

Human Rights-based Approaches toward Poverty Alleviation and Development: Means to Solution under the Tapestry of International Human Rights Laws

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Abstract

Poverty and development are interlinked. Poverty is caused for multi-dimensional reasons. It can be elucidated from human rights perspective subject to the principles of participation, empowerment, accountability, and non-discrimination and equality. Identification of common figure of poverty is not possible due to variety of economic growths. Few countries like Bangladesh and India have no satisfying per capita Gross Domestic Product, hereinafter GDP, but they are, somewhat, in advance position in Human Development Index, hereinafter HDI, than of higher per capita GDP country. Reversely, few countries are avoiding human rights standards for poverty eradication but they are in advance position in HDI than of those countries which are comparatively satisfactorily implementing human rights standards e.g. China and Russia. So, it can be said that development is not sole matter of higher economic growth or implementation of human rights standards but also something more than thereof. Therefore, it is plausible that poverty is matter of Rights-based Approaches as well as other relevant attributes. This paper aims to build inter-link among human rights in searching how far human rights are inter-linked and when to call a right is realised on the realisation of its counterparts and how does it contribute in poverty alleviation. Moreover, it will consider the aspects and principles of participation, empowerment, accountability, and non-discrimination and equality as poverty alleviation tool and finally recommendations followed by conclusion.

Keywords: Human Rights-based Approaches, Poverty Alleviation, Development, Empowerment, Participation, Human Rights.

Introduction

Poverty is an issue which has multi-dimensional causes that requires different kinds of action at different levels (international, regional, national and sub-national) in order to reduce it significantly (Luyt, 2008, p.4). When we call for Human Rights-based Approaches, hereinafter HRBAs, what is guided by the Office of High Commissioner for Human Rights (OHCHR) and The United Nations Development Group's Human

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Rights Working Group (UNDG-HRWG), the right to development becomes a vital factor which facilitates a holistic approach to issue of poverty reduction by addressing systematic and structural causes. The world community had been struggling hard since last two decades to stable poverty index in an acceptable level. They committed to eradicate extreme poverty and to halve the proportion of the world's people by 2015, especially whose income is less than one dollar a day and of those who suffers from hunger (Millennium Development Goal 1: Eradicate extreme poverty and hunger, 2017). On the very success thereof, poverty eradication became an agenda for further concern under the hood of Sustainable Development Goals, hereinafter SDGs, targeting to reach into destination by 2030(United Nations Sustainable Development Goals [UNSDG], 2015). Besides, the UNICEF's Strategic Plan, 2018–2021 sets ambitious goals aimed at contributing to the achievement of the 2030 Agenda for Sustainable Development especially by its vision of a world in which no one is left behind. However, the concern for poverty could be traced from nineteenth century i.e. 1879 AD by the work of Henry George on 'Progress and Poverty: An Inquiry into the Cause of Industrial Depressions and of Increase of Want with Increase of Wealth...The Remedy' where the access to land had been recognised as a poverty eliminator (George, 1879). He termed land as all natural materials, forces, and opportunities as everything that is naturally supplied. However, at end of twentieth century and very begging of twenty first century the prominent international economic scholar Mr Amartya Sen had drawn the attention of world communities through his two scholarly works on poverty eradication models indicating that poverty can be traced from income, basic needs and capability approach (Sen, 1999). Furthermore, Human rights treaty based bodies like Human Rights Committee , hereinafter HRC, Committee on Economic, Social and Cultural Rights, hereinafter CESCR, Committee on the Elimination of Racial Discrimination, hereinafter CERD, Committee on the Elimination of Discrimination against Women, hereinafter CEDAW, Committee against Torture, hereinafter CAT, Committee on the Rights of the Child, hereinafter CRC, Committee on Migrant Workers, hereinafter CMW, Committee on the Rights of Persons with Disabilities (CRPD), Committee on Enforced Disappearances (CED), and Subcommittee on Prevention of Torture, hereinafter SPT(Human Rights Bodies, n.d.)of core human rights treaties i.e. International Convention on the Elimination of All Forms of Racial Discrimination of 1965, hereinafter ICEARD, International Covenant on Civil and Political Rights of 1966, hereinafter ICCPR, International Covenant on Economic, Social and Cultural Rights of 1966, hereinafter ICESCR, Convention on the Elimination of All Forms of Discrimination against Women of 1979 , hereinafter CEDAW, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984, hereinafter

CAT, Convention on the Rights of the Child of 1989, hereinafter CRC, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990 , hereinafter ICPRMWMF, International Convention for the Protection of All Persons from Enforced Disappearance of 2006 , hereinafter ICAPED, Convention on the Rights of Persons with Disabilities of 2006 , hereinafter CRPD which are primarily responsible for monitoring human rights treaty implementation, have been developing the core standards of human rights by issuing periodically General Comments or directions for those human rights whose non-fulfilment ultimately might lead the rights bearer into poverty in society. For example, CESCR has been issuing General Comments since 1990 and till now totally 24 General Comments were issued on various context like adequate housing i.e. General Comment No.7 of 1997, primary education i.e. General Comment No. 11 of 1999, right to social security i.e. General Comment No.19 of 2008, just and favorable conditions of work i.e. General Comment No. 23 of 2016 etc.. Therefore, inability to access in primary education for excessive tuition fees, lack of land for building dwelling houses, and unfavorable conditions for worker to get monthly salary on time may lead the aggrieved to immeasurable life in society which might force them to do something reversing to their social security that would result poverty causations. However, this paper aims to show the importance of human rights in development and poverty eradication by unravelling multi-dimension of Rights-based Approaches. That is to say, it will find out the answers of the followings: How far human rights are inter-linked and when to call one right is realised on the realisation of its counterparts, and how to realise them under the tapestry of poverty alleviation? Up to what extent accountability, empowerment, participation, and equal treatment standards contributes in poverty alleviation and development.

Research Methodology

A researcher may conduct research activities either by following application-based pure and applied research methodology or objective based explanatory, descriptive, correlational and explanatory research methodology as well as inquiry mode based quantitative and qualitative research methodology (Akanda, 2019, P. 6). Moreover, a research paper can also be based on conglomeration of these methods because, there is no single or universal approaches to legal research methodologies (Faruque, A. A. 2010, p.41). Research methodology deals with how does the researcher collect necessary information and data in order to reach into the research questions and their solutions. In every research it is the duty of the researcher to show the credibility of data source and to ensure that these data are updated. For doing so, the primary and secondary sources of data are taking obvious place in every research. This article is not devoid of such hereditary rules.

