambassador of my native Argentina to the United Nations Commission on Human Rights. I met Father Joseph Wresinski when he addressed a delegation of diplomats of which I was a member. He did so with a great deal of spontaneity and conviction. « Honoured diplomats, » he said, « the moment has come. The poorest must be heard everywhere in the United Nations. You must take up these problems. You know that in the problem of extreme poverty, there is an enormous problem of human rights. It negates all human rights. »

His remarks strongly impressed the audience. Perhaps he was stating the obvious. But in life, the obvious is sometimes paradoxically difficult to understand or explain. After Father Joseph Wresinski's talk, we delegates said to each other, « That's it. We have to deal with this question. » Many of us were astonished and wondered what the link was between poverty, extreme poverty and human rights. Who would use this approach ? Whom would it serve ? What does this new step in history, which cannot be immediately interpreted, mean ?

Fortunately, this issue was introduced in the context of the analysis of economic, social and cultural rights. To begin with, the Commission adopted resolutions which dealt with the link between extreme poverty and human rights. Then, in the end, it requested a study to better define this clearly negative link. Today numerous events make this connection: 17 October is the International Day for the Eradication of Poverty; 1996 was the International Year for the Eradication of Poverty and ahead of us is a UN Decade for the Eradication of Poverty.

The dimension of human rights is at the very heart of extreme poverty. In parallel, United Nations bodies are becoming aware of this. In the report, I had to address the question of poverty, and more specifically extreme poverty, which are currently the greatest sources of human suffering, and which take the most lives. I had to show the seriousness of this, and also demonstrate the difficulty of enjoying human rights when one is trapped in a situation of poverty or extreme poverty.

I noted that several organisations, each on its own level, launched appeals for the eradication of poverty and extreme poverty. It was very important for me to highlight this, but I was not able to do so as thoroughly as I would have wanted. Nevertheless, I mentioned the significant contribution to progress by the United Nations Development Programme (UNDP), which established a new approach to development which it calls « sustainable human development ». This approach had enormous repercussions in the area of international cooperation because it is grounded in social and human issues. A great deal of economic and social resources are now directed at the most vulnerable and disadvantaged groups which were not traditionally taken into account. In addition, the UNDP made poverty eradication its priority. It is already working to establish criteria and principles so that national poverty eradication programmes can be put into

place. I could only encourage and mention this progress. I also noted the World Bank's complete reorientation toward social issues. The new president of the Bank reminded us that without social progress, economic progress will not be satisfied.

So these two examples illustrate the new awareness within the international community. Unfortunately, I did not have access to the recent meetings in South Africa of the United Nations Conference on Commerce and Development. In the report, I likewise spoke about the work of the World Health Organisation as well as the contribution of UNICEF whose analysis is based on children and above all, children in difficulty and therefore extremely poor. I have certainly omitted some organisations but I have not forgotten the International Labour Organisation whose recent endeavours give evidence of a new thinking which I have been able to treat only briefly.

Let us go on to the specifics of the study. I would say that there are at least three. Contrary to tradition, I was not to treat extreme poverty as an economic or social problem. It is much more complex, touching all areas of life: political, cultural, civic, etc. For example, I relied on your testimonies to show how the rights of the child can be violated. In my report, people testified to having had their children taken *from* them with no consultation. Some were once themselves children denied the right to live with their family. Other testimonies revealed how the right to education can be made worthless. Whole sections of the population find themselves deprived of their rights.

