



MAKING HUMAN RIGHTS WORK FOR PEOPLE LIVING IN EXTREME POVERTY

A handbook for implementing the UN Guiding Principles on Extreme Poverty and Human Rights



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MAKING HUMAN RIGHTS WORK FOR PEOPLE LIVING
IN EXTREME POVERTY: A handbook for implementing the UN Guiding
Principles on Extreme Poverty and Human Rights
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PART 1

THE BASICS

This manual is to assist those working directly with people living in poverty understand the situation of those in poverty from a human rights perspective, and help them and local authorities, take actions to improve the enjoyment of their human rights and escape their situation.

WHY DO WE NEED A MANUAL TO PROMOTE THE FUNDAMENTAL RIGHTS OF PEOPLE LIVING IN 'EXTREME' POVERTY? POVERTY - IS IT NOT JUST A QUESTION OF RESOURCES?

POVERTY IS NOT INEVITABLE

People living in extreme poverty, do not just suffer from a lack of income, they also cannot enjoy many other fundamental rights such as housing, work, health, education, preventing them from escaping their situation. These often exist because Governments and local authorities fail to take the necessary action so that everyone can enjoy their rights to which their Government has committed itself. They also suffer from discriminatory attitudes and behaviour by the rest of society.

There are many levels of poverty, with no clear lines between them. Many international instruments refer to extreme poverty to highlight the importance of ensuring that the most invisible, the ones 'in the shadows', are reached. They are the most entrenched in poverty through discrimination, marginalization and stigmatization, and suffer the most from shame. They often do not come forward to participate in and benefit from poverty-reducing projects and need to be actively sought out.

THOSE WHO LIVE IN EXTREME POVERTY OFTEN

- > Suffer from deep-seated discrimination and marginalisation. This can be because of their ethnicity, race, gender, sexual orientation, disability, social status, or simply because they live in poverty. This ensures that generation after generation live in poverty with no hope for escape.
- > Feel isolated and powerless, and lack access to justice because they lack the necessary information and resources to defend themselves. As experts have noted, "Lack of power is a universal and basic characteristic of poverty."¹ In many situations persons living in poverty are scared of claiming their rights. This again reinforces their poverty.
- > Are looked down on by others in their community or neighbourhood. This can make people feel more hopeless and unworthy, and unable to change things, even though they have taken many initiatives to create a better life for themselves and their families.

IN PERU

*"The worst thing about living in extreme poverty is the contempt - that they treat you like you are worthless, that they look at you with disgust and fear and that they even treat you like an enemy. We and our children experience this every day, and it hurts us, humiliates us and makes us live in fear and shame."*²

- > Often face laws that punish or ban their only means of survival. This includes begging or getting money by dancing or singing, and sleeping on park benches and often makes them more vulnerable to physical and mental abuse by police and others. It also further marginalises and isolates them.
- > Lack access to quality clinics, schools and other educational institutions, or social services, for a number of reasons: because none exist in their area; transportation is too expensive or not easily available; they are poorly treated by the staff; they cannot understand the language used in the public services, or they are too ashamed to try to make use of the services available.
- > Are often only able to survive by doing tasks that are humiliating, such as sorting through garbage (scavenging) or begging, or small jobs that bring only minimal income such as selling items on the street, shining shoes, doing small jobs such as physical tasks for people, etc.
- > Often do not have identity papers or a legal residence, and so are harassed by the police, and cannot benefit from welfare in countries where social protection systems exist.

IN HYDERABAD, INDIA

*"If I had an identity card, the police wouldn't have been able to throw me out."*⁵
An evicted slum dweller

In the USA, many cities prohibit begging, "camping" or sitting/lying in particular public places, and loitering in certain public areas and citywide in some cities.³

In Nepal, some Dalit communities reported that their children have to sit separately from other children, and in some cases can only stand at the back. This significantly affects the education received.⁴

> Do not have access to decent housing, and often live in dangerous, polluted, overcrowded and violent areas, which in turn undermines their health and therefore their ability to earn money.

IN KRASNA POLANIA, BULGARIA
*'It's drafty, humid, leaking. Just try living here in winter. Our children have fallen ill. And the adults too. There are bugs, cockroaches, what have you. It's cold.'*⁶
Young Roma adults living in poverty

WHAT HAS BEEN DONE SO FAR...?
WHAT CAN BE DONE?

Most governments have signed a number of human rights treaties on - amongst others - civil and political rights; economic, social and cultural rights; the elimination of racial discrimination, the rights of women, children, migrants, persons with disabilities. These treaties obligate governments to realise human rights for all within their jurisdiction including citizens and non-citizens. The rights covered by these treaties include the right to legal protection, vote, be free from torture, freedom of expression, assembly and belief; food; health; housing; and work.⁷

In 2012, the international community highlighted the specific problems persons living in poverty faced in accessing these rights guaranteed under international law, and Governments adopted the Guiding Principles on human rights and extreme poverty.⁸

THIS DOCUMENT

- 1 Describes the ways in which the rights of people living in extreme poverty are violated;
- 2 Aims at enabling people living in extreme poverty to claim their rights, assume their responsibilities, and be recognized as actors in the fight against poverty;
- 3 Spells out the steps that should be taken by governments, international organizations, businesses, and civil society organizations to respect, protect and fulfill their rights.

This was an important step forward. It was the first international text that acknowledged the specific obstacles that prevented persons living in poverty from enjoying their rights. The Guiding Principles also clearly identified actions that governments and other relevant actors could take to eradicate extreme poverty.

They are also innovative, in that they stress the importance of involving people living in extreme poverty in the decisions that will affect their lives, as well as the fact that the linkages between the multiple violations of their rights must be explored and dealt with in order to find long-term solutions.

However, the Guiding Principles only go so far, and are not designed to be a practical tool for those working at the local level.

HOW COULD THIS MANUAL HELP?

The manual takes the Guiding Principles further by setting out the ways in which those who work with people living in poverty can directly help local authorities improve their situation. Because extreme poverty is the result of human rights violations, the Manual focuses on demonstrating how those working with people in poverty can help the local and national authorities implement their obligations under international human rights law.

ALL OF THESE FACTORS REINFORCE ONE ANOTHER, TRAPPING THEM IN A VICIOUS CIRCLE OF POVERTY THAT MAKES ESCAPE IMPOSSIBLE, AND ENSURES POVERTY FOR FUTURE GENERATIONS.

WHO IS THIS MANUAL FOR?

The manual is for local actors who work directly with persons living in poverty. This can include both those who work for the state such as social workers, community organizers, teachers, urban planners, and those that work for non-governmental organizations, or religious or community groups.

HOW SHOULD THE MANUAL BE USED?

The manual is not a list of every action that can and should be taken. Instead it presents a guide to what can be done depending on the situation of the people concerned, and the issues that matter most to them.

PART 2 presents the basic principles for supporting people living in poverty in claiming their rights. This *must* be read before going on to the other parts.

PART 3 sets out suggestions for actions that can be taken to advance the rights that are most important to people living in extreme poverty. Each section within Part 3, first presents the Governments' obligations under human rights law. It then outlines the specific problems of persons living in poverty and recommended actions to address them.

There may be some repetition between different sections within Part 3, as it is designed to both be read as a whole and in parts. Not all sections (and recommendations) will be relevant for all situations.

PART 4 explains how those working with people living in poverty can help monitor how well national and local authorities are meeting their obligations under human rights law and hold them accountable. This is crucial. As already explained, this manual does not show how those in poverty can be helped, but is instead about how people can ensure national and local authorities implement their legal obligations.



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NOTES

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PART 2

KEY PRINCIPLES FOR ENGAGING WITH PEOPLE LIVING IN POVERTY⁹



THESE PRINCIPLES ARE BASED ON GOOD PRACTICES COLLECTED FROM AROUND THE WORLD. THEY ARE AIMED AT ENSURING THAT ANY ENGAGEMENT WITH PEOPLE LIVING IN POVERTY ALLOWS THEIR FULL PARTICIPATION AND IS EMPOWERING FOR THEM. THE PRINCIPLES SHOULD BE FOLLOWED IN ALL ACTIVITIES.

GAIN THE TRUST OF THE COMMUNITY

If you have not worked with a particular community before, remember that it is critical to first gain their trust.