Common Research Approach and Data Collection

There are two major common research approaches on the basis of inquiry mode. These are qualitative and quantitative research. Qualitative research is subjective one where data has to be collected and then to analyse but no place of hypothesis. On the other hand, quantitative research is objective research which is to mean to collect data and to inspect with hypothesis on the light of experimental work. I have resorted qualitative method. That is to say, data have been collected on legal issues from primary sources, e.g. United Nations Official Documents, United Nations Development Program data-base, International Conventions, Protocols etc. and secondary sources e.g. national and international journal articles, research monographs, literatures through internet access.

Scope and Limitation

As it has been said earlier that the purpose of this paper is looking forward to depicting causal relations of poverty, human rights and development. It targets to show the importance of human rights in development and poverty eradication by unravelling multi-dimension of Rights-based Approaches. This article will not touch other causal factors or attributes to poverty rather human rights perspectives like statistical data collection on poverty and development and their analysis. However, the attempt to draw relationship among civil and political rights, and economic, social and cultural rights has been made only to falsify the conception that first one is less important than latter in poverty eradication. To justify thereof, there are some economic, social and cultural rights which do not bear any capital expenditure for their realisation on the part of state party e.g. right to enjoyment and recreation, right to form trade union, just and favourable conditions to work place, liberty of parents to choose for their children schools, right to non-discrimination or equality before law, right to not to be sexually harassed in work place against women, just and favourable conditions to work place etc. as prescribed in articles 3,8, 7 and 13(3) of ICESCR and articles 1 to 6 and 10 to 14 of ICEDAW respectively. While some civil and political rights require monetary expenditure e.g. right of access to justice as prescribed in article 26 of ICCP Requires positive duty to the establishment of court systems, legal educational institutions, training to appointed lawyers and judges simultaneously.

Literature Review

Basics of Human Rights-based Approaches to Poverty Eradication and Development

Human rights are, by essence, unconditional that every human being has an ex ante-possession that cannot be negotiated or alienated (Supan,

2006,pp.79-89).Human Rights-based Approaches , hereinafter HRBAs, mean to bringing together United Nations' values and principles of human rights, development, peace and security in all development cooperation and programming. In 2009, The United Nations Development Group's Human Rights Working Group , hereinafter UNDG-HRWG, formerly United Nations Development Group's Human Rights Mainstreaming Mechanism or UNDG-HRM was established to institutionalize the mainstreaming of human rights in the UN's development work(Human Rights Mainstreaming Mechanism, n.d.). HRBA sare looking forward to empowering people of society to know about their rights and claim thereof by enabling them to get more accountable of the duty bearer for non-respecting, protecting and fulfilling of human rights. The United Nations High Commissioner for Refugees has defined HRBAs to development as “a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights” (Human Rights-based Approaches, n.d). The World Bank and the International Monetary Fund, hereinafter IMF, require Poverty Reduction Strategy Papers, hereinafter PRSPs, before a country can be considered for debt relief one for poverty reduction within the Heavily Indebted Poor Countries or HIP Cinitiative (Poverty Reduction Strategy Paper, n.d.). However PRSPs are basically on principles of country-driven, result-oriented, comprehensive in recognising the multidimensional nature of poverty, partnership-oriented, and based on a long-term perspective of poverty reduction. There are no common features between PRSPs and HRBAs except participation. But the problem with the participation is that the World Bank does not define it as a right to linking to other relevant rights rather than as a process by which stakeholders influence and share control over priority setting, policy making resource allocations or programme implementation. Such participation implies right of association, right of assembly and freedom of expression and right to information which are deeply dependent on full realization of them for development and poverty eradication. HRBAs had got rhetoric shape under the hood of human rights by their official recognition in 1948, after Second World War, when United Nations had adopted the Universal Declaration of Human Rights and later on in 1966 two separate covenants on civil and political rights as well as economic, social and cultural rights (Haque, 2018, pp. 4-54).However, the post development of 1966, the gap between these two set of rights has been diminished gradually. HRBAs to development basically stipulate for express linkage to various human rights attributes in addition to the principles of accountability, empowerment, participation and non-discrimination and attention to vulnerable groups. Therefore, it will be depicting here and establishing inter-linkages among human rights,

accountability, empowerment, participation, and non-discrimination of poor for the purpose of poverty reduction and resulting to development.

Development and Right to Development

Preamble of the Declaration on Right to Development, hereinafter Declaration, addressed that “development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting there from” (Declaration on Right to Development, 1986). Furthermore, Right to development implies poverty eradication models that have been summarised in two international instruments namely the declaration of Right to Development, 1986 and the Frameworks for Development Cooperation and the Right to Development. However, Sengupta in 5th report submitted with the United Nations Commission on Human Rights (henceforth ‘commission’) evidently in resolution 2002/69 proposed four operational elements for development i.e. a right-based development Programme, poverty reduction and social indication targets, development compacts and monitoring mechanism. Hence, right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. Evidently, article 1 of the Declaration stipulates for “the human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both international covenants on human rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources”(Declaration on Right to Development, 1986). Moreover, as to article 8(2) of the Declaration provides that it requires, inter alia, equality of opportunity for all and their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. It also pleads for effective role of women which would ensure eradication of gender-based social injustice. Development of poor indicates for the development of ability of poor by giving them opportunities for enjoyment of human rights non-fulfilment of which would result poverty and enabling to them to call in questions in court for their rights violation. Therefore, it is plausible that article 9(2) of the Declaration rightly reflected these developments and rights to development demand for a society where all indivisible human rights have been multifaceted on various aspects of human life.

Various Perspectives of Poverty

Poverty is complex to understand in single sentence. It doesn't mean same aspects of a thing for all. Scenario of poverty is not uniform in

