

« Dignity in the Face of Extreme Poverty»



**Consultations with people in extreme poverty
on the draft guiding principles**

**“Extreme Poverty and Human Rights:
The Rights of the Poor”**

Interim Report

October 2007

On 24 August 2006, the United Nations' Sub-Commission on the Promotion and Protection of Human Rights adopted draft guiding principles entitled "Extreme poverty and human rights: the rights of the poor."

On 17 November 2006 in Geneva, the Human Rights Council requested that the Office of the United Nations High Commissioner for Human Rights "circulate the draft guiding principles in order to obtain the views of (...) non-governmental organizations, especially those in which people in situations of extreme poverty express their views." (A/HRC/RES/2/2).

This report is based on consultations with people living in poverty and extreme poverty, and of NGOs committed alongside them. These consultations were organized by the International Movement ATD Fourth World in: Lille (France), Cusco (Peru), Kielce (Poland), Dakar (Senegal) and Bangkok (Thailand). It is also based on exchanges with other members of ATD Fourth World, particularly in Geneva (Switzerland), and with the organizations that are members of the Permanent Forum Against Extreme Poverty in the World.

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Summary

The consultations organized by the International Movement ATD Fourth World with regard to the draft guiding principles, “Extreme poverty and human rights: rights of the poor,” which took place in France, Peru, Poland, Senegal, and Thailand, enabled individuals from very different social and professional backgrounds to meet in order to better understand how the most disadvantaged cope with extreme poverty and to evaluate the draft guiding principles.

The request by the Human Rights Council that the opinions of individuals living in poverty and extreme poverty be solicited is a very interesting and innovative initiative that results in a better understanding of how to create the conditions needed for the efforts, experiences, and thinking of excluded people and populations to be taken into account more fully in the elaboration of international texts.

The exchanges highlighted the following points:

Extreme poverty cannot be resolved through charity, and aid should not destroy the dignity nor the creativity of recipients. Public and private bodies engaged in the fight against extreme poverty should consider this aid as a support and an accompaniment based on trust and respect.

The participants in the consultations and the people who sent comments placed a special emphasis on the right to possess official citizenship documents, the right to food, the right to health, and the right to education so that their children will not have to endure the same hardships that they have experienced. The participants asked that the right to live as a family receive a stronger emphasis in the draft guiding principles. Those who work testified to the harshness of their working conditions and the low pay they receive, making it impossible to escape from poverty, and they asked that a right to time off be included in the draft guiding principles. They asked that schools, beginning at the primary level, teach solidarity and respect, building on the country’s moral values.

There were high expectations that public authorities would work for the elimination of corruption in order to ensure that aid should actually reach those most in need, rather than those relatively better off. The participants also asked that the laws be enforced concerning the right to work, and the protection of children from human trafficking. They were concerned about the elimination of child labor, unless it is accomplished within the context of an overall policy to raise families’ incomes. They also said that the dissemination of information regarding rights and access to justice needed to be improved. Women too asked to be more involved in decision-making and in anti-poverty programs.

The participants declared that they want to be recognized by authorities and that programs and policies should be developed with their participation. They reiterated that those in positions of responsibility with respect to people in poverty need to meet and talk with them, in order to gain their trust and involve them in finding solutions. Building genuine relationships takes time because, all too often, people in poverty are ignored or exploited.

All of the consultations showed that the draft guiding principles reflected the experiences, hopes, and thirst for dignity of individuals living in extreme poverty. The determination was constantly affirmed that no one be forgotten, left aside, or discriminated against due to social exclusion.

It is for this reason that the International Movement ATD Fourth World is asking the Human Rights Council to follow up on these draft guidelines, which constitute the results of twenty years of study within human rights bodies, and in particular of consultations with people having experienced extreme poverty. Based on human rights indivisibility, effective access to rights, and on the participation of the most disadvantaged themselves, these guiding principles constitute an international tool to ensure that, even in situations of extreme poverty, all people can exercise their rights and assume their responsibilities.

Human rights law and its application should be evaluated in terms of the effect it has (both positive and negative) on the poorest and most excluded people.

What stands out most dramatically from these consultations is the inherent dignity of the participants, whether or not they live in poverty, and the determination to respect and protect the dignity of all people that has led them to struggle for human rights.

Introduction

On 24 August 2006 in Geneva, the Sub-Commission on the Promotion and Protection of Human Rights adopted the draft guiding principles, “Extreme Poverty and Human Rights: The Rights of the Poor.”

Since the 1980s, given the fact that extreme poverty persisted in developing countries and industrialized countries alike, some human rights institutions have been giving increasing importance to the issue by no longer assuming that extreme poverty would be resolved by economic growth alone, nor that it fell exclusively in the domain of aid agencies and emergency relief organizations. The International Movement ATD Fourth World played a major role in raising awareness to that effect:

« In 1987, addressing the Commission on Human Rights, Fr. Joseph Wresinski (founder of the International Movement ATD Fourth World) requested the Commission¹ to study the question of extreme poverty, and at the same time expressed the conviction that if the poorest were taken into account, they would make a crucial contribution to the struggle against poverty and the advancement of human rights; he recalled that being most frequently denied these fundamental rights, the poorest were fully aware of their value and significance for the dignity of each person. He also voiced his conviction that the efforts deployed on a day-to-day basis by the poorest to combat poverty provided guidance as to the policies that should be implemented with them in order to overcome poverty. »²

The United Nations Commission on Human Rights has been considering a resolution on extreme poverty and human rights since 1989. This resolution, supported by France from the outset, led to the adoption of the reports drafted by Danilo Türk and Leandro Despouy, and the appointment of an independent expert, Anne-Marie Lizin, later succeeded by Arjun Sengupta³.

In 2001, the United Nations Sub-Commission on the Promotion and Protection of Human Rights tasked⁴ a group of experts from the Sub-Commission with establishing a working document to address the need to develop guiding principles for integrating human rights in the fight against extreme poverty. Chilean expert José Bengoa coordinated the group, which was comprised of Asbjorn Eide (Norway) and later Emmanuel Decaux (France), El Hadj Guissé (Senegal), Iulia Motoc (Romania) and Yozo Yokota (Japan).

These draft guiding principles presented several innovative concepts:

- In developing the guiding principles, the working group sought the participation of individuals living in situations of extreme poverty. These individuals attended regional workshops that took place in Pune (India), São Paulo (Brazil), Bangkok (Thailand), Pierrelaye (France) and at the Sub-Commission’s Social Forums in Geneva.
- This was the first time that work had been initiated to develop a normative text on extreme poverty and human rights – one that could lead to an international text to be adopted by States.

The Human Rights Council, before taking a decision on these draft guiding principles, requested that the guiding principles be circulated to obtain the views of States, intergovernmental organizations, experts and non-governmental organizations, “especially those in which people in situations of extreme poverty express their views.”

In this document, the International Movement ATD Fourth World reports on its work to circulate these guiding principles and in particular on the meetings it organized in France, Peru, Poland, Senegal and Thailand, which brought together individuals and families living in extreme poverty, associations committed to their cause, human rights experts and representatives of various Governments.

¹ See documents E/CN.4/1987/SR.29, paragraphs 62 to 72 and E/CN.4/1987/NGO/2

² Preliminary report on human rights and extreme poverty, by Leandro Despouy E/CN.4/Sub.2/1993/16 paragraph 18, 2 July 1993

³ See Jose Bengoa’s report on the steps of this process (E/CN.4/Sub.2/2005/20/Add.1 Appendix 3)

⁴ See SCHR resolution 2001/8 of 15 August 2001

Organization of the Consultations

In Lille (France) an ATD Fourth World working group on access to fundamental rights invited Jacques Pellet, Deputy Director of Human Rights and Humanitarian and Social Affairs at the French Ministry of Foreign Affairs, to attend a meeting on 12 May 2007. The meeting was arranged to dialogue with the Deputy Director about the struggle to gain improved access to fundamental rights for excluded families living in the Lille region, and included visits at two family homes and a discussion regarding the work of the Group on Access to Fundamental Rights. Twenty people participated.

In Cusco (Peru), some 70 individuals attended the consultation that took place on 13-14 June 2007. ATD Fourth World in Cusco invited families from the *Villa el Sol* and *du Bosque* neighborhoods, and the *Cuyo Grande* community located northeast of the Cusco administrative region, as well as three NGOs based in Cusco; the “*Trabajadoras del Hogar*”⁵ trade union, “*Casa del Cargador: Gregorio Gondori Mamani*”⁶ and “*Defensorías Comunitarias*.”⁷

Also in attendance were: UN Sub-Commission expert Jose Bengoa; Ana Peña, Social Affairs Advisor at Peru’s Ministry of Foreign Affairs; Silvio Campana from the public defender’s office [defensora del pueblo]; Peruvian intellectual Demetrio Roca Huallparimachi; and ATD Fourth World delegates (from Bolivia, France, Guatemala, Honduras).

In Kielce (Poland), a meeting entitled “Supporting the Transition to Full Rights: A Challenge Facing Poland’s Poorest of the Poor” took place on 17 June 2007.

A total of thirty-five people attended the meeting (including fourteen individuals living under particularly difficult circumstances), in addition to Anna Gromska, Deputy Director of Social Services for the City of Kielce, and Maria Zuba, a member of Poland’s parliament. The participants were involved in two programs provided by City of Kielce social services: a shelter for women with children and the “senior club” day center. Staff from the “Homeless” division of City of Kielce social services and a non-profit organization also attended the meeting.

In Dakar (Senegal), ATD Fourth World organized a series of events that took place on 26, 27 and 30 June 2007 on the topic, “Overcoming Extreme Poverty to Ensure a Better Future for All.” The series included workshops for sharing experiences on 26-27 June and an open meeting at Dakar City Hall on 30 June. These events informed the public of initiatives taken up by people in poverty, along with those who support them, to fight against extreme poverty in order to promote peace, dignity and rights for all. Preparatory meetings were organized by people living in extreme poverty and held in six working-class neighborhoods and suburbs of Dakar from March through June 2007. They involved 250 people of varied backgrounds.

Follow-up dialogue workshops involved 70 people, including delegates from Burkina Faso and the Democratic Republic of the Congo. Participants included:

- Individuals living in poverty from Dakar and its suburbs; Thiès (75 km from Dakar); and Coulibantan (500 km from Dakar).
- Representatives from various associations including women’s groups, adult literacy associations, groups working with children who live on the streets and human rights associations.⁸
- A UNICEF programme officer attended on behalf of the organization’s representative in Senegal.
- Teachers and headmasters from alternative schools.
- Religious leaders.
- A community leader [*chef de quartier*].
- Representatives from various Ministries: the national Vital Statistics bureau, and the Ministries of Family, Micro-finance, and Community Development.

