

SDG 1: NO POVERTY



A LEGAL GUIDE

This Legal Guide to the Sustainable Development Goals (SDGs) is published by Advocates for International Development (A4ID).

Disclaimer

The information contained within this guide is correct at the date of publication.

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About A4ID

Advocates for International Development (A4ID) is a charity dedicated to the global eradication of poverty through meaningful pro bono engagement with the UN Sustainable Development Agenda. Founded in 2006, A4ID facilitates partnerships based on pro bono legal services and on the ground development expertise. A4ID ensures the world's leading legal minds are able to offer high-quality, free legal support to NGOs, social enterprises, community-based organisations, and developing country governments working to advance human dignity, equality, and justice. A4ID also has a policy, research, and learning hub, using its wide network of legal and development expertise to contribute to and publish resources, courses, and events that explore how the law can be used to help achieve the SDGs.



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Foreword



The SDG Legal Initiative

There are now less than ten years left to realise the achievement of the UN Sustainable Development Goals (SDGs). Aware of the challenge, Advocates for International Development (A4ID) has been continuing its innovative work towards meeting these targets by harnessing the power of the law and the work of lawyers. A4ID's SDG Legal Initiative has been developed because it is now more important than ever that the global legal community comes together to use their skills to advance positive global change.

The SDG Legal Initiative is a call to action to the global legal profession to work towards the achievement of the SDG Agenda and we have until 2030 to do so. By sharing knowledge and providing opportunities to take practical action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity, A4ID will continue its work with the legal sector to enhance this impact. The SDG Legal Initiative aims to create communities of practice, and to amplify the role of the legal sector in achieving the SDGs.

Legal Guide to the SDGs

As part of its SDG Legal Initiative, A4ID has developed the world's first Legal Guide to the SDGs. The Legal Guide has been developed as a unique resource, providing a foundational analysis of the role that law can and should play in the achievement of the SDGs. Developed in collaboration with lawyers, academics, and development practitioners, the Guide is made up of 17 distinct chapters, each focused on one of the 17 goals. Each chapter provides an overview of the relevant regional, national, and international legal frameworks, highlighting how the law can be applied to promote the implementation of the SDGs. The Guide also offers key insights into the legal challenges and opportunities that lawyers may encounter, presenting clear examples of the actions that lawyers can take to help achieve each goal.

Role of Law in Eradicating Poverty

Poverty is closely intertwined with the global challenges of our time. It has complex causal links to issues as wide-ranging as: natural disasters and climate resilience, epidemic diseases, war and political instability, national debt burdens, the adverse legacy of colonialism, exploitative economic arrangements, weak administrative and social systems, and discrimination and social exclusion.

The eradication of poverty is therefore widely recognised as both the first and core goal underpinning the SDG Agenda. In order to succeed, SDG 1 requires the full gamut of the other 16 SDGs to be achieved. This means (inter alia) safeguarding that all people around the world are treated fairly and without discrimination (SDGs 5 and 10); that they can access clean water (SDG 6), healthcare (SDG 3) and education (SDG 4); and

that they do not go hungry (SDG 2). In essence, it involves the recognition of and accountability towards, persons at all levels of society.

For this reason, rule of law is fundamental for poverty alleviation. It levels the playing field by ensuring legal accountability from the State to its citizens; maintaining legal protections and access to basic services; safeguarding that legal representation is available irrespective of social status or disposable income; and upholding the core tenet that all persons should be treated equally.

This is because the multifaceted nature of SDG 1 goes beyond matters of finance, extending to the civil liberties and human rights of citizens around the world: it is about deprivation of access, not just of money and wealth, but of basic public services.

Today, 10% of the global population are struggling with extreme poverty.¹ Cycles of poverty, instability and conflict have magnified in recent years as the ongoing polycrisis exacerbates downward spirals for the most vulnerable and marginalised communities. The implications

of these trends are far reaching – not only for the individuals and communities affected – but for nation states and the international community as a whole.

As professionals well-versed in the rule of law, access to justice and human rights – trained to navigate complex real-world challenges and mediate between public and private interests – there is a clear role for lawyers to play in the eradication of poverty and the SDG Agenda’s central transformative promise: **to leave no one behind.**

“For a quarter of a century, economies across the world whittled down poverty... the world came closer than ever to extinguishing extreme poverty altogether... Then, after 2020, starting with the COVID-19 pandemic, a major reversal began.” – Pathways out of the Polycrisis Report (2024)

Yasmin Batliwala MBE

Chief Executive



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The Sustainable Development Goals

The UN Sustainable Development Goals (SDGs) are a universal call to action to end poverty, protect the planet, and ensure that all people can enjoy peace and prosperity.

Also known as the Agenda 2030, the SDGs were agreed in 2015 by the UN General Assembly (Resolution 70/1). They were adopted by all UN Member States, and 2030 was set as the deadline for achieving them.

Compared to the Millennium Development Goals (MDGs),



which they succeed, the SDGs cover more ground, with wider ambitions to address inequalities, climate change, economic growth, decent jobs, cities, industrialization, oceans, ecosystems, energy, sustainable consumption and production, peace, and justice. The SDGs are also universal, applying to all countries, whereas the MDGs had only been intended for action in developing countries.

The 17 interdependent goals are broken down into 169 targets. At the global level, progress is monitored and reviewed using a set of 232 indicators. The Addis Ababa Action Agenda provides concrete policies and actions to further support the implementation of the 2030 Agenda. Each year, the UN Secretary General also publishes a report documenting progress towards the targets. In addition, the annual meetings of the High-level Political Forum on Sustainable Development (HLPF) continues to play a central role in reviewing global progress towards the SDGs.

At the national level, even though the SDGs are not legally binding, governments are expected to implement country-led sustainable development strategies, including resource mobilisation and financing strategies, and to develop their own national indicators to assist in monitoring progress made on the goals and targets.

SDG 17 stresses the importance of multi-stakeholder partnerships to achieve the goals. The mobilisation of governments, local authorities, civil society, and the private sector is needed to achieve this aim. Today, progress is being made in many places, but, overall, action to meet the SDGs is not yet advancing at the speed or scale required. This decade must therefore deliver rapid and ambitious action to meet the SDGs by 2030.

Key terms

SDG 1: End poverty in all its forms everywhere

In the context of SDG 1, the following terms mean:

‘Poverty’: There is no single definition of poverty. The definition most commonly used by international and national organisations identifies a ‘poverty line’ according to a level of income. In the context of SDG 1, ‘extreme poverty’ refers to people living below the international poverty line (now established at \$3.00 a day), whereas ‘poverty in all its forms’ refers to the national poverty lines defined by each State.

However, poverty is a ‘multidimensional phenomenon’ that includes many more aspects than a lack of sufficient income. As a concept intrinsically linked to welfare, a monetary approach, on its own, cannot reflect the true depth and complexity of poverty. Rather alternative ways for measuring welfare, such as access to basic needs (e.g. food, water, and shelter), the opportunity to increase one’s capabilities (e.g. through access to education), and enjoyment of core human

rights,² may be better suited to understanding levels of poverty and their associated impacts.

As such, in 1995, the United Nations (UN) differentiated its definitions of poverty:

- Absolute poverty was defined as “a condition characterised by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information. It depends not only on income, but also on access to services.”
- Meanwhile, overall poverty was defined as taking various forms including “lack of income and resources to ensure a sustainable livelihood, hunger and malnutrition, lack of access to education, inadequate housing, unsafe environments, as well as social discrimination and exclusion.”³



Overview of the targets

Between 2000 and 2015, the UN sought to advance a set of eight Millennium Development Goals (MDGs), including MDG 1 ‘to eradicate extreme poverty and hunger’. According to the UN, this 15-year period saw the fastest poverty reduction in human history. Globally, the number of people living in extreme poverty (i.e., below the World Bank poverty line of then US\$1.25 per day) decreased from 1.9 billion to 836 million, a reduction of more than 50%.⁴ The MDG target of halving the proportion of people living in extreme poverty was thus met in 2010, 5 years ahead of the 2015 deadline.