nature but varies from place to place and time to time. The Standards for thresholds of poverty are dissimilar ubiquitously. Degree of living cost may vary from place to place and that's why thresholds of poverty are uncertain on the basis of geography, situation and circumstances. For example, people classified as poor in San Francisco might not feel as poor if they lived in Clay County. Moreover, Mr Jensen defines poverty as “a chronic and debilitating condition that results from multiple adverse synergistic risk factors and affects the mind, body, and soul” (Jansen, 2009). He identifies poverty from situational, generational, absolute, relative, urban, and rural angles. Sudden temporary crisis like environmental disasters, divorce, or severe health problems are considered as situational poverty. He got himself more enthusiastic perhaps for drawing attention of world communities to raise voice against environmental disasters as a causation of poverty by following of international conventions on environment. For example, before the United Nations Conference on Human Environment and Development of 1992, popularly known as the Earth Summit of 1992, there were no exclusive documents on environment and development. However, the right to environment and development had been recognised as a tool for poverty alleviation by article 4 of the United Nations Framework Convention on Climate Change, hereinafter UNFCCC, stating that the extent to which developing country parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under the Convention related to financial resources and transfer of technology and will take fully into account that economic and social development and poverty eradication are the first and overriding priorities of the developing country Parties. However, the family, where at least two generations have been born into poverty, is under the dimension of generational poverty, living in this type of poverty are not equipped with the tools i.e. access to land related rights to move out of their situations (Access to Land, n.d.). Absolute poverty encompasses the scarcity of basic needs like foods, sheltering, clothing where people struggle to survive always. Relative poverty is relative to social status prospects and actual income of person or family. It refers to the economic status of a family whose income is insufficient to meet its society's average standard of living. Urban poverty relates to problems in urban area where at least 50,000 people live and facing noise, crowd, and insufficiency of facilities etc. while rural poverty refers to same as like as urban poverty but having differences in living person below 50,000. In rural area, inhabitants have less access to services, support for disabilities, and quality education opportunities (Jensen, 2009). It would be prudent, therefore, to demonstrate here the aspects of poverty as followings:

Human Rights Perspective

Poverty identified by legal scholars on human rights aspects as “denial of a person's right to a range of basic capability- such as the capability to be

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adequately nourished, to live in good health conditions, and to take part in decision making process and in the social and cultural life of the community” (UN Office of the High Commissioner for Human Rights [OHCHR], 2006, Para 7). Poverty results from various attributes which people bear till the end of situation. This situation is known as failure of capability which causes non-fulfilment of a person’s right to a range of basic capabilities (OHCHR, 2006, Paras 29-30). However, poverty is not only the issue of income but also a matter of being able to lead a life in dignity and enjoy fundamental rights. Poverty hinders to redress the rights bearer to claim civil and political rights and to take pleasure of economic, social and cultural rights. Few of these rights have been provided later on this paper under Poverty Eradication and Development from Human Rights Standpoints.

Amartya Sen’s Observation

Mr Sen Advocates for the success of a society what has to be evaluated primarily by the freedoms that member of the society enjoys (Sen, 2000). He considers freedoms are primary tools for development and says it is the enhancement of freedoms that allow people to lead lives that they have reason to live. Moreover, poverty is absence of development what is caused for major lack of freedoms (Sen, 2000, p. 4). As a result, five basic freedoms i.e. (a) political freedoms, e.g. democracy with multi-party fair election, and the freedom to express opinion and evaluate or criticise authorities, (b) economic facilities like ability to appropriate economic resource as to needs, (c) transparency and accountability guarantees in every sector of national life, (d) protective security for marginal and vulnerable people, and (e) social opportunity for education, health care, banking and insurance etc. “tend to contribute to the general capability of a person to live more freely”, as he proposed, and the absence thereof would result poverty as well as lack of development. However, different aspects of poverty have been elucidated later in the scholarly views portion.

World Bank’s Outlook

The mission of World Bank is the end of hunger and poverty (Poverty overview, n.d.). It depicts poverty from income level which is lower to meet basic needs. That’s why World Bank Group is working with the international community to extinguish extreme poverty in a generation and boost incomes for the bottom 40% populations in each country by giving incentives or financing to \$8-10 billion a year to the stakeholders for food security, what is a vital part of this effort, agricultural production and resilience to climate change (Poverty hunger, n.d.). As result, a person fails to achieve minimum level of income and unable to satisfy his fundamental needs i.e. according to the most recent estimates, in 2015, 10 % of the world’s population lived on less than US \$ 1.90 a day, compared

to 11% in 2013. That's down from nearly 36 present in 1990. Moreover, nearly 1.1 billion fewer people are living in extreme poverty than in 1990. In 2015, 736 million people lived on less than \$1.90 a day, down from 1.85 billion in 1990 (Poverty overview, n.d.). Moreover, it causes lack of foods, shelters, low education, joblessness, powerlessness and lack of freedom even though there may be minimum level of income to meet basic needs may differ from society to society, region to region and State to State. However, World Bank has suggested few formulas for the end of poverty and hunger by investing in agriculture, creating jobs, expanding social safety nets, expanding nutrition programs that target children less than 2 years of age, universalizing education, promoting gender equality and protecting vulnerable countries during crises.

Aspects of Poverty and Its Eradication

Poverty can be elucidated from three aspects i.e. Income, Basic Needs, and Capability Approaches. Income perspective indicates on inadequacy of income which causes poverty. When a person has overcome certain level of income, it is considered that he is a triumphant of an aspect of poverty but has to go for further index development. Income perspective gets concentration of both World Bank and economist like Mr. Sen. However, Mr. Sen regards income as a factor for drawing a horizontal scenario of capability deprivation (Sen, 2000, p.20). Basic needs perspective means that poverty is based on the lack of all basic needs for human life i.e. foods; clothing, shelter, education and medical care etc. which are important factors in development and poverty reduction and Human rights activists are concerned with this type of aspect on poverty. They, moreover, advocate for inter-link of civil and political rights and economic, social and cultural rights. However, adequate standard of living is not avoided under this heading. Basic needs perspectives call for development in human rights index. That is to say, economic social and cultural rights along with civil and political rights are key player for poverty elimination index augment. This perspective stress on poverty reduction as a right that has either constitutive or instrumental relevance which mean that interdependency and indivisibility of human rights are important fact to facilitate capability of individuals to meet their living standards. When a right has been fulfilled the other rights can be enjoyed directly or indirectly or can pave the way to enjoyment thereof in future. For example, when a person have got to realise his right to work, his other ancillary rights i.e. right to food, right to form and become member in trade union can automatically be smoothed for uninterrupted enjoyment. Finally, capability approaches perspective refers to poverty as lack of opportunity for building capabilities and skills (Sen, 2000, p.87). However, the scenario of solution on poverty, famine, hunger and want from capability approaches has been drawn in 'Scholarly Views on

Capability Approaches to Poverty and Development' and the demands for that very purpose from basic needs perspectives has been enshrined in 'Poverty Eradication and Development from Human Rights Perspective' portions.

