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**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Human rights and extreme poverty**

**Report submitted by Ms. A.-M. Lizin, independent expert,  
pursuant to Commission resolution 2000/12**

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## Summary

In her two earlier reports, issued in 1999 and 2000, the independent expert decided to focus her efforts and recommendations on the policies of States, their successes or their failings; on the effects of the policies of international financial institutions, urging them to take human rights into account in that context; and on the necessary but still imperfect coherence among the international organizations responsible for combating poverty, stressing the usefulness for them of exchanging their experiences.

In its resolution 2000/12, renewing the mandate of the independent expert, the Commission on Human Rights requested her to continue, among other things, to evaluate the relationship between the promotion and protection of human rights and the eradication of extreme poverty, identifying national and international good practices, and to examine strategies to overcome extreme poverty and their social impact.

The report is set within a worldwide framework which has changed considerably over the last two years. There is now an even greater commitment on the part of the United Nations specialized agencies; the extreme poverty figures are worsening still further in several parts of the world; there is a greater awareness of the problem among Governments and NGOs; the worldwide migration of the poor has expanded; and there have been perceptible changes in the attitudes of the international financial institutions.

The expert considers that the analysis of practice in individual States must remain a major element in the report, as must the subjects of the coherence of activities within the United Nations and the nature of the influence to be developed over the financing institutions, the role of which has steadily increased since 1998.

Dialogue with the IMF is a central theme in this second report. Developments are encouraging; and the report will explore in depth the relationship between the Bretton Woods institutions (BWIs) and their mandates on the one hand and economic, social and cultural rights on the other.

Finally, the report will concentrate on the expression of the views of the poorest: what kinds of contacts do they have? To whom do they express their needs? And how do the institutions concerned bring those needs to the attention of Governments? The report will discuss in depth the training necessary to ensure that the message received from the poorest is translated into operational terms and transmitted to policy makers in individual States.

Questionnaires of three types were sent out to member States, NGOs and national human rights defence institutions respectively (see annexes). The strategy proposed by the report consists of four steps; it seeks to establish a knowledge of their rights among the poor themselves; training for the fight against poverty; the harnessing of capacities to organize and to conduct a genuine campaign against the condition of poverty; and finally, the necessary mobilization (world alliance against poverty).

## I. INTRODUCTION

### A. An increasingly comprehensive framework

1. In its comments on the report of the independent expert the International Movement ATD Fourth World sums up the substantial changes which have taken place since the appearance of the report as follows: "Today there exists a worldwide consensus that extreme poverty is the most global and the most permanent of violations of human rights." It should be recalled that the establishment and study of the link between extreme poverty and the enjoyment of human rights has been a concern of the Commission on Human Rights for the last 10 years.

2. A brief historical survey of the period running from 1990, when the Commission adopted resolution 1990/15 instructing the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine the question of extreme poverty, to resolution 1998/25, establishing the mandate of the independent expert, Ms. Anne-Marie Lizin, clearly demonstrates a substantial increase in the involvement of the Commission on Human Rights in the eradication of extreme poverty, which is seen as a denial of all human rights. That determination, which was first expressed in 1990, is today an important and continuing element in the analysis of the promotion and protection of human rights. This interim report seeks to contribute to the further development of that determination.

3. In her previous report (E/CN.4/2000/52) the independent expert drafted recommendations designed to induce member States to fight effectively against poverty and encourage the international financial institutions to take into account the effects of their policies on the poorest. Decentralization occupies a place of primary importance among those recommendations.

4. In resolution 2000/12 of 17 April 2000 the Commission on Human Rights adopted the conclusions of the expert's report and requested a continuation of the evaluation of the relationship between the promotion and protection of human rights and the eradication of extreme poverty.

### B. Priority interlocutors

5. In her two earlier reports, issued in 1999 and 2000, the independent expert decided to concentrate her efforts and recommendations on the following subjects:

- (a) The policies of member States, their successes or their failings;
- (b) The effects of the policies of the international financial institutions, urging them to take human rights into account in those policies;
- (c) The necessary but still imperfect coherence among the international organizations responsible for combating poverty, stressing the usefulness of exchanges of experience among them.

6. The first report offered a framework and a reference grille for the evaluation of legislative measures or practices adopted by States in the context of the struggle against extreme poverty, focusing on the essential rights of the individual, namely housing, health, education, well-being, food and security (article 25 of the Universal Declaration of Human Rights).

### **C. Recommendations already formulated**

7. The principal recommendations of the independent expert related to action by the above-mentioned players; a number of specific measures at international, national and local levels designed to benefit particularly vulnerable and disadvantaged groups in society; and situations creating instability, such as armed conflicts and natural catastrophes, which in many countries make for a worsening of the condition of the most deprived (E/CN.4/2000/52, pages 26-33).

### **D. The new elements in Commission on Human Rights resolution 2000/12**

8. In the present report the independent expert has endeavoured, in accordance with resolution 2000/12 defining her mandate:

(a) To continue to evaluate the relationship between the eradication of extreme poverty and the promotion and protection of human rights, identifying national and international good practices;

(b) To enter into consultation with the poorest people and their communities;

(c) To involve national human rights bodies in that consultation process;

(d) To examine strategies to overcome extreme poverty and their social impact;

(e) To continue cooperation with the international financial institutions with a view to identifying the best programmes for combating poverty.

## **II. THE SPECIFICITY OF THE REPORT**

### **A. Extreme poverty is still present; in many member States the disparities are worsening**

People living on less than \$1.00 a day (millions in 1998, by region)

South Asia	Sub-Saharan Africa	East Asia and Pacific	Latin America and Caribbean	Europe and Central Asia	Middle East and North Africa
522	291	278	78	24	6

Source: World Bank, Annual Report 2000, page 13.

9. According to the World Bank, “the numbers of poor are greatest in South Asia, but the proportion of poor people is highest in sub-Saharan Africa. Most poor people live in rural areas, but urban poverty is growing faster. Women are more likely than men to lack rights to land and other assets. They also have difficulty getting access to credit. And they lack adequate employment and economic security in old age”.

Country	Human poverty index (%)	Adult literacy rate (% age 15 and above 1998)	Population without access to safe water (%) 1990-1998	Population without access to health services (%) 1981-1993	Population without access to sanitation (%) 1990-1998
Algeria	24.8	34.5	10	-	9
Benin	48.8	62.3	44	58	73
Bolivia	17.4	15.6	20	-	35
China	19	17.2	33	-	76
Mozambique	50.7	57.7	54	70	66

Source: UNDP, Human Development Report, 2000.

#### **B. Interlocutors in the war on extreme poverty are becoming more numerous**

10. In its resolution 2000/12 the Commission on Human Rights requested the independent expert to hold consultations with the poorest people and their communities, with national human rights institutions and with NGOs combating extreme poverty. It also requested her to continue the analysis of the policies of States and their social impact and to cooperate with the international organizations, and in particular with the international financial institutions.

11. In addition to States, the following are increasingly emerging as actors in the war on poverty:

- (a) NGOs;
- (b) National human rights bodies;
- (c) Poor people themselves, and, where they exist, their organizations or communities.

12. However, the expert considers it absolutely essential that the analysis of the practices of States should continue to constitute a major element in the report, as should the coherence of action taken within the United Nations and the nature of the influence to be developed on the financial institutions, the role of which has steadily increased since 1998.

13. The designation of 17 October as the International Day for the Eradication of Poverty has gained widespread acceptance, and the numbers of activities related thereto being undertaken in

individual States are increasing. This is an unquestionable sign of a positive evolution. The success of the World March of Women Against Poverty which took place on 17 October 2000 in New York will be remembered.

### C. The “worldwide migration of poor people”: evidence of the irrepressible will to escape from extreme poverty

14. One of the social phenomena which we can no longer ignore and which has emerged since the first report is migration - the human aspect of globalization. It is unlikely that the world has ever seen migration on the scale of today. This worldwide migration cannot be ascribed simply to an ethnic factor or to flight from war; it is worldwide in character and its primary motivation is a flight from poverty by the means which mobility has made available.

15. This “migration by the poor” reflects a determination which the restoration of frontiers will never be able to contain; the poor are determined to escape from the condition of extreme poverty. If necessary they will leave by any available means. There are relative levels in this phenomenon; in the countries in transition poverty is less in quantitative terms than in Africa, but the nature of the movement - a flight from poverty - is the same.