- > **Make** contact with community leaders, whether educated or not, as entry doors to reach out to individuals and groups in the community. Very often, actions within communities are not possible without prior blessing from them.
- > **Introduce** yourself, your organization and explain what your role is and why you are talking with them.
- > **Invest** time, talking to both groups and individuals, to establish your credibility. It is important to remember that community leaders may not represent all community members and so you should always make time to talk to individuals privately and safely.
- > Always **allow** them to lead the discussions about issues that are of concern to them. It is also important to ask them what their hopes are for the future.

UNDERSTAND THE DIFFERENT DYNAMICS AND THE RELATIONSHIPS WITHIN THE COMMUNITY

Even when community members appear to face the same challenges, not everyone has the same vulnerabilities. Within particular communities some members may be more powerful than others with better links to authorities, both good and bad. They may have more resources, and/or employ other members of the community, who are then dependent on them for their livelihoods. Specific groups may face discrimination from others such as women or children.

DURING ANY INTERACTION OR DISCUSSION

- > **Respect** people's customs and sensitivities.
- > Be **culturally sensitive** about visiting people in their homes: for example, it may not be appropriate for a man to visit a woman;
- > **Consider** their position when sensitive things are being discussed.
- > **Ensure** that people understand the purpose of the discussion and how any information they give will be used (if they agree it can be used).
- > Use **clear, simple** and easily understood language.
- > **Interact** in ways that allows people to speak *freely* and *safely*. Depending on the power balances within the community, you could for instance organise meetings for sub groups within the community, or meet with community members individually and privately.
- > Be aware of **time constraints**. They may be taking time off work to talk to you or they may need to find child care for when they attend meetings. Try and find solutions to this.
- > Be sure to **keep everyone informed** of the discussions, and not just those who attend the meetings.
- > Be sure to **ask the opinion of all members** of the community, even those who are isolated or remote.
- > **Ask** about people's aspirations for themselves and their families.
- > **Look** for ways in which people support each other that can be reinforced and built on.

REMEMBER

Always recognise that those living in poverty are the experts on poverty, and as such must have their views and experiences respected and taken seriously. Prioritise showcasing their experiences and views, and be sure to regularly self assess to avoid imposing a particular perspective or opinion.

REMEMBER

People living in poverty have often been ignored by governments. They may be extremely distrustful of authorities and/or outsiders, and for good reason.

REMEMBER

Not everyone has the same vulnerabilities, interests and power. Those who appear to be leaders may not have the trust of the local community or represent the interests of the community. Women may not be able to speak freely in front of men. There may be some groups and/or individuals who are marginalized even in this already marginal community. They will have specific needs and vulnerabilities.

REMEMBER

Those in poverty are in charge. Do not press people to talk or participate if they are reluctant. People living in poverty often believe they don't have any rights to claim, nobody cares for them, they are condemned to remain poor from generation to generation, they are forgotten by political authorities.

REDUCE RISKS

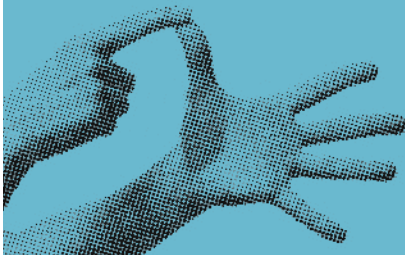
This means that you will need to:

- > **Continually assess** whether you or your actions pose any risk to those living in poverty.
- > **Discuss** in advance an appropriate location for any discussions, asking them to suggest appropriate venues and supporting their wish for confidentiality and privacy.
- > **Ensure** that interpreters, if used, are trusted by the community.

HOW TO ASSESS RISK¹⁰

Consider the following:

- > Who has the **most interest** in maintaining the current situation? This could include businesses relying on cheap labour or access to land and other natural resources; local politicians; and local landlords.
- > What is their **capacity and power**? What could they do to endanger the communities you are working with? Do they employ most of them? Do they have control over the local police?
- > What are the **vulnerabilities** of the communities you work with? Are specific members more vulnerable than others? **REMEMBER** that not everyone is equally vulnerable to the general risk just by being in the same place or taking up the same issue.
- > What is their **capacity**? How can they **respond** to threats?
- > How can my **actions** endanger them? What can I do to **minimize** the risk?



MANAGE EXPECTATIONS HONESTLY

Often people living in poverty have very limited interaction with outsiders and your very presence may create expectations that you can change their situation. In addition to placing people in danger, it can also erode trust unless from the beginning, it is clear that you are there to explore actions that they themselves can take that can bring about change in the long term.

REMEMBER

If you know that the interview will not contribute directly to a change of the situation for the person, say this to them early and often. Don't make any promises you can't keep or provide information that is not true.

DO NOT GIVE FALSE ASSURANCES OR CREATE FALSE EXPECTATIONS.

REMEMBER

Don't overcommit people. People living in poverty are usually exhausted and worn out, working as much as possible to survive. Women are also often busy providing care to members of the household such as the elderly and/or children. Time spent with you is time away from their survival activities.

BE CONSIDERATE OF TIME PRESSURES. MAKE IT CLEAR THAT PEOPLE ARE FREE TO PARTICIPATE TO THE EXTENT THEY ARE ABLE, AND ARE FREE TO LEAVE AT ANY TIME.

ENSURE CONFIDENTIALITY

- > If you are speaking to or interviewing specific people about sensitive issues, do not reveal their identities to each other or what was said.
- > If necessary develop a method for keeping in contact with the person; this can be by identifying a telephone number where they can be reached or leaving an address where they can find you. Allow them to stipulate additional conditions they may have for you such as what to do in the case that you share a telephone with someone else that they do not know.
- > Do not share contacts without prior consent.
- > The mechanisms and limitations of confidentiality should be very clear and explained to all. (Who will have access to the information gathered? How will it be stored?)
- > Always ask for people's consent to record information before any discussions.
- > Records should be kept in a secure location at all times.



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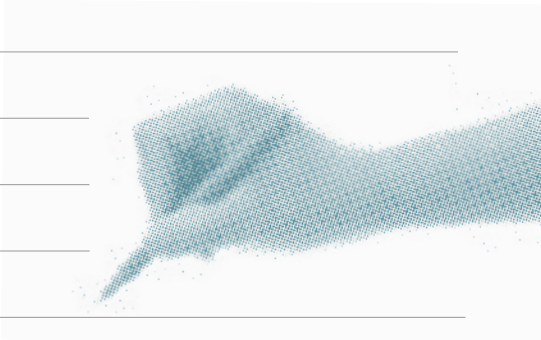


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PART 3

HOW CAN WE HELP PEOPLE IN EXTREME POVERTY TO CLAIM THEIR RIGHTS?



SECTION 1

THE RIGHT TO INFORMED PARTICIPATION, KEY TO EMPOWERMENT

You have the right to participate in social and economic affairs, to speak up and take action, to meet up and organize. Your government must thus ensure that you are able to organize, meet, express yourselves without intimidation or censorship, know the relevant facts and arguments, be conscious of your rights and have the necessary skills and capacity to assert them.

YET THOSE LIVING IN POVERTY OFTEN:

- > Cannot participate in decisions that affect their lives. Often decisions are taken by other actors who do not understand the situation of those living in poverty nor have their interests at heart.
- > Lack information about their rights, and the projects and the policies being proposed and implemented, making it difficult for them to challenge decisions negatively affecting them or to contribute their experience and knowledge to the decision-making process.
- > Lack the political power to change things.
- > Cannot easily access relevant and effective complaints mechanisms.
- > Are disproportionately affected by any corruption due to limited incomes and power
- > Face reprisals from government and local authorities, community leaders and even other community members, or business enterprises if they do speak out, including being killed, beaten and/or imprisoned, and having their homes destroyed without fair compensation.

YOU CAN help mobilize and empower those living in poverty to work for their greater participation in affairs that affect them, push for change and hold governments more accountable. The process often takes time, and so it is important to commit to remaining present in the community on a long-term basis.