Analysis and Discussion

Scholarly Views on Capability Approaches to Poverty and Development

The economic scholar Mr Sen's writing 'Development as Freedom' has emphasised on the capability approach as a means of human development (Sen, 2000, pp. 03-366). Moreover, the Office of the United Nations High Commissioner for Human Rights, herein after OHCHR, in its Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies has provided guidelines on national strategy plan for development and poverty end (OHCHR, 2006, Paras 29-30). The discussion hereinafter provided will be followed thereby as following:

Understandings of Amartya Sen

Mr Sen's approach to capability building has become poverty eradication model. Capability is defined by him as capability of achieving something. He adds development as a process of expanding human freedoms (OHCHR, 2006, Para 3). He considers poverty as a major source of lack of freedoms. Other sources of lack of freedoms are inequality with discrimination, neglect of public facilities and lack of economic opportunities, social exhaustion, and inability to participate in state policies formulation (Sen, 2000, p. 4). He advocates also for development which can be enhanced by the promotion of democracy and human rights (Sen, 2000, pp. 16-17). He substantiates the argument, as being the democracy guarantees honest and accountably government, by showing passion for good governance, sustainable development, and respects for human rights which guarantees freedom of expression and speech, freedom of choice of profession, freedom of assembly etc. By synthesising of both democracy and human rights, development can be sustained as feasible one. However, all of these rights have interdependency and correlation with democracy and social development. While human rights are interpreting as harmonious or conducive to democracy, the development process should be enhanced to a standard level what will build a better capability to reduce poverty. He advocates further for five types of freedoms that would smooth the development process i.e. political freedoms which includes scrutinising the decision of public authority, economic facilities which facilitates to use of economic resource, social opportunities which encompasses health and education rights, transparency guarantee which embraces triumph over corruption and protective security which contains special measure for vulnerable in emergency situation. Freedom is the achieving capability to redress

wants. Such capability could be influenced by “economic opportunities, political liberties and social powers, health conditions and education level, encouragement, motivation and initiatives and so on” (Sen, 2000, pp. 03-12). Hence, while converting the resources into functioning or capabilities, as to him, categorisation among people can be raised on the basis of personal or socio-environmental factors e.g. income-using ability of individuals, income-earning ability. The result of acceptance of such diversity among people is that they can't be assessed uniquely in term of resource, they should only be evaluated upon the basis of what are they capable of doing with available resources. To sum up, capability should be measured by a down-top approach rather than income statistics. He draws attention on the Sri Lanka as low GDP country but has height ratio rate on higher life expectancy and literacy rate than of comparative rich country like Brazil and South Africa (Sen, 2000, pp. 90-92). Therefore, the Challenges for applying capability approach are not opulence but functioning. Peoples are choosing means, anyway, to reach into their goals by their own choice, where few means are effective and rest are trivial. Therefore, capability approach is possibility rather than actuality, the available data and income statistic should be standard for justifying thereof.

Observation of the Office of High Commissioner for Human Rights

The OHCHR considers that poverty represents the absence of some basic functions. When a society has been facilitated or enhanced to achieve the defence to preventable disease, basic education, personal security, access to justice, live in dignity, participation and the clash on interest, immoral activities, corruptions, respectively, a well set of capability approach to poverty eradication could be said established (OHCHR, 2006, Guideline 1, Para 31). From human rights perspectives, poverty reduction starts with two basics like identification of attributes that contributes poverty causation and identification of poor who possesses these attributes. Non-Fulfilment of one's right to basic capabilities and the failure thereof is attributes of poverty. That means failure to capabilities of being sufficiently nourished and adequately sheltered, to avoid deferrable disease, of having education, of having access to justice, of having live in dignity, being able to earn a livelihood and being able to take part in the life of a community, is important attributes of poverty (OHCHR, 2006, Para 32, Guideline 1). The strategy for poverty reduction should be, on the part of state party, through implementation of human rights commitments and realization of mandates either progressively or rapidly (OHCHR, 2006, Guideline 1, Para 41). However, 'Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies' by OHCHR sets up inter-linkage and benchmark for/ among human rights which are active attributor to capabilities on poverty reduction like right to adequate

food, right to adequate housing, right to health, right to education, right to personal security and privacy, right of equal access to justice, and political rights and freedoms. Moreover, in the process of formulating, implementing and monitoring a human rights-based poverty reduction strategy- it is desirable for poverty reduction to enhance capabilities to identify of the poor and disadvantaged person(OHCHR, 2006, Guideline 2), to ensure equality and non-discrimination which deny the poor equal access to fundamental services and human rights such as the rights to food, education, health and justice,(OHCHR, 2006, Guideline 3)to set up targets, benchmarks and priorities,(OHCHR, 2006, Guideline 4)to ensure participation in decision making process(OHCHR, 2006, Guideline 5), and to enable monitoring and accountability in administrative affairs(OHCHR, 2006, Guideline 6).

Is Income Paramount Factor in Poverty Eradication?

The term capability is rhetoric one for entitlement for ornamentation of society for poverty ends, where starvations, famines and hungers are absent (Sen, 2000, pp. 160-188). Shortage or “poverty must be seen as the deprivation of basic capabilities rather than merely the lowness of income, which is standard of criterion of poverty” (Sen, 2000, p.4).Famines imply starvation and starvations imply poverty, but not vice versa, respectively (Sen, 2000, pp. 39-44). Mr Sen tries to set up a common standard for human development not merely based on income earning. He considers, each person born with inherent set of capability. If proper nourishment could be ensured regarding the eagerness and sharpness of such quality, it would be panacea for immunity of poverty. He argues, furthermore, presence of poverty in richer countries is not only for resources but also for deprivation of capabilities of individual or entitlement. Moreover, entitlement, as to him, indicates for “entitlement approach to famines and starvations concentrate on the ability of the people to command food through the legal means available in the society, including the use of production possibilities, trade opportunities ...and other methods of acquiring food” (Sen, 2000, p.4).Therefore, income is not sole player for poverty reduction but a single attribute. Income eases the poor to arrange equipment for graving other attributes to poverty like foods, housing, treatment and education for safe journey to future.