⁵ Women and girls living and working as household maids

⁶ Federation of associations for porters working in the markets and/or in the tourist industry (hiking etc)

⁷ Legal cooperative in those neighborhoods

⁸ For a full list of participating organisations and further details contact atdint@atd-quartmonde.org

In Bangkok (Thailand), on September 9 and 10, 2007, a meeting was organized between two communities and Yozo Yokota, specialist with the Sub-Commission on Human Rights, along with five Japanese students. Eighteen preparation interviews were conducted with families living in two communities: in a shantytown, and under the Bangkok Noi bridge. About ten contributions were read at the meeting with Mr. Yokota. The subjects addressed included: the situation in the community, solidarity in the community, and the importance of strengthening the community. Then the discussions focused above all on whether or not families in extreme poverty in both communities had access to: 1) anti-poverty programs established by the government of Thailand; 2) knowledge of their rights (to housing, health, education, voting, etc.) and the ability to exercise them. The reactions of the families in this meeting were very vivid and relevant.

In Geneva (Switzerland), a group preparing the Fourth World People's University⁹ met twice to discuss the draft guiding principles, on 3 May and 9 August 2007. Ten people participate regularly in this group's work.

Circulating the Draft Guiding Principles

After the Sub-Commission on Human Rights adopted the draft guiding principles, the International Movement ATD Fourth World held or participated in conferences and meetings at which the draft guiding principles were presented:

- In September 2006, Jean-Pierre Gollé, ATD Fourth World's representative at the Council of Europe, presented the principles to 200 people¹⁰ at the European conference "Ensuring Social Rights" organized in Moscow by the Council of Europe, international NGOs and the International Federation for Peace and Reconciliation.
- Emmanuel Decaux, expert from France, presented them in December to the UNESCO/NGO joint programmatic commission on human rights.
- Yozo Yokota, expert from Japan, presented the principles in Geneva in December 2006 at a UN event on the International Day of Human Rights.
- Iulia Motoc, expert from Romania, presented the principles to the NGO sub-committee for the eradication of poverty (of the NGO Committee for Social Development) in New York, in addition to presenting them during a special event on the principles as part of the inter-agency Poverty Forum in November 2006.
- On 14 June 2007, the French National Consultative Commission of Human Rights (CNCDH) in Paris adopted an official position entitled, "Human Rights and Extreme Poverty," which in paragraph 24 "notes with satisfaction that the Human Rights Sub-Commission at its most recent session adopted draft 'guiding principles on extreme poverty and human rights: the rights of the poor' and recommends that the Human Rights Council accept responsibility for this landmark text, ensure its follow-up and widely circulate it in all of the official languages of the United Nations."
- Emmanuel Decaux published an article on the draft guiding principles entitled "A White Stone on a Long Road" [*"Une pierre blanche sur un long chemin"*] in the ATD Fourth World journal, *Revue Quart Monde*, Issue 200.

The Permanent Forum on Extreme Poverty in the World¹¹ collected comments from several correspondents in various countries. One correspondent experienced pressure from government authorities, which prevented her from disclosing comments she had collected from individuals living in rural communities in her country.

⁹ Fourth World People's Universities are ongoing forums for training and dialogue between people living in extreme poverty and others from diverse backgrounds.

¹⁰ Council of Europe site: http://www.coe.int/t/f/ong/public/Moscou_2006_r%E9sum%E9.asp#TopOfPage

¹¹ Network developed by the International Movement ATD Fourth World, which invites all those who would like to take part in a movement to fight against extreme poverty in the world and rebuild communities alongside the poorest.

Preparing for the Consultations

People with first hand experience of poverty demonstrated a clear interest to participate in these consultations.

In Dakar, Thérèse Gomis, who has a lot of difficulty getting around, walked through the sand alleys of her neighborhood to personally distribute invitations. At the meeting, everyone understood the richness of the discussions between individuals from various settings and responsibilities. The participants said: “Through all of these exchanges, we felt a shared concern, namely, that each one was there not to be given rice, clothes or money, but to share ideas and initiatives with regard to what can change daily life. When we are so isolated, being able to meet others allows new ideas to emerge.”

Some families, however, were unable to participate in the Consultations for reasons related to the deep poverty in which they live. A man from Cusco, for example, could not attend because he had to leave his community for a month to work, in order to provide for his family. Some activists from the *Cuyo Grande* community could not abandon their work on the day of the Consultation, as they would have lost a significant portion of their crops for the year.

Working toward a dialogue inclusive of all, from “the smallest to the strongest”

In an effort to adapt to the participants not being used to expressing themselves before large audiences, in a language that is often not their native tongue, significant time was allocated for informal sessions to encourage other forms of expression and ways to get to know one another. In Cusco, meetings were held in both Spanish and in Quechua; in Dakar, in French and Wolof; and in Bangkok, in English and Thai.

For this dialogue to succeed, time had to be taken so that everyone could use their own words to express their true thoughts and to ensure that everyone – “from the smallest to the strongest,” as the people said – felt comfortable speaking in front of a group. Despite these efforts to ensure that the words of some would not drown out the silence of others, some individuals were not able to express themselves, despite having much to say. If people are left out in discussions like this, true dialogue is limited. Change can only take place if everyone is included, which means going at the rhythm of each person, taking time to understand the words used, as well as the personal meanings words can have for different people.

Some proposed group activities providing participants with the opportunity to speak about their personal experiences. Themes included; “What examples of humiliation or exclusion have you witnessed?”, “Ensuring education for all, alongside those who are excluded”, “With children, friendship can dispel extreme poverty”, “Involving the poorest in the development of community and associative life”, “Fighting against extreme poverty to promote peace and rights for all” etc.

The groups then worked directly on the guiding principles: “Which subjects do you find particularly important and why? In what cases are certain rights not guaranteed? What improvements can be made to the draft guiding principles?”

These meetings were challenging on a **practical** level too; in one neighborhood participants changed location three times due to power cuts, and then rallied to find electrical cables and make the electrical hook-ups required to continue. In another neighborhood, a participant asked the mayor for chairs. As childcare obligations often prevent parents from participating freely in meetings, childcare arrangements were made in Cusco. Such practical arrangements are important to facilitate the participation of all.

Comments on the Draft Guiding Principles

“Extreme poverty and human rights: the rights of the poor”

The testimonies of individuals and families living in social isolation, along with the exchanges that followed with NGOs, representatives of government and human rights experts proved to be very rich and thought provoking. A selection of these accounts as well as summaries of the main points that emerged from the discussions are presented below in accordance with the order of the articles in the draft guiding principles. As the Bangkok consultations were held in September, a summary is in an appendix.

Preamble: “Considering that the inherent dignity of all the members of the human family and their equal and inalienable rights demand that priority attention should be given to those suffering most from poverty and exclusion.”

In **Cusco**, Susan Munoz stated, “I believe that all we suffered and went through as children growing up made us stronger and more able to get ourselves out of our difficult situation. It made us able to defend and advocate for those who suffer the most.”

The participants in the consultations were emphatic that it should be *those who are most in need* who should be the greatest beneficiaries of programs and policies combating poverty.

But who are *the people most in need*? For example, there are about 2,000 families living in Cuyo Grande. At first glance, they seem homogeneous, but the ATD Fourth World team knows of at least 300 families living in greater poverty than the others. They are having many problems finding land to cultivate. There is little or no land at all to till. Their bodies are so worn out that it is no longer possible for them to contract themselves out as manual laborers to other farmers in order to earn a little money or some food. And as one person said to the ATD Fourth World volunteers, “All they can do is sift through the earth with their hands after the harvests in the hopes of finding a little bit to sustain them.”

Paragraph 4 of the resolution in which the draft guiding principles were adopted, recalls that situations of extreme poverty, resulting from a combination of factors of insecurity and affecting several aspects of people’s lives in a lasting manner, compromise the chances of people living in such situations to reassume their responsibilities and regain their rights in the foreseeable future.

This statement allows one to understand the significance of the need to give greater attention and priority to the poorest and most excluded.

This paragraph of the resolution¹² perfectly complements article 1 of the guiding principles, which provides a definition of poverty. Given its importance for the most disadvantaged, it should be included in the guiding principles themselves.

“Extreme poverty and human rights: the rights of the poor”

Article 1: Poverty – a state of chronic deprivation and inability to enjoy basic civil, cultural, economic, political and social rights.

Many people spoke of the lack of access to health care. For instance in **Peru (Cusco)**: Clemente Huaccanqui explains, “**I had seven children but two died.** Now, I have only five. One of my sons died due to a bout of bronchial pneumonia. At that time, we didn’t have the money to buy the proper medication and as a result, we lost our one-year-old son.”

In all the consultations, in both industrialized and developing countries, housing was named as a source of insecurity for many families. In **Peru (Cusco)**, Delia Ferro described the insecurity of emergency housing

¹² This characteristic of extreme poverty was brought to light by Joseph Wresinski in the Report to the Economic and Social Council of France, entitled « Chronic poverty and lack of basic security» in February 1987. It served as a reference for Leandro Despouy in the report E/CN.4.Sub.2/1996/13. See appendix 2.

conditions. “At the time when all of the Bosque houses collapsed in Cusco, we were living in my sister-in-law’s house. Some of the walls of her house cracked and so they had us live in a playground. We were given assistance along with all the others whose house had been destroyed or damaged. The help we received was only some tents, blankets and food. Even today, some houses are cracking even further. My sister in law’s house is still in the same condition as it hasn’t been repaired. Yet, this is how people are living.”

Similarly in **France (Hérault)**, Mr. H. and Mrs. B. lived at first in a residence managed by an association helping the homeless. The residence then closed upon the death of its founder. They made many attempts to find housing. During this time, Mr. H. and Mrs. B. lived in the following places (the list is not exhaustive): a garage of some 8 square meters with a corrugated iron roof, a building under construction, a tent in the woods, the home of another family who took them in for a few weeks, a shed in partial ruins in a vineyard, a shack, and a house without water or electricity in which they were squatters. These extreme conditions became even more aggravated due to medical problems and a general decline in the couples’ overall health.

Children are greatly affected by hardship, even in industrialized countries, as health and social systems can often maintain families in situations of survival and dependency rather than helping them escape extreme poverty.

Seynabou Ndiaye, from the outskirts of **Dakar**, testified: “My husband is blind. My son went to school by living with relatives because we did not have the means to keep him with us. He was a brilliant student. The school principal liked him very much. He even asked him to stay at his home to eat instead of returning to the village, which was rather far from the school. Afterward, I had put him up with relatives in a neighborhood closer to the school, but he had to pay for transportation. We did not have the means to pay for tickets for him. He had tremendous difficulties getting to school. Sometimes, he managed to take the buses without paying. Other days, he missed classes, and tried to photocopy the notes afterward. Everything was very difficult and he did not regularly attend class. That put him at a disadvantage.”

In Poland, Dr Janusz Kochanowski, the Ombudsman for Citizen’s Rights, stated at a press conference 20 June 2007 that « It is highly alarming that, according to the indicators adopted by the United Nations, 29% of children under age 17 are threatened by poverty. In the case of Poland, this means that most of them are undernourished. »

All of these human rights violations, when they are prolonged over an extended period of time result in a transmission of poverty from one generation to the next. Silvia Quispe from **Cusco** expressed this fear as she explained her struggle on behalf of her children: “Today, I see my children who have become young adults. I continue to work and fight for them. I don’t want them to be exploited by others. I have suffered ever since I was little and am still suffering now. I see my kids and I don’t want them to lack what I did.”