16. Will globalization be able to parallel actions designed to reduce racism, inasmuch as migration (including illegal migration) is a key factor in poverty?

### D. Progression in reports (table)

	2000 Report	Mandate based on resolution 2000/12	Progress by 2002
Member States	Good practices. Recommendations.	Continue evaluation of good practices.	<ul style="list-style-type: none"> <li>- Questionnaire.</li> <li>- Choice of countries for in-depth analysis: <ul style="list-style-type: none"> <li>- Countries in transition experiencing difficulties;</li> <li>- Africa;</li> <li>- Latin America;</li> <li>- Asia.</li> </ul> </li> </ul>
IMF	IMF considers human rights outside its mandate: limited receptivity.	Insist on proper place for human rights.	Significant evolution: PRGF (Poverty Reduction and Growth Facility) taken into account.
World Bank	Has already established concept of “comprehensive development framework”; positive and evolving approach.	Insist on necessary evolution.	<ul style="list-style-type: none"> <li>- Development of PRSP;</li> <li>- Involvement in expression of poor peoples (<u>Voices of the Poor</u>).</li> </ul>

	2000 Report	Mandate based on resolution 2000/12	Progress by 2002
International institutions	<ul style="list-style-type: none"> <li>– Each concerned;</li> <li>– But lack of coherence;</li> <li>– Education: priority action.</li> </ul>	Search for good practices and effective means.	Special seminar in February 2001.
NGOs	ATD Fourth World mentioned as most active.	Develop analysis of their role.	Questionnaire for principal NGOs.
National human rights institutions	Very few aware of economic and social rights.	Develop awareness of their role.	Specific questionnaire.
Poor people and poor communities	<ul style="list-style-type: none"> <li>– Gypsies in Bulgaria;</li> <li>– Indians in Equador;</li> <li>– Twas in Burundi;</li> <li>– Role of ATD Fourth World.</li> </ul>	Development of direct contacts and promotion of methods for the expression of their rights.	Contacts and seminar to be conducted in presence of the expert in the countries targeted in this report.

### III. SELECTED PROCEDURE

#### A. Analysis of comments on the first (year 2000) report

17. The expert expresses her thanks to all the Governments, United Nations bodies and non-governmental organizations which desired to communicate to her their views on the recommendations contained in the report on extreme poverty (E/CN.4/2000/52). She is incorporating them to the extent possible. The expert draws particular attention to the valuable comments received from NGOs; some of these were of a general character, but others were extremely specific, such as those of ADESEN (Senegal) on the desirability of increasing financial resources (create a fund), those of the International Movement ATD Fourth World on the new perspectives to be explored in greater depth, and those of JDRAD (Jesuits for Debt Relief and Development). The expert has taken particular account of the comments concerning the catastrophic effect of wars and armed movements on poverty in, for example, the Balkans (former Yugoslav Republic of Macedonia, Bosnia and Herzegovina) and Palestine (MADRE, Inc.).

18. The expert emphasizes that a number of comments by member States and by organizations (Guatemala, Lebanon, Paraguay and Portugal and also the World Food



Programme, ECLAC, the ILO and JDRAD) highlighted the desirability of decentralization and the need for local consensus. Natural catastrophes have had an enormous influence on the condition of the poorest: in Niger the municipality of Niamey described this dramatic situation to the expert, demonstrating that in such cases the resources of cities are totally inadequate and that the scale of catastrophes of that kind is such that international solidarity offers the only hope of coping.

19. A number of comments suggested that the question of inheritance rights as a factor making for poverty among women should also be examined with a view to obtaining recognition of the right to inherit (International Human Rights Law Group). The expert also wishes to thank the ILO and UNESCO, and particularly the latter for its comments on the coherence of the campaign against poverty, on the “Brazilia consensus” on good governance signed under the auspices of UNESCO and on the importance of a civil status for everyone. Azerbaijan, Lebanon, Portugal and all the NGOs also emphasized the need for everyone to have a civil status.

20. The contributions emphasizing the usefulness of an extensive dialogue with the IMF included those from Azerbaijan, Chile, Guatemala, Lebanon, Mexico, Paraguay, Portugal and Qatar and from the ILO. One NGO (Kensington Welfare Rights Union) laid emphasis on “the undemocratic character” of the Bretton Woods institutions. Several organizations (ILO, WHO and WFP (combating food insecurity)) very usefully reaffirmed their positions on the subject of poverty eradication.

21. Lebanon, Portugal, ILO, UNICEF and WFP specially mention active job creation programmes. WFP once again mentions the still clearly visible need to ensure that girl children receive school education and the urgency of adopting suitable programmes.

22. A number of contributions (Monaco, ADESEN (Senegal), JDRAD (Jesuits for Debt Relief and Development)) lay stress on the role of NGOs and their development.

23. The great majority of the comments stress the need for a world alliance against poverty. JDRAD does so in the following terms: “Institutional impact is very significant in this regard, some institutions wielding more power, with no political accountability, than others. For this reason, the Commission’s recommendation that a world alliance be formed to work together to eliminate poverty is a welcome one. A concrete example of the necessity for such an alliance comes from the debt crisis where, decades on despite worsening suffering and misery among the poor, the crisis continues. There is a clear need to move decision-making and handling of this crisis out of the hands of the creditors and onto a wider group, such as an arbitration procedure as advocated by Kofi Annan and many other groups.”

24. Azerbaijan, Georgia and Portugal consider pensions (guaranteed incomes for older persons) extremely important. Guatemala and Lebanon refer to the training of agents in the social sphere (in particular designers of economic programmes and social workers) to combat poverty effectively.

## **B. Conclusions of the comparative analysis**

25. All the interlocutors who decided to make comments on the report on extreme poverty consider that specific measures targeting poor women are needed. Some express particular concern with older women and others with the education of girl children. The constitutions of several countries in transition stress in particular the need for a stable pensions system for the old.
26. The measure most frequently described as effective is the provision of the human and financial capacities needed to combat poverty to local authorities. But the International Movement ATD Fourth World rightly insists on the need for interaction at all levels. Decentralization is considered positive.
27. The next group of measures deemed to be effective are public job creation programmes, a civil status for every child, minimum guaranteed incomes and improved access to health-care services.
28. All of the interlocutors concerned consider that the participation of the poorest in measures affecting them, and an increase in the role of the NGOs, are necessary.
29. Good governance, efficiency in taxation systems and anti-corruption campaigns are mentioned mainly by the NGOs and the United Nations specialized agencies, as is an increase in the international financial resources devoted to development.
30. The NGOs are unanimous in stating that national human rights bodies must take into account the enjoyment of economic, social and cultural rights.
31. The expert devotes particular attention to the extremely interesting comment from Colombia on the relationship between the police and the struggle against poverty. The comments of the Government of Colombia focus essentially on the independent expert's recommendations on conditions of imprisonment, legal aid and the role of the police in relation to extreme poverty. According to the Government's reply, the recession in the country was one of the factors giving rise to criminal activity; consequently, poverty had a direct effect on the prisons. Thus, the recommendation concerning alternatives to the prison system was supported. In that connection, reference was made to the need to decriminalize certain acts in order to reduce the prison population and to the fact that the economic value of the work done in prisons did not enable the prisoners' minimum needs to be met, let alone those of their families. Some prisoners, as part of the work of resocialization, engaged in work or studies, including outside prison, enjoying the so-called administrative benefits provided for by law for this purpose. Free legal aid was reportedly provided in Colombia, by law, for persons facing criminal charges and who were unable to pay for it themselves. Legal aid was available through the public defenders or officially appointed lawyers.

32. Information was provided on the activities carried out by the human rights group of the National Police. These included a wide range of awareness and training activities intended for uniformed and non-uniformed personnel. In addition, the Community Participation Department of the National Police has adopted community programmes aimed at involving the community in the culture of security and social discipline in order to strengthen institutional preventive action and facilitate police-community relations.

33. The comments on the role of the IMF and, to a lesser extent, the World Bank unanimously recommend dialogue, evolution and greater recognition of social objectives; in some respects their roles are sharply criticized by the NGOs. The absence of global coherence is so visible that it is desired by all.