In this report, I tried to show how the right to live with one's family is not only the child's right but also the parents' and the family's right. This was very difficult because few families recognise this right in their national legislation. Nevertheless, this is key to the fulfilment of several human rights. In this context, we see how the violation of one right prevents the enjoyment of other rights. For example a person without a home cannot register to vote. That person has neither the right to vote nor the right to legal representation. I have consequently tried to use your testimonies to show how all human rights are violated in a situation of extreme poverty. This is very important because by starting with the most extreme situation, which is also the least known, we are able to understand to what point human rights are indivisible and interdependent. We wanted to show the negative effects on all rights when a single right is insecure, or is completely denied. Human rights are like a house of cards, whose stability depends on each card remaining in its place. For example, we often think of habitat simply as walls and a roof. But experience shows that this is fictitious and superficial. Housing is a more complex problem. That is why I am not surprised when it is shown that simply rehousing people is generally doomed to failure. The indivisibility of human rights, and the negative linkages between the insecurity of different rights, show that the restoration of a single aspect of a right is not sufficient. Rehousing will fail unless it is accompanied by a policy which integrates education, access to resources, health, etc. Alone, it does not allow one to exercise all rights. Each insecurity - poor work, lack of education, health problems, lack of shelter affects all areas of life, and this generates a sort of vicious circle of extreme poverty. You, yourselves have described it as a vicious circle. I would call it a « vicious horizontal circle » of extreme poverty. By that, I simply mean that all policies to eradicate extreme poverty must take into account its multidimensional character and must touch all areas of life.

In examining lives lived in abject poverty through the testimonies of very poor people themselves, we found another perverse aspect: a strong predisposition to reproducing and perpetuating extreme poverty from one generation to another within a family. This is the "vicious vertical circle" of extreme poverty. Therefore, the links of insecurities and their perpetuation force individuals to live in an infernal vicious circle. All of these insecurities signify that, juridically speaking, a person cannot enjoy the right to education, the right to live as a family, the right to housing or the right to health care. Therefore, when we speak about extreme poverty, in reality we are speaking about the denial of all human rights.

The third original aspect of my methodology was directly to consult you who live in poverty, I have relied on work done by UNICEF and I have collaborated with organisations who are with you in the field over the long-term, such as the International Movement ATD Fourth World and

other NGOs. It is only from these testimonies and life experiences that I was able to give a legal definition of extreme poverty as a denial of human rights. Slavery was abolished. Apartheid was brought to an end. Similarly, I am sure, as I tried to show in my report, that restoring the most deprived people's right to exercise and enjoy human rights will allow every human being whose behaviour is completely disfigured by extreme poverty to emerge in fullness and splendour. The enjoyment of human rights is a universal aspiration. It is the only effective means to the definitive eradication of poverty.

In the report, I tried to closely examine the question of how to reach the poorest. For me, the major challenge was to prove what is obvious: extreme poverty is the denial of all human rights. Again, I relied on your testimonies, your thoughts and your life experiences. In my capacity as an expert, I translated them into terms of human rights. If you recognise yourselves in reading this report, we will have advanced quite well in raising awareness of this issue, both at the United Nations, as well as at a universal level. The report makes specific proposals concerning the needed follow-up. One of them seems essential to me: those who monitor compliance with human rights treaties must examine the question of whether the poorest actually have access to the rights conferred by the treaties. They must not limit their knowledge to reports by governments nor to general opinion. The monitoring bodies must verify the actual experience of the very poor, being conscious all the while that extreme poverty is the impossibility of fully exercising human rights and of fully assuming responsibilities.

Extreme poverty has always been among the worst plagues of humanity. If we succeed in eradicating it, humanity will change in a decisive and definitive manner. We will no longer accept that some people live in extreme conditions which are a consummate attack on human rights. I am sure that we are facing a cultural challenge. Most importantly - and I say this very sincerely - I have learned it from you. Every day you carry on the struggle in the midst of this trying misery. If we do not understand your struggle, we will not be able to eradicate extreme poverty. If we do not rely on you, it will be hard for us to achieve what I call a universal aspiration. The fact that people who struggle daily in poverty are capable of gestures of solidarity should be a basis for rebuilding and giving new worth to the human condition. It is indispensable to reconsider the image humanity has of itself. The very poor person is the bearer and defender of human rights.

Less than ten years ago, Father Joseph Wresinski gave his famous address before the United Nations Commission on Human Rights. With this report, the very poorest - and you are here on behalf of all of them - are finally entering the United Nations. You are going to remain here at the side of the UN to lead this struggle against human misery and extreme poverty.