Poverty Eradication and Development from Human Rights Standpoint

Human rights are the rights of human being which a person enjoys by virtue of human nature irrespective of race colour, sex, religion and territorial boundary of origin. Rights which are enjoyable by all human being irrespective of the above are now known as universal human rights (Haque, 2017, pp. 21-34.).After the birth of United Nations upon the basis of four freedoms i.e. the freedom of speech and expression, the freedom to worship God in his own way, freedom from want and

freedom from fear as had been advocating therefore by the former United States' President Franklin D. Roosevelt since 1941, the first formal instrumental recognition of these rights/freedoms were made in a single instruments in the year of 1948 namely the Universal Declaration of Human Rights containing both of civil and political as well as economic social and cultural rights(Four freedoms, n.d.).Besides, in 1966, two different covenants, with two different types of state obligation, the world Communities had got two new divisible human rights instruments which are sometimes rapidly realizable and sometimes progressively realizable (Haque, 2018, pp. 21-34). The post 1966 developments show that the differences between Civil and Political Rights (CPRs) and Economic, Social and Cultural Rights (ESCRs) have been diminished. Before 1993, there were many debates on the enforceability, universality, indivisibility, inter-dependency and interrelationship among human rights. Especially capitalist societies were reluctant to enforce ESCRs while socialist societies were reverse to CPRs (Sen, 2000, p. 147). However, this debate was hibernated on linking up among democracy, human rights and sustainable development by the Declaration on the Right to Development, 1986 and the Vienna Declaration and Programme of Action, 1993. Since then, conceptual linking up of these areas were ventured by UN bodies i.e. United Nations Development Program, hereinafter UNDP, and United Nations International Children's Emergency Fund, hereinafter UNICEF, etc. (Ghafur, 2018, pp. 55-56).For Example, UNDP had been issuing its Human Development Reports since 1990 showing human development index referring to different aspects on development and poverty i.e. Human Development Report, 2006 provided for the water crisis and impact thereof on poor and marginal people(United Nations Development Program [UNDP],2006).Similarly, UNICEF working hard on children's rights promotion for their best interest in life free from discrimination, torture and punishment, and poverty etc. since its birth in 1946 for accelerating its vision with mission by publishing annual reports (Unicef introduction, n.d.).In 2006, the OHCHR had published Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies. On 20 December 2012, the UN General Assembly adopted a resolution on human rights and extreme poverty where it "takes note with appreciation of the guiding principles on extreme poverty and human rights, adopted by the Human Rights Council in its resolution 21/11 as a useful tool for States in the formulation and implementation of poverty reduction and eradication policies, as appropriate" (Ghafur, 2018, pp. 55-56).Treaty-based bodies play paramount role in building up the contents of human rights by issuing General Comments on respective articles therein (Haque, 2018, p. 43). However, it has been mentioned earlier in this paper that poverty results from various attributes which people bears

till the end of situation. This situation is known as failure of capability which causes non-fulfilment of a person's right to a range of basic capabilities. Furthermore, it is not only a matter of income, but also, more fundamentally, a matter of being able to live a life in dignity and enjoy basic human rights and freedoms. Therefore, I will demonstrate here few contents, by keeping in the mind that poverty makes unable to the rights bearer to get remedy for violation of Civil and Political Rights, hereinafter CPRs, and to take pleasure of Economic, Social and Cultural Rights, hereinafter ESCRs, of various human rights on the light of core human rights treaties which are plausible for development and poverty eradication. That is to say, it is very demanding to fabricate inter-relationship among those CPRs and ESCRs which have constellation influence in poverty reduction strategies.

How far human rights are inter-linked and when to call one right is realised on the realisation of its counterparts?

All human rights are universal, inalienable, indivisible, and interdependent and interrelated (Vienna Declaration and Programme of Action, 1993, Para 5). When a category of human rights is fulfilled, another type of human rights may get a tract to be fulfilled under the hood of first one in future. Universality of human rights has been proved by the discussion from conceptual perspective i.e. as they talk about the rights of all human being and international legal perspective i.e. as they are recognised by nine core international human rights treaties Human rights-based Approaches, n.d.). Four types of Human Rights like the CPRs, the ESCRs, the right to self-determination and the right to development are regulating human rights peripheral regime (Haque, 2018, pp. 41-54). They stand on equal footing and cannot be positioned in a hierarchical order for deteriorating indivisibility e.g. the right of everyone to an adequate standard of living cannot be paid off or compromised at the expense of other rights, such as the right to education or the right to health (Human rights principles, n.d.). Mr Haque rightly demonstrated that "the fact that the UDHR listed the ESCRs, with the exception of the right to property, at the end of the declaration might lead to the assumption that they have been accorded secondary importance in comparison with the CPRs which were inserted earlier" (Haque, 2018, pp. 04-54). This assumption is not practical in true sense. However, interdependence and inter-relationship among human rights contribute to realisation of human dignity through the satisfaction on uplifting, spiritual, physical and psychological needs. For example, right to health is dependent on right to education, information and development (Human rights principles, n.d.). The UN in its press release no. GA/SHC/3501 on 50th anniversary of UDHR has stretched firmly the familiarity among human rights, democracy and development which are intrinsically linked

and for that reason the parties to UN should not pick one aspects of human rights over another (United Nations press release, 1998 November 09).Therefore, right to life encompass broad periphery like right to foods, education, work, treatment, shelter or housing, treatment etc. similarly, right to work includes right to leisure, entertainment, favourable conditions of work, and express opinion through trade union. It would be prudent, therefore, to mention here some instance for ESCRs upon the fulfilment of one of them, other types of CPRs might be realized automatically or would be fulfilled in future within easy way for poverty eradication under the hood of sustainable development, as following:

Right to Highest Attainable Standards of Health

Right to health stipulates for highest attainable standard of physical and mental health. This right has been recognised in numerous international instruments i.e. article 25(1) of UDHR affirms that “everyone has the right to a standard of living adequate for the health of himself and of his family, including food, clothing, housing and medical care and necessary social services”, article 12(1) of ICESCR provides that states parties recognize “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”, article 12(2) enumerates, by way of illustration, a number of “steps to be taken by the States parties ... to achieve the full realization of this right”. Additionally, the right to health is recognized, *inter alia*, in article 5 (e) (IV) of the ICEARD. It is also recognised by article 11(1) (f) and 12 of the CEDAW, and in article 24 of the CRC. Moreover, several regional human rights instruments also recognize the right to health, such as the European Social Charter of 1961 as revised in article 11, the African Charter on Human and Peoples’ Rights of 1981 article 16 and the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights of 1988 in article 10. Similarly, the right to health has been proclaimed by the Commission on Human Rights as well as in the Vienna Declaration and Programme of Action of 1993 and other international instruments (UN Committee on Economic, Social and Cultural Rights [CESCR], 1994, General Comment No.14, Para 2).Its full realisation requires for the reduction of stillbirth-rate and of infant mortality in addition to healthy development of child, prevention and treatment of all epidemic disease and environmental hygienic improvement (ICESCR, 1966, art. 12).It also requires beyond health care service provision and includes underlying determinants of health i.e. access to safe and portable water and sufficient sanitation, nutrition, housing in addition to hygienic environmental conditions(UNDP, 2006, Para 59).Private sectors may be engaged in promotion of right to health (CESCR, 2017, General Comment 24).However, if this type of right can be realised properly, other types of CPRs might be protected

automatically i.e. right to life(ICCPR, 1966, art. 6), right to respect of private and family life(ICCPR, 1966, art. 17) the right to liberty of movement and freedom to choose his residence(ICCPR, 1966, art. 12).Therefore, under the plea of fulfilment of these aspects of human rights the ability of poor to develop their resources, assets, and capabilities can be ensured and thereby marginal peoples are literally empowered to create choices and decisions concerning their development (Empowerment and Accountability, n.d.).