Article 3: Policies based on human rights

In Cusco, the participants decided to inform local authorities of their refusal to continue to accept charity being offered to them and are requesting instead other types of programs aimed at fighting poverty while respecting their basic rights and human dignity. “We don’t want the local authorities to come into our communities, into our village just to bring us second-hand clothes. We don’t want them to give us gifts. What we want are respectable jobs – work that allows us to live like normal human beings.”

Lamine Djiba, principal of an alternative school in **Dakar** stated that “We must consider the poor as project initiators. The word ‘aid’ is disturbing. It should be replaced by ‘support’ or ‘accompaniment’. Aid destroys creativity. When you wait for aid, you become stuck in your ideas.”

Recognition by authorities: “We are forgotten in this community.”

On several occasions, and in all the groups, the participants claimed their right to be recognized by the authorities. Clemente Huaccanqui explained, “In **Cuyo Grande**, most of us are poor, and I would like to see the government taking account not only of Lima and certain departments or provinces, but also remembering the most neglected villages like Cuyo Grande. Since we are in the most remote area, and at the highest altitudes, we are really forgotten. One day, I hope we will get a chance to meet with the authorities to tell them that it is only by moving ahead together, only if they listen to our own views and our own experiences, that things can be changed. If only the authorities would proclaim a law in our favor that would help us!”

In **Geneva**, several times, members of the group invested energy (through correspondence, visits and support for the people concerned) to prevent the eviction of families in great difficulties without offering them alternative housing. The group members felt that changing such situations requires getting to know the families involved and working in partnership with them: “People do not know us, do not speak of us, and do not know of our courage in resisting poverty every day and in supporting others.”

Moving from the shadows into the light

In Poland, the troubled past of people whose lives have been marred by severe poverty resurfaces when they try to claim their legal rights. Poverty imprisons them and keeps them trapped in “illegal” situations such as working in the unofficial job market that provides no rights or benefits. Trying to make the transition from the life in the shadows to life in the light of day very often puts them in an impossible and untenable financial position, because of the unintended consequences of ill-suited policies.

In Kielce, **Poland**, in 1998, Adam and Ewa were a couple with two children. Following some hard times, they decided to divorce. During the past year, Adam renewed contact with his ex-wife and children. He explains how the past has put the brakes on his efforts to bring his family back together. “The legal situation in Poland disgusts me. My wife is surviving thanks to the food subsidy she receives every month and the money she earns amounting to 600 PLN or Polish Zlotys (150 euros). If someone else were to help her out in any way, she would immediately lose her food subsidy. So, if I tried to get back together with my family, it would cause her right away to lose the food assistance she receives. I just can’t accept that. It’s really painful! I thought that when I finally got myself out of this mess, I would be able to walk with my head held high as I am attempting to do. But when it concerns my kids or my wife, at the present time, I am forced to hide and remain invisible. Otherwise, I would take away their means of survival and I am not in a position to be able to pay for their food. What we need is a second chance.”

In **Lille, France**, Jacques Pellet, from the French Ministry of Foreign Affairs, stated that it is important to push for greater recognition of extreme poverty in the context of international law.

Article 4: People living in extreme poverty have the right (...) to contribute to the well-being of their family, their community and humanity at large.

The participants gave numerous examples of their desire to exercise their own responsibilities, to not be seen as mere recipients of charity or social welfare programs and to fight so that all people can lift themselves out of extreme poverty.

Several people noted that when daily survival takes all one’s energy, the solidarity of others is crucial if they are to dare to look for ways to move out of begging, to join in community projects, or to learn to read and write.

A woman from Dakar who used to live from begging explained to us, “When I first decided to stop being a beggar and start up a little fruit juice business, I was only able to sell five bottles of bissap¹³ a day. I was really tempted to go back to what I knew best and where I could earn more money – begging. Fortunately, I had someone by my side who kept encouraging me even though my business experienced such a slow start. If you want to get out of your present state, you have to refuse your condition of poverty. That requires a lot of willpower.”

One mother relates how they organized themselves to establish a women’s group: “At the first meeting, some women suggested contributing the sum of 500 CFA francs, or 300 FF, but we ruled out this amount because not everyone could participate. We lowered it to 100 FF. This was only a symbolic amount, but the idea was to help each other. We don’t have anything, but in order for everyone to feel that they belong, each one has to put themselves at the level of the weakest member.”

They (the participants in Dakar) added that people living in poverty need for people to believe in their abilities and need to feel supported in their projects. Oumy Ndione gave an example of how she supported someone: “I didn’t let up. I went to her home every day to talk to her about the women’s group and to encourage her. It was the follow-up that was important because she was very tired; she had never succeeded at anything, not because she didn’t want to, but because she was afraid. She had failed several times in her

¹³ Sweet beverage made of hibiscus flowers

life.”

In Dakar, the delegates from the Democratic Republic of the Congo and Burkina Faso emphasized that “All the gestures of friendship and solidarity that the children extend to include everyone and eliminate poverty in their neighborhood can make the adults think twice and remind them to take charge of certain things.” In particular, they referred to repairing houses, cleaning up areas around water outlets, and contributing financially to support schooling for the most disadvantaged children.

Section 1

A. Participation of the poor (articles 7 to 10)

Article 7: The implementation of programs to combat poverty without the active involvement and participation of the extreme poor constitutes a violation of the right to participation in public affairs.

Margarita Enciso from the labor union “Trabajadoras del Hogar” asserted, “It is important that the poorest among us be heard and participate in decision-making processes, not only at the level of our own group – namely, among other poor people - but also in all decision-making arenas such as local government and any other place where policies are decided.” Even if the economic and material situation of families does not allow them to always exercise their right to participation, they still maintain nevertheless the capacity and strength to do so. As Walter Tunqui (**Cusco**) said, “We are human beings and among human beings we can dialogue and discuss things. We are all different but in matters of intelligence, we are equals. It is true that we are poor but we have the same capacities and the same rights as everyone else. We mustn’t accept the fact that we are left out.”

In **Dakar**, in all of the workshops, the participants, both male and female, repeated over and over again that if people are really serious about combating poverty and encouraging the participation of the poorest of the poor in projects, structures and programs, it must be recognized that **people in poverty are in fact the principal agents in the fight against poverty**. They want to be a part of the process and to be consulted, since they know what they are talking about. They know also the risks of all the projects that are developed without their input and which as a result will not bring any changes to their lives.

In **Geneva**, participants emphasized that laws are often written without asking for input from people in extreme poverty, even when they are directly concerned, as was the case when a law on social welfare was changed in 2007.

Article 8 : States should foster and promote participation by the poorest people in the decision-making process in the societies in which they live, in order to advance human rights as part of their efforts to combat extreme poverty.

Families of the **Cuyo Grande** community explained how, by organizing themselves and learning how to claim their rights, they were able to improve the educational conditions for their children. Maria Alvarez recounted, “In our community, we had a major problem with our school system. Our children weren’t getting a good education because we didn’t know our own rights – especially the right to education. Recently, we started to get better acquainted with our rights in this area thanks to ATD Fourth World, since with them we have been able to meet local government officials. They were the ones who told us that we didn’t have to accept this kind of humiliation. Since I was familiar with my rights, I knew that I could protest and defend myself. So the teachers began treating us with respect and apologized to us. We found a path of reconciliation and dialogue. We learned more from that experience about poverty and it made us stronger. I feel that people are starting to wake up.”

Mbossé Ka, from a Senegalese NGO said: “The problem is that the decision-makers decide within four walls. They don’t step into the neighborhoods. If you don’t come into contact with people, you can’t know what they need. For example, if the decision-makers decide that it’s important to build a school the residents don’t need, it will fail. You need to involve the beneficiaries, to sit down next to them to know what they want. And also involve them in the work.”

Likewise, during the meetings in **Dakar**, individuals displaced as a result of floods in their neighborhood and relocated to tents in a military camp for several years commented: “At the start, the government gave us breakfast, lunch and dinner. And yet it wasn’t a problem of food that led us to the camp. It was that our homes were flooded. With the 12 million CFA francs that they said they used to feed us, they could have built us new homes.”

Moussa Sow, head of the Senegalese NGO “l’Avenir de l’enfant” added: “Our role is to shine the spotlight on the people’s capabilities. It’s the people who must define their needs. Our course of action must allow the people themselves to carry out projects. Those who help must not decide on the direction or dictate the paths to take.”

“We should refuse assistance given without consultation.”

In complete accordance with the draft guiding principles, the **Dakar** participants emphasized that people living in poverty should participate in the fight against poverty, and affirmed that indeed aid must not destroy human dignity and creativity. Elie Dikoudgo asserted that “It requires taking the time to talk with the person in order to understand what they want. We have to avoid repeating the mistakes of donors who decide what people should do. But that requires a first-hand experience of the reality of people’s lives. Otherwise, people will say that the project doesn’t work.”

Article 9: States must ensure the participation of women in all programs aiming to combat the feminization of poverty.

Yolanda Herrera (**Cusco**) denounced the inequality that exists between men and women. “Women in general don’t give their opinion - they aren’t allowed to. But we should demand to be respected in politics and in society. We must be given the same rights and our ideas must be equally respected. Our destiny is not only to cook, clean and sell in the market, but also to participate on an equal basis in society right alongside men. All women should have the same rights as men and the same work opportunities.”

Efforts to bring about gender parity should be thought out together with people in extreme poverty. It is all too rare that they have a chance to help design and evaluate policies meant to support women. This can lead to the unintended consequence of worsening the situations of some woman by making their husbands or partners feel side-lined, and pushing them to despair. This can make it even more difficult for a couple to raise children and can lead to broken homes, as shown in the example of Ewa and Adam at the end of the commentary on Article 1.

Article 10: Creation of monitoring and evaluation mechanisms which involve the active participation of the extreme poor.

A correspondent from the Permanent Forum on Extreme Poverty in **East Africa** wrote, « People in extreme poverty have absolutely no communication with the outside world. And at the same time, sending funds through a hierarchy of international, national, and district levels is clearly not the way to solve these issues. Not only does corruption prevent this money from reaching people in extreme poverty, but it is given to people who have already benefited and whose basic needs have been met, rather than identifying people in greater need. »

This correspondent denounces the corruption (see also article 23), and asks that the authorities improve their knowledge of extreme poverty so that priority can be given to those in the greatest need.

One of the participants from **Lille** decried family social welfare programs (foster care, etc.) that are based on administrative rationale and not on people’s actual needs and goals. One of the needs cited was that of providing more support during the time period following the return of placed children.

Jacques Pellet from the Ministry of Foreign Affairs then commented that the problem of abrupt cut-offs of social welfare programs reminded him of the situation of child soldiers. “A child soldier, after having been demobilized and eventually coming home to live again with his family, needs a minimum of at least 6 months to a year to get re-settled. It is always much too easy to hold onto his AK-47 and go find other gangs to join. However, current international programs in place often stop much too soon. Although they have already done a major portion of the work, they leave too soon, opening up the enormous risk of undoing all the good that has been done.”