34. The concept of a world alliance against poverty, which is called for in all the comments received from NGOs and suggested by several member States, can be extended: the International Movement ATD Fourth World considers that the world alliance suggested by the expert is too limited; it should comprise all actors concerned with respect for human dignity and with poverty, which is the negation thereof; that is to say, States, regions, municipal authorities (see World Alliance of Cities Against Poverty, E/CN.4/2000/52, para. 91), the specialized agencies, the NGOs and religious institutions, enterprises and civil society as a whole.





Policies mentioned in the report as important in combating poverty (continued)

Specialized organs, bodies and institutions of the United Nations	Strengthening of dialogue with IMF to secure consideration of poverty (World Alliance Against Poverty)	Strengthening national human rights bodies to enable them to take economic and social rights into account	Local authorities with real capacities	Participation of the poor in policies affecting them	The right to a civil status from birth	Special measures benefiting women	Job creation programmes	Good governance and anti-corruption measures	Increase in international financial resources	Greater role for NGOs	Minimum guaranteed income
ECLAC	X		X					X		X	
ILO	X	X	X	X	X	X (and old people)	X	X	X	X	X
UNESCO	Global approach (also involving WTO) necessary	X	X	X Specific training programme, Brasilia Consensus	X	X		X	X	X	
WFP			X	X		X Street educators	X		X (Combating hunger and food supply insecurity)		
WHO		Health is a social right				X			X	X	

Policies mentioned in the report as important in combating poverty (continued)

NGOs	Strengthening of dialogue with IMF to secure consideration of poverty (World Alliance Against Poverty)	Strengthening national human rights bodies to enable them to take economic and social rights into account	Local authorities with real capacities	Participation of the poor in policies affecting them	The right to a civil status from birth	Special measures benefiting women	Job creation programmes	Good governance and anti-corruption measures	Increase in international financial resources	Greater role for NGOs	Minimum guaranteed income
ADESEN (Senegal)	Achievement of overall coherence between IMF and United Nations system to reformulate IMF strategies	X		X	X	X	X	X	X	Creation of a fund for the eradication of poverty	X
ATD Fourth World		X	X	X	X	X	X	X	X	X	X
International Human Rights Law Group		Right to inheritance			X						
Jesuits for Debt Relief and Development	X		X	X						X	X
Kensington Welfare Rights Union	X (undemocratic character)	X		X							

### C. Procedures for the implementation of resolution 2000/12

35. The procedures for implementation are as follows:

#### Elements of resolution 2000/12

1. Continue to evaluate the relationship between the promotion and protection of human rights and the eradication of extreme poverty, identifying good practices: (a) at national level; (b) at international level

2. To undertake consultations with the poorest people in order to develop their ability to express their views

3. Association of national human rights bodies

4. Consideration of strategies to overcome extreme poverty and their social impact

#### Implementation procedures

(a) At national level:

- Questionnaire sent to each Member State;
- Selection of certain countries for more detailed missions for purposes of analysis of good practices;
  - Countries in transition
  - Africa
  - Latin America
  - Asia

(b) At international level: on the occasion of a special seminar scheduled for February 2001 the expert will examine trends in the specialized agencies of the United Nations in the sphere of the campaign against poverty.

- Visits to poor groups and communities and seminars during each mission undertaken by the expert.
- Questionnaire on the subject to be sent to NGOs.
- Preparation of a list of effective forms of expression for the final report.
- Questionnaires for national human rights bodies.
- Visits during missions by the expert and specific seminars.
- The expert will examine in depth the implementation of strategies and their impact during her country missions. She will lay emphasis on training for persons engaged in the fight against poverty.



Elements of resolution 2000/12Implementation procedures

5. Continued cooperation with international financial institutions in order to identify the best programmes

Between the two reports the expert has observed radical changes in the positions of the two organizations. She will direct particular attention to the IMF in connection with the countries visited.

- PRGF
- IMF: Poverty Reduction and Growth Facility (PRGF)
- World Bank: Poverty Reduction Strategy Papers (PRSPs)

The expert will discuss the definition of the mandate of the Bretton Woods institutions

6. Contribution to the mid-term (2002) evaluation of the first United Nations Decade for the Eradication of Poverty

The report can serve as a stimulus for the development of a genuine world alliance against poverty and will provide material for the International Day for the Eradication of Poverty (17 October).

#### **D. Interim progress report**

36. Under the terms of her second mandate the expert has already visited Belarus and Algeria. She has continued to maintain high-level contacts with senior officials in the International Monetary Fund, in pursuance of which she has visited Paris and Washington. She has also maintained contacts with the World Bank and bilateral contacts with the United States authorities.

37. Also within the framework of her second mandate, the expert attended the meeting of the World Alliance of Cities against Poverty with a view to making progress on one of the important recommendations in report E/CN.4/2000/52, namely the role of local authorities in the fight against poverty.

38. At the invitation of ATD Fourth World (New York) the expert attended the International Day for the Eradication of Poverty (17 October) and the conclusions of the World March of Women Against Poverty held in New York on the same day.

39. The expert sent questionnaires of three types to Member States, national human rights bodies and NGOs respectively; she expects to receive the replies by early spring 2001. (See annexes I-III.)

40. The expert is associated with the preparation of the seminar designed to consider the need to draw up a draft declaration on extreme poverty. The seminar should permit consideration of all the activities undertaken within the different specialized agencies of the United Nations.

41. The expert intends to visit countries in which there is evidence of effective practices to overcome poverty, and in particular Benin, Bolivia, China, Mexico, Mozambique and Russia. She will attend the planned seminar on combating poverty to be held in Mauritania.

42. The expert is developing the recommendation in her report E/CN.4/2000/52 concerning the training of persons in contact with the poorest people and with the responsibility of drawing up and implementing programmes to overcome poverty by focusing that training on the participation of the poor in the expression of their needs and expectations (training of social workers, university training in programme management). In this context she intends to hold in-depth discussions with a number of university institutions, including the Wagner School at New York University.

43. During her missions the expert is examining in parallel the elements of self-expression by the poorest people and the significant increase in migration by the poor. Migration is a vital and existential way of expressing a need and appealing for help. A report published in France by the National Observatory on Poverty and Social Exclusion (23 November 2000) contains highly significant figures demonstrating that between 30 and 50 per cent of persons entitled to family support do not claim it. This incidence of "failure to claim" is due to a very serious lack of information in a country which possesses a model corpus of legislation to combat poverty.

44. The influence of land-use planning and land allocation on poverty, and in particular on the right to housing, should be studied in greater depth.

45. The expert considers that the relationship between the concerns of a world policy on water and access of the very poor to water should also be studied in greater depth.

#### **IV. DIALOGUE WITH THE IMF: THE RELATIONSHIP IS BECOMING INTERACTIVE**

46. During the last two years a significant change has taken place. The International Monetary Fund considers that it has an important role to play in overcoming poverty. In particular, it is endeavouring to create the conditions for equitable and sustainable growth, which is the largest single contributory factor to poverty reduction.

47. The IMF has made a major move in this direction in its Initiative for the Heavily Indebted Poor Countries (HIPC) and has moved still further with its Poverty Reduction and Growth Facility (PRGF), one of the central objectives of which is the reduction of poverty. It administers the PRGF in close cooperation with the World Bank. The latter has drawn up the Poverty Reduction Strategy Paper (PRSP), which sets out a strategy for the reduction of poverty.

48. It is true that reference to the specific mandate of Bretton Woods still serves as an argument for not integrating human rights as such into the activities of the IMF. However, the expert cannot but welcome the perceptible evolution in analyses and practices.

49. The IMF recognizes the desirability of legislation establishing a minimum guaranteed income. In its comments the IMF states that "while this is desirable, the report should clarify

that the minimum guaranteed income needs to be commensurate with a country's financial resources to provide such support, and not distort incentives for job creation for, and job search by, the poor. A minimum guaranteed income may not be financially feasible in the poorest countries.”

50. As evidence of the significant advances which have taken place since the first report of the independent expert, the IMF states that “since the first drafting of the independent expert's report, country-owned Poverty Reduction Strategy Papers (PRSPs) have been introduced and are the basis for the lending operations of the BWIs for low-income member countries. PRSPs provide a blueprint for poverty reduction that draws on the broader, longer-term Country Development Framework.” In the same context the IMF also refers to the new elements in its strategy, introduced in 2000, mentioning a series of publications and declarations by the directors of the IMF and the World Bank.<sup>1</sup>

51. However, the IMF does not accept that its actions are “destructive” of social policies, as stated in the report of the independent expert. “The sentence, ‘an IMF consultant can destroy in a day the patient work of thousands of social workers’ is not correct; what specific instance motivates it? In discussions with country authorities, the Fund strives to help countries achieve higher sustainable growth, which is critical for poverty reduction. In doing so, the Fund ensures that budgets support adequate and effective social spending - particularly in health and education - and encourages social safety nets to mitigate the adverse social consequences of needed reforms.”