Right to Housing

Article 11(1) of ICESCR stipulates for “the states parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”. Mere housing is not sufficient but it should be adequate in nature irrespective of economic access or social groups (CESCR, 2017, General Comment 24, Para 7). Right to adequate housing does not mean only to build house by the government itself but ‘to ensure the right to adequate housing covers measures that are needed to prevent homelessness, prohibit forced evictions, address discrimination, focus on the most vulnerable and marginalized groups, ensure security of tenure to all, and guarantee that everyone’s housing is adequate’(UN fact sheet n.d.).This right has been elucidated since1991 from the context of legal security of tenure; availability of services, materials, facilities and infrastructure(i.e. access to natural and common resources, pure drinking water, nutrition, lighting-heating, sanitation and washing facilities, means of food storage, refuse disposal, drainage and emergency services);affordability in costing; and habitability i.e. adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health(CESCR, 1997, General Comment No.7, Para 8).However, para-8(d) of General Comment 4(1991) of CESCR stressed on the degree of priority in housing facilities for physically disabled persons, children, HIV-positive individuals, and victims of natural disaster. The European Court of Human Right held that force evictions (*Connors vs. the United Kingdom*,[2004],ECHR, Paras 85-95), force displacements and destruction of homes and posture of housing to unhealthy environmental conditions may amount to violation of the right to privacy, family life and home, and to a violation of the right to property, and inhuman or degrading treatment (International Commission of Jurist [ICJ], 2008, p.67).To sum up, by getting access to adequate housing by disadvantaged like poor other relevant CPRs like right to life, family, personal dignity might be promoted. And by promoting thereby the poor are empowered for strengthen of their individual and collective capacity to gain control over their own lives as themselves.

Right to Education

Education enhances development of human personality and the sense of dignity. It enables a person to participate effectively in national life and in formulation of behavioural criteria for peaceful enjoyment of all other rights. However, right to education as enshrined in articles 13 and 14 of ICESCR is detectable in other international instruments i.e. the World Declaration on Education for All in article 1, the CRC in article 29 (1), the Vienna Declaration and Programme of Action in Part I, Para. 33 and Part II, Para. 80 and the Plan of Action for the United Nations Decade for Human Rights Education in Para. 2 while all these texts closely correspond to article 13 (1) of ICESCR. These arts also include elements which are not expressly provided for in article 13 (1), such as specific references to gender equality and respect for the environment (CESCR, 1997, General Comment No.7). Education encompasses primary education, secondary education and higher education. It also ‘enables all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for maintaining of peace’. It is vital stair for lifting other inalienable rights (UNDP, 2006, Para 1).It is also a major element in legal empowerment initiatives (Khair, 2017, p.12).Free compulsory primary education is primary fashion of right to education. The failure to provide child with a name and nationality or imposing any restriction on registration of birth is amount to violation of right to education. Education should be available, accessible, adaptable and flexible for adaptation with the change of society (UNDP, 2006, Para 6).Accessibility in educational institution and programmes has to be free from discrimination and allowed physically and economically to marginal or disadvantaged people. However, article 13 (2) (e) of the ICESCR stipulates for state parties to ensure that an educational fellowship system is in place to assist disadvantaged groups by “development of a system of schools at all levels” (UNDP, 2006, Para 6). However, education is indispensable, for right bearers under various international instruments, for realization of all other rights. The enjoyment of right to education might facilities the realization of all other CPRs like right of self-determination in article 1, right to life in article 6, freedom from torture, inhuman and degrading treatment and medical experiment without consent in article 8, freedom from arbitrary arrest, detention in article 9, right to personal security in article 9, right to human treatment prison in article 10 , no discrimination for failure to fulfil a contract in article 11, freedom of movement in article 12 , procedural rights against deportation in article 13, right to fair trial in article 14, freedom from retrospective criminal law and the principle of legality in article 15, right to recognition as a person before the law in article 16, right to privacy in article 17, freedom of religion and belief in art. article 18, freedom of opinion and

expression in article 19, prohibition of racial vilification in article 20, freedom of assembly in article 21, freedom of association in article 22, protection of the family in article 23, protection of the child in article 24, freedom of political participation in article 25, right of non-discrimination in article 26, and rights of minorities in article 27 of the ICCPR (Haque, 2018, pp.41-42). Moreover, education is considered as key factor for the principles of participation of the poor in decision-making, and to institutionalise their right to resources as more accessible.

Right to Work

The right to work has inter-linking aspects of human rights like right of every one to safe working conditions and to form trade union. The right to work is traceable in various international instruments i.e. in article 8(3) (a) of the ICCPR, in article 5(e) (i) of the ICEARD, in article 11(a) of the CEDAW, and in article 32 of CRC. Furthermore, these rights have been recognised in articles 11, 25, 26, 40, 52 and 54 of the ICPRMWMF. Several regional instruments recognize the right to work in its general dimension, including the European Social Charter of 1961 and the Revised European Social Charter of 1996 in article 1, the African Charter on Human and Peoples' Rights in article 15, and the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights in article 6, and affirm the principle of respect for the right to work which imposes on States parties an obligation to take measures aimed at the realization of full employment. Similarly, the right to work has been proclaimed by the United Nations General Assembly in the Declaration on Social Progress and Development, in its resolution no. 2542 (XXIV) of 11 December of 1969 (CESCR, 1994, General Comment No.14, Para 3). Gaining in living is indispensable for human being to live in decent way. The opportunities for gaining can be ensured by facilitating right to work (ICESCR, 1966, art. 6). This right become marrow less without favourable conditions to work indicating prohibition of forced labour and social and economic exploitation of children and young persons, freedom from violence and harassment, including sexual harassment; and paid maternity, paternity and parental leave (CESCR, 2016, General Comment No. 23) aiming for ensuring remuneration for all workers and wages according to their abilities to work (ICESCR, 1966, art. 7). Moreover, this right stipulates for recreation, rest, leisure and enjoyment in work place for the right bearer as well as his family members specially who are dependent on him like children (ICESCR, 1966, art. 7). Calling a strike in gathered form under the hood of trade union and to become member therein is another dimension of right to work (ICESCR, 1966, art. 8). At present two General Comments by CESCR i.e. General Comment no. 5(2005) on right to work and General Comment No. 23 (2016) on the right to just and favourable conditions of work are providing sermons for developing