However, scholars have since disputed this narrative, arguing that the MDGs grossly understated the true extent of global poverty. Rather, it is suggested that any substantial progress made against poverty had little to do with the MDGs.⁵ Indeed, the situation differed considerably from one region to another. As a result of economic growth in China alone, the extreme poverty rate in Eastern Asia dropped from 61% in 1990 to 4% in 2015. In contrast, sub-Saharan Africa did not meet its poverty target and, in 2015, more than 40% of its population still lived in extreme poverty (down from 57% in 1990).⁶ In addition, factors arising during this period, including international conflicts, civil wars, corruption, and lack of political will, were noted to form significant barriers to progress. As such, the achievement of the MDGs was still incomplete in 2015.

The SDGs, a blueprint for universal action on sustainable development and the successor to the MDGs, therefore retains the challenge of poverty at the core of its ambitions.⁷ Since its adoption, initial progress proved hopeful as extreme poverty fell from 740 million (2015) to 656 million (2018).⁸ However, the effects of the COVID-19 pandemic have since reversed these trends as global rates rose from 2019 to 2020; the first time since 1998. The pandemic and its aftermath consequently pushed tens of millions of people back into poverty while

contributing to rising costs of living in many countries across the world. In 2025, the international poverty line was reassessed from \$1.90 per day to \$3.00 per day, reflecting higher costs of living. However, this figure, calculated through an economic lens of income and consumption, is determined on the basis of absolute monetary poverty by the standards of the world’s poorest countries – as such, it is vital to note that living conditions well above this threshold could still be characterised by poverty and hardship.

With this in mind, SDG 1 focuses on ending poverty through interconnected strategies beyond income, looking to the promotion of social protection systems, decent employment, and increased resilience to environmental, economic, and social shocks.





By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.90 a day.

The 'international poverty line' is defined as \$3.00 per day, updated in 2025. This threshold is measured in 'international dollars', which are a hypothetical currency that adjusts for price differences between countries.⁹

Both the proportion and the number of people living in extreme poverty decreased between 2000 and 2018,¹⁰ however, this trend has since reversed following the

COVID-19 pandemic.

As of 2025, it is now estimated that almost 10% of the global population (808 million people) are living in extreme poverty, making it "highly unlikely" that target 1.1's ambitions to eradicate extreme poverty will be achieved by 2030.¹¹

In order to improve the situation, pathways have been mapped to support countries at all levels of economic development towards prosperity and poverty reduction, with a key emphasis on: 1). delivering faster and more inclusive growth, and 2). protecting people from climate-related shocks.¹²



By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.

While target 1.1 focuses on the eradication of extreme poverty on a global scale, target 1.2 calls for a reduction by half of the proportion of people living in poverty in each country according to its own national definition. Accordingly, whereas extreme poverty is concentrated in developing countries, relative poverty concerns all countries in the world, including the richest.

In 2021/2022 for example, 14.4 million people in the UK – over one in five of the population – were in relative poverty once housing costs were accounted for.¹³ In roughly the same period, in 2022, 95.3 million people in the European Union lived in households at risk of poverty or social exclusion, equivalent to 21.6% of the entire population.¹⁴

Similar difficulties post-COVID also emerged for these

regions. For example, the official poverty rate for the US rose by approximately 1% from 2019, sitting at 11.4% of the total population and marking the first rise in five years.¹⁵ While the situation has since improved, with national poverty rates projected to decline in all regions around the world by 2030, only 20% of countries worldwide are expected to meet this target.¹⁶





Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.

This target recognises the fundamental role social protection systems play in protecting the most vulnerable and reducing poverty and inequality. The term ‘floor’ directly refers to the national floors of social protection championed by the International Labour Organization (ILO) through its Recommendation No. 202,¹⁷ whilst the term ‘nationally appropriate’ encourages every nation to improve its protection of the poor, regardless of their state of economic development.

Richer nations that already provide health and welfare support for their citizens are therefore encouraged to review their systems and address any shortcomings. For less wealthy nations, which have a higher percentage of people who are poor and vulnerable, a minimum standard to ensure all those in need have access to essential healthcare and basic income security is expected.

Given the events of COVID-19 however, it is clear that for all nations (no matter their wealth), investing in strong social protection schemes is essential for mitigating the effects of economic crises and supporting recovery efforts. Indeed, the significant rise in cash transfer programmes over the pandemic demonstrates strong consensus amongst governments of this notion, with 962 new programmes implemented across 203 countries and territories. These schemes allowed for emergency access to financial support and were bolstered by improvements to existing measures that expanded beneficiary access and the level of benefits available.¹⁸

More generally, approximately 1,900 new social protection measures were announced during the pandemic, including

those specifically targeted towards vulnerable groups and healthcare, as well as income security. However, 92% of these measures were only set on a short-term basis and it remains the case that large pockets of the labour force, in particular those in informal employment, remained outside the scope of access. This, coupled with a lack of unemployment protection schemes in many parts of the world, left 56.9% of the global labour force without protections against job loss in 2020.¹⁹

However, it is not only due to large scale crises such as the pandemic that the importance of social protection measures arise, but in light of the normal state of affairs in global trends. For example, population ageing has seen consumption and production patterns change globally, and generated fresh concerns over labour disparities as older people face challenges of inequality and are more likely to live in poor households.²⁰ At the other end of the spectrum, recent UN calls have also been voiced for better social protection measures for children.²¹

Encouragingly, 2023 marked the first time that more than half of the world’s population was covered by at least one social protection benefit, however this progress was concentrated to high-income and upper-middle-income countries only, with negligible progress made for populations living in low-income countries.²²

“A world without poverty will require urgent actions to raise social protection coverage in developing nations, close spending gaps on essential services and target resources to the most vulnerable populations.” – UN SDG Report 2025



By 2030, ensure that all men and women, particularly the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership, and control over land and other forms of property, inheritance, natural resources, appropriate new technology, and financial services including microfinance.

Ensuring that everyone in the world has equal access to economic resources is a particularly ambitious objective and once again highlights the multidimensional aspect of poverty as its links with other SDGs.

Progress against this target however, particularly in gauging access to economic resources at a local context, is notoriously complex to assess. Two indicators have been chosen by the UN in this regard. The first is the proportion of the population living in households with access to basic services. According to the latest data available from the World Bank, in 2022, approximately 73% of the world population had access to

safely managed drinking water services, 91.3% to electricity, 56.6% to safely managed sanitation facilities, and 73.7% to clean cooking fuels and technologies. However, these averages hide important regional disparities. For instance, only 51.6% of the population in sub-Saharan Africa has access to electricity, and only 22.2% have access to clean cooking fuels and technologies.²³

The second indicator is the proportion of the population with tenure rights to land, legally recognised documentation, and who perceive their rights as secure. Promisingly, recent findings illustrate that across 85 countries assessed, two thirds of people believe they have secure tenure rights to land. However, less than half of these populations possess official documentation for said land; with this figure dropping as low as 15% for those in sub-Saharan Africa. While informal tenure arrangements and customary land practices offer a sense of security therefore, an ongoing lack of formal documentation precludes individuals from accessing mortgage-based finance or legal recourse in cases of dispute.²⁴



By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters.

Biological hazards including COVID-19, along with other hazards such as hurricanes, floods, earthquakes, and wildfires, worsen poverty conditions, setting many parts of the global population back – with the repercussions often left unaddressed for some time. Building the resilience of the poor and strengthening disaster risk reduction are key strategies for ending extreme poverty in the most afflicted countries.