* * *

Some of the conditions necessary for the participation of people in extreme poverty:

All of those who participated in the consultations agreed that the participation of the most disadvantaged was a necessity. In **Dakar**, the participants summarized several conditions for implementation as follows:

- Aid and/or assistance must not destroy the person's dignity and creativity.
- People must be allowed to express themselves freely and in their own manner.
- The residents of a neighborhood or village must be allowed to come together to share their ideas and mutual support so as to act and move forward together on an equal footing.
- There must be occasions and opportunities where people in poverty can sit down together and reflect with other citizens involved in the fight against poverty.
- Concrete activities must be proposed, gathering people around a common project that takes into consideration the material and financial resources of all involved.
- Elected officials and decision makers must be made aware of the initiatives and proposals put forward by people in extreme poverty.
- Children and young people should be familiarized with the concepts of solidarity and respect for others.

B. Discrimination and stigmatization (articles 11 to 13)

Article 11: Discrimination against the poor based upon their appearance, dress, physical aspects or any other reason connected to their situation of extreme poverty constitutes a human rights violation.

The dignity of people in extreme poverty

During the consultations, participants living in extreme poverty described the suffering caused by numerous instances of discrimination of which they were victims, notably with respect to health, education and work. Faced with the stigmatization of the poorest, Charo Pereira (Cusco) became outraged "Let there be no more marginalization! Let all of us live in equality! Everywhere, there is marginalization! In hospitals, markets, schools... Sometimes a marginalized person goes to sell goods at the market; there are many people who have a lot of money and good positions. But, the poor... They throw you out and don't even let you sell anything. That also is marginalization. Where is the dignity of the poor?"

Maria Luisa Alvarez expressed her refusal of others' pity, which she considers a form of discrimination. "This word "pity" I never liked. I don't like it either when someone says to you, "You poor little thing!" because that just hurts you all the more and discriminates against you even further without the other person doing anything to help." Another person added, "We, the poor... we want to become a part of society and to feel that we exist and are human beings just like everyone else."

In **Cusco**, at the end of the working group devoted to cases of discrimination experienced by the participants, Alberto Ugarte, leader of ATD Fourth World in Cusco, concluded by quoting Joseph Wresinski¹⁴:

"For the very poor tell us over and over again that a human being's greatest misfortune is not to be hungry or unable to read, nor even to be without work. The greatest misfortune of all is to know that you count for nothing, to the point where even your suffering is ignored. The worst blow of all is the contempt on the part of your fellow citizens. For it is that contempt which stands between a human being and his rights. It makes the world disdain what you are going through and prevents you from being recognized as worthy and capable of taking on responsibility. The greatest misfortune of extreme poverty is that for your entire existence you are like someone already dead."

Exclusion from society constitutes discrimination

The draft guiding principles recognize that social exclusion constitutes a form of discrimination. This point is

¹⁴ Wresinski, Joseph. *The Poorest of the Poor Reveal the Indivisibility of Human Rights*. Fourth World Press, 1998, 52 pages (see pg. 23)

very important because exclusion from society is rarely considered as discrimination. Yet, the fact of living in extreme poverty only serves to aggravate all other forms of discrimination, whether they be linked to racism, ethnic background, religious discrimination, discrimination against the physically-handicapped, gender discrimination against women or discrimination against children.

The Andean population, which lives for the most part in isolated mountain communities, is greatly impacted by this type of discrimination. Marleny Vargas described the disdain of one segment of the population towards indigenous culture. “When we speak a language like Quechua, we don’t speak Spanish well and as a result are the brunt of mockery. Also, because of the clothes we wear.” Respect for indigenous culture is a point given high priority by Jose Bengoa. “Someone can be materially and even physically poor but at the same time possess a very rich culture. One must be very careful when speaking of poverty, because if one assumes that material poverty leads directly to spiritual poverty, it becomes an act of discrimination.”

Article 11: Promotion of a “fair and balanced view of people who find themselves in situations of extreme poverty.”

Karely Paredes, from **Cusco**, asserted, “If people are unfamiliar with the situation in which families live, it is very difficult to change their perception. They will continue to view us as lazy do-nothings who are content to live in these sub-conditions. But, if we can communicate to others the struggle of families to emerge from this situation, as well as the strength and resolve of many individuals, perhaps we can change the view society has towards the poor.” It is a matter of promoting, as the guiding principles propose, “a fair and balanced view of people who find themselves in situations of extreme poverty”. In the same way, Jose Bengoa explained that a misinformed part of the population believes that poverty is a personal and individual problem, rejecting the notion that it is instead a violation of human rights.

This sensitivity with respect to those who have nothing is particularly important for those who work professionally at their side: lawyers, doctors, teachers, nurses...etc. As far as public opinion is concerned, the media – television, radio and the written press – should participate in these sensitization efforts.

Article 13: All those who work towards the eradication of poverty must develop relationships with people living in extreme poverty that are based on respect for their human dignity and fundamental rights.

In **Dakar**, one person said: “When one lives in poverty, often what we experience is contempt from others and we end up despising ourselves. I meet women who feel ashamed and afraid.” Another participant added that, in some cases, it is necessary to respect a child’s right to be silent and withhold information - for example, there are children living in the street who do not want to give their real name and family address or there are those who go to school hungry. One said, “I didn’t want others to know that I hadn’t eaten. I didn’t want to expose my family because my family is most precious to me. My family is where I find my dignity.”

In **Kielce**, the question of having access to one’s rights and obtaining information and education about these rights was discussed. Focusing on the example of mistreatment in a homeless shelter, the group asked itself – How can we prepare those in charge of these centers and those who run them to base all their practices firmly on respect for the people who stay there and their basic human rights? Proposals were brought forward such as training, along with the need to have pamphlets available at the entrances to shelters or other emergency help-centers informing people of their rights, since they are in a position of vulnerability at that point.

One participant added, “The person who is financially poor has the same rights as a person who is rich. It is very difficult to make sure that those who are poor understand that they are entitled to these same rights. They are ashamed to claim and demand these rights. NGOs must teach them how to fight for these rights which are justifiably theirs.”

Mistrust and suspicion of institutions

In **Lille**, at the end of the day, Mr. Jacques Pellet from the Ministry of Foreign Affairs, remarked, “The people whom we met today are in immense difficulties. It wouldn’t take much for these people to fall even lower. But I didn’t hear them say, “My rights are being denied.” There is instead a suspicion and distrust

among these vulnerable people of the institutional framework and the social programs that were created to help them.”

Claudine E. explained in Lille how structures and programs put into place to come to the aid of these families can be perceived as an additional threat. People mistrust them because they feel more controlled than supported.

“I was being monitored by a service of educators in the field.¹⁵ When I saw the social workers arrive at my house with a huge file, a lot of questions came to my mind. I didn’t feel at ease. When they left, my head was spinning and I felt nauseated... As a little girl, I was sent off to a foster family in a public assistance program and ever since then I have never been able to get out of the system. I always needed them without really needing them. I have never been able to get out of the web of social welfare services.”

Efforts to make a fresh start are often impeded or blocked due to the burden of the past. For example, a young woman who has had several partners and had children with each of them, ended up with all of her children being placed in foster care. This woman restarted her life with another man who can provide her stability and security and they are now expecting a child. The childcare worker handling her case didn’t see any problem for her to keep her newborn baby but as soon as she read of the woman’s past history contained in her file, she immediately began planning to place the baby immediately after birth. The young mother asserted, “We are being judged on the basis of our past.”

These examples demonstrate the feelings of shame, distrust and exclusion experienced by people in poverty. Situations such as these prevent those living in poverty from accessing their rights, and of being recognized as fully participating members of society. Putting an end to extreme poverty requires acting in a respectful manner towards all people. Pierre-Henri Imbert, former Director of Human Rights at the European Council, expressed it in this way: “Human rights are in essence the right to be a person. Rather than fighting to have these rights respected, we should fight to ensure the people lacking these rights are respected. Each right for us must have a human face.”¹⁶

Section 2

C. Indivisibility and Interdependence of Human Rights (article 14)

The participants’ testimonies confirm the interdependence and indivisibility of human rights and that few, if any of these rights are respected when living in extreme poverty. As Paola Bustos indicated in **Cusco**, “People who do not have **identity papers**, whether in the city or in the country, cannot go to school; they cannot register their children; they cannot access health services; they cannot go to a police station to register a complaint if they have been a victim of an attack; and they certainly cannot find a job. It is as if you were not even a citizen of this country.”

Bernardo Illa explained, “**If you have completed your studies**, you speak up, you defend yourself, but if you do not know how to speak up, you remain quiet, and you feel humiliated.”

Milton Sanchez asserted, “For me, what is important **is work**. It is very important because if there is no work, how am I going to feed my family? How am I to enroll my children in school, take them there, and pay for insurance? How am I to care for my children if they are sick?”

In **Geneva**, the group in the Fourth World People’s University observed: “Very often, people don’t ask our opinion; they decide for us and our children. We don’t feel listened to, nor respected. Or sometimes we must tell our story to several different offices, but no one has a solution. We don’t know to whom we can turn to defend ourselves. We are not sufficiently informed, nor do we know enough about our rights.”

¹⁵ In France this service is called “Action Educative en Milieu Ouvert.”

¹⁶ Imbert, Pierre-Henri, former Director of Human Rights at the European Council, in “The poorest of the poor reveal to us the indivisibility of human rights.” Page 10, work cited.

D. Civil and Political Rights (articles 15 to 19)

Article 15: Right to a legal identity

Families have insisted particularly on the right to an identity, a right to which many families in poverty in Peru do not have access. The National Institute for Statistics (INEI) estimated that in 2006, 1,200,000 people did not have identity papers, of which 300,000 were minors.¹⁷ The amount of money required to obtain identity documents is a major obstacle for the poorest families; therefore, participants insisted on the necessity for free identity papers.

Without these papers, the poorest people do not have access to the social services or assistance programs designed for them.

In **Cusco**, Isabel Huamani complained, “In my region, there is the ‘Vaso de Leche.’ program¹⁸ People who have identity papers do not need this assistance; they run a store or work in a business. However, renters and people who struggle to make a living, who have several children, who do not have papers and who have no place to live, gain nothing from all that. I am a social worker, and I took steps so that they would provide for the people who need it the most, because the people who need it receive nothing.”

In **Dakar**, a group explained how a cultural outreach program which takes place in the street had given parents the confidence they needed to register around 100 children who had not been declared at the time of their birth. These parents were then able to register their children at school.

Article 16: Right to form a family

In **Cusco**, the participants recommended that the guiding principles accord more importance to the right to live as a family, which could then constitute a paragraph in its own right. “The right to live as a family should be considered a fundamental right.” In the draft guiding principles, it is stated that persons living in extreme poverty have “the right to form a family, to support their children, to take care of them, to raise them.” The right to raise one’s children is a right that encompasses other rights.

However, families must often face impossible choices.

