German response to the United Nations High Commissioner for Human Rights

General comments

- Germany strongly supports the overall focus on social exclusion, discrimination and inequality as structural causes and consequences of poverty (para. 21-23/43-44) as well as the recognition of agency and autonomy (para 41-42).

- However, we would very much welcome if the relevance of poor people’s own agency and autonomy was developed further in the context of political and economic empowerment. The importance of agency and autonomy could be integrated in the section on ensuring participation (see below), underlining the need for opportunities to influence processes and change power imbalances. Further, it can help focus the section on the right to an adequate standard of living (para. 76) on the need to create an environment which renders poor people’s productive and commercial activities more profitable.

- We welcome the variety of issues and problems that are addressed (reflecting the interconnectedness of issues related to extreme poverty and human rights) and generally agree with the structure of the document. However, we recommend making the document more integrated by improving the linkages between the different parts. For example, the question of access to justice is of high relevance to many poverty issues and should be addressed not only in Section 3.

- We strongly support the approach taken by the report to apply a holistic approach to the multiple and complex dimensions of extreme poverty that in turn takes account of the interrelatedness, interdependence and the equal weight of all human rights. We welcome in this regard the recognition of the central role the autonomy of persons living in extreme poverty plays and their right to participate in decisions affecting their lives.

Ad II  Rationale for the development of guiding principles on human rights and extreme poverty

General Comment

- The additional value of the guiding principles remains unclear: The author of the report presumes that guiding principles create added value for all actors in this thematic field. The document should explicitly comment on the practical
- and added value - of the “guiding principles” and how they benefit the different actors in practice.

**Ad III Conceptual Framework**

**General Comments**

- The request that States shall consider potential human rights impacts of their poverty reduction strategies is highly appreciated as this will strengthen the practical implementation of the strong linkages between human rights and poverty reduction.

- The document rightly discusses the multidimensional approach to poverty reduction. We recommend **integrating the protective dimension of poverty reduction more clearly** (para.14), especially underlining poor people’s vulnerability to violence (as discussed in para. 67-70) and to external shocks, which is highly relevant when discussing environmental sustainability (as discussed in para. 80).

- As empowerment happens through people’s own actions in an enabling, supportive environment, we suggest rephrasing the following passages on empowerment as follows: ‘…and other non-governmental organizations to combat poverty and **support the empowerment** of persons living in extreme poverty…’ (para. 20).

**Considering that the majority of those living in extreme poverty are children, should the guiding principles have a dedicated section on this specific group, or should this issue be cutting across the text? (paragraph 19 of the report); and what about other specific groups?**

- Generally, it makes sense two have a **two-fold approach**, mentioning those groups cutting across the text while particularly affected by certain issues mentioned whilst dedicating them at the same time a specific section in which more general issues can be elaborated in a more comprehensive manner.

- We suggest addressing the important issue of **children in poverty** through an **extended paragraph on the intergenerational transmission of poverty** and its impact mechanisms. This would include how hazardous child labor, undernutrition in early childhood, as well as poor hygiene and health provisions can be responsible for cognitive underdevelopment, lack of intellectual stimulus, stunting, and an underdeveloped immune system, which are factors, which influence children's ability to escape poverty in adulthood and may reproduce its effects into the next generation.

- Another group of persons usually disproportionately affected by extreme poverty who definitely should be mentioned in the same way are the **persons with disabilities**.
Ad IV Overview of the main underlying and reinforcing deprivations faced by persons living in extreme poverty

Would you identify other underlying and reinforcing deprivations and obstacles faced by persons in extreme poverty, in addition to the ones included in this section of the report?

- The problem of lacking appropriate legal identity documents (e.g. a birth certificate) is addressed in para 63, however we suggest mentioning it earlier and rephrasing the following sentence in para 25: “…, including physical, economic, legal, administrative and other obstacles.”

- In addition to the obstacles faced by people living in deprived neighborhoods which are already mentioned in para 26, it is recommended to address adverse issues around the lack of transport further. For example, deprived neighborhoods are often excluded from communal transport systems. But additionally, when getting connected to the transport system, neighborhoods usually experience an increase in prices which forces poor people to move even further to the outskirts.