Of particular relevance to this target, is the Sendai Framework for Disaster Reduction, a 15-year strategy which outlines four priorities to prevent and reduce disaster risks. The framework highlights the role of both national and local governments, private sector stakeholders and others to understand, strengthen and invest in disaster risk reduction as well as enhancing preparedness for effective response, and in ‘Building Back Better’, following disaster scenarios.

The Sendai Framework Monitor identifies a total of 417,300 deaths and missing persons attributed to disasters of all kinds taking place between 2015-2024 in 167 reporting countries. 851,000 instances of damage and destruction to critical infrastructure was also attributed to these disasters, alongside economic losses of more than \$1 trillion.²⁵

The impacts of the COVID-19 pandemic coupled with the Sendai Framework having reached its mid-point year, have led to greater calls from the UN for disaster risk reduction strategies to be built in consultation with affected communities, using local knowledge and improved communication to create systems that “work with, not against, the way human minds make decisions.”²⁶ Similar calls have also been voiced for a reframing of risk matrices to reflect economic, planetary, and

societal health, with existing metrics criticised as being overly myopic and unable to account for the transversal nature of today’s disasters.

Thankfully however, the number of countries adopting national disaster-risk reduction strategies has increased in recent years, rising from 55 in 2015 to 137 by 2025.²⁷

TARGET 1.A



Ensure significant mobilization of resources from a variety of sources, including through enhanced development cooperation, in order to provide adequate and predictable means for developing countries, in particular

least developed countries, to implement programmes and policies to end poverty in all its dimensions.

Domestic resource mobilisation towards poverty reduction has improved across all economies in recent years, with government spending on essential services averaging between 46-60% of total expenditures.²⁸ However, disparities

remain between advanced economies as compared with emerging market and developing economies.

It is no surprise then, that the role of official development assistance (ODA) is integral, providing useful resources for less wealthy nations to invest in poverty-reduction measures, including meeting social protection floors. However, following a peak in 2020, ODA to developing countries has steadily fallen. Through a combination of geopolitical tensions and recent announcements from donor countries of expected cuts to aid budgets, it is predicted that 2025 could witness a drop of 20% in ODA.²⁹

TARGET 1.B



Create sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions.

Pro-poor public social spending is defined as “the proportion of government spending benefiting the bottom 20 per cent of the income distribution in education, health and direct transfers.”³⁰

By doing so, these frameworks ensure that basic human rights

are afforded to all citizens even if they cannot afford them directly.

The target, introduced in 2020, measures benefit or fiscal incidence analyses, looking at the level of benefits received from different public services on an individual or household basis. In doing so, the distribution of public social spending can also be held to account from a gender-based perspective.

From the period 2009-2022, pro-poor public spending in 133 countries has ranged from 10-39% only.³¹

Key actions lawyers can take

The final section of this chapter provides more details on how the international legal community can engage in efforts to achieve SDG 1. However, the following short

summary describes some of the key actions lawyers can take to contribute to the sustainable development agenda to eradicate poverty globally.

Learn and educate

Lawyers can enhance their understanding of poverty and the SDG 1 indicators by accessing substantial research and analysis that is available. Important resources include the UN's SDG Knowledge Platform and World Bank's resources, amongst others. Since poverty is a multifaceted concept,

these resources can help lawyers to learn more about other concepts that affect and are affected by poverty, including, access to justice, human rights, and the role of the private sector.

Integrate

Given the nature of law firms as business enterprises, one way to integrate SDG 1 within legal practice is through a firm's Corporate Social Responsibility (CSR) credentials and by aligning the organisation's CSR impact within the framework of the SDG Agenda. Law firms can also integrate

the UN Guiding Principles on Business and Human Rights with their practice to address any adverse impacts that their own business or clients' businesses can have on human rights.

Act

By aligning their work with the SDGs, lawyers can be confident that they are taking practical steps towards a comprehensive and inclusive roadmap for sustainable development. Developing a pro bono strategy with clearly identified goals enables firms to assess the effectiveness of pro bono work over time and therefore increase its impact.

Lawyers can also use their voice to condemn laws and policies that contribute to poverty and marginalise those without access to financial support. Through public interest litigation, reform advocacy, and legal aid initiatives, the legal community can influence law and policies to reduce poverty and ultimately facilitate the realisation of SDG 1.

Elements of the international legal framework

The elimination of poverty plays a crucial role in a variety of international legal frameworks; underpinning wider aspirations for human rights and equality, in much the same way that SDG 1 underpins the entire SDG framework.

The below highlights key elements of the international legal framework that have a bearing on SDG 1's aspirations for eradicating poverty in all its forms.

“Poverty is not only about income poverty, it is about the deprivation of economic and social rights, insecurity, discrimination, exclusion and powerlessness.” – Irene Khan

Universal Declaration of Human Rights

Adopted by the UN General Assembly: 10 December 1948

The Universal Declaration of Human Rights (UDHR) is a landmark framework in the articulation and advancement of fundamental human rights and freedoms. In thirty articles, the UDHR sets forth a series of civil, political, economic, social, and cultural rights. Although it was not intended to create legally binding obligations, the UDHR presents a common standard of achievement that is widely regarded as customary international law. Moreover, many of its provisions were later

adopted in binding international human rights instruments.

Among the rights recognised under the UDHR, those that are particularly relevant to the eradication of poverty include: the right to life (Article 3); the right to own property (Article 17); the right to social security (Article 22); the right to work, including in just and favourable conditions and with equal pay for equal work (Article 23); and the right to a standard of living adequate for the health and well-being of oneself and one's family (Article 25).

International Covenant on Economic, Social and Cultural Rights

Adopted by the UN General Assembly: 16 December 1966

Entered into force: 3 January 1976

Status of ratification (as of October 2025): 173 Parties

The International Covenant on Economic, Social and Cultural Rights (ICESCR), drawing on the UDHR, is legally binding for many states. The Covenant creates a wide consensus

on economic, social, and cultural human rights, and thus encourages social progress in support of all persons.

Article 2 of the ICESCR reflects a ‘progressive realisation principle’ imposing a duty on all parties to “take steps... to the maximum of its available resources, with a view to achieving progressively the full realisation of the rights recognised in the present Covenant by all appropriate means.”

Of particular relevance to SDG 1 is the recognition of the following universal rights: the right to social security (Article 9); the right to an adequate standard of living, including adequate food, clothing and housing, and to the continuous improvement of living conditions (Article 11); the right to enjoyment of the highest attainable standard of physical and mental health (Article 12); and the right to education (Article 13).

The legal framework set forth by the ICESCR contributes directly to advancing living standards and alleviating poverty. In 2009, an Optional Protocol to the Covenant was adopted, giving the Committee on Economic, Social and Cultural Rights the ability to receive and consider individual communications from persons claiming to have had their rights under the Covenant violated.

International Convention on the Elimination of All Forms of Racial Discrimination

Adopted by the UN General Assembly: 21 December 1965

Entered into force: 4 January 1969

Status of ratification (as of October 2025): 182 Parties

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) seeks to ensure that human beings enjoy civil, political, economic, and social rights without any distinction of race, colour, or national and ethnic origin. The ICERD requires states not only to prohibit, but also to eliminate racial discrimination in all its forms in order to guarantee individual rights. The Committee on the Elimination

of Racial Discrimination monitors the work of states towards fulfilling their obligations under the Convention. Periodic reports are submitted to the Committee by state parties. In addition, there are processes for state-to-state complaints, as well as for individual complaints in the event that ICERD rights are violated by a state party.³²

Of particular relevance to SDG 1 is Article 5 of the ICERD, which sets out rights that, if not fulfilled, contribute to the poverty of those discriminated against. Such provisions include the rights to own and inherit property, to work for just and favourable remuneration, as well as the rights to social security and social services, housing, medical care, and education and training.