52. The IMF comments on the recommendation concerning the cancellation of the debt of the most heavily indebted countries and the necessary democratic reform of the Bretton Woods institutions (BWIs) called for by the expert (para. 103) as follows: “Selective distortionary regulation could in fact lead to a reduction in much-needed capital inflows to developing countries. The Fund's approach in this area is to encourage the efficient allocation and reduction of capital flow volatility by promoting transparency in financial markets and good governance in financial institutions of both creditor and debtor countries .... The IMF and the World Bank are working hard towards the goal of 20 countries starting to receive debt relief under the enhanced HIPC Initiative by end-2000. Combined with traditional debt relief mechanisms outside the HIPC Initiative, countries are expected to see their debt stocks reduced on average by about two thirds. The debt of these countries to the IMF is projected to be reduced by half, a reduction of over \$2 billion (in end-1998 US\$). By September 2000, 10 countries had already started receiving a total of \$16 billion in debt relief under the HIPC Initiative. It would be helpful if the report could note that in order for the HIPC Initiative to be fully successful, it is imperative that donor countries follow up on financing commitments.”

53. The IMF conceded that the point about democratic reform of the international financial and trade organizations was well taken. It observed that “IMF has recently initiated a review of its quota system, upon which voting rights of members are calculated (voting rights at the IMF Executive Board are based on the economic size of each member country). Also, the IMF has, and will continue to, increase the transparency of its activities and thereby promote greater accountability and dialogue with outside groups and experts.”

54. The expert draws particular attention to three comments on recommendations concerning IMF operations:

(a) “The expert recommends that the Bretton Woods institutions should produce an annual report containing details on each country and an assessment of the social impact of their policies, in regard to the eradication of extreme poverty in particular. These country reports should in future include a summary of the contacts and collaboration with each sector and each specialized agency of the United Nations.’ In this regard it should be noted that there are several vehicles already used by the BWIs to keep track of the social impact of policies, and are thus in keeping with the spirit of the recommendation. Lending operations conducted under the PRGF rest on country-led Poverty Reduction Strategy Papers. Country-owned PRSPs, on which Bank and Fund lending is based, are to be periodically updated to monitor progress in poverty reduction. This process would also help identify any needed change in policies. Also, to the extent possible, PRSPs would draw on social impact assessments (undertaken by the Bank). In most low-income countries there is very limited capacity for social data collection and analysis, and the BWIs together with bilateral donors are coordinating efforts to increase their technical assistance in these areas. The IMF and World Bank currently produce a number of more general poverty reports, among these: the World Development Report and (jointly with the United Nations and OECD/DAC) a Better World for All (July 2000).

(b) “The independent expert recommends that ‘all agreements with Governments should include a social clause spelling out the social policies which must be kept safe from budget cuts: education, health, basic hygiene, and housing’. Further, ‘the content of this protective social clause should be the subject of a joint report by the UNDP, IMF, the World Bank, and the High Commissioner for Human Rights with the aim of protecting specific aspects of the social policies of the countries involved in the negotiation’. Fund policy advice and lending under the PRGF, and its predecessor the ESAF, seek to provide budget allocations that are financially on a sustainable basis for efficient social sector spending. For all HIPC countries with IMF-supported programmes since 1985, per capita spending (after inflation) on health has risen by 4 per cent per year and on education by more than 2 per cent per year. Also, school enrolment rates have risen by 1 per cent per year and more quickly for girls than for boys, narrowing the gender gap; child mortality has fallen by 2 per cent per year and immunization rates have risen by between 7 and 9 per cent per year.”

(c) “The independent expert also considers ‘that a compensation mechanism for financing spending in the fight against extreme poverty from the funds made available by rescheduling is a priority aspect of the role of the Bretton Woods institutions’. The enhanced HIPC Initiative goes further than debt rescheduling - it provides debt relief. Also, under the Initiative, resources released by debt relief are to be used for poverty reduction. Social spending for the 10 countries receiving debt relief under the HIPC Initiative, on average, is expected to amount to more than three times actual debt service over 2000-02.”

55. The content of these comments, the quality of the acceptance of the objectives stated in the report and the substance of the talks which the expert had in Washington, in particular with Mr. Kohler, demonstrate the importance attached by the senior officials of the IMF to the objectives of combating poverty spelt out in the resolution: a new culture within the Fund, real limitations on the extent of dialogue with civil society, although that dialogue is important;

the responsibilities of Governments; the importance of the development of rural zones and basic infrastructures, particularly in agriculture; the need for decentralization within States, to be conducted in parallel with the creation of financial mechanisms and resources and accompanied by a model for control of decentralized expenditure.

56. The expert's interviews at the IMF essentially brought to light the progress made there in the past two years. The changes were significant in terms of the progress the expert had expressed hope for in her report. She observed, *inter alia*, that:

(a) Many changes have occurred in the field of financial stability, macroeconomic adjustment, poverty reduction and growth facility. With regard to poverty reduction, Governments should pursue their own policies and develop their institutions, not only economic (market conditions) but also in the field of the administration of justice. They should also decide on the methods of monitoring and tracking expenditure in the social sector and reflect them in the budget in a manner which allows IMF to assist in the design and implementation of meaningful social programmes;

(b) IMF does not propose a "model conceptual framework". PRSPs are based on a participatory country strategy. Countries assess their own priorities. The United Nations principles have been integrated in the PRSPs targets. The Fund and World Bank intervene at the financing level to facilitate, *inter alia*, the contact with the donors. All PRSPs encourage decentralization. For example, Indonesia is going through a rapid decentralization process;

(c) Eleven countries under the enhanced HIPC Initiative have reached the decision point in regard to the implementation of the interim PRSP. Countries withdrawing from the enhanced HIPC Initiative are still expected to prepare a PRSP, for example, Ghana, Lao People's Democratic Republic and Yemen;

(d) Progress in the elaboration of indicators is very slow. However, there is an agreement on the use of interim indicators. Twenty-four broad indicators have been developed in cooperation with the United Nations system, the Bretton Woods institutions, and the donors, which help in assessing global indicators. Other indicators are country-specific.

57. The following are the main issues raised with the Policy Development and Review Department at IMF regarding the effectiveness of IMF policy for poverty reduction.

(a) An illustrative scheme was provided with details of various steps in the procedure of elaborating a PRSP and the specific role of the World Bank and the IMF: in the rare cases where there is no Bank programme or staff, the Fund would expand its conditionality;

(b) The problem of a human rights impact assessment, in particular adequate measures for the realization of economic, social and cultural rights, still needs to be addressed by the World Bank and the IMF. Reference was also made to the problem of the adoption by States of new legislation that is inconsistent with the budgetary objectives.

58. The IMF has set up a unit especially to analyse its impact on poverty. Work started on 1 July 1999. The two-person unit has a mandate to work with the World Bank as well as with

the IMF. The methodology focuses on a few countries: Burkina Faso, Mali, Mozambique and Uganda. The working atmosphere between the IMF and the World Bank is considered excellent. The PRGF and the PRSP (anti-poverty plan) are two excellent methods, but there is often not enough participation, follow-up or statistical data. The PRSP is in fact government-owned, the unit making suggestions and monitoring ongoing activities in terms of micro-economic values.

59. The IMF checks for coherence, monitors the budget system, then decides with regard to the PRGF. From the macroeconomic point of view, the PRGF has the same approach as the PRSP. Structural conditionality in fact falls within the scope of the World Bank, whereas macro-structure is the concern of the IMF (for example, privatization). The role of taxation is very important. The IMF is competent for effective expenditure, but the role of public administration falls to the World Bank.

60. The World Bank has a substantially heightened interest in the implementation of human rights and the link with its activities. Recalling that Human Rights Watch had applauded the first explicit reference to human rights in a World Bank document (the IMF and World Bank annual meeting held in Prague in October 2000), the expert expressed interest in the PREM (Poverty Reduction and Economic Management) network created within the World Bank. The network provides support to Governments, mainly for strategy formulation for a specific sector and policy-based lending.