RECOMMENDED ACTIONS

STEP 1

GATHER INFORMATION

As you get to know the community as described in Part 2 'Key Principles for Engaging with People Living in Poverty', the issues people are facing will begin to emerge. You could ask people in the community questions such as:

- > What is life like in this community?
- > What do you do and where do you go if you have a problem?
- > What kind of life would you like for your children?
- > Do you talk about it together?
- > Have you ever wanted to change something? Do you think that it's possible to make that change? If yes what did you do, or what can we do?

STEP 2

BRING PEOPLE TOGETHER

Bring people together to raise awareness, share information, learn about their rights and reflect on their experiences and their aspirations. Too often information about entitlements including available services and other forms of help does not reach the people that need it most. This process will involve:

- > Once trust in the group has been established, sharing the information that has been gathered through individual discussions, providing prior consent has been obtained - or, even better, encouraging the people to share the information themselves with the larger group. Helping people realise they are not alone can be key to breaking the shame some feel about living in poverty.

REMEMBER

A community approach can also help ensure that sensitivities are handled carefully and positive and non-harmful community values are not damaged or jeopardised by any proposed strategy, plans or activities.

REMEMBER

Mobilisation means building movements of peoples who want change. The bigger the movement the more likely change will be achieved. It is important to bring people together to develop group solidarity, and to provide the space for them to together analyse their problems, clarify their aspirations, and develop the proposals that they would like to make to the relevant authorities in order to address their key concerns.

- > **Helping** to bring information about people's rights (see following sections) to those who need it most.
- > **Organizing** meetings and workshops with sympathetic lawyers and other professionals on the law, the entitlements of those living in poverty and the role of the police.
- > **Identifying** and discussing the risks the community, and especially individual members, may face in raising their concerns with outside actors and advocating for change.
- > **Discussing** with the community the arrangements that need be made to enable everyone to participate in the group discussions or actions, such as finding ways to cover travel expenses and possible loss of income, or organize child-care.

STEP 3
CHECK WHETHER OR NOT OTHER COMMUNITIES HAVE THE SAME PROBLEMS AND CHALLENGES

Do other neighbouring villages/communities – or people within those communities - share the same concerns? Establish contacts with groups or associations working in similar situations. The problems that the community or people within that community (in the case of women, children, people with disabilities, the socially excluded, etc.) face could be a larger concern.

STEP 4
HELP DEVELOP INFORMAL AND UNIFIED NETWORKS

While those living in poverty may already be rich in social networks, they may lack unity and in many cases have not developed much bargaining power with states, private enterprisers and traders.¹¹ Often the resources of these groups are limited, or the pressures of daily survival and significant time constraints can prevent them from organising more effectively.¹² As indicated in section 1, the shame associated with their status also makes it difficult for them to approach people from other parts of society.

IN ARGENTINA

If we aren't organised and we don't unite, we can't ask for anything'.¹³

Woman living in poverty

The networks could be community/neighbourhood or profession based such as local tailors or labourers. Others could be formed around social status or caste or according to gender. Women's groups can help build confidence, raise awareness of issues specifically affecting women and exchange knowledge and experiences specific to women and their roles in society.

STEP 5
BUILD STRATEGIC ALLIANCES

Build strategic alliances with relevant civil society organizations, religious institutions, non-governmental organisations, trade unions, and professionals at local, and, if possible, national and international levels.

This can include creating or joining larger networks or coalitions at local, regional and national levels. These alliances could provide communities with legal expertise and advice, policy proposals and guidance, and help promote change. In some instances they could raise international attention and pressure.

REMEMBER

Ensure that one of the main objectives of these alliances is that community members living in poverty are able to effectively participate in decision-making. In the discussions with the alliances, they must be able to decide on the important issues, such as what is done, when and where.

HOW TO CHOOSE AND APPROACH THEM

It can be intimidating approaching larger organisations, and there can be many to choose from.

- > **FIND** out which organisations are working in your area or on the issue you want raised.
- > **MEET** with staff to understand how they function.
- > **HIGHLIGHT** your issues, and discuss how they could help you. If one organisation does not have the resources or the mandate to help, ask them for suggestions of other organisations that could help.

It is important to be sure that the organization respects the voices of the people you are working with, and will work with them in their best interests. You will need to be careful that others do not simply want to increase their own voices by claiming to represent a larger group, or to use the stories of people you work with to draw attention to their own organization.

STEP 6
GET TO KNOW THE LOCAL AUTHORITIES

Get to know the local – and, if possible, the national – authorities, and the people within them who can make the changes you want. This will include:

- > **Knowing** the structure and hierarchy, that is, who supervises who: you may need to go to someone's boss to get things done. In some cases the local authority may be the problem and you need to go to their supervisors at the national level.
- > **Determining** the strengths and weaknesses of different departments and levels. Local authorities may be swayed by more powerful people in the region or longstanding patterns of discrimination. Those at the national level may be more independent, however they may not know the issues involved and be less willing to get involved.
- > **Identifying** sympathetic people in the relevant departments who are sensitive to injustice in the society, and the faults in the systems imposed on government workers.
- > **Deciding** on the best approach to use – in some situations, it is best NOT to use arguments based on human rights, but instead to refer to common moral or cultural values, development priorities, or common sense (for instance, in the case of environmental threats).

REMEMBER

Often people living in extreme poverty first want to try to create a better understanding of their situation, and to establish relations based on cooperation and positive relationships with neighbours, employers, the police, the village chief, etc.

TIPS FOR FACILITATING MEETINGS (BOTH FORMAL/INFORMAL) WITH PEOPLE FROM OTHER SECTORS OF SOCIETY

- > Set ground **rules** for participants such as speaking in a language everyone understands, avoiding jargon, and not dominating the discussion.
- > Create **equality**: setting the discussions at an equal level. To do this the meeting could start with a presentation from someone who has experience of living in poverty.
- > Be **creative**, use innovative methods – for instance rather than relying on written presentations using theatre and pictures to get points across.
- > Allow **space** for support workers, but do not let them become spokespersons for an individual or group.
- > Maintain a **balance** of participants; ensure there is always someone who has experience of living in poverty in breakout groups.
- > Encourage **everyone** to speak. It can often be very intimidating to raise your hand and ask to take the floor.
- > **Check back** with those who were not able or not self-assured enough (such as women, people with disabilities, etc.) to participate, before any final decisions are taken, to ensure that their points of view are also taken into consideration.

STEP 7
IDENTIFY PEOPLE
WITHIN THE MEDIA
WHO MIGHT SUPPORT
YOUR CAUSE

This might include:

- > **Developing** contacts with local and national media. If you can identify people who are sympathetic to your cause, and do not share the negative stereotypes about people living in poverty, they could help draw attention to a problem or situation.
- > **Working** to get an article or interview in a local or even national paper or radio station, which can often help pressure local and national authorities and politicians to make the necessary changes. However, this must always be done with the consent of the group as it can increase the risks they face. Even if journalists are sympathetic, you will need to make sure that they take the time to really understand the issues they are reporting on. If they can't do this, they may do more harm than good.
- > **Taking** advantage of social media such as Facebook, Twitter, Blogs, and Instagram to raise awareness of issues.
- > **Using** more traditional means of spreading a message or raising an issue such as demonstrations, marches, festivals, etc.

REMEMBER

If the community decides on an action that carries some risks, ensure that you do not promise to ensure security and be honest about the risk you are taking together and make sure you are clear about the possible action that could be taken if they targeted by security forces or other actors, and most importantly what cannot be done.

REMEMBER

Most people and especially those living in poverty have little experience of participating in meetings or formal mechanisms with people from other sectors of society, and that it can be intimidating.

- > **Focus** on presenting the group's experiences: this can strengthen the issues being presented and reduce the risk of reprisals against individuals.
- > **Hold small** preparation groups before the event so the issues can be discussed and worked on.
- > **Work** with the group to decide which issues are the most important.
- > **Ask** the group to choose/elect delegates to voice the messages on behalf of themselves and the group. These persons should be honest, compassionate, trustworthy, not supportive of violence and polite and calm. Or, alternatively, make use of videos, photos, posters, etc.
- > **Ensure** practice/provide training and be on hand during the event to provide support.