contents of right to works. However, employment should be decent, lawful but should be not followed by sudden termination and accessible to all irrespective of social status or distinction on the basis of race, colour, sex, place of birth etc., available and quality based (CESCR, 2006, General Comment No. 18). State is responsible to respect it, protect by adopting legislation and/or other measures ensuring equal access to work and training and to ensure that privatization measures do not undermine workers' rights, and fulfil by formulating and assessing or "stimulating economic growth and development, raising levels of living, meeting manpower requirements and overcoming unemployment and underemployment" when right bearer becomes unable to access therein by their available means (CESCR, 2006, General Comment No. 18, Para 25). However, article 8, paragraph 3 (a), of the ICCPR has recognised right to work. By realising of the common rights in these two covenants would facilitate to fulfil other human rights like right to form association or freedom of association (ICCPR, 1966, art.22), freedom of movement (ICCPR, 1966, art.21), right to personal dignity, and protection with security to family of poor. Therefore, working people in industrialised society is more efficient in claiming of the placidity and accountability of State, Donor and Non-state actor.

Up to what extent the Principles of accountability, empowerment, participation, and equal treatment standards contributes in poverty alleviation and development?

Empowerment

Empowerment has multi dimensions like 'power over', 'power with', 'power to' and 'power within'. Some argues empowerment is nothing but political while other regards it, as it requires precondition of four elements like access to information, participation, accountability, and local organisational capacity, as "the expansion of choice, action to take shape one's life and control over resources and decisions which together constitute empowerment" (Khair, 2017, pp. 8-9). Freedom from poverty and hunger activists considers empowerment as local-level movement which is designed to confront institutional status quo by inspiring poor and marginalised people. Legal empowerment is a mean to access to justice and other processes. It empowers the disadvantaged groups and poor to resist inequality that affects their lives (Khair, 2017, p. 12). Access to justice expands the opportunity for poor and disadvantage individuals and groups to settle their grievance through legal institution, swiftly and efficiently. However, empowerment in empirical sense to the economist is known as capability development where freedoms like political freedoms, economic facilities, social opportunities, transparency guarantee and protective security are ensured. Legal empowerment, therefore, makes pauper person more vigilant in intrinsic rights and

claimant for redressing when violated. It is known to all that the marginal people, poor and disadvantaged person, faces not only economic problem i.e. low incomes but also problem of social exclusion, no access to power, no voice and no security (UNDP, 2002). As is now widely recognized, effective poverty reduction is not possible without the empowerment of the poor (OCHCHR, 2006, Para 18). Therefore, it enables them to challenge and reform those laws which are preventing them to access in resources and owning property especially by women and children. It can be facilitated by establishing institutional accountability where they can engage through their representative. Their access to court for enforcing fundamental rights and to challenge development projects of government that push them homelessness is vital aspects of poverty reduction.

Participation

The effective and standard prescriptions for the poor to improve their conditions are firstly, their combined pressure accumulation for vocal representation of their interests; and secondly, self-help or bottom-up and people-centred development through participatory organisation (OHCHR, 2006, Para 18). Participation by stakeholders may be in different ways like participation in co-determination, workplace participation, trade union/federation movements, financial profit sharing, cooperatives and collective bargaining in voting for representative elections, cooperatives, etc. It is true that a very few stakeholders are able to participate while rest of them either unable or reluctant. For example, women frequently avoid such meeting because of long time enduring process and for their security. However, the usefulness of participation is the empowerment of poor people whereby they become risk reduced. Participatory network helps poor people to call others for help in times of distress (OHCHR, 2006, Para 18). It would be prudent to build up a relationship for seven reasons between right bearer and duty holder in terms of policy formulation despite of few unsettled questions in limitations of participation. Because, a) participation is an end in itself and expresses the autonomy and dignity of the citizens, 2) It makes the projects and policies more responsive to real felt needs, especially those of the poor, 3) It reduces the costs of constructing and maintaining them, 4) It reduces poverty or income inequality or produces other kinds of desirable results even if it leaves overall growth rates untouched, 5) It helps societies to acquire and confirm shared values and norms, 6) It allows people to develop abilities of interaction and communication and thereby trains them for democratic competence, and 7) it can lead to higher and better economic growth and development; (OHCHR, 2006, Para 18). It is necessary to make scope of participation of poor through their representative like civil-society and their organisations.

Equality and Non-discrimination

Gender based discrimination on holding or owning property is vital element of poverty. For example, few institutions and religions impose restrictions on women to hold immovable property. Equal treatment principle demands for modification of such institutional structures by allowing them holding property. Moreover, in terms of discrimination, it contains inequality of opportunity and inability in access to justice and to participate in policy formulation for poverty alleviation centred development. In Burma, for example, widespread discrimination against minority groups like Muslims impedes the access to citizenship which restricts their access to education, employment. As result they becomes stateless and suffering from lack of basic needs which forces them to lead live into poverty due to restricted social and economic rights(Global poverty, n.d.).Discrimination affects not only adults but also children e.g. a global toll conducted by the ‘Save the Children’ in April 2016 shows that four in ten adults worldwide claim their childhoods blighted by discrimination. Almost half of them say their access to education was adversely affected, and just over one-third were unable to access critical health services. Furthermore, nearly 400 million children globally are facing ethnicity and religion based discrimination which pave the way of non-registration of birth what is considered in today’s world as vital service to get access into other ancillary services to alleviate poverty. For example, in India’s Bihar region, where scheduled castes make up 59 per cent of the poor, only six per cent of children are registered at birth, compared to 42 per cent of children in the rest of the country. Because they lack proof of birth, these children are prevented from accessing vital services (Save the Children, 2015).Higher number reported rape cases committed against children are evident that their parents or family members are out of reach to local community and to the formal legal system what shows obvious discrimination on gender based approach access to opportunity (Yasmin, 2017, pp. 105-106).However, General Comment No. 20of 2009 of the CESCR connotes non-discrimination as “discrimination constitutes any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination and which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of Covenant rights”(Para 7).Non-discrimination, equal protection of law and equality before law without any discrimination are almost paramount concern of all international human rights treaties which create a round figure emphasis on enjoyment of human rights either CPRs or ESCRs. The CCPR and the CESCR,the CRED, the CEDAW, the ILO and the UNESCO have issued either a number of general comments or recommendation for addressing the issue

of discrimination on the ground of race, colour, sex, birth or origin, political opinion and membership in particular social and political group. Discrimination also generates gender biased violence which impedes enjoyment of right to life and others i.e. As to General Recommendation No. 19 Of 1992 of CEDAW, gender sided violence based on discrimination nullifies the enjoyment of freedoms as stipulated in article 1 of ICEDAW like the right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment, the right to equal protection according to humanitarian norms in time of international or internal armed conflict, the right to liberty and security of person, the right to equal protection under the law; the right to equality in the family, the right to the highest standard attainable of physical and mental health, and the right to just and favourable conditions of work. ‘Pro Bono’ legal services for marginal people by private individuals like advocate to enforce gender based rights is another great initiatives for alleviating discrimination based poverty is also legal obligation for that duty bearer(Akter, 2017, pp.65-67).