Convention on the Elimination of All Forms of Discrimination against Women

Adopted by the UN General Assembly: 18 December 1979

Entered into force: 3 September 1981

Status of ratification (as of October 2025): 189 Parties

The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) defines what constitutes discrimination against women and sets forth an agenda to eliminate it. Among the states that have not signed or ratified the CEDAW are Iran, Somalia, Sudan, and the United States. That said, even for other states that have ratified

the Convention, reservations against certain articles and in some cases general reservations against all aspects of the Convention, have been entered into.³³

Discrimination against women hinders the eradication of extreme poverty. As such, it is of direct relevance to SDG 1. In combating such discrimination, CEDAW sets out a specific agenda for equality. State parties are required to take every appropriate measure to end all forms of discrimination against women in the fields of education (Article 10), employment (Article 11), and healthcare (Article 12). In addition, Parties

must address discrimination against women in economic and social life (Article 13), including a provision focusing on the challenges facing rural women (Article 14). More broadly, it should be noted that links are drawn between women's legal rights and their economic participation and empowerment, making CEDAW even more relevant in the context of SDG 1.

As with some other human rights instruments, a Committee

Convention on the Rights of the Child

Adopted: 20 November 1989

Entered into force: 2 September 1990

Status of ratification (as of October 2025): 196 Parties

The UN Convention on the Rights of the Child (CRC) is a human rights treaty which sets out the civil, political, economic, social, and cultural rights of children. The Convention defines a child as “any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation.” The CRC is the most widely ratified international human rights treaty. Notably however, the United States is the only United Nations member state that has signed, but not ratified, this Convention.

Various provisions of the CRC demonstrate its relevance to SDG 1. Article 24 recognises the right of every child to the enjoyment of the highest attainable standard of health, while Article 26 affirms the right of every child to benefit from social security and Article 27 recognises a minimum standard of living adequate for the child's physical, mental, spiritual, moral, and social development.

Article 28, which recognises the child's right to education, obliges states to make primary education free to all, and to ensure that higher education is accessible to all. Access to

is in place to monitor compliance with the Convention,³⁴ and states are required to submit reports regarding their efforts under CEDAW. In 2009, the Optional Protocol to the Conventions was adopted, under which a complaints mechanism was established. This allows the Committee to receive communications from individuals concerning alleged violations of their CEDAW rights by a state party.



education and other basic services, including healthcare, are crucial to the eradication of poverty as the next generation becomes empowered to meet its own needs and to contribute to society.

Compliance against the CRC is monitored by the UN Committee on the Rights of the Child.³⁵ States submit reports on measures taken towards the realisation of children's rights, including policy reforms and national legislation. Based on a review of the reports, the Committee then makes recommendations as relevant. Following the adoption of the Optional Protocol in 2011, the Committee is also able to receive individual complaints against state parties which may be in violation of an individual's rights under their treaty obligations.

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

Adopted by the UN General Assembly: 18 December 1990

Entered into force: 1 July 2003

Status of ratification (as of October 2025): 60 Parties

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) is a UN treaty which governs the protection of migrant workers and families. The CMW aims to prevent and end the exploitation of documented and undocumented migrants.

Compared to the other UN human rights instruments, this Convention achieved a much lower rate of ratification. Moreover, most of the ratifying states are in Africa and Latin America, regions where migrants traditionally come from, but, thus far, none of the European states, the US, Australia or Canada has signed or ratified the Convention.

In protecting migrant workers against poverty, the CMW ensures the right to enjoy equal treatment with nationals

of the host state with respect to employment (Article 25), social security (Article 27), emergency medical care (Article 28), and access to educational institutions and other services (Article 43). The CMW further guarantees to each child of a migrant worker the right to nationality (Article 29) and access to education (Article 30). Again, social integration, as well as access to education and other basic services, are recognised for their direct contributions to the elimination of poverty.

The Committee on Migrant Workers monitors the CMW. All parties are requested to hand in reports on the actions they have taken to give effect to the provisions of the Convention. Through general comments and observations, the Committee provides recommendations to states on how to meet their obligations under the Convention and better respect the rights of migrant workers and their families. The individual complaints mechanism under this Convention is yet to enter into force.

Convention on the Rights of Persons with Disabilities

Adopted: 13 December 2006

Entered into force: 3 May 2008

Status of ratification (as of October 2025): 193 Parties

The Convention on the Rights of Persons with Disabilities (CRPD) is a UN treaty intended to promote and protect the full and equal enjoyment of all human rights and fundamental freedoms by persons with disabilities.³⁶

Article 24 of the CPRD requires states not only to recognise the right of persons with disabilities to education without discrimination, but also requires them to put in place an inclusive education system to facilitate access to education at all levels and for a lifelong period. Article 28 is important for the achievement of eradicating poverty under SDG 1, as it recognises the rights of persons with disabilities to an adequate standard of living for themselves and their families, to social protection and poverty reduction programmes, and to assistance from the State with disability-related expenses.

Disability is both a cause and a consequence of poverty. On one hand, people with disabilities have fewer opportunities for education as schools may not cater for their needs. Likewise, they may have difficulty securing work due to discrimination or because employers do not make workplaces accessible enough. People with disabilities also face significant health related expenses that reduce their incomes and have a higher cost of living as compared to those without disabilities. On the other hand, poverty limits access to healthcare and preventive services. It also increases the likelihood that a person may contract infectious diseases and injuries, that can result in a disability. Poor people with

disabilities are among the most marginalised people in society. The UN Department of Economic and Social Affairs further notes that *"in almost all countries, the percentage of persons experiencing multidimensional poverty is higher for persons with disabilities than persons without disabilities – in some countries that percentage is more than double."*³⁷

The Convention's Special Committee monitors state compliance with obligations by reviewing reports submitted by states and making general comments and recommendations. It also considers individual complaints under the Optional Protocol.

International Labour Organization (ILO) Conventions

The main aims of the ILO are to promote rights at work, encourage decent employment opportunities, enhance social protection, and strengthen dialogue on work-related issues. These are crucial to advancing the entire sustainable development agenda. The role of decent work has been recognised through the adoption of SDG 8 on Decent Work and Economic Growth, but decent work is also a driver to achieve other goals, especially eradicating poverty, since the most important asset for people living in poverty is the potential of their own labour.³⁸

The ILO's Governing Body has identified eight conventions as 'fundamental,' commonly known as the Core Labour Standards. These Standards cover:

- Freedom of association and the effective recognition of the right to collective bargaining (Conventions 87 and 98);
- The elimination of all forms of forced or compulsory labour (Conventions 29 and 105);

- The effective abolition of child labour (Conventions 138 and 182); and
- The elimination of discrimination in respect of employment and occupation (Conventions 100 and 111).

In addition, with indigenous peoples among the poorest and most marginalised groups – representing 6.2% of the world population but 18.2% of the world's extreme poor³⁹, the ILO Convention No. 169 looks to the protection of Indigenous and Tribal Peoples in areas including land rights, working conditions, education, social security, and health.⁴⁰ Ratified by 24 states, essentially Latin American countries, the Convention has played a significant role in facilitating the development of laws, policies, and programmes aimed at promoting and securing the rights of indigenous and tribal peoples in these countries, including measures regarding land rights.

Other ILO Conventions of relevance of SDG 1 include Convention No. 102, which sets minimum standards for social

security benefits and the conditions for them to be granted (particularly relevant to SDG 1.3). Convention 102 covers the nine principal branches of social security: medical care, sickness, unemployment, old age, employment injury, family, maternity, invalidity, and survivor's benefits.⁴¹ However, the Convention only requires three of these branches to be ratified by Member States, allowing them to extend social security step-by-step based on their socio-economic level. To this date, 68 ILO Member States have ratified this convention.