In many situations, due to their living conditions, the poorest families are not in a position to fully assume their parental responsibilities.

Margarita Enciso (Cusco) explained, “I always said to myself, ‘My daughters will never work as domestic servants, never. I am going to fight for that.’ However, I was not successful, and that’s why one of my daughters works in a home. She had to abandon her secondary education.”

The right of parents to take care of their children is violated when they cannot pay for their education. They need to have access to the necessary financial and material means to assume all their responsibilities.

Saying no to forced sterilization

ATD Fourth World accompanied a family where one of the young children had died, but the nurses refused to issue a death certificate unless the mother agreed to be sterilized. Even now, in Peru there are cases of forced sterilization, which the poorest families fiercely reject. As Hermogenes Velasquez stressed: “Sterilization is not the solution for eradicating extreme poverty. We learned this around 10 years ago when Alberto Fujimori implemented this policy. But they didn’t ask for the citizens’ permission. They forced them and told them, ‘We are going to sterilize you.’”

Gregoria Achircana also recounted, “In the rural areas, when women are pregnant and go to the clinic, they are threatened with being sterilized. There have been cases where the clinics forcefully sterilized women to prevent them from having children, and as a result, women no longer want to go to the health center. It is a

¹⁷ Amnesty International press release, 20 November 2006.

¹⁸ Food assistance program run by local districts and aimed at mothers of young children.

violation of the person, of the culture, and of their dignity.”

Saying no to child trafficking

During the group’s discussions, some participants in **Cusco** recalled situations in which, due to a lack of money, some women were asked to sell their newborn baby, in the very hospital where they had just given birth. The women affirmed, “Baby trafficking does exist. Generally, they confront families of modest means and take advantage of their situation.” Participants in the consultation also expressed the need for additional measures to be taken to protect children from illegal child trafficking.

Maintaining parent-child relations in case of child placement

In **Lille**, a mother testified about the circumstances under which her three children were placed, the difficulty in visiting them, the relationship with their social workers, and the consequences of their return after several years of absence.

“In December 1998 two social workers showed up at my children’s school. They told us that my children were going to be placed in an emergency foster family. For me, placing my child in an emergency foster family was something serious. I became angry and left. I was able to visit them but only on Saturday mornings between 10:00 and 11:00am. After that, they went to a children’s home. That was even worse because I had to travel for 4 hours, and I only saw them for 2 hours every other week. I had the impression I was not understood. They returned my children to me 5 years later.”

This testimony clearly demonstrates the suffering caused by child placement, and, if it is unavoidable, the conditions that should be met so that parent-child relations can be maintained: reasonable visiting rights, children’s placement in a home near the family’s residence, etc. Experience has shown that it is also important to prepare for the return of children to their home and to assist them for a time afterwards.¹⁹

E. Right to Food (articles 20 to 23)

Article 20: Every human being has a right to adequate, appropriate, healthy food, and is entitled not to be exposed to the risk of hunger or starvation.

Poor health and malnutrition can be a consequence as well as a cause of extreme poverty. They are one of the factors which trap people living in extreme poverty into a vicious cycle which is passed from one generation to the next. It is also a denial to the right to life, as shown by the testimony of a full-time member of the ATD Fourth World volunteer corps who is a nurse in a nutrition center in the **Central African Republic**. She shared that “Here, mothers hope that their children don’t die at the age of 2.”

Another testimony underlines the difficult choice that families in extreme poverty face when they have to choose between finding something to eat and having their children go to school. Since they do not have enough to eat, their children cannot fully enjoy their right to an education. The same full-time volunteer explained how during a training meeting with women, one woman said, “I tell my children to go to school, but they tell me it’s better to go to the market to sell something. We are poor and even the children no longer listen to us. The discussion between children and parents has broken down because of the poverty that we experience day to day. At the market, children can earn a little money and find something to put in their stomach. They pick up this habit quickly, and it becomes their routine. By staying at home or going to school, they won’t have any money to eat. It will depend on whether the parents find a way to buy something.”

Even in times of war, this right to food needs to be applied. During Tapori’s international campaign²⁰ called “Listen to us and we’ll change the world!” one child in response to the question, “What is in my heart?” said, “I don’t want people to die here and there. Peace allows my parents to be able to go to different places, to take care of things and find something for the family to eat.”

¹⁹ In France 150,000 children live separately from their parents. See the report “*Accueils provisoires et placements d’enfants et d’adolescents : des décisions qui mettent à l’épreuve le système français de protection de l’enfance et de la famille*” Pierre Naves, Bruno Cathala, 26 July 2000, Editions du journal officiel, Paris.

²⁰ www.tapori.org

Article 23: Corruption, theft of international humanitarian aid, (...) must be regarded as offenses or criminal acts.

Susana Munoz in **Peru** spoke about the issue of corruption: “The problem is that sometimes the government can have good intentions, but the government employees are corrupt. Some of the government assistance never reaches the poorest populations due to corruption.”

Mamadou Ndiaye from the NGO DAAPA in Senegal said: “It is not just a lack of political will to fight against poverty, but there are also local NGOs that live on the backs of communities - that is to say, they submit projects on behalf of these communities, ask for financing from donors, and then they pocket the money for themselves. That isn’t misappropriating money from the donors, but that’s misappropriating money from the communities.”

F. Right to Health (articles 24 to 28)

Article 24: Persons living in extreme poverty have a right to health care, and the State must guarantee the appropriate exercise of that right.

The families attached great importance to the right to health care, since their situation depends in large part on their health. They testified to the difficulties of the poorest families in accessing health care.

“If you have no money, what medications do you think we can possibly use to care for your daughter?”

In **Cusco**, that is what hospital personnel told a woman whose daughter was about to give birth. Poor families recounted how, without money, they have been refused health care, even in emergency situations, which sometimes led to the death of family members or friends.

“Sometimes we fall ill, we need blood, or we need to bury our dead. We are not allowed to. We suffer from all these humiliations. People who have money receive better health care than the poor. We want equal treatment in health centers. We need doctors who listen to us and take care of us.”

The poorest communities are poorly equipped in regard to health care

Julian Quispe (**Cusco**) recounted how the lack of health equipment in remote, mountain communities makes access to health care difficult: “Here, in the community, the health center isn’t well-equipped. As there are no medicines, many families have to go to Pisac or Cusco. Our money doesn’t go far there, and many people who have gone to get health care don’t go back. I had this experience when my wife was going to give birth. At that time, I had no money, but I had to find some wherever I could. So I sold my bull, and I was able to pay the expenses. It’s something many families go through, but the worst is when people have no money, because they must sell what little they have or die.”

National assistance programs are not always accessible to the poorest people,

In **Peru**, the government designed a medical assistance program for the most disadvantaged called the “Comprehensive Health Insurance System” (**Comprehensive Health Insurance System (Seguro Integral de Salud or SIS)**). However, it does not always reach the part of the population most in need. Often people living in extreme poverty are unable to provide the required papers - either their births were never registered with the municipality or they do not possess identity papers.

Silvia Velasco described all of the humiliations and trouble she went through to have her son cared for, because of the inability of SIS to pay for the costliest expenses. She explained, “I brought my sick son to the clinic. As I had no money, the nurses told me that with SIS, I could have him cared for. At SIS, they told me to bring my identity card, my son’s birth certificate, proof of residency, and a certificate of poverty signed by the headman of my neighborhood. I didn’t have those documents. Then the disease worsened, and I had to hospitalize my son. The doctors told me he had renal failure. He had to have dialysis three times a week, and each dialysis session cost 206 soles [50€]. We’re always been told that SIS covers everything, but that isn’t true. Even if you don’t have money you are told, ‘You have to buy these medications, SIS won’t pay for them. If you don’t do that, your son won’t get better.’ The doctor who took care of my son often made me cry. To get blood, I had to run from one institution to another, and the

women, who were very kind, helped me to get a few liters of blood for my son. At one point, SIS was no longer able to pay, and they told me that it would cost less to send my son to Lima. That's what I did, but it cost me a lot of humiliation. As I had no family in Lima, and I knew nobody there, I had to stay in an institution that accepts poor families. To stay in the institution, you have to go out and beg. They sent me to beg in the market. They gave us travel money only for the trip there. For the return trip, we had to plead with bus drivers. Often, they wouldn't take us. I had never experienced such a thing in spite of my poverty. No one had ever humiliated me like that before. I went through all that for my son's health, because I didn't want him to die."

On the other hand, through the support of a local SIS coordinator one participant was able to have his rights respected when the body of a deceased person was being removed from the morgue. In fact, certain members of a hospital's administrative staff had tried to profit of his lack of information and his impoverished situation. Thanks to the SIS coordinator, he was able to resolve the problem.

Article 25: All persons living in poverty have a right to be treated with dignity, respect and humanity by health-care systems. To this end, health-care personnel must be familiar with the day-to-day circumstances of highly underprivileged individuals and families and trained in forging partnerships with such people.

In a report published in July 2006 called "Peru: Poor and Excluded Women," Amnesty International revealed that discriminatory maternity and infant health services are letting hundreds of impoverished women and children die every year, particularly in rural areas. This makes Peru's maternal and infant mortality rate one of the highest in Latin America.

During the consultations, families repeatedly told us about the 'special' treatment they receive from medical personnel when, after much effort, they do succeed in accessing health services. The poor population from the countryside is particularly affected by discrimination based on cultural differences such as language, or style of dress for example. Participants asked for "the right to be treated with dignity, respect and humanity by health-care systems" and wished that steps would be taken to fight against the discrimination which mars the quality of care they receive.

Yaque Guzman insisted that health-care personnel need to recognize the medical knowledge that certain families in poverty have: "For example, many families use home cures or give birth in their home and are capable of doing it very well. However, when they go to the health center to obtain a birth certificate, the response they receive is: 'You didn't come here. We didn't take care of you in the health center, so you don't have the right to a birth certificate.' This denies the families' experience in health care. However, I think it's very important to recognize this knowledge and the families' capabilities."

At the official conference that followed the consultation on the guiding principles, Silvio Campana, representative of the Office of the Ombudsperson, spoke about the fight his institution is leading to promote the practice of vertical birth in hospitals. Some health centers are beginning to train part of their personnel in these practices and to accommodate women who, for cultural reasons, refuse all other types of birth.

Training health-care personnel to tackle discrimination

Olga Taco stated, "Generally, people in remote communities aren't used to going to a health center. When they do go, it isn't easy for them. I think it's important for personnel who are going to work in a community to be prepared — to know the culture of the place where they are going to work, to be bilingual, and at least speak the language of the people. Generally, people try to take care of themselves by using natural medicines. They hesitate to take chemical medications. It's important for the medical personnel who are going to work there to know this." Health-care personnel must, therefore, be trained in the reality, suffering, and efforts of the poorest families and be prepared to work with them and to offer them respectful treatment.

H. Right to Housing (articles 31 to 33)

Families have claimed their right "to access to dignified housing" as foreseen in the guiding principles. Silvia Velasco (**Cusco**), for example, describes the conditions in which families sometimes live: "Ever since

I have had a family, I have always lived in small rooms, which would serve at the same time as our dining room, kitchen, and bedroom. My children didn't have a room where they could do their homework, and when we had a room without a light, it was even worse because we had only a candle to light the room."

