

Human Rights and Tackling UK Poverty

Report of roundtable meeting, 17 January 2008

Executive

summary



The British Institute of Human Rights (BIHR) is committed to challenging inequality and injustice in everyday life here in the UK. We aim to achieve this by bringing human rights to life – supporting people to use human rights principles and standards to improve their own lives and as a tool for organisations to develop more effective public policy and practice.
www.bihar.org.uk

The Joseph Rowntree Foundation (JRF) is one of the largest social policy research and development charities in the UK. JRF's purpose is to search, demonstrate and influence, providing evidence, solutions and ideas that will help overcome the causes of poverty and disadvantage.
www.jrf.org.uk

Oxfam works to overcome poverty all over the world, including in the UK, using a rights-based approach. We develop projects with people in poverty that improve their lives and show others how things can change. We raise public awareness of poverty to create pressure for change. And we work with policymakers to tackle the causes of poverty.
www.oxfam.org.uk

Amnesty International is a worldwide movement of people who campaign for internationally recognised human rights. We undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of our work to promote all human rights.
www.amnesty.org

1. Executive summary

Introduction and context

How are human rights and poverty related? What can anti-poverty work bring to work to promote and protect human rights and vice versa? How can we bring work on these two areas closer together in the UK?

These and other important questions were considered at a 'human rights and poverty roundtable', organised by the British Institute of Human Rights, the Joseph Rowntree Foundation, Oxfam and Amnesty International UK, which took place on 17 January 2008. The meeting was attended by a range of individuals and organisations working in the fields of human rights, poverty and across both.¹ This report brings together the presentations and discussions which took place during the meeting.

Explicit links are not often made between human rights and poverty in the UK. Important government documents on social exclusion and poverty rarely mention human rights, and key human rights documents are equally silent about social exclusion or poverty. Despite these poor linkages in public policy there is a growing interest amongst anti-poverty actors in what human rights frameworks and approaches can contribute to the eradication of poverty in the UK. In addition, a number of third sector poverty organisations have begun to develop practice and initiatives that draw on human rights both explicitly and implicitly. At the same time there is a commitment by the current government to tackling poverty and to constitutional reform including a possible British Bill of Rights, and thus a chance for anti-poverty and human rights actors to link these agendas. The Equality and Human Rights Commission has also indicated that it is interested in exploring how its human rights and equality remit can be used as a basis for work on poverty.

In this context of significant relevant legislative, policy and institutional developments it was felt that this was a timely moment to bring key anti-poverty and human rights actors together with a view to exploring and sharing each other's perspectives and identifying areas and opportunities for further dialogue and collaboration.

Overview of the day

The meeting was divided into two main parts. The first part of the day featured introductory presentations on the poverty context in the UK and human rights based approaches, followed by a general discussion on the relationship between poverty and human rights. The latter part of the day looked at the potential of human rights in particular aspects of anti-poverty work – policy and institutional change, public affairs and practice. Each of these discussions was preceded by a short 'think piece' or case study presentation to stimulate discussion.

Summary of key discussion points and proposals

Linkages between tackling poverty and the promotion and protection of human rights:

At the conceptual level, it was recognised that the human rights and anti-poverty agendas have strong links. At the most basic level, the starting point for both is a deep commitment to human dignity and the imperative of realising this for every human being. Both are focused on the fundamental conditions in which we live, and the things we need, as a very minimum, to flourish as human beings. There are also strong causal links between human rights violations and poverty – it is now generally accepted that human rights violations are both a cause and consequence of

¹ A list of participants can be found in the appendix to this report

poverty, in other words human rights violations are 'part of what it means to be poor'.

Opportunities and challenges of strengthening links between work on human rights and poverty in the UK:

Policy and legislative change

- The reporting system for international human rights agreements was seen as a key influencing opportunity. The government has to produce a report every 4 – 5 years for the core international human rights agreements they are signed up to, for example the International Covenant on Economic, Social & Cultural Rights. The government is under an obligation to consult with NGOs over these reports, and NGOs can also produce shadow reports and provide evidence to the Committee that considers the report.
- There were some frustrations around the limitations of the Human Rights Act in terms of tackling poverty – particularly the lack of enforceable economic, social and cultural (ESC) rights in the UK. However it was suggested that the upcoming debate on a new Bill of Rights is a key opportunity to raise ESC rights. It is vital that human rights and anti-poverty actors make them part of the debate.
- Others felt that there are limitations in using human rights litigation to progress poverty concerns in our current UK legal framework, again particularly because of the lack of enforceable ESC rights. However, it was pointed out that the existing civil and political rights in the Human Rights Act are already being used in the poverty sector, for example the Limbuela case where the right not to be treated in an inhuman and degrading way was successfully used to challenge destitution faced by asylum seekers. Test cases are invaluable and can be very effective when backed up with policy campaigning work.

- There is much practical policy work that can be done by anti-poverty organisations in terms of influencing human rights policy debates and campaigning for broader human rights protections, for example debates around the Bill of Rights. There is a range of different human rights tools – local, national and international – that can be drawn on to strengthen anti-poverty policy work.