In enforcing the above, Article 26 of the ILO Constitution set up a complaint mechanism against a State for not complying with any ratified convention. Upon receipt of a complaint, the Governing Body of the ILO may form a Commission of Inquiry, responsible for investigating the complaint and issuing a report that recommends measures to be taken to address any failures raised.

Soft law and declarations

Declaration on the Right to Development (1986)

The Declaration on the Right to Development, adopted by the UN General Assembly in 1986, is often construed as advancing both individual rights and the collective right of peoples.

The Declaration proclaims the right to development to be: “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 realised.”⁴²

Notwithstanding political and theoretical debates, the UN has aimed to mainstream the right into its policies and operational activities. Key themes include the importance of integrating a human rights-based approach to the process of development, as well as the role of duty-bearers such as governments, international organisations and transnational corporations, to cooperate and to formulate international and national policies to realise the right to development.

In addition to effective international cooperation, Article 8 of the Declaration urges states to undertake all necessary measures at the national level to ensure “equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment, and the fair distribution of income.” Thus, the promotion of the Right to Development can provide further impetus for the elimination of poverty.

The Right to Development is explicitly recognised within the context of the SDGs as noted by paragraph 10 of the UN resolution that adopted the Sustainable Development Agenda.

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)

This Declaration, adopted by the UN General Assembly in 1992, seeks to promote and protect the rights of persons belonging to national or ethnic, religious, and linguistic minorities.⁴³

Article 4, paragraph 5, declares that “States should consider appropriate measures so that persons belonging to

minorities may participate fully in the economic progress and development in their country.” By seeking to prevent social discrimination and exclusion, and by encouraging the full participation of minorities in economic life, the Declaration contributes to the alleviation of poverty by overcoming inequalities.

The United Nations Declaration on the Rights of Indigenous Peoples (2007)

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted in 2007 after two decades of negotiation, aims to protect and promote the inherent rights of indigenous people on an equal basis and without discrimination.⁴⁴

The UNDRIP provides a universal framework guaranteeing a minimum standard of well-being for indigenous people around the world. In seeking the alleviation of poverty within indigenous communities, it emphasises their right of access to education under Article 14(2), and the right to enjoyment of all domestic and international labour law under Article 17(1). Meanwhile, Article 21(1) includes the right to maintain, develop and improve the economic and social conditions of indigenous peoples, notably in education and employment, whilst Article 26 reiterates the ownership rights to lands, territories and resources that have traditionally belonged to indigenous communities. This is supplemented by Article 8(2), which calls upon states to provide effective protection against any action aimed at stripping indigenous people of their land.

Although the Declaration was adopted by a large majority of States, four countries initially voted against the Declaration

– Australia, Canada, New Zealand and the United States. Since then however, all four countries have endorsed the Declaration, with proposed amendments to existing legislation or by introducing new laws. However adoption of the Declaration’s provisions is still ongoing, with each country in a different phase of implementation.⁴⁵



ILO Recommendation 202 on Social Protection Floors (2012)

Recommendations of the ILO serve as non-binding guidelines for member states, contrary to ILO Conventions which are legally binding for ratifying nations.

Complementing the Convention 102 on Social Security, the Recommendation 202 provides guidance to member states for extending social security coverage by prioritising the

creation of national floors of social protection, accessible to all in need.⁴⁶ The Recommendation seeks rapid implementation of basic social security guarantees, ensuring universal access to essential healthcare and income security at a nationally defined minimum level. These guarantees should ensure, over a person's life cycle, access to essential healthcare and basic income security, in line with SDG target 1.3.

The Global Alliance Against Poverty and Hunger (2024)

This multilateral treaty-based initiative was adopted at the 2024 G20 Leaders' Summit in Rio de Janeiro. Proposed by the Brazilian presidency, the alliance is a global declaration among 105 countries to support and accelerate efforts to eradicate hunger and poverty under SDGs 1 and 2, while reducing inequalities under SDG 10.

The alliance has also attracted support from a further 96 organisations including: international organisations (such as the African Union Development Agency and World Health Organisation); global foundations (such as the Bill & Melinda Gates Foundation and International Chamber of Commerce); and International Financial Institutions (such as the Asian Development Bank and World Bank Group).

The alliance seeks to further the ambitions of SDG 1 by facilitating collective action and knowledge sharing; pooling public and private financial resources; building policy implementation partnerships and promoting a 'Policy Basket' of rigorously evaluated public policies towards high-impact outcomes. It does so under three key pillars: 1). a national policy pillar, 2). a knowledge sharing pillar, and 3). a financial mobilization pillar.⁴⁷



Regional legal and policy frameworks

African Union

African Charter on Human and Peoples' Rights (1981)

In 1981, the Organisation of African Unity, now referred to as the African Union (AU), adopted the African Charter on Human and Peoples' Rights, which entered into force in October 1986.⁴⁸ Encompassing civil, political, economic, social, and cultural rights, the Charter's implementation is overseen by the African Commission on Human and Peoples' Rights.

The African Charter is unique in that it contains all civil, political, economic, social, and cultural rights in one instrument, emphasising the indivisibility of human rights. It is also the only legally binding regional human rights instrument to recognise an explicit human right to

development under Article 22.

The Charter sets out a list of rights, such as the right to property (Article 14), the right to work (Article 15), and the right to education (Article 17), which contribute directly to the eradication of poverty.

“To deny people their human rights is to challenge their very humanity.” - Nelson Mandela

Association of South East Asian Nations (ASEAN)

The ASEAN Human Rights Declaration (2012)

With the Universal Declaration of Human Rights as a reference point, in 2012 the Association of Southeast Asian Nations (ASEAN) adopted its own primary human rights declaration. This embodies the commitment of all ten ASEAN governments to safeguard human rights and fundamental freedoms of their 600 million citizens. However, the Declaration has been criticised by ASEAN civil society organisations and prominent international NGOs for falling

short of international human rights standards.⁴⁹

Article 36 commits member states to adopt “meaningful people-oriented and gender responsive development programmes aimed at poverty alleviation.” Article 39 also requires member states to promote and protect these fundamental human rights and freedoms through collaborative and cooperative actions.

Council of Europe

European Social Charter (1961) and Revised Social Charter (1996)

As a counterpart to the European Convention on Human Rights, the European Social Charter guarantees social and economic rights without discrimination by focusing on employment (Articles 1 to 4), housing (Article 31), health (Articles 11 and 13), education and social protection (Articles 15, 17, 19 and 23), and welfare (Articles 12 and 14).⁵⁰

Considered as one of the most central charters for the protection of social rights, the Charter is ratified by 42 countries out of the 46 Member States of the Council of Europe, with the exception of Liechtenstein, Monaco, San Marino, and Switzerland. States who are party to the Charter are required to submit annual reports to the European Committee of Social Rights and a collective complaints

procedure is available for monitoring purposes.

The Revised Social Charter of 1996 further guarantees fundamental social and economic rights, taking into account the political and economic evolution of Europe since the original Charter's adoption. In light of these changes, the Revised Social Charter includes new rights such as the right to protection against poverty and social exclusion (Article 30), the right of workers with family responsibilities to equal opportunities and equal treatment (Article 27), and the right to housing (Article 31). As well as setting forth additional rights, the Revised Social Charter also places greater emphasis on the principle of non-discrimination in the enjoyment of these rights.

European Union

The Charter of Fundamental Rights of the European Union (2000)

The Charter of Fundamental Rights of the European Union enshrines political, social, and economic rights for EU citizens and residents into EU law.⁵¹ The Charter came into force with the Treaty of Lisbon in December 2009 holding the same legal value as European Union treaties. The Charter sets forth the fundamental rights of EU citizens under six titles: dignity, freedoms, equality, solidarity, citizens' rights, and justice.