In **Peru**, the various groups all expressed their desire to own a home in order to avoid the humiliation families often faced at the hands of landlords, but also to be able to leave their children with a place where they could live in dignity.

In **Lille**, one of the participants is in contact with homeless couples: "The man and woman have both lived in the street for 10 years. We are fighting so that people don't find themselves on the street, because life on the street destroys them."²¹

I. Right to Education and Culture (articles 34 to 35)

Article 34: All who live in extreme poverty have a right to education.

Many parents stress the importance of education to guarantee a better future for their children and to escape the poverty in which the family lives. Maruja León expressed this wish: "That my children have an education so that they get along better than I did, that they get a good job and that no one mistreats them." Agripino Huamani explained that: "We strive to have our children study, so that they can have a better future. We really do all that we can. We do all kinds of work, so that our children can go to school. We do not want them to live like us."

However, vast inequalities exist in the children's education, and despite efforts by their parents, many children are unable to study for financial reasons or distance from the school.

Financial problems in accessing education: "My daughter didn't have books and dictionaries, and due to a lack of money, she had to leave school."

Many of the families spoke about the difficulties caused by the high cost of school and explained how, despite all their efforts, they cannot always manage to send their children to school. The cost of enrollment is not the only financial obstacle. Parents must also buy supplies, books, a uniform, or outfits for specific events. Furthermore, certain children have to work to help meet their family's needs, and so cannot spend time on their studies.

In **Dakar**, Mbaye Diouf, a teacher in an alternative school, explained: "In our school, we take in children in difficult situations, children with no birth certificates, and those who have failed school. The supposedly public schooling is slowly becoming private. Enrollment and endless fees are out of reach for the students' parents, and remedial courses are required and aren't free. In working-class suburbs where the impoverished conditions are obvious, a large number of children are left out – left to fend for themselves by the formal education system."

Geographic distribution of schools:

In the remote communities of Peru, where a large proportion of the poorest populations live, schools are often poorly equipped. "We want equal access to education. Those of us who live in remote or distant villages can't benefit from good educational conditions. In rural areas, there is not always a secondary school – there're only elementary schools. Many of the teachers aren't properly overseen by the Ministry of Education.

"Parents are unable to help their children, because they have not gone to school"

Some parents recounted how difficult it is for them to support their children in their education and to help them with their homework since often, they themselves have not gone to school.

Respect and understanding from the teachers, regardless of their students' culture and living

²¹ According to the 2007 report from the Abbé Pierre Foundation for the Housing of the Underprivileged, there are 3,261,600 people with a serious problem of poor housing in France (Homeless: 100,000; Persons without their own home: 974,600; Persons living in very difficult housing conditions: 2,187,000)

conditions

Often, families tell how some teachers, even though their mission is to implement the right to education, are the first to exclude certain children. Ceferina Casani from **Cusco** recounted, “In secondary school, I saw how sometimes they humiliate people. We always send our children well dressed, but there is so much dirt in our neighborhood that, each time, their shoes get dirty and so they send the children home.”

Thérèse Gomis from **Dakar** advises teachers: “You need to reach out to children and their families. It’s important because you can’t teach a person you don’t know. The child may behave a certain way in class, but you don’t know why. To understand the reasons behind the child’s behavior, reach out to the family.”

The participants in **Dakar** noted that: “The government can’t meet the demand for education, and so a lot of alternative schools are cropping up all over the city. They are started with good intentions, and some are in difficult conditions, without support and completely on their own. And yet, they produce good exam results. Today, these schools are playing an important role in ensuring an education for all children, given the increased demand for schooling and the fact that they can reach out to children excluded from the school system. They need grants from the government and from NGOs to meet their goals.”

They also emphasized that “to avoid failure in primary school, and to stop children from going to live on the streets, children must be taken in hand as young as possible. In rural and outlying city districts, several of us have set up daycare centers in the zones where there are not enough schools, relying on mothers who come regularly or women’s groups to help run things.”

Article 35: Right to culture: Seek to uphold the dignity of the poor, promote awareness of their rights, and accord due recognition to their experience

For Yolanda Herrera (**Cusco**) even if they lack education, families are capable of participating and giving their opinion: “**A person can be illiterate, but this person still has a culture, because culture is much more than education.** An illiterate person can also teach us, who are not illiterate, something of his culture, because often, they also know things that we don’t know. One can’t say he doesn’t know how to think, that he isn’t capable of critical thinking. They also know a lot. Whether it’s in their language or in Spanish, they can tell us a lot about their rights.”

J. Right to Employment (Articles 36 to 38)

Article 36: All who live in extreme poverty have a right to decent, dignified, productive, safe and appropriately remunerated employment.

Article 38: Wage earners, both permanent and, especially, temporary, and their families do not have to live in poverty despite going to work

Carmelo Huaccanqui from Peru spoke on this point: “**It’s difficult for us to find work; and even if we find it, the pay is very low.** If we want to save money to raise our children better so that they can get out of poverty, we can’t do it. As our salary is very low, it doesn’t allow us to provide for our children’s needs.”

Natalia Quispe stated: “Often, we beg because we don’t have work, because we don’t have enough to live on. If we had a decent job, we wouldn’t have to beg for charity. It’s important that our job pays decently.”

Exploitation and abuse in the workplace

Many participants talked about exploitation and the abuses of which they are victims at work. Despite the great variety of jobs performed, they found common suffering in each of these accounts. The following examples come from the Cusco consultation.

- Porter for tourist hikes

Alvino Sana spoke on this point: “On the Inca Trail, under the law, the salary is 163.50 soles. When we finish our work, they only pay us 70.90 soles, at most 120 soles, but we have to sign a paper stating that we received 163.50 soles. If you don’t do it, the next time, you don’t get any work, they don’t call you any more. Therefore, if you want to earn a little money, even if it is a pittance, you have to sign this contract and lie to the authorities. If you want to work, you have to accept these conditions. There’s a law, but it isn’t

respected. The Ministry of Labour tells us that it's all our fault, because we lie, but we can't tell the truth, because then, we'll be left without work."

- Porter in the markets

Marleny Vargas, the head of porters' association, the "Casa del Cargador", decried the humiliation and exploitation suffered by porters in the markets: "The migrants who come from the communities to the city searching for a better life are marginalized, humiliated, and discriminated against because some of them have hardly attended primary school. They get a rope and go to work at the nearest market, but conflicts break out with the merchants. The treatment they receive is terrible, as if they were not human beings. They're paid 20 or 30 centimos for carrying a load, when normally it should be 50 centimos. They are also discriminated against because of their physical appearance. They don't have the right to go to the bathroom and they are poorly thought of. Moreover, they are mistreated as if they were animals. They are forced to carry whatever quantity they are given; they have to unload packages weighing 80 kilos or more off the trucks. The law states that a human being may carry up to 55 kilos."

- Domestic workers: "They made me sleep with the rabbits, in the kitchen."

Poor families often find themselves obligated to send their daughters to work as domestic workers, often very young, in places far away from their families. Margarita Enciso, for example, recalled the poor treatment inflicted on her by her employers: "I started working at the age of 11, when I went for the first time to Andahualilas. They made me sleep with the rabbits, in the kitchen, not even in a bedroom. The guinea pigs were walking across me. They gave me the leftovers from their meals...and we had to cook separately for ourselves. You don't even treat an animal that way."

Raising public awareness: "They don't know, in reality, where they are sending us, or how much we suffer."

The union of "Trabajadoras del Hogar" would like to organize, with ATD Fourth World, a public-awareness campaign in Cuyo Grande on the suffering experienced by young domestic workers. In fact, when wealthier families come to offer work to these girls in the poorest communities, parents are impressed by the promises that are made: schooling, good treatment and decent wages for their child. The parents therefore send their daughters to work in the hopes of guaranteeing them a better future. Once they are in their new boss' home, these girls aged between 9 and 11 are often exploited. Often parents are unaware of the reality that their child will have to face.

Need to recognize and facilitate informal work

Edilberta Bejar explained how the poorest people, since they cannot find work, are forced to generate their own work. She deplored the fact that it's the authorities and those responsible for law and order who prevent them from working. "I have also worked as an itinerant saleswoman, I have never had a stand or store – it's expensive and you have to register with the government. Ever since they created the shopping mall, the local police no longer allow us to sell; they throw us out and take away the things we are selling. As a result, all of the itinerant salesmen protested in the streets. The itinerant salesmen haven't been permitted in the business center, we continue to sell in the street, and even though we protested, there is nowhere for us to set up shop."

Welfare programs that lead to decent work

Decent working conditions need to be created for people whose financial situation is very precarious. In Kielce, approx. 1,100 men on welfare are in debt for food expenses (from 20 or 30 PLN to as much as 100,000 PLN). If they find a legal job, 60% of their salary is automatically deducted to pay back this debt. In the current situation in Poland where the job market is improving, where there is a shortage of manpower, what is needed is the creation of support mechanisms that constitute a real path to accessing one's rights.

The right to time off

The **Cusco** participants asked that the right to time off be included in this paragraph of the guiding principles: working conditions and wages must allow parents to have quality time off that they can dedicate to their families. They said that it was very important and that they didn't have this right. And they asked whether Mr. Bengoa had taken it into account. The problem is that, in our country, we know very well that there's no work. And at times, to get a job, people take whatever's available and so all they do is work, work and work, and they live this way. But they don't have any time to spend with their families."

Article 36: The politics of the struggle against extreme poverty must take into account the right to work as a factor in the struggle against this phenomenon.

Mamadou Coulibaly, civil servant in the Senegalese Ministry of Microfinance testified: “I live in a world strongly marked by poverty, with an intolerable level of social exclusion...**Over time, we realized that we needed to accompany the people who are confronted with difficulties and allow them to overcome them with their own resources.** We must never forget that all individuals possess an inherent potential which can enable them to transcend a great many difficulties. But often, this potential is dormant, and all that’s needed is to create the appropriate conditions for the person to grow and overcome his difficulties.”

Professional re-integration of young people: the example of France

Mechanisms have been established in most industrialized countries to address youth unemployment. However, as this account demonstrates, programs must be supported all the way through to successful completion in order for them to constitute real and lasting progress.

René Locqueneux, a trainer, recounted in **Lille**: “I keep the guys for a year, two years and afterwards they go back to square one because they cannot find work. They return to unemployment, fall back below minimum wage and soon come back to work insertion programs. These are called insertion programs, but there is no “insertion” into the labor market at the end because of a lack of employment.” “For these programs to succeed, there should also be greater communication among those who are involved with the same youths: trainers, educators, psychologists ... and the youths themselves should be consulted.” “Another important point: after a program is put into place, there is often a new minister and a new law. Programs should be evaluated to see what’s working and what isn’t before starting over from scratch.”