61. The World Bank's PREM network has the following five specific thematic groups on poverty: 1. information on strategies to monitor and analyse poverty; 2. poverty and inequality; 3. poverty impact evaluation; 4. poverty and safety nets; 5. poverty and human capital. It should enable the World Bank to consolidate its knowledge in these areas and to avoid duplication.

62. During the expert's interviews at the World Bank, the primary role of the most extensive participation possible of the country in the drafting of the PRSP was emphasized. The participation of all concerned in drafting the PRSP was very important. For example, in Bolivia the national dialogue entailed a very real political risk. For a long time, indigenous people were excluded from public consultations. The first efforts at democratization turned out to be superficial. However, the new process of national dialogue established through the PRSP opened new channels. Bolivia's efforts to develop a decentralization strategy to distribute growth presents a fairly positive image of evolving democracy in the country. The Ministry of Planning has developed a social fund for unemployed miners. The budget allocated for each area is displayed locally, allowing for public tracking. However, there is no official monitoring system per se.

63. The independent expert attempted to understand how the poor could be involved in consultations for the PRSP.

64. It was explained that a well-designed consultation process should be established. Such a process should maintain the distinction between public participation and State accountability. For example, in determining priorities for health expenditure, the focus of public health policy

should be primarily on preventive health services for everybody. Health budgets for the other sector should be determined following the income curve. Health policies also depend on the availability of fiscal resources and the distribution of public expenditure.

65. One regional financial institution which has incorporated the concept of human rights into its charter (specific clause) is the European Bank for Reconstruction and Development (EBRD). A study of the reference framework for its implementation is of great interest for this report.

66. The question is whether the international financial institutions have a duty of care obliging them to anticipate the negative repercussions of their decisions on the human rights situation in borrowing countries. In that connection, the expert underscores the link between that duty and the IMF's decisive role with regard to poverty trends in one country studied: Belarus (see section V, para. 95).

67. The expert will continue to study the interaction between human rights bodies and Bretton Wood's institutions, as she had done in the first study, as that interaction clearly constitutes development of the utmost significance, demonstrating the interest attached by the IMF itself to the matter.

68. The expert will go deeper into the legal opinion according to which "the question of the situation of the international financial institutions with regard to the rules safeguarding the rights of the individual cannot be considered solely within the framework of the legal order of those institutions, which, moreover, look on those rules with a questionable bias (to the effect that respect for human rights is a political consideration). Beyond that basic legal framework, general international law is designed to be applied "horizontally" to the activities carried out by those institutions within the framework of their statutory spheres of competence. They are in particular subject to a duty to exercise due care, meaning they must ensure that the activities carried out under their control do not infringe the rights of other subjects of international law, including individuals. They must therefore ensure that in their programmes and policies they encourage their member States to make the granting of a loan conditional on the absence of any effect on either the civil and political or the economic and social rights of the local population, which the borrowing States have pledged internationally to respect".<sup>2</sup>

## **V. GIVING PRIORITY TO THE VOICES OF THE POOREST PEOPLE**

69. The independent expert's mandate comprises consultation of the poorest people and their communities.

70. Consultation of the poorest people and their communities implies the establishment of a world alliance to fight extreme poverty that brings together in a coherent political framework the United Nations agencies, the Bretton Woods institutions and the World Trade Organization. The independent expert mentions the mobilization of national human rights institutions (E/CN.4/2000/52, para. 89), regional and local authorities (para. 90), States (*ibid.*, para. 93), social workers (para. 111) and, more generally, personnel having frequent contact with the poorest people, such as police officers (para. 110) and judges (para. 107).

71. The mobilization of forces is a necessary condition for the success of the alliance. As observed by International Movement ATD Fourth World, progress has been made towards achieving coherence in the efforts of the various institutions of the international community (para. 85). However, those efforts will be only partly successful if the mobilization is not broader and if it does not reach all citizens without exception: those who live in and combat extreme poverty, those who are close to the poorest because of their professional or charitable activities, those who never, or almost never, rub shoulders with the poor. They must all come together to form, within the alliance, a body of world public opinion that demands respect for the dignity of all. There are many means of achieving this aim. The national human rights bodies could devote time and resources to the issue of extreme poverty, as they do to the fight against racism or against discrimination against women.

72. Training is a necessary condition for consultation: consultation of the poorest people and their communities requires people able to implement policies of listening, analysis and action to anticipate the needs of the poorest. Training is therefore essential. International Movement ATD Fourth World places it at the heart of the process.

73. Training programmes covering the living conditions of the poorest people should be systematically included in the instruction provided to all professions having frequent contact with people in difficulty: not only police officers, judges or prison personnel (paras. 107-110) and social workers (para. 111 ff), but also the medical and paramedical professions, the teaching and vocational training professions, and public servants, in particular those in charge of receiving people. Such training should be available to the entire population. It should start in the framework of school programmes, at primary school level or even earlier. It should also be included in the activities of child and youth associations and movements. Every citizen, no matter what his or her background, has the duty to know about the living conditions of the poorest and their aspirations, in order to be able to talk with them. There can be no partnership otherwise. At best, we will keep our paternalistic attitudes; at worst, we will develop attitudes reminiscent of racism and xenophobia.

74. The project could also benefit from the development of initiatives enabling young people and adults to make themselves available for projects in areas of extreme poverty, through existing NGOs: to learn to know those populations, to live and work with them; to develop with them fresh outlooks on human activity. Public administrations and enterprises should facilitate the voluntary commitment of employees wishing to give of their time to fight poverty.

75. Enabling the poorest people to express themselves requires a major human investment: it needs trained people able to conduct these relations in each member State; the human investment must also be sustainable and internationally mobile. International Movement ATD Fourth World emphasizes that without lasting human investment side by side with the poorest, neither micro-credit (para. 97), nor integration policies and job programmes (para. 99), nor the measures to enable the poor to obtain admission to theatres or cinemas (para. 105) \* will ever reach them. The independent expert emphasizes (para. 106), with regard to ethnic minorities: “the main problem is to gain knowledge about these peoples and find ways of reaching them and talking to them about their rights”.

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\* Mistake in the original.



76. In this respect, the importance of continuity in time must be emphasized. Projects are interrupted or fail to meet their objectives because human investment is lacking.

77. One of the difficulties encountered is the restrictions on freedom of movement, establishment and residence affecting people who wish to work on projects to fight poverty throughout the world. These long-term volunteers find it very difficult to obtain the necessary visas and residence permits, either to remain in a country for a long time or to go elsewhere for training. Visa refusals and administrative difficulties are increasingly frequent, whether in North-South, South-North or even North-North exchanges. The matter should be examined during the International Year of Volunteers and the means sought of giving (long-term) volunteers in the struggle to overcome poverty a status enabling them to invest fully in their activities, without being in a constant state of uncertainty as to their administrative situation.

78. The priority we give to enabling the poorest people to express themselves must in no event mask the structural reality of poverty: access to property, access to credit, fiscal mechanisms for the redistribution of wealth, access to water. Economic growth may be a necessary condition, but it on its own does not suffice to reduce poverty. The structural factors of poverty are numerous and explained in detail in the previous report (E/CN.4/2000/52).

79. These structural relations are often maintained by institutions: the conduct of these institutions at the smallest level (castes) or the international level (Bretton Woods institutions) can be decisive (see section IV).

80. The relationship between culture and poverty is also part of the analysis that the expert will develop in her forthcoming report. On this topic, the non-governmental organization JDRAD (Jesuits for Debt Relief and Development) must be quoted:

“The cultural aspect, so frequently overlooked, is consequently critical to the poverty debate. ... Developing our analysis, the relationship between culture and poverty is deeper than what first appears. The increasing inequality, and consequently the inability to liberate the poor, is a cultural phenomenon in the sense that, under the present dispensation of neo-liberalism, ‘poverty’ and the ‘marginalized’ have no meaningful existence within the dominant discourse, or the dominant culture. The poor today are people without meaning, people without voice, and belong to communities that live on the meaning provided to them by others (subalternity). It is in this sense that we can say that the poor are not allowed to exist culturally. In other words, the poor are a ‘failure’, an unbecoming excrescence that must be done away with. According to this ‘new culture’, it follows, therefore, that their world of meaning, their traditional forms of knowledge, their ancient forms of governance, of finding livelihoods and communal forms of sharing resources are totally discredited.