The Charter presents a standard of respect for rights and freedoms that is supported by compliance with the policies

and legislation of EU institutions. Although it does not primarily deal with individual complaints, the Court of Justice of the European Union can, and is often asked, to give its opinion on contentious human rights matters and on interpretations of this Charter.

To eliminate social exclusion and poverty, Article 34 recognises the right to social and housing assistance to ensure decent living conditions for all those who lack sufficient resources.

Examples of relevant national legislation

In its 2024 thematic review of SDG 1, the High-Level Political Forum on Sustainable Development (HLPF) highlighted the importance of national action and implementation plans, with recommendations made for countries to:

- Accord high priority to poverty eradication and ending hunger in the remaining years of the Sustainable Development Goal period;
- Take advantage of new digital technologies to increase investment in education, health care, social protection and public administration;
- Ensure that public education funding more effectively reaches the most vulnerable children in society, including those living in poverty; and
- Establish effective and inclusive social safety nets to ensure that economic benefits are equitably distributed.⁵²

“There is no silver bullet to ending poverty, and strategies to reach the poorest must be tailored to each country’s context, taking into account the latest data and analysis and the needs of the people.” - World Bank⁵³

This section is not intended to be exhaustive, but highlights some examples of poverty reduction strategies that have been implemented on a national basis. It covers conditional cash transfers (Brazil), the expansion of social protection for the most vulnerable populations (China), and a multidimensional monitoring approach to poverty (Colombia). Finally, the example of New Zealand illustrates that poverty reduction should also be a political priority, not just in less wealthy nations but in the richest countries too.

Brazil

Bolsa Família (Family) Grant (2003)

Bolsa Família is a Brazilian social programme providing cash transfers to poor families, subject to conditions related to health and education requirements for children.

The conditionality of the cash transfers illustrates the need to address the multidimensional aspects of poverty. Beneficiaries receive cash only if they adhere to core responsibilities such as taking their children to the doctor

whenever the need arises, vaccinating them, and ensuring that they attend school. It aims to break the poverty cycle by obliging the recipients to invest in human capital.

According to the World Bank’s indicator of shared prosperity, thanks to pro-poor and redistributive policies in Brazil, economic growth during the 2000s has benefited the poorest households and has thus contributed to alleviating poverty

and sharply reducing income inequality. As a result, the World Bank estimates that, between 2004 and 2014, 26.5 million Brazilians exited poverty.⁵⁴

Of course, this success cannot be attributed to the Bolsa Familia programme alone. Increases in minimum wage, infrastructure investments – especially rural electrification – and reforms of the labour market have all generated positive impacts. Nevertheless, research estimates that the programme, which covers about a quarter of the country's population, contributed to approximately 28% of the poverty reduction in Brazil during the 2000s.⁵⁵

However, Brazil's economic crisis in 2014-2016 ended an eleven year-streak of poverty reduction. Due to the recession and the discontinuation of certain social policies, poverty increased from 17.7% to 20.1% and sat at 26.2% in 2019. Since then, the Auxilio Emergencial program (issuing emergency cash transfers over COVID-19) saw a temporary reduction in poverty, with the poverty rate falling to 18.7% in 2020. This figure quickly bounced back to 28.4% in 2021 however, due to fiscal difficulties in maintaining the levels of financial support available through government transfers.⁵⁶

China

Universal Pensions Scheme

China has made major achievements in building a comprehensive social protection system and extending coverage of pensions schemes over a relatively limited period of time. Before 2009, only two institutional mechanisms for pensions existed in China: one for urban workers based on social insurance principles, and another one for civil servants. Together they covered under 250 million people or about a quarter of the Chinese population, effectively excluding the whole rural population from pension benefits.

Following a series of reforms in 2009, 2011, 2014, and 2015, a universal pension scheme was established for the rural and urban populations not participating in the social insurance scheme. Meanwhile, the civil servants' scheme was merged with the social insurance scheme for urban workers: with 888 million people covered under the new pension system by 2016, and universal coverage achieved by 2017.⁵⁷

The pension scheme for rural and urban residents combines non-contributory and contributory financing approaches. The basic pension, entirely financed by the Government (as a flat-rate benefit of \$10 per month), is supplemented by an individual component financed by personal contributions (ranging from an annual minimum of approximately \$15 to a maximum of \$290), which can be topped up by local government subsidies.

The rapid expansion in coverage can be attributed to: the strengthening of labour inspection to ensure that all companies have their workers registered in the social systems; the availability of the basic flat-rate benefit to all residents, even those not able to make a contribution; the relatively low-level of minimum personal contribution required; and local government subsidies, which make the scheme more attractive, despite creating geographical inequalities.

Universal pension schemes help to eradicate poverty and reduce inequality by providing a degree of social security for the entire working population, thereby contributing to the achievement of SDG 1. In light of findings against SDG 1.3 in which population ageing has called for greater social protection schemes targeted towards older persons, these

changes are also pivotal to future-proofing poverty reduction strategies in line with global trends. However, to remain viable, the government will need to find new strategies to ensure financial sustainability as the elderly population rapidly increases in the country.⁵⁸

Colombia

Strategy for the Implementation of Sustainable Development Goals in Colombia

Colombia has been recognised as a leader in Latin America and the rest of the world for its role in the negotiation and formulation of the 2030 Agenda. In 2017, the National Council for Social and Economic Policies (CONPES in its Spanish acronym) published the Strategy for the Implementation of the SDGs in Colombia. For each SDG and its respective targets and indicators, the strategy defines national indicators, names the lead institution responsible for monitoring and reporting against these indicators, and determines the budget necessary to achieve the target.

With respect to SDG target 1.2 of reducing by half the proportion of the population “living in poverty in all its dimensions according to national definitions,” Colombia has developed an innovative multidimensional poverty index (MPI). The index measures the percentage of the population living in poverty through five dimensions:

- i. Educational conditions of the household;
- ii. Living conditions of children and youth;
- iii. Access to work and working conditions;
- iv. Health; and
- v. Access to public services and housing conditions.

“Now everybody within Colombia and internationally has a tool to review all the data on what we’ve done.” -SDG Commission in Colombia

These dimensions include 15 indicators. For example, households that suffer deprivation in at least a third of the indicators are considered ‘poor’. Under this index, in 2015, 20% of the Colombian population was considered poor, with a target set to reduce this proportion to 10% by 2030. As of 2021, this rate sat at 18%, meaning that progress should accelerate to meet the objective, notwithstanding the challenges posed by crises including COVID-19.⁵⁹

The incorporation of the MPI – which in addition to SDG 1 is also linked to SDG 3 Good Health and Well-being and SDG 4 Quality Education – highlights the interdependence of the SDGs and confirms the government’s multidimensional approach to poverty. Such an approach goes well beyond an assessment of household income and can better capture and address the multiple deprivations that poor people face simultaneously.⁶⁰

New Zealand

Child Poverty Reduction Act 2018

In 2017, research by the Child Poverty Monitor showed that 27% of children in New Zealand, or approximately 290,000 children, were living in poverty.⁶¹ The report played a triggering role and, the next year, the Child Poverty Reduction Act 2018 was introduced with an objective of achieving a significant reduction in child poverty.⁶²

The Act requires the government to set long-term (10-year) and intermediate (3-year) targets on a defined set of child poverty indicators. One of the main objectives is to reduce the proportion of children living in low-income households (i.e. with incomes below 60% of the median income after housing costs) from 23% in 2018 to 10% by 2028.