STEP 8

MINIMISE THE RISKS AND CREATE URGENT
RESPONSE MECHANISMS FOR REPRISALS

- > **Discuss** with the people living in extreme poverty how the issue you wish to address can be followed up with the relevant authorities or public services staff, including township administrators, police, relevant state ministers, ministers at the provincial and national level.
- > **Fully brief** the participants about the different processes, including mediation, and inform them of the possible consequences. Be careful not to raise expectations, because even if the end results are positive, they might not help the participants immediately, but create better conditions in the long run.
- > **Let them know** that they can say no and/or can choose which of these processes and mechanisms are to be used.
- > **Discuss** what to do in the case of reprisals. If within your capacity, consider ways to take your advocacy to an increasingly senior level (including regional and international) until the desired action is taken, thereby reinforcing accountability of local and national authorities.
- > Any urgent **follow-up** mechanisms can include working with and providing information to larger national, regional and international organisations. Consult with your organization's headquarters on which organizations you might contact.

IN NEPAL

*'Dalit communities normally do not have the political influence, substantive representation or power required to challenge the social structure and access justice'... 'Such unequal power structures can expose Dalit communities to intimidation, threats and violence' when they challenge the caste system. This perpetuates the experience of poverty.'*¹⁵



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STEP 9
HELP LOCAL AUTHORITIES AND GOVERNMENTS
CREATE APPROPRIATE PARTICIPATION CHANNELS
AND ACCOUNTABILITY MECHANISMS

THE MECHANISM MUST:

- > Provide complete, up-to-date and easily understandable information on the planned project or services, and the decisions and progress being made at every stage of the process. It should not just provide written materials that would exclude illiterate or semi-illiterate people, but instead include other approaches such as theatre or pictograms. It should use a language that can be understood by all participants especially the most vulnerable.
- > **Arrange** regular discussions between policy-makers and populations affected, from the inception of the project, through implementation and completion. These should
 - Follow a simple format that allows everyone to understand and express their ideas freely. This could include separate meetings with particular groups depending on their vulnerability that minimize the risk of meetings being manipulated or taken over by the more powerful members of the community.
 - Be in a place where the participants feel comfortable, and safe.
- > **Build** time and flexibility into the process. Many people living in poverty have many claims on their time, and can suffer a significant loss of income if they take time off from making a living. The constraints to participation should be discussed with the participants ahead of time, and possible solutions found. The resulting mechanisms might, for example:
 - Reimburse either immediately or in advance the costs of participation including childcare and travel; participants might also need to be compensated for any loss of income because of their participation
- > **Ensure** that the participants know what to expect and how their input will be used.

OUTCOME

IN PERU
“For us, participating means leaving our isolation, breaking our silence and overcoming our fear... Before I was afraid, but now I’m strong, not humbled”.¹⁶

CASE STUDY

ADOPTION OF A LAW ON THE ELIMINATION OF POVERTY
QUEBEC, CANADA

In Quebec a coalition of 32 national organizations and 15 regional networks including trade unions, religious, women’s, and anti-poverty organizations, took the lead in ensuring full consultation during the elaboration of a law on the elimination of poverty in order to ensure it reflected the reality of people’s experiences. It proposed that the legislation be based on three concepts derived from human rights principles:

- 1 THE ERADICATION OF POVERTY BE A GOVERNMENT PRIORITY UNTIL QUEBEC BECOMES A SOCIETY WITHOUT POVERTY;
- 2 PRIORITY BE GIVEN TO IMPROVING THE LIVES OF THE POOREST FIFTH OF THE POPULATION;
- 3 PEOPLE EXPERIENCING POVERTY AND THE ASSOCIATIONS THAT REPRESENT THEM SHOULD BE IMPLICATED IN THE CONCEPTION, IMPLEMENTATION, MONITORING AND EVALUATION OF THESE MEASURES.

In this vein it suggested the creation of two new institutions, one of which was an Advisory Committee to the government, in which three to five of the 15 members should be people in situations of poverty. In order to facilitate their participation, practical considerations were taken into account – for example reimbursement for the time that had to be taken off from work, which therefore was unpaid.

The Coalition submitted its proposal to the General Assembly and the Parliamentary Commission along with over 100 memoirs, some of which was prepared with people with direct experience of poverty. The coalition also organized various events follow-up events including a Citizen Agora where an open debate was held on the law during the hearings held by the Commission of Social Affairs of the General Assembly; and breakfasts with Members of Parliament and people with an experience of poverty on the 17th October, the International Day for the Fight Against Poverty.

The law passed in 2002 with the recommendations of people experiencing poverty. It obligates the government to implement anti-poverty measures that are based on the recognition of human rights, involve people living in poverty in the process, and to measure the effects of the law and its implementation.



SECTION 2
CREATING A MORE SECURE ENVIRONMENT

Your Government must ensure a physically safe and secure environment for everyone. This includes guaranteeing that everyone is protected from harm, including threats to their physical and mental health, life and liberty in accordance with the law. This includes holding accountable those who threaten your security. It must also ensure access to secure and safe housing.

REMEMBER
Other rights are also key to creating a secure environment, such as the right to basic services, and to an adequate standard of living, which are discussed below.

- YET PEOPLE LIVING IN EXTREME POVERTY OFTEN:
- > Live in constant fear of violence and threats from local authorities and law enforcement as well as from other members of society, with little means of protecting themselves. They are also more likely to be tortured, and physically and mentally abused by police and security forces.
 - > If they are women or girls, are particularly in danger of harassment and sexual abuse. Although domestic violence occurs in all sectors of society, it has the greatest impact on women and children in poverty because of their powerlessness and lack of resources. Men living in poverty are also often more prone to violence due to the frustration and anxiety that are often the result of their powerlessness and the injustices of which they are the victims, but without the possibility of redress.
 - > If they are living with disabilities, are also vulnerable to violence and abuse, and can face problems in reporting incidents to the police.
 - > Have weak policing in their areas that results in increased crime and vigilante groups
 - > Have limited access to justice and cannot always complain to the relevant authorities about the perpetrators of violence.
 - > Are fined, arrested, detained, and imprisoned at higher rates than other members of society, often for doing things that are necessary for survival such as begging.
 - > Suffer a disproportionate impact from fines, which worsen their situation and perpetuate the vicious circle of poverty. Homeless persons in particular are frequently subject to restrictions on their freedom of movement and criminalized for using public space.
 - > Lack access to secure housing. The housing might be flimsy, made out of cardboard or other waste materials, overcrowded, and offer no protection or privacy. They are often evicted without being provided alternative accommodation or compensated.
 - > Live in places that are likely to be affected by natural disasters such as flood plains or environmental damage such as pollution.

In Rio de Janeiro, Brazil, according to studies police are twice as likely to shoot to kill in incidents involving residents of favelas than in incidents in other parts of the city.¹⁷

RECOMMENDED ACTIONS

STEP 1
TALK TO THE COMMUNITY, GATHER INFORMATION

After getting to know the community as described under Part 2, and fear of physical harm seems to be a major concern, you might want to ask the vulnerable populations with whom you are in contact the following questions:

- > In what ways, do you feel threatened?
- > If so when, why and by whom? (This question might lead to discussions of violence within the community, such as in the case of gangs or violence against women, or to acts of violence by others such as the police, landlords, or developers).
- > Do you feel protected by the police? Have you ever been arrested, fined, and/or detained by police? If so, when and why? And for how long?
- > Do you feel secure when you are home?
- > Do you face any other risks (according to the situation, you can suggest flooding, eviction, landslide, wild animals, environmental pollution including land and water etc.).
- > What do you do to try and keep yourself and your family safe?

STEP 2
MOBILISE AND EMPOWER

- > **Raise awareness** of people's rights and amongst other things on:
- The role of the police and other law enforcement agencies to provide security and their rules of procedures – that is, when they are allowed to arrest someone, how long they can hold someone for questioning, and your rights.

YOU COULD, if the community including its most marginalised members, agreed, organise a workshop or 'question and answer' session, with a sympathetic member of the police force.

- Local housing services (if there are any), their obligations and their means of operations and appeal mechanisms.
- People's right to legal aid (if this exists in your country) if they have been arrested by the police and cannot afford their own lawyer.

It is useful to know what the State has committed to doing to help ensure your rights through legislation, policy directives etc and the state of implementation. This helps identify what the gaps are, specific problems, and the actions needed to remedy them.