“There is room only for one culture - the culture of success and well-being promoted vigorously by capitalism all over the world. ...

“The solutions to the problem of poverty must come from below nurtured by appropriate policies and institutions from above. The most important reason is obviously the cultural aspect of poverty. The liberation of the poor from poverty has an important

cultural dimension. First, it is a public engagement and statement asserting their right to matter, to have a voice and to decide their future. Second, 'empowering the poor' is closely related to recognizing their knowledge and their value system. Cultures are neither perfect nor immutable, but the dynamics and the agenda of cultural change must be decided by those affected."

81. The expert also emphasizes the growing gap, in terms of culture, between those who have access to the information society (enterprises, government) and those who never will. Unbreachable walls are being built that go much further than the mere criterion of living standards (Ricardo Petrella discusses this in his essay<sup>3</sup>).

82. At the world level, different elements of new cultures or countercultures are gradually appearing, very often in connection with the fight against poverty. One can even speak of diverse channels of expression in the form of various subsidiary or underground channels opposing the culture "of wealth". It is important to note that, unlike a culture with a uniform pattern of thinking, the emerging cultures are disparate and multifaceted. JDRAD lists the most important of these in the following terms:

"[T]he debt movement with which JDRAD is strongly involved; ecological and feminist movements, indigenous movements (Chiapas very much on the forefront, and Jharkhand celebrating a new statehood in India), and the emergence of various platforms and networks of civil society that have decided to take a stand at Cologne, Seattle, Philadelphia, Kuala Lumpur or currently, in Prague. These groups are helping to push forward the boundaries of the dominant cultural, political and economic paradigm. New values are coming to the fore and finding expression at a policy level as evidenced in the thinking in the IMF Poverty Reduction Strategy Policies (PRSPs) and the recent World Bank Development Report."

83. The expert considers it important to ascertain what knowledge the poor have of their rights and of the actual exercise thereof. It should be possible to conduct a specific study to ascertain whether legislation exists facilitating access by the poorest people to the courts. The expert also thinks it would be interesting to discover whether there are any specific cases in which needy people have been able to claim their economic, social and cultural rights in national courts (constitutional or other courts), regional courts (the European Court of Human Rights and the Inter-American Court of Human Rights) or international courts (anticipate the consequences of the adoption of an additional protocol to the International Covenant on Economic, Social and Cultural Rights).

84. Numerous publications touch on the issue of self-expression by the poorest. Several NGOs, including International Movement ATD Fourth World (Reaching the Poorest) and ENDA Inter-Arab (La débrouille au féminin - Tunisie) have produced works on the subject. IFAD has published a handbook on the participation of poor groups in its projects, stipulating a method for the consultation of rural groups on the planning and conception of projects, the role of local communities, the need for local community reinforcement, and the organization of mechanisms for official recognition of the importance of procedures for the participation of poor groups of people.

85. Lastly, in Voices of the Poor - Can Anyone Hear Us?, the World Bank has just published an exhaustive analysis covering more than 60,000 poor people from throughout the world, aimed at defining what keeps them from expressing themselves and containing useful guidelines for the analysis of their needs. The scope of the analysis is unprecedented. The expert emphasizes the relevance of the analysis of the situation of poor people living in countries in transition, particularly children, a situation she was able to study in greater depth in Belarus.

86. The poorest people must be able to express themselves on specific topics which should be examined in greater depth. They include living arrangements, in particular in megacities (Mexico). How are poor and illiterate groups of people consulted? A specific study of the techniques used by the poorest people to express themselves, employed for land-use planning purposes in Europe, could also be profitably compared with the techniques used in the megacities of Latin America: the place of women and children in land-use choices, the fundamental needs of poor groups, the tools of dialogue with institutions, the means allocated for participative practices (are they sufficient? what are the follow-up procedures?).

87. The expert will take a closer look at the role of local decentralization as a technique for the participation and expression of poor groups. From this point of view, she will scrutinize developments in several countries, notably Benin. Successful decentralization does not work from the top down. To be successful it requires effective communication between groups of people, and it is therefore necessary to use the system actually used by poor people to communicate. In Benin, the préfet is a relative stranger, but everyone knows the woman in charge of water!

88. The role of decentralized bodies in communication with the population must also be defined. They must be given a detailed mandate in that regard. The importance of local government monitoring and transparency is thus essential and will be covered in the report. The expert recalls the great interest shown by the World Alliance of Cities against Poverty, initiated by UNDP, and the particularly useful proposal made by the Fonds international de solidarité at the initiative of the city of Geneva in this framework.

89. Enabling the poorest to express themselves brings to mind the imperative need for enabling the poorest women to do so. This special problem will be examined in the report from the point of view of women's right to inheritance, their access to ownership (International Human Rights Law Group) and the hearing their needs are given in participation procedures, in particular rural procedures, which are particularly rooted in tradition and backward. The expert wishes to recall, for example, the importance of access to water, a basic investment that is fundamental for rural women. Several experiences have demonstrated that the sinking of wells in certain rural African communities increases the time available to women and is therefore considered to undermine the power of men; the wells are therefore poisoned or fouled by the men in extremely poor communities. Relations between men and women are just as violent in poor communities as in other societies.

90. In the initial phase of the report, the independent expert examines the continued struggle against poverty in Algeria, a country already studied in her previous report and which has chosen to make extreme poverty one of its priorities.

91. Algeria held its first national conference on the struggle against poverty in October-November 2000. The conclusions of the Algerian national conference reflect the major areas on which poor groups of people need to express themselves:

- (a) Development of agriculture and fishing, two basic elements;
- (b) Greater fairness in the provision of health care;
- (c) Guaranteed vocational training and employment;
- (d) Identification of needy people requiring housing;
- (e) Incorporation of the neediest people in the social security system;
- (f) Substantial State transparency: a precondition for the success of reform measures.

92. Algeria is thus developing its campaign against poverty very positively. Its strategic reinforcement and the establishment by the Finance Ministry of a truly transparent budget should therefore be encouraged. The population of Algeria's towns had grown in the past five years, and increased income from oil could enable rapid reconstruction of the school network. The expert had been impressed by the widespread availability of the Internet among young people and by the outreach services.

93. The expert will not be able, within the framework of her mandate, to examine how poor groups of people express themselves in the event of conflicts, in particular inter-ethnic conflicts. She nevertheless considers it important to mention those conflicts in this interim report, because they bring about the situations of deepest despair. The expert had encountered an extreme case which illustrates the absolute poverty reigning among the Muslim population of Srebrenica in November 2000. Isolation in surroundings of hatred is the worst of all situations. Thus, in Srebrenica an old Muslim man and his wife (87 and 82 years old respectively) are living in fear in their 2 x 1.50 m house reconstructed with the help of SFOR (United States of America) on a hill on which everything had been destroyed and which had been resettled exclusively by Serbs.

94. The expert will nevertheless examine in depth, with the national human rights institution of Bosnia and Herzegovina, developments in the work of the latter with regard to extreme poverty and groups of people deprived of their human rights.

95. The expert wishes to take a close look at the special situation of poverty in countries in transition. In that respect, she plans to visit Russia and can already report several observations made in Belarus, a fragile country in which, according to UNDP, poverty may increase if the IMF is too rigid (see section IV). In Belarus, the ministries function, the civil servants carry out their duties on behalf of the State and civil society is very active (more than 2,900 private organizations), yet the expert encountered various groups of poor people in the orphanages and

in the hospitals close to the Chernobyl area. Belarus is preparing to re-examine its legislative instruments for fighting poverty in the areas of unemployment, pensions and social assistance. Very poor families are visited by State social services.

96. A huge wave of poor migrants from Asia is sweeping across Belarus. It contains individuals of every nationality in illegal transit situations. According to UNDP, the vulnerable population sectors in Belarus are the following:

(a) Pensioners, who have a very low standard of living (in some cases they go hungry) and suffer from depression and alcoholism;

(b) Broken homes and children placed in orphanages because their family or single or prostitute mother is too poor;

(c) Ethnic groups: although Belarus is a very tolerant country, it is presently experiencing the biggest wave of migrants in transit in centuries (Abkhaz nationals are arriving without papers and do not speak the language; students from Uzbekistan, Tajikistan and the other former Soviet Socialist republics, who were previously studying in Russia, are trying to leave for the West);

(d) The Roma or gypsies: very few people look after the Roma, and gypsy families sometimes arrive from Tajikistan (the women beg and their husbands work on the markets and in winter they do not have adequate clothing);

(e) Prostitution is growing at an increasing rate.