For work insertion programs to be a real tool for the least qualified youths, it is necessary to have follow-up, a dialogue, a partnership, methods suited to the level of the youths in question and a status that is not that of an underclass. An assessment of steps undertaken is necessary to develop new programs based on what is effective.

Article 38: The State must eradicate child labor, prostitution, forced labor, contemporary forms of slavery and other activities in which those living in extreme poverty are often constrained to engage.

The anxiety of families concerning the elimination of child labor

During small group discussions on the draft guiding principles, the participants discussed at length child labor and expressed their concern over the kinds of policies that might be put in place to try to end it. As parents, they expressed their profound desire that their children not have to work, but they also explained how, faced with the low income that they earn, they have to be helped by their children in order for the family to survive. Margarita Enciso from **Cusco** explained: “As the economic situation is always difficult, children have to work to help their parents. We don’t want our children to work either, but we don’t have enough money. Our children see our powerlessness. We do what we can, but it isn’t enough to pay for the house and school. Therefore they help us by working.” In view of the families’ concern, it is clear that the elimination of child labor must be accompanied by measures that guarantee a sufficient income for parents. This is the necessary condition for child labor to cease being an economic imperative. The families emphasized the difference that exists between child labor, strictly speaking, and the responsibilities that children fulfill within the family: taking care of younger siblings or fetching water, for example. Some participants touched on the need to protect the youngest in the face of dangerous practices. “Since Cusco is a very touristy place, there’s child prostitution, which makes for a lot of very young victims. These young people generally come from areas of extreme poverty, yet the authorities keep quiet.”

K. Right to Justice (articles 39 to 41)

Article 40: Free, quality legal assistance

The right to be heard by judges and to have one's opinion respected

In **Cusco**, one of the issues raised was the difficulty the poorest have in being heard by the judiciary system because of linguistic problems. "A woman who spoke Quechua had serious problems making herself understood in Spanish. She didn't have the means to defend herself whereas, in Quechua, she could have explained her situation to the judge." It is therefore very important that "persons who do not speak the official language of the court concerned should be able to get free access to specialized translators and interpreters," as stated in Article 40. Guadalupe Cuba summed it up in this way: "My hope is that justice will be made accessible to all, without discrimination."

Combating abuses and exploitation

Confronted by abuses and exploitation, families are mobilizing, sometimes with the help of associations, to see that victims obtain justice. Alberto Ugarte, an ATD Fourth World volunteer in Cusco, tells of a family in **Cuyo Grande** that asked for help in taking legal action against their daughter's employers, who had mistreated her. Rocio's family is now awaiting the court's decision. The simple fact that the police were even willing to refer the case to the courts is a good sign and amounts to a major step in getting Rocio's rights acknowledged.

In **Kielce**, even though the problem of domestic violence affects all levels of society, the presence of women who had been victims led the participants to ask for "**a right to rights**". They asked that incidents of violence should result in real legal intervention and that victims should not be placed in positions of insecurity or subjected to hardships. In Poland, abusive husbands can maintain legal possession of the family home while the women and children are forced to go from shelter to shelter. The participants also asked for improvements in the handling and treatment of abusers.

Section 3

M. Duties and responsibilities of public and private entities in combating poverty (articles 45 to 48)

Article 46: The staff of public and private international organizations, non-governmental organizations and movements and organizations working to eradicate poverty must display a high level of professionalism and moral rectitude in their conduct.

During the consultations, participants gave examples of a number of acts of solidarity as well as of different examples of ethical behavior towards people living in extreme poverty.

For example, in **Dakar**, the participants stressed the link between a feeling of dignity and the networks of support for accessing their rights. Several groups evoked the challenge of **leaving no one out**, and of making it possible for every person to **meet other people who will trust in them** and give them a chance to **regain their own self-confidence** in order to aspire to change.

A teacher in an alternative school said, "Our commitment to providing a decent education for children living in difficult situations is a form of activism and of fulfilling our civic duty to add our own stone in building the Senegalese nation."

Article 47: It is important to accord due recognition to cooperative, voluntary efforts to combat poverty and create a climate of solidarity, and to encourage poor people's organizations and social movements seeking to eradicate poverty on the way to achieve Human Rights.

In **Cusco**, this was the first time that people had been invited to deliberate not only on their own lives and experiences but also on the text of an international document. The participants demonstrated their capacity to

discuss the guiding principles and expressed very clear views. For example, they requested the inclusion of the right to time off, and a greater emphasis on the right to live as a family. The families became more aware of their rights and realized that this helps them ensure that their rights are respected. During these consultations, they said they had learned more: “In fact, we didn’t really know what the UN was, but with these presentations, we have had a chance to learn about it.”

Participants from different organizations said they had learned how much they had in common in terms of living conditions, experiences and suffering.

At the end of the Cusco consultation, Silvio Campana, representative from the Ombudsman’s office, stated that “This meeting has been a big step forward, because we’re talking about demanding rights, and ending the silence. Poverty doesn’t mean losing your dignity. On the contrary, **dignity should stand in the face of poverty**. I think this is related to the idea of nation-building.”

Likewise, in Dakar, a community leader from Sam-Sam regretted that the entire community had not been present to benefit from the quality of the examples and proposals.

Article 48: States and the international community should celebrate on 17 October the International Day for the Eradication of Poverty.

In September 2006, Kofi Annan, then Secretary-General of the United Nations, published a report on the Observance of the International Day for the Eradication of Poverty, stating²², “The International Day has been observed around the world, largely as a day to remember and honor the daily struggles of people living in poverty. It represents an opportunity to acknowledge the efforts and struggles of people living in poverty, a chance for them to make their concerns heard and a moment to recognize that poor people are in the forefront in the fight against poverty. [...] The International Day can be an important tool to support national efforts to eradicate poverty, by promoting dialogue and collaboration among stakeholders. [...] This would require an approach to the observance of the International Day that is more inclusive than is currently the case.”

This day is an occasion for numerous events around the world. For example, in Poland, Dr Janusz Kochanowski, the Ombudsman for Citizen’s Rights, made the following statement at a press conference on 20 June 2007²³ :

“My decision to accept to preside over the commemoration of the day for the eradication of poverty is not only an act of solidarity, but also an encouragement to undertake acts to ensure the rights of those who experience social exclusion, discrimination, and marginalization, but also who suffer from the lack of basic resources and access to education or medical care. I would like to focus on:

- Ensuring the right to equal chances for all in gaining the best possible education.
- Promoting social and professional inclusion, particularly of the long-term unemployed and disabled.
- Supporting all initiatives by social service organizations in combating poverty.”

In Dakar, Philippe Hamel, the ATD Fourth World regional delegate for Africa, explained how families in poverty in Rwanda are taking action to promote peace and reconciliation by building solidarity with those who are the most excluded. Two groups of families in Rwanda, in conjunction with ATD Fourth World, are carrying out acts of solidarity (rebuilding a hut, tilling a widow’s field, or taking actions to improve health conditions) that emphasize participation by all. This solidarity, which is reinforced by small socio-economic projects, is contributing substantially to the reconciliation efforts. As a part of this process, the International Day for the Eradication of Poverty is a high point that makes it possible to bring together citizens from all walks of life (from villagers to mayors, religious leaders and teachers) and to involve other community stakeholders in order to eradicate destitution together. This is one of the rare moments in the year when such different people come together on an equal footing. In speaking out during the day, people in extreme poverty explained that they were unable to declare their child at birth, or to register their marriage, which could lead them to face substantial fines that they cannot afford. On hearing these stories, the mayor of a district decided that official registrations would be free for all villagers.

²² A/61/308 paragraphs 52, 53 and 54; <http://www.un.org/events/poverty/2006/sgreport.html>

²³ Declaration by Dr Janusz Kochanowski, Ombudsman for Citizens Rights, Press conference of 20 June 2007.

During the Dakar seminar, Faustin Ndrabu of the Democratic Republic of the Congo shared the way in which his group observed the International Day for the Eradication of Poverty on 17 October 2006 with civil society NGOs in Bukavu: “The observance included: the Bukavu Tabori Movement; national and international NGOs, the UN; the head of the United Nations Mission to the DRC, Mr. Alpha Sow; a group of demobilized child soldiers; the vice-governor of the province representing the provincial authority; several press agencies; and finally, a group of ten mothers who work as porters. The day was enriched by speeches, presentations, testimonies, debates, poems, theater, and songs about fighting poverty. As members of the ATD Fourth World Movement, we struggled to ensure the participation of the ten mothers, real witnesses of destitution, so that they could take advantage of the opportunity to speak about what they have to endure in their work.”

Applying the Guiding Principles

Calling the guiding principles a “dream,” many of the participants expressed concern about the prospects of actually putting the text into action, and said they were aware that it would be a long, hard battle. So they spoke of the need for people in extreme poverty to organize themselves in order to ensure that the guiding principles would be respected rather than forgotten.

In Cusco, during the closing speech that followed the consultation, Mr. Bengoa addressed some of the participants’ concerns:

“These guiding principles are the groundwork for a path that we will follow together. Little by little, the right to life is seen as more than just an obligation not to kill, hit, torture or imprison without cause, but that there are other ways of violating the right to life. For example, if a person has nothing to eat, no housing, no means to educate their children, the right to life and human rights are being violated. The concept of the right to life and of human rights has thus been expanded.” He then drew a parallel between the application of the guiding principles and fighting extreme poverty, and the application of the Universal Declaration of Human Rights as well as other international texts. Even though complete adherence has yet to be achieved, these texts have a genuine effect on leaders.

Conclusion

In the resolution adopting the draft guiding principles, the Sub-Commission for the Promotion and Protection of Human Rights expressed the hope²⁴ “that these principles will encourage those living in extreme poverty in their daily efforts to preserve their dignity and regain their rights, and will foster the changes to which those persons legitimately aspire.”

All the discussions demonstrated that the draft guiding principles addressed the concerns and hopes of the participants. Those who are living in poverty testified to the discrimination they had experienced and to their difficulties in obtaining respect for their dignity and access to their rights. They explained the impossible choices with which they were often faced. They showed that they are on the front line in the battle against poverty and that their participation is indispensable for the planning, implementation and evaluation of projects and policies.

They also named people, public officials, and projects that supported them in accessing their rights.

The participants also asked that all stakeholders take action to eradicate extreme poverty together by recognizing the following:

- NGOs in which the most disadvantaged people participate have a special responsibility to enable them to engage in public dialogue.
- NGOs and labor unions have an important role in training all their members in accessing rights for all.
- Better training is needed for professionals to understand the lives of people in extreme poverty.
- The media is important in combating discrimination and promoting a balanced view of excluded people.
- On several occasions, the participants recognized the need for greater knowledge and a better evaluation of extreme poverty. Universities have a role to play in expanding this knowledge on the basis of the experiences of people in extreme poverty.
- The consultations and the dissemination of the guiding principles made it possible to obtain the involvement of ombudsmen and national human rights institutions as well as other actors in society such as moral and religious leaders.
- The role of the private sector was raised, but should have been given more attention.
- Civil society, governments and international bodies have the responsibility to promote high-quality relationships between staff and communities in extreme poverty in order to support the people’s efforts, and help to create linkages with existing projects and structures, so that people with direct experience of poverty are able to participate.