Public affairs

- There was broad-ranging discussion and some concerns about public perceptions of both human rights and poverty. For example, human rights are often perceived as being only useful to criminals and terrorists, and a large segment of the UK population feels that poverty is an individual's fault.
- However, while there are certainly misconceptions out there, it was felt that the assumption that the public does have negative attitudes towards human rights and poverty should not just be accepted without question. There has not been significant polling on views on human rights in the UK. There is useful learning to be had from recent research in the US on how the public sees human rights (see Dorothy Thomas's presentation, page 28-31), which demonstrates some very positive attitudes towards human rights. This has been very helpful in rolling back the view that negative attitudes are a huge obstacle to linking work on human rights and poverty.
- Linking human rights and poverty was seen to have potential advantages in terms of changing public perceptions of human rights. A focus on human rights approaches to poverty, and economic, social and cultural rights in particular, could help people to see that human rights are not just for criminals and terrorists.
- In terms of communicating about poverty to the general public, there is a recognition

that we need to look forward and find new ways of talking about poverty. Human rights could provide anti-poverty organisations with a powerful new language – moving from needs to entitlements. Human rights are also powerful statements about values we share as human beings.

- There was much discussion around the issue of rights and responsibilities. Many participants felt that there is a strong view among both policy makers and the general public that people's behaviour determines what they are entitled to. We need to look at how we respond to rights and responsibilities arguments – this issue has huge public resonance and cannot just be dismissed. One way of dealing with this is being clear that rights do come with responsibilities – they have a reciprocal nature; we have to respect the rights of others.
- Communication is a challenge – the language used by poverty and human rights actors is often very technical, and can be alienating for the general public.

Practice

- Much of the discussion around work on human rights and poverty in practice focused on empowerment. Human rights frameworks were felt to provide an empowering language that people can understand and communicate through. Human rights language does not treat poverty as personal failure, and gives people the right to stand up for themselves.
- People facing poverty often have very little voice, and it will be a challenge to ensure that processes are properly facilitated to ensure people facing poverty are able to take part in these kinds of discussions. Capacity building to ensure the participation of people experiencing poverty takes time and resources, and needs to be properly addressed. It is also important not to forget

that while the outcome of human rights based approaches to poverty may be that people feel empowered and are participating, the fact of their poverty may still remain. For this reason the impact of the use of human rights based approaches as a tool for change needs further exploration.

- Capacity building for service providers on human rights based approaches to poverty can also be very powerful. Talking to service providers about ideas of human rights can tackle negative perceptions of people experiencing poverty and bring us back to a shared sense of humanity. In addition, work on poverty as a human rights issue will be less effective if the people in power are not aware of their human rights duties and responsibilities.
- The use of human rights litigation to make inroads into poverty issues in a practical way has to date been somewhat limited. However it is important to remember that human rights are not just about the law – there are all sorts of opportunities for using human rights effectively beyond the courtroom.
- There are a number of practical initiatives that have already been developed that link human rights and poverty, and it was felt that there are real opportunities to build on and learn from these.

Ideas and proposals for next steps and further collaboration

A range of practical next steps were suggested by participants of the roundtable which some participants and others might wish to take forward.

Policy and legislative change

- Consider the British Bill of Rights and the possibility of including economic, social and cultural (ESC) rights. As a starting point a range

of poverty and human rights groups could develop and issue a statement advocating a more inclusive, informed and participatory process to debate a Bill of Rights and the potential for incorporating ESC rights.

- Develop an NGO shadow report for the UK's report to the Committee on ESC rights. The Government is also under an obligation to consult with NGOs when producing this – this is a real opportunity to influence.
- Look at comparative strategies and use international models, in particular linking to and learning from work in the US more directly (see Dorothy Thomas's presentation, page 28-31).

Public affairs

- Find new ways of communicating and talking about human rights and poverty issues to the general public. Consider what words, phrases and language we should use in order to communicate human rights and poverty issues in an accessible and positive way. Talk to the media, in particular tabloid journalists.
- Have further discussions around how human rights messages and organisations can be involved in major anti-poverty coalition campaigns e.g. the 'Get Fair' campaign.
- Consider carrying out research on public attitudes towards human rights and poverty, although we need to consider the risks. We need to be able to respond to findings.

Practice

- Pilot some projects/initiatives in a number of areas where human rights and poverty organisations could work together e.g. destitution and asylum seekers, housing, children, healthcare.
- Engage a wider range of actors working on anti-poverty and human rights, including poverty organisations, NGOs, academics etc. We need to think about how to broaden

the group of people we all engage with and involve them in this discussion.

- Instigate more work on human rights and poverty of a multi-dimensional nature and link it at all levels. Grassroots anti-poverty activism is not yet highly developed in the UK – work is still overwhelmingly led by national level organisations.
- Take forward work with a range of groups to build the human rights capacity of the grassroots groups on the ground. We also need to make sure we facilitate the participation of those experiencing poverty in claiming their own human rights.



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