The Government must also report annually on the measures it takes to progress towards these targets and each budget proposal must explain how it will reduce child poverty. To support the implementation requirements of the Act, the Child Wellbeing and Poverty Reduction Group has been established within the Department of the Prime Minister.

The actions taken by New Zealand demonstrates that child poverty is not confined to developing countries but affects the richest countries as well. Recent legislative developments in New Zealand reflect a political will to make child poverty reduction a priority and to mainstream it across all national policies.



Insights for the Legal Profession

a) Examples of Relevant Cases and Legal Proceedings

Poverty is essentially a consequence of the violation of human rights, specifically the denial of economic, social, and cultural rights.⁶³ Those living in poverty are often unable to redress human rights violations because of a lack of access to justice.

Many human rights cases have helped with the eradication of poverty by addressing the underlying abuses of power that lead to poverty, such as the denial of the right to social security or the right to work.

United States: *Bearden v. Georgia* (1983) (Supreme Court)

In 1983, in the landmark case of *Bearden v. Georgia*, the US Supreme Court ruled that imprisoning the appellant for not paying a fine when he was unable to do so was a violation of his fundamental rights. The Court ruled that

local governments must enquire why a person failed to pay a fine and can only imprison them if the probationer wilfully refused to pay, otherwise they must consider alternatives to prison.⁶⁴

Colombia: *Demanda de Inconstitucionalidad contra el Artículo 203 de la Ley 115 de 1994, Sentencia C-560/97* (1997) (Constitutional Court)

In 1997, the Constitutional Court of Colombia held that excluding students from school on an economic basis alone violated the right to education.⁶⁵ The case concerned the use

of vouchers to attend school that exceeded a moderate and proportionate payment.

Canada: *Kearney v Bramalea Ltd* (1998) (Human Rights Tribunal of Ontario)

In *Kearney v Bramalea Ltd*, three women were denied rental housing on the basis of low income. In 1998, the Board of Inquiry found however, that the practice of landlords enforcing minimum income-to-rent ratios violated the Ontario Human Rights Code. This is because it amounted to discrimination, insofar as minimum income

was not a valid predictor of rental default, with the ratios set disproportionately excluding protected groups from rental housing.⁶⁶

South Africa: Government of the Republic of South Africa and Others v Grootboom and Others (2000) (Constitutional Court)

A community, evicted from an informal settlement, and living under shelters of plastics, lacking access to basic sanitation or electricity, brought an action against different levels of governments under Sections 26 (right to housing) and 28 (children's right to basic shelter) of the South African Constitution.

The Constitutional Court held that the State is obliged to take positive action to meet the needs of people living in extreme poverty, in particular the homeless or those living in intolerable conditions. The Court held that the State had to provide the persons who it had evicted with adequate housing until such time that they could find suitable alternative accommodation. This included the supply of tents and portable latrines, as well as a regular supply of water.

The Court held that the State must devise and implement a coherent, co-ordinated housing programme and that in failing to provide for those in most desperate need, the different governments had failed to take reasonable measures to progressively realise the right to housing.

The decision had a major impact on housing policies as numerous local authorities subsequently put in place a "Grootboom allocation" in their budgets to address the housing needs of the poorest. For the applicants, however, the consequences of the decision have been limited as they were only provided with basic amenities as a result of a settlement reached prior to the hearing of the case by the Constitutional Court.

India: The People's Union for Civil Liberties v. Union of India & Others (2001) (Supreme Court)

This landmark case saw the Indian Supreme Court rule that the government had a duty to ensure no one went hungry.⁶⁷ The litigation was brought forward by a human rights organisation 'The People's Union for Civil Liberties' following reports that the distribution of grain supplies by the government was irregular and often absent during periods of extreme drought, which saw many die of starvation. The organisation put forward a petition in the Supreme Court on the basis of the State's negligence and failure to provide basic assistance to the poorest in society. The Court held that the right to food was a fundamental part of the right to life under Article 21 of the Constitution and that without sufficient food it would not be possible for any citizen to enjoy their life with human dignity.

Known as 'the right to food case', this public interest litigation petition remains open and ongoing. The Supreme Court's interim orders allowed real pressure to be put on the government. This led to the introduction of some new feeding schemes and entrenched existing programmes, such as school feeding schemes, grain support for the elderly, and mother and child nutrition programmes, into legal entitlements. The Supreme Court assigned two Commissioners of the Court for the special aim of implementing and monitoring its orders in relation to the right to food.

b) Legal context and challenges



Without continued progress toward all of the SDGs, SDG 1 – No Poverty, cannot be fulfilled. Bringing poverty to an end relies on ending hunger (SDG 2) and ensuring that children have a quality education (SDG 4), as well as the need for decent work (SDG 8) and strong infrastructure (SDG 9). Meanwhile, the effects of climate change (SDG 13) on poverty are becoming ever more apparent through land degradation and reduced food production which in turn relies on progress towards SDG 7 – Renewable Energy and SDG 12 – Responsible Consumption and Production. Given its interconnectedness with other goals, SDG 1 may best be addressed by moving beyond linear thinking and applying a network of integrated, coordinated, and targeted solutions.

Under international human rights treaties, states have

the obligation to progressively achieve the full realisation of economic, social, and cultural rights. Traditionally, the justiciability of economic, social, and cultural rights was questioned on the grounds that they were too vaguely worded and that their progressive implementation depended on each state's level of economic development. However, in recent years this debate has been brought to an end and proven to be justiciable. Accordingly, even though states may realise these rights over time, they must take appropriate measures – in the light of available resources – to respect, protect and fulfil economic, social, and cultural rights.⁶⁸

One function of the judiciary is to assess whether government policies are consistent with these obligations and the progressive realisation of these rights. Numerous

decisions of courts on national, regional, and international levels, covering a broad range of economic, social, and cultural rights, now illustrate how these rights can be subject to judicial enforcement.⁶⁹ This is not to say that legal action is a panacea, but to recognise its capability in combination with social mobilisation, advocacy, and public awareness campaigns, to give remedy to those suffering from poverty-inducing human rights violations. Similarly, it is to recognise the power of strategic litigation in leading to policy changes.

On the international level, enforcement mechanisms of international human rights treaties are limited. While many states are parties to various covenants, such as the ICESCR, under which they have duties to their citizens, there is reluctance to accept further obligations, such as those of individual complaint mechanisms. The entry into force in 2013 of the Optional Protocol to the ICESCR, establishing complaint and inquiry mechanisms, represents a significant step towards international accountability, even though, to date, only 31 states have ratified it.⁷⁰

In addition, those facing human rights violations may be unaware of their rights or potential avenues of redress. Typically, those living in poverty often lack access to legal representation. Even if these barriers are overcome, they must exhaust domestic remedies before seeking action at the international level, resulting in additional delays and uncertainties. Should these complaints ever be heard, a final challenge lies in the limited enforcement powers of human rights treaty bodies. Given these difficult odds, achieving SDG 1 will need the legal profession to use its influence and expertise to support civil society and advocate for greater state and corporate accountability more urgently than ever.

The economic fallout from the COVID-19 pandemic increased global poverty by almost 1%, reversing more than four years of progress.⁷¹ In the midst of global food shortages, rising

cost of living and an energy emergency, these impacts are likely to worsen for many countries around the world. These losses will also likely reverberate to impact upon wider legal rights, including land and housing security, employment protections, modern day slavery, and civil liberties. To support the poorest and most vulnerable, an extraordinary scale-up of international support and political commitment will be needed to ensure that people everywhere have access to essential services and social protection.



c) So, what can lawyers do?

Lawyers in all sectors of the legal profession – corporate counsel, private practice, government advisors, parliamentarians, international agencies, civil society, academia – are extremely well-positioned to help in the elimination of poverty under SDG 1.