The consultations requested a policy of collective responsibility. No one can be relieved of their responsibility and every stakeholder shares responsibility in the fight against extreme poverty, which concerns us all. This aspect is visible in the draft guiding principles, which encourages the creation of solidarity with the most excluded people in extreme poverty at the national, regional and international levels.

²⁴ Resolution 2006/9 paragraph 2, 24 August 2006

The requests submitted by the International Movement ATD Fourth World to the High Commissioner for Human Rights and the Human Rights Council are summarized as follows:

1. That it continue to examine the theme of extreme poverty and human rights in all countries – both developing as well as industrialized - through the work of an independent expert on the subject, and through special measures, member state reports to convention committees, and periodic universal reviews.
2. That the Human Rights Council either adopts the draft guiding principles or creates a working group to prepare an international text on extreme poverty and human rights based on the Sub-Commission's draft guiding principles.
3. That it renew the invitation contained in the Council's resolution 2/2 of November 2006, namely that non-governmental organizations, especially those in which people in situations of extreme poverty express their views, be consulted in drafting and implementing this international text. In effect, the consultations with people in poverty on these draft-guiding principles have demonstrated just how rich the contributions that they are able to make are.

Annex 1 – Summary of the Bangkok consultation

In Bangkok (Thailand), on 9 and 10 September 2007, the consultation involved members of two communities and Yozo Yokota, an expert from the human rights Sub-Commission.

Before the consultation, 18 preparatory interviews were conducted with families in the two communities: one in the Saphan Phut slum and the other living in makeshift conditions under the Bangkok Noi bridge. A dozen contributions were read aloud during the consultation with Mr. Yokota and the five Japanese students who accompanied him. The main themes were that of community, and particularly how to build solidarity within a community. Discussions also focused on whether or not the very poor families in both communities have:

- 1) access to government anti-poverty programs;
- 2) knowledge of and the possibility of exercising their rights (to housing, health, education, voting, etc.).

Section 1

A. Participation by the poor

Article 7. Persons living in poverty have the right to participate in all activities which concern them, particularly programmes for the eradication of extreme poverty.

Barriers to participation in government development projects

Boon Gusonchuay said, “There are no governmental development projects that manage to reach us.” Arathay Suwansiri agreed, “Some government representatives did come once. They photographed us and registered us for their records. They gave us a green handbook (ID) that we could use to ask the authorities for support in case of problems. Those representatives didn’t really talk to us or say anything special except that we should all get our IDs done. So we did, but it was never of any use.”

Even when meetings are organized to inform people living in poverty about government programs, those whose living conditions are the hardest do not have the time to attend. Duangman Shipratum affirmed: “I don’t know anything about governmental anti-poverty programs. I don’t know about my rights; because I don’t usually come to the meetings, I have to work everyday.”

People in extreme poverty may also chose to avoid government programs as a way of assuming their responsibilities and avoiding dependency. Nithaya Gusonchuay said, “We don’t need people to eradicate poverty for us. We have to be responsible for ourselves, just as we pay taxes to the government. We have to help ourselves. District representatives never came here. They said it was an abandoned property and they couldn’t do anything.”

B. Discrimination and stigmatisation

Article 11. Discrimination affecting persons living in extreme poverty must be punished as a violation of human rights. The stigmatisation of the poor and their associations, groups, neighbourhoods or places of residence, and their representation as persons without rights who are dangerous, violent and display other negatives characteristics, must be regarded as forms of discrimination.

During the consultation, the participants living in extreme poverty spoke of the contempt they feel from others. Saowalak Yabob said, “People from outside despise us. They think our kids have bad manners, and that they are bad kids. Some schools don’t accept our children. Some teachers look down on us. Some parents feel sad for our kids who live in a slum. They would like to help but they don’t know how to.”

Suphot Thaewhoysang added: “The houses in the slum aren’t registered with the district. We call it a slum because we can’t ask anyone for the right to become a community. We aren’t considered a formal community because our homes aren’t registered. If only we could become a registered community, we would be able to ask for government support. We could have access to running water and electricity. It would improve our living standards.”

Building a feeling of community solidarity among the residents is not an easy because of the difficulties each family faces daily. Chariya Siripannaponchay said, “The families living in this slum don’t really get the chance to gather, except when threatened with eviction. When there’s a fire, everyone comes out to help. But for small things, some people work in the morning, others during the night, so it’s hard to find a moment together. We all need to work all day long.” Saowalak Yabob added: “The feeling of belonging to a community is important because we’ve been living there for a long time. But it isn’t very strong because some families come from other provinces and don’t stay permanently. If someone has a problem, nobody would know about it.”

Section 2 -Civil and political rights

Article 15. All persons living in extreme poverty have the right to (...) participate fully in the life of the community in which they live, (...) to possess an identity document or any other document which constitutes evidence of their citizenship or their legal status, and to enjoy all the civil and political rights set out in the Universal Declaration of Human rights.

Many people living in poverty lack the legal proof of identity needed to exercise these rights. Wantha Sangwianoupatham said: “It’s hard for some people because they don’t have any identity papers.” (I suggest we delete this sentence because it’s a repetition of the introductory sentence and doesn’t add any further information.) Nevertheless consultation participants felt strongly about their civil rights. Nithaya Gusonchuay said: “People in this community have rights; otherwise we couldn’t vote. We have the right to elect whomever we want. Thai people have rights because we are a democratic country. In fact, poor people have abilities, they’re human beings just the same; they just lack the opportunity to show their abilities.”

F. Right to health

Article 24. Persons living in extreme poverty have a right to health, and states must guarantee the appropriate exercise of that right.

During the consultation, the participants spoke of the difficulties they face in accessing their right to health care. Both Wongprsrith Suksusat and Amponpan Khemklat said, “I once had a free health care card, but couldn’t use it.”

Wantha Sangwianoupatham said, “No one comes to give us information about health care and about contagious diseases. I’d like a team to come and inform us about contagious diseases. No one in our area knows how to prevent them from spreading, nor do we know how to cure them.”

H. Right to housing

Article 31. Persons living in extreme poverty have the right to dignified housing affording suitable protection from the climate, enabling them to have a family life and to develop as individuals in dignity and decency.

The right to housing remains particularly elusive. Wonath Laytong said, “The most difficult thing is to find a place to live. We don’t have that. Some people sleep next to the temple. Some others live under the bridge. Living in these conditions is too hard. Most kids living here have parents but some don’t. It’d be good to have a place for them. That’s why we need our living standards to improve. Everybody has rights; people from our community should have some.”

Another person said, “People are afraid of the landlord and the police. We might get evicted although we’ve been living here for a long time. Fear is one of the reasons why there’s no solidarity. Our future’s unsure. It’s hard to make plans for the future, to build on a land that belongs to someone else. If the landlord came, we’d be evicted by the police and it’d be the end of the story. That’s why we don’t ask for anything, we just hope that we can stay here, that’s all.”

I. Right to education and culture

Article 34. All who live in extreme poverty have a right to education. They and their children are entitled to have access to basic education and schooling at all the levels offered by the education system, without being exposed to segregation or discrimination of any kind.

Children living in extreme poverty must leave school to find money for themselves and their families. Parents have no choice even if they want their children to have a better life and to be able to go to school. Wantha Sangwianoupatham said, “Most of the kids living under the bridge are vagrants. Some of them went to school but most of them didn’t get the opportunity because they had to survive. Most of the parents don’t push their children to go to school because making money to survive is more important.”

“I don’t know anything about human rights because I don’t know how to read,” said Ponpimon Kongjinthet. “It makes me realize how important it is that my kids receive an education. I don’t think about myself anymore. I’ve lived my life already. I’m more worried about the children’s education. It is really very important.”

J. Right to employment

Article 36. All who live in extreme poverty have a right to decent, dignified, productive, safe and appropriately remunerated employment.

Persons living in extreme poverty work in conditions that do not allow them to have a normal life. Duangman Shipratum testified, “I work everyday. If I don’t go to work, I’m reprimanded and they cut off my electricity.(earlier, it was said that they have no electricity or running water. I imagine that there are parts that do, but it’d be better if this was said at the beginning.) Even when I’m sick, if I don’t go to work, my boss would cut off my electricity. I’ve already lost 250 bahts for that.” (It’s too bad there’s no explanation of why the boss can cut off the electricity – I imagine the person lives in a shack provided by the boss?)

Wantha Sangwianoupatham added, “We would like to have permanent jobs. It’s hard to find a job because we don’t have much education. We would like to have some training.”

Conclusion

At the end of the consultation, Mr Yokota, expert from the sub-commission on human rights thanked all the participants. “First of all, I would like to thank you all for participating in this meeting and sharing your thoughts and experiences so openly. I think you have a lot of courage for gathering to share your opinions.

What you have said is very important for the UN Sub-Commission for Human Rights. Along with four other members from the Sub-Commission, we took on the responsibility to write a report two years ago. According to the report, poverty is not only an economic issue - it is also a matter of human rights. A lot of people think that poverty is an economic problem. Therefore, they think that if a country develops its economy, poverty will be eradicated. But this theory has some flaws. For instance, how long will it take to eradicate poverty through economic development? Some countries say 10 years, 20 years, 50 years. But people living in poverty now, can they wait 10 years, 20 years, 50 years?”

Annexe

Definition of extreme poverty in the Final report on human rights and extreme poverty, submitted by the Special Rapporteur, Mr. Leandro Despouy.

E/CN.4/Sub.2/1996/13 Annex III, 28 June 1996.

"The lack of basic security connotes the absence of one or more factors enabling individuals and families to assume basic responsibilities and to enjoy fundamental rights. The situation may become widespread and result in more serious and permanent consequences. The lack of basic security leads to chronic poverty when it simultaneously affects several aspects of people's lives, when it is prolonged and when it severely compromises people's chances of regaining their rights and of reassuming their responsibilities in the foreseeable future."

This definition is doubly innovative because it defines poverty in terms of rights and responsibilities and it was drafted in association with all the social partners of a country and in consultation with very poor families and individuals.

Moreover, it underscores both the similarity and the difference between situations of poverty (first part of the definition) and extreme poverty (second part of the definition): both appear to be due to similar phenomena, varying essentially in number, extent and duration. It also shows that the demarcation line between poverty and extreme poverty, although very real, may be fluid.

The persistence of multiple insecurity over a long period, sometimes several generations, appears to contribute to the decline from a situation of poverty into one of extreme poverty.

By focusing on the fact that extreme poverty is due to a combination of underlying factors of insecurity, this definition places us in the area of the indivisibility and the interdependence of human rights. (Definition proposed by Father Joseph Wresinski, in the report entitled "Chronic Poverty and Lack of Basic Social Security", adopted by the French Economic and Social Council (Journal officiel, "Avis et rapport du CES", p. 25) which was first submitted for consideration by the Sub Commission's experts in the preliminary report on the realization of economic, social and cultural rights by Mr. Danilo Türk (E/CN.4/Sub.2/1989/19).)