- > **Build** local networks: In some areas, the people work for reconciliation within the community as a way of fighting crime, while others have developed neighbourhoods watch schemes that keep an eye out for crime. Depending on the source of the crime (such as in the case of gangs, for example), and the relationship with the police, the groups pass information on to police.

Other networks could be developed to protest when a forced eviction taking place.

- > **Build alliances** with relevant organisations. In this regard this could include human rights organisations and religious organisations. These could help lobby local and national authorities to make changes, and publicise human rights abuses and violations.
- > **Find out** who are the relevant authorities, and their position on the issue, including:
- The hierarchy within the police force and who supervises who, and the Ministries in charge of the police such as the Ministry of Home Affairs.
 - Official human rights commissions, or ombudspersons, with the mandate to take up human rights abuses.
 - Who supervises who in the state department for social housing at local and national levels.
 - Those responsible for monitoring and regulating the activities of the press.

CASE STUDY

CLAIMING FOR HOUSING RIGHTS - UBERLANDIA, BRAZIL

Thousands of homeless families living in Uberlandia, in Brazil, are trying to find ways to address the lack of decent housing in urban areas. Fighting for their right to housing, these families decided to occupy and resettle empty areas where they organize themselves into small communities.

Despite a lack of resources, they managed to improve their living condition by building minimal infrastructures through democratic participatory processes. In conjunction with the occupation process, resettled communities started negotiating with authorities to find a peaceful and legal solution to any conflict with the owners of the occupied lands who have asked for the families to be evicted. Often the lands are owned by powerful companies.

Franciscan Solidarity and Ecology Action are carrying out advocacy work and providing training programmes to help these families better negotiate with authorities to ensure their rights to housing. So far six thousand families have been resettled on expropriated land.



STEP 3
DISCUSS AND AGREE

Discuss and agree with the community including its most vulnerable and marginalised members what needs to be done, this can include:

Helping local authorities protect people living in poverty from violence

- > **Map** those groups and households who lack secure housing and are particularly vulnerable to violence. This is likely to include ethnic or racial minorities, women-headed households, etc.
- > **Determine** the measures needed to reduce risks and promote resilience to disaster including ensuring that rehabilitation efforts after disasters contribute to greater security for people living in poverty.
- > **Ensure** that equal rights to land or tenure are recognized for disadvantaged groups, including women, and that adequate funding is allocated to affordable housing
- > **Protect** people in informal settlements from forced evictions, and to ensure that in the allocation of housing and land, priority is granted to people living in poverty, with both women and men benefiting equally.
- > **Provide** safe shelters for victims of violence, particularly women and children.
- > **Explore** the possibility of setting up complaint procedures – including informal dispute resolution mechanisms – accessible to minorities, people with disabilities, women, people living in poverty, and other disadvantaged people. They must also ensure protection from harassment, prosecution or any other form of reprisal to complainants, victims and other persons associated with the submission of a complaint. While this could be done at the local level, it usually requires support at a higher level, particularly if the complaints often concern the actions of powerful gangs etc or the local political elite.
- > If possible, **develop** child-sensitive complaint, counselling and reporting mechanisms accessible to children living in poverty.
- > **Develop** spaces where men, women, youths and children can discuss their worries and problems. There may be certain topics or issues that they will only discuss in same-sex or same-age group settings.

Helping local authorities ensure a healthy environment for those living in poverty

- > **Identify** those in poverty that live in areas at risk of natural and environmental disasters, in particular those with limited mobility such as people living with disabilities and/or elderly persons.
- > **Determine** the measures necessary to improve their areas and to make them safe, free of pollution. This should include holding regular discussions with the residents.
- > Prior to any severe flooding or other environmental catastrophe, hold meaningful consultations with the residents to **discuss** possible relocation plans and other safety measures that would be put in place in the event of an emergency. Those will be mobility problems such as older persons and persons living with disabilities will need particular attention and planning.

Helping society better understand the reality of poverty

- > **Work** with local opinion makers to address the negative stereotypes often causing discrimination and violence against people in poverty. This could include relaying stories about the reality of their lives, the efforts they make to survive and offer a better life for their children, the contributions many make to their communities (often informally) and the obstacles that prevent them from moving out of poverty.
- > **Provide** and disseminate information to trusted allies on the problems and violations that people living in extreme poverty face, and explore with them possible actions that can be taken.

IN EQUADOR

'The water in the estuary is completely contaminated with solid waste (trash, decomposing animals, etc.) and liquid waste (sewage) and toxic waste from the industries in the port of Guayaquil'.

A researcher commenting on problems to all groups in Isla Trinitaria.¹⁸

'Everything is contaminated: land, water, plants and people'.¹⁹

An indigenous community member, Voluntad de Dios.



- > **Document** incidents of hate speech against persons living in poverty by media, members of the general public, and politicians. Raise them with the relevant authorities if possible, and otherwise with other influential members of the community who have shown their support for people living in extreme poverty.

- > **Identify** sympathetic members of the media, who can help convey the reality about the lives of people living in extreme poverty.

Working with law enforcement officials, court judges and lawyers

- > **Identify** people within the justice system who are genuinely committed to the fair treatment of people living in poverty, and inform them of the types of violence that are happening.

- > **Offer** to give training on the situation of those in poverty, their everyday living conditions, their coping strategies, their lack of education, and their vulnerability and needs.

- > **Highlight** the disproportionate impact of fines, and other sanctions, on people living in poverty.

- > **Work with** sympathetic law enforcement staff to review police and court procedures to help build in safeguards for people living in poverty. This could include protecting and ensuring their right to be accompanied if desired in all administrative and judicial proceedings

SECTION 3

PROVIDING THE BASIC SERVICES REQUIRED FOR GOOD HEALTH

Governments must generate conditions in which everyone can be as healthy as possible. This includes ensuring access to essential services required for good health, such as health services, clean water, access to healthy food or arable land, and food assistance if needed. In some cases these services have been privatised. However your government must still ensure the services are timely, available, accessible, affordable and of a good quality.

YET THOSE LIVING IN POVERTY MOST LIKELY:

- > Do not have the resources to produce or to buy adequate or quality food. When food is scarce, women, girls and elderly persons are often likely to receive less than an equal share. Men and boys tend to be prioritised.
- > Lack safe access to clean water and adequate sanitation. Girls and women are particularly affected by lack of access to water and sanitation. They are often responsible for collecting water, which can be far away. This prevents them from attending school, and can often expose them to sexual violence. They also have primary responsibility for caring for ill members of the family.²⁰
- > Suffer from physical and sometimes mental health problems as a result of the high levels of stress and fatigue, as well as inadequate housing and education, bad or even dangerous working conditions, and limited access to nutritional food. This then limits their ability to work and earn income.
- > Lack access to quality health services including qualified doctors, nurses and – for women – access to reproductive health services, and midwives. In some cases they may be unable to take the day off work to travel to the clinic. Often they are unable to afford the treatment prescribed such as medicines, orthotics, or rehabilitation.
- > Are pushed further into the poverty trap as a result of health care expenditure.
- > Risk being treated unsympathetically by some healthcare professionals, discouraging them from using formal healthcare systems.
- > Use dangerous or unregulated alternative health treatments.
- > Persons living with disabilities are likely to face even greater problems accessing health care, including the specialised care they might need.

RECOMMENDED ACTIONS

STEP 1

TALK TO THE COMMUNITY, GATHER INFORMATION

After getting to know the community as described under Part 2, you might want to ask the most disadvantaged members of the community the following questions, if relevant:

- > What are the main health problems in the community?
- > What do you do, where do you go if you become ill or are unable to work?
- > Where is the nearest clinic? Is it private or public?
- > Do the women have safe, easy and dignified access to reproductive health services?
- > Are there available and accessible health facilities for persons living with disabilities?
- > Where can you safely access clean and safe water? Is it affordable?
- > If you are unable to feed yourself, where do you go? Is any assistance available?

STEP 2

MOBILISE AND EMPOWER

- > **Raise awareness** of everyone's rights to being able to easily and safely access the services needed for good health and the ones available at local and national levels, and to be treated with dignity. This includes knowing how, for instance, social assistance is provided. The communities should be aware of the different operating procedures so they can identify fraud, corruption and any discriminatory practices. They should also know the standards those providing the services must adhere to.