This section highlights several areas for action, encouraging the profession to use its expertise and influence to engage with the problem of poverty in new ways.

Learn and educate

Lawyers can enhance their understanding of poverty, along with the policy and programmatic efforts to address it at local, national, regional, and international levels. Substantial research and analysis is available with a special focus on SDG 1. Important sources include:

- The SDG Platform⁷² and the UN specialised agencies, in particular the UN Development Programme;⁷³
- Other multilateral organisations, such as the World Bank,⁷⁴ the Organisation for Economic Cooperation and Development,⁷⁵ and the Global Alliance Against Hunger and Poverty⁷⁶; and
- Civil society groups focused on poverty alleviation, such as Oxfam⁷⁷ or Save the Children,⁷⁸ among many examples.

As measurement and evaluation of progress is key, attention should also be given to the SDG 1 indicators,⁷⁹ as well as to alternative indicators, such as the UNDP Multidimensional Poverty Index (MPI) developed with the University of Oxford.⁸⁰

However, as has already been noted, poverty is a multifaceted concept. For lawyers to truly build an appreciation and

understanding of poverty therefore, it is also essential to consider how related concepts affect and are affected by poverty. These include:

- Access to justice;
- Human rights; and
- The role of the private sector.



Access to justice for people living in poverty

Lawyers can find theoretical and practical insights for legal empowerment of the poor, including from the seminal 2008 report: *Making the Law Work for Everyone*.⁸¹ The report is built on the conviction that: “poverty can only be reduced if governments give all citizens, especially the poor, a legitimate stake in the protections provided by the legal system, which should not be the privilege of the few, but the right of everyone.”

The report also explores how countries can reduce poverty through reforms that expand access to legal protection and opportunities for all, focusing on four areas:

- i. Access to justice and rule of law
- ii. Property rights
- iii. Labour rights
- iv. Legal mechanisms to empower informal businesses

Interested lawyers should also consider the work of the UN Special Rapporteur on Extreme Poverty and Human Rights who:

- Provide recommendations to policy makers and legal authorities;
- Provide training for the legal profession on the rights and special needs of the poor; and
- Ensure persons living in poverty have effective access to competent legal advice for the protection of their human rights.

Similarly, the 2012 report by Maria Magdalena Sepúlveda Carmona offers valuable insight on the importance of access to justice for people living in poverty. The report finds that “access to justice is a fundamental right in itself and essential for the protection and promotion of all other civil, cultural, economic, political and social rights. Without effective and affordable access to justice, persons living in poverty are denied the opportunity to claim their rights or challenge crimes, abuses or human rights violations committed against them.”⁸² The report also reviews various obstacles which impede persons living in poverty from accessing justice.

Poverty and Human Rights

In addition, valuable insights can be drawn when utilising a human rights-based approach to eradicating poverty, building on the realisation that poverty is not only a deprivation of economic or material resources, but also a violation of human dignity. Amongst other organisations, Amnesty International made the case that the SDG framework should be founded on human rights standards and should embed human rights accountability: “Success in sustainable economic and social development is inextricably linked to human rights and the two must go hand in hand.

There is a growing body of evidence to demonstrate how human rights can bring added value and a positive impact to states’ ability to deliver better socio-economic outcomes.”⁸³

Again, the work of the UN Special Rapporteur on Extreme Poverty and Human Rights is of particular interest, touching on several topics, from the impact of privatisation on poverty and human rights, to the role of the International Monetary Fund and the World Bank in relation to social protections.⁸⁴

Role of the private sector



Another important trend for poverty reduction is the increasing engagement of the private sector in implementing the SDG agenda. Driven by corporate responsibility initiatives, such as the UN Global Compact,⁸⁵ and industry collaborations, such as the World Business Council for Sustainable Development (WBCSD)⁸⁶ or the Business Commission,⁸⁷ businesses and the private sector have pledged their contributions to the SDG agenda and eradication of poverty.

Further momentum comes from the multi-trillion-dollar business opportunity that the SDGs present, as emphasised in the 2017 report 'Better Business, Better World' by the Business and Sustainable Development Commission:

"Achieving the [SDGs] would create a world that is comprehensively sustainable: socially fair; environmentally secure; economically prosperous; inclusive; and more predictable. They provide a viable model for long-term growth, as long as businesses move towards them together

*[...] Achieving the [SDGs] opens up US\$12 trillion of market opportunities in the four economic systems examined by the Commission. These are food and agriculture, cities, energy and materials, and health and well-being. To capture these opportunities in full, businesses need to pursue social and environmental sustainability as avidly as they pursue market share and shareholder value. If a critical mass of companies joins us in doing this now, together we will become an unstoppable force. If they don't, the costs and uncertainty of unsustainable development could swell until there is no viable world in which to do business."*⁸⁸

Local and international bar associations also provide insightful information on the role of lawyers in the fight against poverty. For example, following the global financial crisis, the International Bar Association established a task force with a broad mandate of assessing the impact of the economic crisis on the poor and on the welfare state. The task force sought to identify ways in which the legal profession could improve the prosperity of people throughout the world and identified the linkages between combatting poverty and the daily responsibilities of the legal profession to uphold rule of law.

"Corporate governance and responsibility, labour and employment law, pro bono activities, the empowerment of women and vulnerable groups, and the rule of law are not the mainstays of an activist agenda. Rather, they are part of the 'day job' of business lawyers and the daily aspirations of the law for everyone." - IBA Poverty Justice and Rule of Law Report⁸⁹

Integrate

The adoption of the SDG Agenda provides impetus for law firms, corporate legal departments, and other law-related organisations to examine and re-align their own policies and practices to reduce the potentially negative impacts of their activities and enhance the positive outcomes of their work.

Given the nature of law firms as business enterprises, one way to integrate SDG 1 within legal practice is through a firm's Corporate Social Responsibility (CSR) credentials; aligning the organisation within the framework of the SDG Agenda. A law firm's CSR performance, its pro bono efforts and its wider contribution to society, are key factors to building a credible reputation towards clients, as well as current and

future employees. This extends to developing expertise that can then be offered to clients, advising on CSR aspects, the potential impact of transactions and investments, and the implementation of good practices.

The UN Guiding Principles on Business and Human Rights provide the first global standard for preventing and addressing any adverse impacts that business activities could have on human rights.²⁰ Taking this human rights based approach to poverty can enable law firms to support clients in assessing their own business decisions and practices, taking into account the wider actual or potential impacts these might pose.



Act

The SDGs present a compelling opportunity for law firms and lawyers to expand their pro bono legal activities domestically and abroad. Pro bono activities that benefit the poor may involve providing legal advice and representation to persons who could not otherwise claim their rights or access the courts, and can be instrumental in protecting the welfare of poor and marginalised groups. This applies across all legal practice areas, from immigration to public administration to social security law, ensuring that low-income individuals can exercise their rights and protections. Working in partnership with local actors, pro bono legal support can be better structured and adapted to local contexts, improving impact and ensuring that any assistance given is responsive to actual community needs and as effective as possible.

Notably, given the deep interrelations between poverty and access to other basic services such as education and welfare

services, pro bono interventions such as legal awareness programmes can be instrumental to upholding human rights for even the poorest communities. This includes providing educational materials, resources and even basic training to members of the public about their rights and the legal and judicial mechanisms that marginalised people can use to advance their interests.

Indeed, as is embodied in the concepts of rule of law and the proper administration of justice, the law is for everyone – rich and poor alike. Suffice to say then, that the legal profession has a responsibility to use its voice to condemn laws and policies that contribute to poverty and marginalise those without access to financial support. Through public interest litigation, reform advocacy, and legal aid initiatives, the legal community can influence law and policies to reduce poverty and ultimately facilitate the realisation of SDG 1.



Chapter 1: Endnotes

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