- This section correctly identifies economic obstacles faced by people living in poverty. In doing so, it focuses too much on the cost side. Para. 27 could benefit from adding obstacles that poor people face in pursuing economic activities, such as a lack of control over productive assets, the lack of equitable access to product and capital markets, financial services as well as working in unstable and informal environments.

Ad V Proposal for improving the draft guiding principles on extreme poverty and human rights

Section 1: Overarching human rights principles

Is the list of human rights principles in this section (headings A to G) sufficiently comprehensive or should any other principles be included in the guiding principles on extreme poverty and human rights?

Are there any important aspects or issues missing in the recommendations in bold proposed under each of the overarching human rights principles in this section of the report?

- Section E: We strongly agree with the principle of ensuring public participation (para 47-48). Putting this principle into practice, specific measures should put poor people in a position to not only participate but effectively influence those processes. Voices of poor people need to be heard and they need to count. This would tackle their feeling of powerlessness (as mentioned in para.30) and enable them to influence power imbalances that are all too often keep them in poverty.

Section 2: Overarching policy guidelines
General Comments:

- Sections J and K refer to international obligations: The report should make a clear statement if it refers to existing human rights obligations or if the document goes beyond **existing obligations** (see para 59, subpara 1 or para 62, subpara 3)?

**Is the list of “overarching policy guidelines” in this section (headings H to K) sufficiently comprehensive or should any other overarching policy guidelines be included in the guiding principles?**

**Are there any important aspects or issues missing in the recommendations on bold proposed under each of the overarching policy guidelines in this section of the report?**

- Generally, we welcome the **focus on political empowerment** in the section on overarching human rights principles and on **economic empowerment** in the section on specific rights-based obligations. It would be highly appreciated if section two on policy guidelines could be differentiated further and therefore be more useful to practitioners, e.g. by including guidance on supporting collective action, promoting the protection of rights in the informal sector, supporting poor people in their capability to manage assets.

- **Section I, lit. 57:** the aspect of **cultural adequacy** when dealing with service delivery of basic services has so far been neglected and should be properly incorporated. Particularly in developing countries, cultural particularities such as a language different from the predominant one, particular habits in the delivery of babies, are pivotal for the acceptance of e.g. basic health services. The same holds true for educational offers.

- **Section J:** The focus of this section should be to ensure that **international assistance and cooperation are designed in a way to contribute to the respect, protection and fulfillment of human rights.** Rephrasing in the draft guiding principles might read as follows: Reaffirm the obligations to provide international assistance and cooperation **in accordance with existing** human rights law.

- **Section K:** The reference to additionality should be deleted. The focus here should be on the contribution of **foreign debt cancellation and climate change-related transfers** to improving the human rights’ situations of people in poverty, if **designed in the right way.** This should be reflected in **para 62, 3rd bullet by rephrasing** it: “Recall that cancellation of foreign debt, climate change related transfers and similar measures should be designed in a way to improve state abilities to fulfill human rights obligations.”

- **Section K:** It should be added that **climate related transfers** and similar measures should be tied to national or international measures that are strictly human rights oriented.
Section 3: Specific rights-based obligations

General Comment:

• The reference to „specific“ human rights in this section is misleading: Even though the mentioned rights are of specific relevance it should be clarified that from a human rights perspective all human rights are of fundamental importance for these groups (see page 17).

Is the list of rights identified in this section sufficiently comprehensive (heading L to W) or any other human rights should be also reflected in the guiding principles?

Are there any important aspects or issues missing in the recommendations on bold proposed under each of the specific rights-based obligations in this section of the report?

• The question of environmental sustainability and vulnerability of poor people to impacts of climate change and natural disaster is of growing importance. Therefore, the state obligation towards the ‘Right to life, personal security and physical integrity’ (section N, para. 67-70) might benefit from an additional paragraph on the question of personal security from natural disasters and the effects of climate change. An integrated focus on environmental obstacles poor people face could help interlink the dimensions of political, economic, social and environmental sustainability.

• Also Section P should include an additional paragraph that persons living in extreme poverty are disproportionally affected by negative environmental occurrences due to climate change. Therefore, national adaptation policies should have a specific focus on persons living in extreme poverty and integrate these persons as a target group in disaster prone areas in the development of related strategies.