REMEMBER

Even if it's a private company carrying out the service, the Government must ensure it meets certain standards.

- > **Get to know** and build alliances with relevant organisations. This could include organisations providing relief such as health care associations, religious organizations and other health service providers. They often have a clear idea of what is happening locally and nationally and can help provide further information, educate people and organise campaigns on specific health issues.

- > **Know the relevant authorities.** In this regard it could include who is supervising health services, hospitals and clinics, the structure of the Ministry of Health and other relevant ministries such as ones providing social assistance.

STEP 3

DISCUSS AND AGREE

Discuss and agree with the community including its most vulnerable and marginalised members what needs to be done, this can include:

Helping local authorities, including health care professionals

- > **Map** the different groups, households and individuals that are particularly vulnerable to lack of food, water and sanitation, and identify the steps that need to be immediately taken to address the situation. This could include working with the local community to distribute emergency packs including food parcels in a manner that does not risk alienating or stigmatising the beneficiaries, or ensuring access to quality water and sanitation and health services for homeless persons.
- > In consultation and partnership with different groups - in particular women, children and adolescents, but also, if relevant, people with disabilities, or other groups at risk such as those living with HIV/AIDS - **determine and assess** the problems those in poverty may have in accessing the necessary services including medicines, and identify how this could be remedied. This could include identifying how access to water and sanitation, local infrastructure and transport links could be improved.
- > **Identify** resources that could be mobilized to provide better access to health services, water and sanitation, such as local businesses.
- > **Promote** good nutrition, sanitation practices, and health awareness in forums such as schools, and religious festivals. Even local sporting events could be used to spread messages about the importance of washing hands or boiling water if possible, and other strategies to help protect health.
- > **Train** health care staff and other service staff to recognize and respond to the specific needs of people living in extreme poverty, and ensure that the services provided are culturally acceptable and respect the dignity of all service users.
- > **Ensure** access to justice, address the corruption, stigmatisation and/or discrimination that may prevent them from accessing the necessary services.
- > **Track** incidents where people are being misinformed about treatment and help determine the necessary remedies. This could involve promoting education or ensuring access to criminal justice where companies or individuals have deliberately misled people for profit.

Working with community leaders

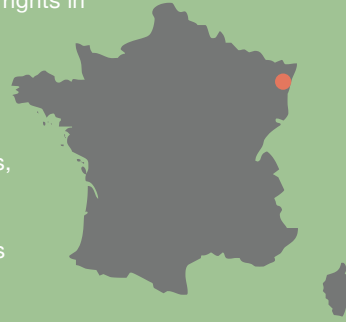
- > **Highlight** practices that discriminate against disadvantaged people, including girls and women, in the distribution of food within the community, household and/or the family.
- > **Develop** ways to strengthen solidarity with those most in need within the community.
- > **Devise** culturally appropriate education about harmful traditional practices such as early marriage or female genital mutilation by explaining its risk to the health and wellbeing of girls.

CASE STUDY

WORKING WITH ROMA POPULATIONS - STRASBURG, FRANCE

Since 2003, *Doctors of the World* have been working with Roma families from Bulgaria, Romania, Hungary and ex-Yugoslavia that were originally living on lands with no access to water, electricity, schools, health care. They contacted the relevant city services - socio-medical centres, social workers, mother and child health services, regarding the specific needs of the families, rather than human rights obligations. It was clear that the network of health and social services needed to work together. At first, the organisation provided the services, but gradually brought the city services to take over to include amongst other things the regular vaccination of all children, reproductive health services for the mother, child centres and integration into the local primary school. At the same time, the families were informed of their rights in terms of the services they were entitled to.

Following this intervention, the city allocated land for the families with water, electricity, laundries, toilets, garbage management and ensured they had access to interpreters, French instructors, and social workers. There is however more work to be done with 200 people still living in inadequate housing; the increasing number of documents required to access services, the lack of training of social and health workers have on the social and cultural causes and consequences of extreme poverty; and the difficulties in coordinating the various services required. The organization is thus continuing to institutionalize and strengthen the partnerships that have been developed, so as to ensure that everyone can enjoy their rights.



SECTION 4

SUPPORTING FAMILIES & PROTECTING AND RESPECTING THE RIGHTS OF THEIR INDIVIDUAL MEMBERS

Your government must respect and protect the rights of each individual member of the family. This includes ensuring everyone's legal identity through inter alia effective civil registration systems. Without your legal identity you are more vulnerable to harm including being separated from your family, abduction, illegal adoption, and trafficking. Moreover civil registration systems helps ensure your government can develop policies and plans for basic service delivery that respond to the needs of different populations. Your Government must also ensure that if necessary the family is helped in caring for vulnerable members including children.

REMEMBER

Poverty alone should not be a reason to separate children from their families and placed into alternative care.

YET THOSE WHO LIVE IN POVERTY ARE LIKELY TO:

- > Not be included in national civil registration systems that record births, marriages and deaths. They are also less likely to be able to break the circle and register their children at birth. This is due to distance from registration offices, not understanding complex administrative processes or being unable to afford the necessary fees.
- > Subsequently, lack legal documents and subsequently live their whole life at the margins of society. This makes it difficult to access education, health, land titles, voting rights, and nationality. It often also deprives them of State support such as social services and assistance. Children without birth certificates are more vulnerable to child marriage, child labour, trafficking, being recruited into armed groups, and other forms of exploitation and having no legal documentation makes tracking and family reunification very difficult.
- > Experience intrusions in their lives and breaches of their privacy by law enforcement officials and, in some countries, by social services. Their children, for instance, are more likely to be separated from them and placed in alternative care.

RECOMMENDED ACTIONS

STEP 1

TALK TO THE COMMUNITY, GATHER INFORMATION

After getting to know the community as described under Part 2, you might want to ask those living in extreme poverty the following questions, if relevant:

- > What legal documents do you have? If none why not? Has it stopped you or your children accessing any services? What would help you gain legal documents?
- > Do you want legal documents?
- > Have you had interference from officials in your privacy, and family life? If so, why?
- > Has any official threatened you, disrupting your family life?
- > Do you have any fears for your family?

STEP 2

MOBILISE AND EMPOWER

Regarding civil registration

- > **Assess** the risks for the community regarding registration programmes. In some countries the Government does not want to provide official recognition to migrants or particular minorities or ethnic groups to register.

The 2014 census in Myanmar did not allow the Rohingya to register as such due to fears of inflaming tensions between different religious and ethnic groups.²¹ An earlier registration exercise in April 2013 ended in violence and several arrests as officials only allowed the Rohingya to register as Bengali. The Rohingya communities were concerned that being labelled as Bengali would further deny them their rights and be used to justify deportation.²²

- > If appropriate **raise awareness** of:

- Governments' obligations in ensuring civil registration systems and legal identity, and its importance. You could use TV, radio, social, cultural and religious events, sermons in religious institutions and schools on the need and the right to register your child.
- How the information would be used and who would have access to it. Many fear being identifiable will increase their risk of persecution.

- > **Build** alliances with relevant organisations both to help campaign for, and facilitate, birth and other registration such as health and religious services and institutions. At the international level for technical advice and campaigning you could get in touch with relevant NGOs and UN agencies such as UNFPA, UNICEF and UNDP.

Regarding protection of the family and its members

- > **Raise** awareness of the roles and responsibilities of law enforcement, state social and care workers, and other state officials i.e what they can and cannot do, and if possible, the complaint procedure if someone feels the official has acted inappropriately.
- > **Highlight** the different forms of assistance the family can receive from child-care to alternative housing.

STEP 3

DISCUSS AND AGREE

Discuss and agree with the community, including its most vulnerable and marginalised members, what needs to be done, this can include helping local authorities to improve registration by:

- > **Reviewing** civil registration processes, to ensure that there are accessible and not overly time-consuming and expensive for people who are struggling just to survive. Ensure that the needs of those living with disabilities and/or elderly persons and other people who might have accessibility problems are met.
- > **Consulting** with children and adolescents when designing registration schemes for minors.
- > **Carrying out** campaigns highlighting the need to register all unregistered children and provide legal identity papers to adults in all geographic regions.
- > **Training** local officials, social workers, midwives on how to register births and the necessary procedures to be followed.
- > **Developing** innovative birth registration methods such as using mobile texts sent to relevant professionals.
- > **Harnessing** local knowledge and systems.