97. According to the World Bank report, Voices of the Poor (page 125), countless children in countries in transition like Belarus are entrusted by their mothers or their families to State institutions so that they will have enough to eat and decent housing. Belarus has orphanages of this kind; they receive little aid but are properly run. The same holds true for aid for handicapped people.

98. There are nevertheless other indicators of latent and very widespread poverty: begging in the streets, including begging by children, widespread prostitution, the lack of medicines in the children's hospital, large numbers of children being placed because their parents have been deprived of parental authority (on account of alcoholism or delinquency). Deprived of access to any structure, the gypsies beg in the streets.

99. The expert has drawn up a questionnaire for her interviews with the poorest people, aimed at identifying the components of poverty, respect for the rights of the poor, their knowledge of those rights, and more specifically their contacts with other poor people, the police, the judicial system, other institutions, the municipal authorities and social services. During each mission the expert will identify the processes of expression and will attempt to define how to make them more effective (see Annex IV).

## VI. CONCLUSIONS

100. The expert does not wish, at this stage, to draw conclusions with regard to the general terms of resolution 2000/12. She hopes that the questionnaires sent to Member States, NGOs and national human rights bodies will make it possible, starting at the beginning of 2001, to focus her work and thanks the Member States for their cooperation.

101. The methodology by which the poorest are consulted will be adapted to the real situation in each Member State and the structural or ethnic composition of the poor and their communities. It will be used to define recommendations on how to formulate the needs of poor communities and on the procedure to be used to evaluate effective implementation of their demands.

102. The expert will pursue the interactive dialogue with the IMF (see section IV) and the World Bank with regard to the incorporation of respect for human rights in their poverty reduction programmes (PRSP and PRGF).

103. The importance of the world alliance against poverty has been heavily underscored. Mobilization requires sustained action and comprehensive training, but also discernible moments of external mobilization aimed at public opinion as a whole. The expert recalls the importance of 17 October and the celebration of the International Day for the Eradication of Poverty. The recommendations drawn up by the independent expert should give great impetus to the development of that world day by recalling the permanent link between extreme poverty and all human rights in their indivisibility.

104. At a time when the international community, in the name of realism, is setting itself objectives such as reducing poverty, unemployment and illiteracy by half, it is incumbent on us to insist that the only valid objective in terms of human rights is comprehensive: all human rights for everyone.

105. The strategy proposed in the report can be broken down into four stages and aims to establish: (a) knowledge of their rights among the poor themselves; (b) training for the fight against poverty; (c) the harnessing of capacities to organize and to carry out a genuine campaign against the condition of poverty; and (d) the necessary mobilization (world alliance against poverty).

Notes

- <sup>1</sup> Key Features of PRGF-Supported Programs (August 2000); Heavily Indebted Poor Countries (HIPC) Initiative and Poverty Reduction Strategy Papers (PRSP) (August 2000); Poverty Reduction Strategy Papers - Progress and Implementation (August 2000); Enhanced Initiative for Heavily Indebted Poor Countries - Review of Implementation (August 2000); the joint statement by Mr. Kohler and Mr. Wolfensohn “The IMF and the World Bank Group: an Enhanced Partnership for Sustainable Growth and Poverty Reduction” (5 September 2000). The IMF Survey, vol. 29:6 (20 March 2000), vol. 29:10 (22 May 2000), vol. 29:13 (3 July 2000) and IMF Survey Supplement, September 2000, which contain relevant articles on globalization, the Fund’s social policy, debt strategy and strategy on military spending, as well as on the level of social and military spending in countries with Fund-supported programmes.
- <sup>2</sup> Conclusions of the colloquium “Institutions financières: l’exception aux Droits de l’Homme”, Brussels, Bruylant, 1999-1.
- <sup>3</sup> L’éducation, victime de cinq pièges, Fides, October 2000.

## **Annex I**

### **QUESTIONNAIRE FOR GOVERNMENTS**

#### **Human rights and extreme poverty**

In 1998 the Commission on Human Rights decided to appoint Ms. Anne-Marie Lizin as independent expert on the question of human rights and extreme poverty. According to UNDP, extreme poverty, which is often called absolute poverty, is the situation of a person who lacks the income necessary to satisfy basic food needs (UNDP, Overcoming Human Poverty, 1999 and 2000). Since then the independent expert has been invited in successive Commission resolutions to evaluate the relationship between the promotion and protection of human rights and the eradication of extreme poverty, in particular by identifying good national and international practices. In resolution 2000/12 of 17 April 2000 the Commission also asked the independent expert to consider strategies to overcome extreme poverty and the social impact of those strategies; and to hold consultations, including during her visits, with the poorest people and the communities in which they live, on means of developing their capacity to express their views and to organize themselves and to involve national human rights bodies in that exercise (the resolution may be consulted on the Web site of the United Nations High Commissioner for Human Rights: <http://www.unhchr.ch>).

By means of this questionnaire, the independent expert hopes to incorporate into her analysis the views and experience-based data collected from the main parties concerned with the eradication of extreme poverty, namely Governments, national human rights bodies and non-governmental organizations working in the field of economic, social and cultural rights.

We should be grateful if you would send your reply to the United Nations High Commissioner for Human Rights, Research and Right to Development Branch (Palais Wilson, 52, rue des Pâquis, 1201 Geneva; fax: 00 41 22 917 90 10), by 31 January 2001 at the latest.



1. Does your country have a plan of action, a programme, or a strategy to overcome poverty? When was it adopted? When was it launched?
2. Does the plan of action, programme or strategy deal with each of the following issues separately: food, housing, education, health, ownership of land assets and the environment?
3. Please provide specific examples of the objectives for each issue.
4. Does your strategy or national programme to overcome poverty provide for support measures for certain specific groups such as low-income families, single mothers, the handicapped, girls, orphans, the elderly, widows, ethnic, religious or linguistic minorities, indigenous groups, etc?
5. Did local community representatives help draw up the national plan of action to overcome poverty and do they participate in its implementation? To what extent? With what budget? Do the local authorities receive some of the national/international funds? What proportion?
6. What means have been used to evaluate progress towards the Government's objectives with regard to overcoming poverty in each of the above-mentioned areas?
7. What are the chief obstacles/difficulties to fulfilment of the plan's objectives?
8. What have been the greatest successes observed to date in implementation of the plan of action?
9. At the local level (towns), are there any institutions in charge of overcoming extreme poverty? What proportion of locally-elected officials come from very poor backgrounds in your country? How is contact with non-governmental organizations organized at the local level?
10. What are the relations of the Government with the main NGOs concerned with the problem of extreme poverty and human rights with regard to financing, representation and coordination meetings on the country's territory? How often is contact made with NGOs?
11. Does the police force have access to social workers or prevention services? Does it have contact with associations defending the rights of the very poor? Do police officers receive specific training in this field?
12. Is school attendance encouraged, in particular among girls from poor families? What concrete measures have been adopted for the coming five years in favour of children from very poor backgrounds?
13. Does the civil registration service function properly? What is the estimated number of undeclared people on the national territory? Do they belong to the category of very poor people?

14. How much did your Government allocate in 1999 and 2000 to overcoming poverty? How much did your Government receive in 1999 and 2000 from UNICEF, UNDP, WHO? How much do you think the NGOs operating on the national territory received from those three organizations? Who runs programmes to overcome extreme poverty?

15. How are poor communities associated in the struggle against poverty: drawing up or conception of programmes, budget allocation, etc?

16. With regard to the latter point (budget allocation), do poor communities take part in drawing up budgets to overcome poverty and budgets for other policies? Do they also help establish priorities with regard to very poor people, by zone, by ethnic group, etc?

## **Annex II**

### **QUESTIONNAIRE FOR NATIONAL HUMAN RIGHTS BODIES**

#### **Human rights and extreme poverty**

In 1998 the Commission on Human Rights decided to appoint Ms. Anne-Marie Lizin as independent expert on the question of human rights and extreme poverty. According to UNDP, extreme poverty, which is often called absolute poverty, is the situation of a person who lacks the income necessary to satisfy basic food needs (UNDP, Overcoming Human Poverty, 1999 and 2000). Since then the independent expert has been invited in successive Commission resolutions to evaluate the relationship between the promotion and protection of human rights and the eradication of extreme poverty, in particular by identifying good national and international practices. In resolution 2000/12 of 17 April 2000 the Commission also asked the independent expert to consider strategies to overcome extreme poverty and the social impact of those strategies; and to hold consultations, including during her visits, with the poorest people and the communities in which they live, on means of developing their capacity to express their views and to organize themselves and to involve national human rights bodies in that exercise (the resolution may be consulted on the Web site of the United Nations High Commissioner for Human Rights: <http://www.unhchr.ch>).