Accountability

Accountability is a key element of good governance among others like transparency, responsibility, participation, responsiveness to the needs of the people (OHCHR, Overview on good governance and Human Rights, n.d.).The essence of accountability or good governance is almost present in the Charter of the United Nations and core human rights treaty i.e. article 1(3), 55 and 56 of UN Charter, article 21, 7 to 11, 22 to 25, 19and20 of UDHR, article 1(2) and 28 of ICCPR, article 1(2) and 28 of ICESCR, article 4 of CRC etc.. Good governance will not put poverty end alone but we cannot alleviate poverty without good governance from human rights perspective (Luyt, 2008).The OHCHR defines good governance as a process whereby public institutions conducts public affairs and ensure realisation of “human rights, the rule of law, effective participation, multi-actor partnerships, political pluralism, transparent and accountable processes and institutions, an efficient and effective public sector, legitimacy, access to knowledge, information and education, political empowerment of people, equity, sustainability, and attitudes and values that foster responsibility, solidarity and tolerance”(Luyt,2008).The essence of accountability is said to be prevailing where there exist a relationship between individuals or bodies where their functions & performances are subject to oversight, direction of one another (Accountability governance, n.d.). Accountability may be either of horizontal where the Parliament(avoid)and the judiciary is key actor and they can call into question discharging of responsibilities of officials or Vertical where citizens, civil societies and mass media seek to enforce standards of good performance on officials. Demand driven

accountability, however, is known as social accountability which operates from ‘bottom-up’. Furthermore, diagonal accountability enables vertical accountability actors where it seeks to engage citizens directly in the workings of horizontal accountability institutions by enhancing effectiveness of civil society just as enabled watch dog. Civil society’s strong bargaining capacity to poverty eradication may promote effective accountabilities to hold government accountable for that very purpose. Human rights and good governance will be mutually reinforcing and without the later, the first cannot be protected in sustainable manner. SDGs cannot be realised without peace and security which demands a “need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions” (United Nations General Assembly, 2015). Corruption free facilities and probono services by concerned bodies to fortify access to court system or justice; and the incentives from the government to claim and enforce rights by pauper through judicial mechanism, are another vital requirement to see the world full with human rights and free from poverty and hunger what is advocating by the supporter of vertical formula of accountability. Therefore, if the state party make a pleasant environment of the facilities for poor to access in justice, through judiciary to call in question any functions and undertakings of the duty bearer like state what might interfere their peaceful enjoyment of basic rights, would enable a favourable conditions of accountability. It is important to create favourable conditions for the civil society to call in question development undertaking either central or local and to make responsible the local or central government for any types of unconstitutional hegemony on PRSPs plan that affecting them from choosing their own preference for solution of community based disputes.

Recommendations

The followings should get consideration of the duty-bearer while considering for development programmes as means to poverty eradication:

- Participation is key element to ensure accountability of government, donor and non-state actors for every undertaking. It is literally impossible due to lack of their education, access to information and political hegemony unless the duty-bearer create for them favourable conditions for that very purpose. So, community based civil society should get access to negotiate with the state and donor on behalf of poor.
- Equality of men and women is key factor for annihilating discrimination in society is necessary in term of ownership of land.

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- Setting targets, benchmarks and priority basis steps are another strong strategy for poverty reduction are preconditions of development project for poverty end.
- Disadvantaged peoples' participation (especially poor, aboriginal people irrespective of place of birth, language, political ideology) in policy choice and the implementation thereof with monitoring and assessment are necessary to PRSPs. That is to say, effective participation requires more than the practice of electoral democracy. Here, specific mechanism and institutional arrangement are needed. This can be achieved by enabling poor by giving education facilities and ensuring capability building activities.
- Monitoring of implementation process and accountability of duty bearer is inevitable for reduction of abuse of process. Such accountability can be justified either by judicial process i.e. judicial review, quasi-judicial process i.e. ombudsman and international human rights treaty body, or administrative process i.e. preparation, publication and scrutiny of human rights impact process, and political process i.e. parliamentary process. So, the access to all of the options should be more practical and justified for poor.

However, human rights strategy for poverty eradication shall be started with identifying poor and enacting national laws for safeguarding at least minimum level of interest of marginal people by the inclusion therein human rights provisions whereby equal treatment of poor in every sectors of national life and their right to education, right to non-discrimination, right to information, right to get facilities and opportunities free from corruption, and facilities to participation in decision making and policy formulation shall be ensured.

Conclusion

The index of intensity of poverty can be ensured by the implementation of HRBAs in PRSPs. Some of the ESCRs are intrinsically involved with poverty reductions factors and non-fulfilment of which results poverty. However, principles of accountability, empowerment, participation and equality and non-discrimination encompass, something more than human HRBAs. That is to say, those aspects of poverty have been entangled by these principles which might not have been covered by HRBAs. To sum up, Mr Sen's perception on capability approach is an ideal one especially for developing countries though his views have been following in worldwide including developed countries. World's Banks sights have given priority of income earning than of capability approach and basic needs. Besides, being all human rights has correlations and all are centred on human development, therefore, proper implementation thereof would relieve the State from failure of its duties to respect, protect and fulfil.

The OHCHR mandates, moreover, for HRBAs in its guiding principles and established inter-connections among right to poverty alleviation, right to adequate housing, right to health and adequate food, right to education, right to personal security and privacy, and right to political freedom which are unavoidable for integrating human rights standards for poverty reduction. Therefore, poverty alleviation idea catches development projects by the human rights laws mechanism which demands for enhancement of minimum income of concerned, development of capability of marginal people, empowerment of disadvantaged sections in society, accountability of administrator and administered on-discrimination in national life, and favourable conditions for peaceful enjoyment of human rights.

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