In Tanzania, traditional village registers were scanned to update population figures.²³

- > **Creating** other accessible civil registration procedures, such as mobile units. Often those needing to be registered live below the radar of the state and miles from government offices. You can also use innovative measures to ascertain age such as horoscopes.

CASE STUDY

ACCESS TO THE RIGHT TO BIRTH REGISTRATION - SENEGAL

Despite the Senegalese government carrying out a nation-wide birth registration campaign in 2004 using fairs, cultural activities, theatre, to raise awareness about the campaign, many families living in poverty were not registering births. According to home interviews, ATD Fourth World saw this was because of: The family's preoccupation with survival and the lack of time to go through the heavy formalities required for birth registration; lack of funds to pay the hospital fees, which led to the hospital's refusal to issue a birth certificate; the necessity for both parents to have identity cards in order to register their child; and the number of home births where the parents either were not aware of the necessity to register the child or simply did not have the means to carry out the procedure.

ATD Fourth World met with officials to sensitize them to the special obstacles faced by families living in poverty. It also organised meetings between relevant government officials and people experiencing poverty. It practically supported families, such as going with them to get birth certificates, both for themselves and their children.

As a result of the dialogue with government officials, the administrative procedures were simplified and there was an increase in birth registration. There was also increased hope and confidence. When the first group of people successfully applied for a birth registration despite not being able to fulfil all of the criteria (such as both parents being present or each parent needing to have an identity card), others then came forward.



Support families and respect and protect the rights of their individual members by

- > **Discussing** with families living in poverty, and their individual members, how they could be better helped and protected. This could include accessibility problems with current services. The authorities should make sure they have particularly consulted with mothers and other female members of the family who most commonly are the care providers.
- > **Designing** appropriate and culturally sensitive family support systems as part of child welfare and protection policies.
- > **Examining** the different types of assistance families living in poverty may need. This could include day child care if both parents have to work to provide enough for the family or alternative day care for older members or members of the families living with disabilities.
- > **Guaranteeing** that poverty is never the only reason for removing a child from his or her family or preventing his or her return.
- > **Ensuring** child protection workers have a clear understanding of the rights and realities of people living in extreme poverty
- > **Creating** accessible complaints systems that allow those living in poverty to complain should they feel that an official acted and behaved inappropriately.



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SECTION 5

ENSURING A HIGHER LEVEL OF INCOME AND AN ADEQUATE STANDARD OF LIVING

Your Government is obligated to respect, protect and ensure your means of livelihoods, that is, your means of providing yourself and your family with food, housing, water, clothing. If you are unable to do this, your Government must help you by providing you with the necessary assistance regardless of your status.

HOWEVER, THOSE WHO LIVE IN POVERTY OFTEN:

- > Have no access, or unreliable access, to resources such as fertile land, forests and/or water. If they are part of an indigenous population they are at particular risk of losing their traditional lands without consultation or adequate compensation. Women living in poverty are also often unable to inherit or control land.
- > Have problems accessing credit due to unreasonable collateral demands and high interest rates.
- > Rely on limited, insecure or demeaning means of livelihood, often in the informal sector, without labour protection, and adequate pay. The work is also often unsafe, and takes place in poor conditions. Such workers are also more vulnerable to verbal and physical abuse from employers and clients. Women, often due to discrimination and significant unpaid care work, are more likely to engage in low paid and insecure employment. Persons living with disabilities have even less opportunities to provide for themselves and their families.
- > Are driven into livelihood activities that are illegal (such as poaching, logging, and salvaging refuse) and often dangerous or antisocial (such as theft, drug dealing, and sex work).
- > Are victims of bribing, corruption, and illegal forms of 'taxes' and fees from wealthier and more powerful local elites.
- > Cannot access the assistance they need because they lack birth registration and/or other official documents, do not know their rights or face stigmatisation from and are shamed by local officials. Migrants, asylum seekers, refugees and internally displaced persons are especially vulnerable to exploitation and often denied access to employment and social services.

RECOMMENDED ACTIONS

STEP 1
TALK TO THE COMMUNITY, GATHER INFORMATION

After getting to know the community as described under Part 2, you might want to ask the disadvantaged groups with which you are in contact the following questions, if relevant:

- > What is preventing you from earning enough to provide you and the family with safe and secure housing and food? In your opinion what kind of help do you need to improve your situation?
- > Do you have secure access to productive resources such as land, water, or jobs that allows you to feed your family? If not, why not ? What would help?
- > Do you have a written work contract? If not, why not?
- > Are women in your community able to work or own and use land?
- > Is your work place safe? If not, why not?
- > Are you entitled to and can you access any help from the authorities if you are unable to provide for yourself? If not why not?
- > Do you face any discrimination and/or stigmatisation in accessing means of livelihood and/or social protection?



STEP 2
MOBILISE AND EMPOWER

Carry out a risk assessment

In some regions and countries, any mobilisation and activism in the area of labour and/or land rights are particularly risky and have often resulted in persons being killed or disappeared.

Global Witness has reported that the killings of people protecting the environment and rights to land increased sharply between 2002 and 2013. It noted ‘between 2002 and 2013, 908 people in 35 countries are known to have been killed because of their work on environment and land issues.’²⁴

If deemed safe

> Raise awareness of:

- Governments’ obligations and what the local authorities should be doing to promote and protect livelihoods such as:
 - ensuring** equal rights to land and the rights of indigenous peoples to the land and resources they have traditionally occupied or used,
 - allocating** available resources to vocational training.
 - Relevant labour standards and complaints mechanisms if someone feels they are being exploited or working in unfair or dangerous conditions.
- > **Establish** local networks, including on a professional basis such as local porters, weavers or producers to build solidarity and push for change such as better sales prices or increased wages and better working conditions.
- > **Build** alliances with relevant organisations. This could include trade unions to help ensure and protect workers’ rights, including improving working conditions and ensuring adequate wages.
- > **Become** informed on the relevant authorities, their role and responsibilities and any connections they have that could affect the way they respond to you’. This could include rural development agencies, the ministries (and their subsidiaries) responsible for agriculture, social security and assistance, urban planning, and employment.

STEP 3
DISCUSS AND AGREE

Discuss and agree with the community including its most vulnerable and marginalised members what needs to be done, this can include:

Helping local authorities

> Promote livelihoods by:

- **Identifying** activities that can promote and protect livelihood opportunities and job creation, and seeking local support, including in the business community, for these activities. This could include creating apprenticeship schemes to help develop practical skills and providing them with appropriate and relevant tools such as sewing machines, looms, computers, etc.
- **Assessing** whether agrarian or other reform is needed to enable people living in extreme poverty to produce the food they need.
- **Identifying** how persons living in poverty can better access markets and sell their produce.
- **Examining** and demonstrating how more reasonable, fair and secure credit schemes could be introduced.
- **Identifying** the required infrastructure to improve access to better energy and technology options, and to ensure that people living in poverty have access to new scientific information and products that can benefit them, such as solar cookers, cell phones, etc.
- **Determining** who’s employed for what job, with attention paid to women and children, and people with disabilities? Are there imbalances favouring certain population groups? Are affirmative action programmes necessary?
- **Evaluating** whether other social services such as childcare would help vulnerable communities including women access employment.

> Protect livelihoods by:

- **Identifying** the ongoing instances of bonded and/or child labour and working with local authorities and employers to eradicate it. This could include providing subsidies to enable children to attend school rather than working, providing alternative employment or means of subsistence, and accommodation options such as providing alternative land and shelter, and/or affirmative action policies to secure employment for them.
- **Designing** an accessible and safe state complaint mechanisms for people working in difficult working or abusive conditions, including in the informal sector. Campaigns to raise awareness of labour rights?

> Implement social protection, when such programmes are in place, by:

- **Identifying** those in need of social assistance and protection. Often they have not made themselves known to the state. In all cases the community workers should not endanger those living in poverty and only give information to authorities if the persons concerned agree.
- **Ensure** that social protection is accessible and deliverable to those in need by providing both information on existing obstacles and training to social workers and local authorities.
- If necessary, **help** individuals living in poverty get the necessary documentation to access services, including proof of age. This is also referred to in Part 3, Section 4.
- **Propose** accessible complaint mechanisms that involves the relevant communities in their development and review.