By means of this questionnaire, the independent expert hopes to incorporate into her analysis the views and experience-based data collected from the main parties concerned by the eradication of extreme poverty, namely the Governments, national human rights bodies and non-governmental organizations working in the field of economic, social and cultural rights.

We should be grateful if you would send your reply to the United Nations High Commissioner for Human Rights, Research and Right to Development Branch (Palais Wilson, 52, rue des Pâquis, 1201 Geneva; fax: 00 41 22 917 90 10), by 31 January 2001 at the latest.

1. Are poor communities represented in your institution?
2. What possibilities does your institution afford to people living in extreme poverty, or to their representatives, of taking part in the decision-making process?
3. Does your institution play a specific role in the promotion and protection of economic, social and cultural rights and, in particular, in the struggle against poverty?
4. Can you give concrete examples with regard to food, housing, health, education, the environment and land ownership?
5. Have you launched an information or public awareness campaign with a view to the eradication of poverty? If so, how is your institution implementing it? Please give examples.
6. In that respect, how does your institution fulfil its consultative and assistance role in the framework of the policies to overcome poverty implemented by the Government?
7. What are your relations with those in charge of enforcing the law and the security forces in matters relating to the communities living in poverty in your country? Please give examples.
8. How is justice administered, from your point of view, with regard to the extremely poor sectors of the population?
  - (a) What possibilities are there for the poor to have access to the machinery of justice?
  - (b) What are the obstacles impeding access by the poor to the machinery of justice?
  - (c) Is there a mechanism (for example, positive action, financial assistance, legal aid) enabling the poor to have access to the machinery of justice?
  - (d) How do you help the poor to obtain access to the machinery of justice?
9. Are you in contact with parliamentarians, community organizations and NGOs about the fundamental rights of people living in extreme poverty?
  - (a) What is the nature of those contacts/that cooperation?
  - (b) What are the results?
10. How would you evaluate your institution's action to improve the situation of very poor people and to give them the possibility of expressing themselves:
  - (a) Very effective (.....)
  - (b) Effective (.....)

- (c) Relatively effective (.....)
- (d) Ineffective (.....)

11. Does your country have any examples of good practices or successful experiences in the alleviation of poverty that you wish to share with other countries?

12. How do you envisage a widening of your responsibilities as a national human rights body working to overcome extreme poverty? Do you anticipate any progress in this respect in the medium and long term?

### **Annex III**

## **QUESTIONNAIRE FOR NON-GOVERNMENTAL ORGANIZATIONS**

### **Human rights and extreme poverty**

In 1998 the Commission on Human Rights decided to appoint Ms. Anne-Marie Lizin as independent expert on the question of human rights and extreme poverty. According to UNDP, extreme poverty, which is often called absolute poverty, is the situation of a person who lacks the income necessary to satisfy basic food needs (UNDP, Overcoming Human Poverty, 1999 and 2000). Since then the independent expert has been invited in successive Commission resolutions to evaluate the relationship between the promotion and protection of human rights and the eradication of extreme poverty, in particular by identifying good national and international practices. In resolution 2000/12 of 17 April 2000 the Commission also asked the independent expert to consider strategies to overcome extreme poverty and the social impact of those strategies; and to hold consultations, including during her visits, with the poorest people and the communities in which they live, on means of developing their capacity to express their views and to organize themselves and to involve national human rights bodies in that exercise (the resolution may be consulted on the Web site of the United Nations High Commissioner for Human Rights: <http://www.unhchr.ch>).

By means of this questionnaire, the independent expert hopes to incorporate into her analysis the views and experience-based data collected from the main parties concerned by the eradication of extreme poverty, namely the Governments, national human rights bodies and non-governmental organizations working in the field of economic, social and cultural rights.

NGOs whose work focuses on food, housing, education, health, ownership of land or assets or on poverty and environmental concerns are kindly requested to provide, when responding to the questionnaire, details on their fields of specialization, in particular with regard to the last item.

We should be grateful if you would send your reply to the United Nations High Commissioner for Human Rights, Research and Right to Development Branch (Palais Wilson, 52, rue des Pâquis, 1201 Geneva, Fax: 00 41 22 917 90 10), by 31 January 2001 at the latest.

1. How would you describe the relationship between the State (the States) and your NGO? Does the State contribute to the development of the various components of civil society, including NGOs?
2. How are the needs of extremely poor people established? Please give details by country, in the light of your organization's experience.
3. How is your executive board made up? Are very poor people represented in your NGO?
4. What are the characteristics of the poor people you help? Are they citizens of the country concerned, handicapped people, members of ethnic groups, foreigners? Please describe your NGO's interlocutors in detail.
5. On the basis of what criteria are groups/sectors selected to receive help?
6. How do the poor express their needs to your NGO? How do they express their needs to the local authorities? How do the poorest women express themselves? Are they members of groups, do they have channels through which to express their views specifically as women?
7. In what form does aid reach the poorest people? Please indicate the amounts received in 1999 and 2000 from the State (States), UNDP, UNICEF, WHO.
8. What policy/policies have been implemented to associate the poor in the decision-making process in your institution?
9. Are you in contact with the local authorities? Which authorities and at what times? Are you organized locally? Since when?
10. Is the attitude of the police, the armed forces towards you hostile? On what occasions?
11. What are your contacts with the education authorities? Do you have specific activities to promote school attendance by girls?
12. In your view, what should be the objectives of an effective local, national, regional and international strategy to promote and protect the fundamental rights of very poor people:
  - (a) Education?
  - (b) Health?
  - (c) Housing?
  - (d) Food?
  - (e) The acquisition and conservation of land, assets and a home?
  - (f) A healthy and safe environment?

**Annex IV**

**QUESTIONNAIRE USED BY THE INDEPENDENT EXPERT DURING  
HER INTERVIEWS WITH THE POOREST PEOPLE**

How much does the interviewee think he/she needs to “survive”?

Daily ..... Weekly ..... Monthly .....

What is his/her income?

Daily ..... Weekly ..... Monthly .....

What is the source of the income?

Institution - church - family - friends - work - begging - other

.....

How many people are there in the family?

..... including ..... children

Do the children attend school? Yes - No

Does the interviewee have a job? Yes - No

Is the interviewee the family’s sole breadwinner? Yes - No

If not, what other sources of income does the household have?

What are the priority uses of that income? Housing  
Food  
Medical care  
Family  
Other

Who does the interviewee speak to during the week?

Institution - church - family - friends - groups - schools - other

Is he a member of a group? A trade union? A political group? Yes - No



What does he eat?

Where are the meals obtained?

Institution - church - family - friends - work - begging - orphanage - school - groups

Other means? .....

Can he read? Yes - No

Does he read? Yes - No

Where does he live?/Where does he sleep?

Institution - church - family - friends - work - school - groups - at home - in the street

How often can he wash? Per day .....

Per week .....

Per month .....

Is he ever insulted, ill-treated? Yes - No

By whom? The police

The family

Other poor people

People in the street

Other people

Has he any means of defence? Yes - No

Is he in contact with a public service? ... times per day

... times per week

... times per month

Never

Is he in contact with the police? Yes - No

If so, how many times:	Per day .....
	Per week .....
	Per month .....
Has he ever been in prison?	Yes - No
Does he go to the hospital?	Yes - No
Who pays his medical expenses?	Medical care free of charge
	His family
	Friends
	His income
	Other
Does he go to the mosque?	Yes - No
Attend school?	Yes - No
Attend church?	Yes - No
Attend a temple?	Yes - No
Go elsewhere?	Yes - No
Does he have a friend? Friends?	Yes - No
Do his friends help him find:	
food?	Yes - No
housing?	Yes - No
the means of subsistence?	Yes - No
Who is he?	Man
	Woman
	Child

How old is he?

Under 10

10 to 20

30 to 50

Over 50

Questionnaire completed on .....

In .....

Country .....

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