In Nepal, while in 2008 the Haliya (bonded labourers) were formally freed from their obligations, many remain with their ‘employers’ under abusive conditions, as they have no alternative means of surviving.²⁵

CASE STUDY

STRUGGLE FOR LAND TO FEED THEMSELVES
LAS PAVAS COMMUNITY, COLOMBIA

Evicted by the police in 2009 at the request of two palm-oil producing companies, the community of Las Pavas has been fighting tirelessly since 1997 when they peacefully occupied unused land and started farming. Without any alternative means of subsistence, the families persisted in a long struggle to formalize their possession of these lands.

The community repeatedly suffered criminalization and harassment, including forced evictions, attacks by paramilitary groups, and the destruction of crops and food. In response, the families formed the Buenos Aires Peasant Association (ASOCAB) and filed complaints requesting a reversal of the judicial decision ordering their eviction.

Recently, the Colombian Constitutional Court found that the actions leading to the forcible eviction of the families of Las Pavas was illegal, and ordered a reassessment of the question of land possession. Provided the reassessment is carried out legally the peasant community will eventually be granted their right to the land - and their means to feed themselves will be guaranteed.



SECTION 6

ENSURING FULL ACCESS TO QUALITY EDUCATION

Your Government is responsible for ensuring that you can safely access quality education. It must ensure that primary education is free, within safe reach and without indirect costs. It must also take steps to ensuring as quickly as possible that quality secondary education is available, financially and physically accessible, and acceptable to all, and of a good quality. Access to quality education is paramount to escaping systematic poverty.

- YET CHILDREN AND YOUNG PEOPLE LIVING IN EXTREME POVERTY ARE LIKELY TO:
- > In some countries, never have attended school, and in all countries, to leave school early to help their families survive or because of discriminatory and abusive treatment.
 - > In developing countries, have no schools nearby that are easily accessible. Those that are accessible are often of low quality.
 - > Have few opportunities to benefit from vocational training and steady employment, leaving some vulnerable to drugs and recruitment by gangs or being trafficked, and especially to enter into low paid, sometimes dangerous, often informal work.
 - > Girls are more commonly denied their right to education due to families often prioritising boys, and girls having to help with household chores or being married at an early age. This in turn restricts their choices and increases the poverty rates among women.

RECOMMENDED ACTIONS

STEP 1

TALK TO THE COMMUNITY, GATHER INFORMATION

After getting to know the community as described under Part 2, you might want to ask families the following questions, if relevant:

- > Do you think education is important for all your children, girls and boys? What was your experience in school?
- > Are your children able to go to school, if not, why not?
- > Do you have to pay for your children to go to school? Are there any indirect costs such as uniforms and books? Can you afford it?
- > Are they treated well at school? And do you have a positive contact with the teachers?
- > What are they taught? What would you like them to be taught?
- > Are you able to talk to the teachers about your child's progress or problems?
- > Does your child have special needs? Do the schools meet their needs?
- > Do you need your children to stay at home to do chores or to work to earn money?

STEP 2

MOBILISE AND EMPOWER

- > **Raise** awareness of people's right to free and quality education, including:
 - How it is being implemented locally and the relevant services
 - The standards governing schools and other educational facilities including the qualifications and experience of teachers, the content of the curriculum, teaching methodology used, the building's structure and facilities, its admissions policy, its outreach to the community if any, its policy on parental involvement, and its approach to bullying and stigmatisation.
 - Any entitlements to free transport, school uniforms, meals and books.

In the UK, those living in poverty have reported that often their distress and desperation at failing to get fair treatment is too easily interpreted as aggression by service staff, and could lead to assistance being denied. Parents also described lunch supervisors at schools telling children that their parents are lazy, and giving them the worst of the food to eat.²⁶

- > **Develop alliances.** This could include at the local level with community-based organizations working with youths, on human rights, and/or multiculturalism, pupils' associations, parents' associations, and teachers' associations and unions. At the national and international level alliances could be built with UN agencies such as UNICEF, amongst others.
- > **Become informed** on the relevant authorities and what they are responsible for. This includes those responsible for schools and educational policy such as regional or local education departments, school administrators, school boards, school inspectors, and accrediting institutions.

STEP 3

DISCUSS AND AGREE

Discuss and agree with the community including its most vulnerable and marginalised members what needs to be done, this can include:

Helping local school authorities

- > **Expand** the educational infrastructure in areas where people live in poverty by,
 - Identifying possible sites for new schools in areas where some children have no access or limited access to schools.
 - Helping develop pre-school opportunities, especially for disadvantaged families.
 - Developing more flexible timetables such as holding classes in the evening rather than the mornings.
 - Discussing how to provide incentives to encourage well qualified teachers to come to the schools in poorer areas such as special grants.
 - Developing opportunities for students and teachers to interact with people living in poverty.
 - Ensure quality professional training for teachers, including their sensitization to the challenges faced by children from vulnerable groups.
 - In neighbourhoods with indigenous or migrant populations who do not speak the language of instruction, in consultation with the parents develop ways to provide special support to the children if needed.
- > **Work** to increase enrolment rates and reduce drop-out rates equally for boys and girls by,
 - Consulting children on what would help them attend school. This could include things like separate toilets for girls.
 - Involving parents in finding ways to make school a meaningful and relevant experience for their children.
 - Tracking those students that drop out including their sex, age, ethnicity, and health and economic status .
 - Determining what assistance is necessary to compensate for their economic disadvantages, such as grants for books and uniforms, school meals, and accommodation for girls and children from remote areas.
 - Establishing links, and eventually partnerships, between parents, the community, and the school, so that the children's education becomes a joint venture.

Encourage school authorities

- > **Include** human rights education in the school programme and set in place an educational programme that addresses youth violence and violence against children and encourages solidarity among all pupils, and cooperation rather than competition.
- > **Develop** literacy programmes for adults.

CASE STUDY

ADVANCING THE RIGHT TO EDUCATION IN LIMPOPO SOUTH AFRICA

South Limpopo is a rural province in northern South Africa with high levels of poverty and unemployment and some of the worst performing schools in the country, due in part to gross mismanagement and corruption in the provincial government. Many schools do not have access to key components of the right to basic education, such as toilets, drinking water, desks, paper, chalk and even classrooms, to ensure a positive learning environment. These conditions disrupt teaching and learning. In 2012, when a new curriculum was introduced for learners in Grades 1, 2, 3 and 10, the schools in this region did not have the necessary learning materials including textbooks.

In February 2012, a public interest law centre visited schools in Limpopo and confirmed the failure of the government to ensure delivery of textbooks to Limpopo students. To secure textbook delivery and hold the government accountable, it used litigation as its primary tool, supported by media work, direct lobbying of the government including the Department for Education, evidence gathering and monitoring government compliance, as well as engaging with parents, school governing bodies and local community organisations. It mobilised and raised awareness about the Limpopo textbook crisis, organising demonstrations outside the court, holding workshops on the right to education, releasing press statements, holding press conferences, writing opinion pieces and providing updates on the case through social media. The media played an effective role in generating public awareness by reporting the latest developments of the case and exposing of the political corruption that led to the textbook crisis.

RIGHT TO EDUCATION PROJECT
For more information see <http://www.right-to-education.org>

SECTION 7

ENABLING SOCIAL INCLUSION THROUGH CULTURAL PARTICIPATION AND COMBATING STIGMATISATION

Your Government must respect, protect and promote your cultural heritage and access to cultural life. The expression of values, experiences and beliefs through culture and the arts enable people to express their humanity and the meanings that they give to their lives. Cultural activities also enable marginalized groups to show to other sectors of society the reality of their lives and to promote partnerships with them.

- YET THOSE WHO LIVE IN POVERTY OFTEN:
- > Have restricted ability to participate in cultural life, which in turn undermines their sense of belonging and reinforces their isolation, and undermines their hopes for the future.
 - > Have limited access to cultural or social events because of lack of resources, time, or stigmatization because of their appearance or language.
 - > Are unable because of lack of resources to organize or celebrate cultural events at home.
 - > Are unable to express their culture, because it is looked down on, or will lead to discrimination.

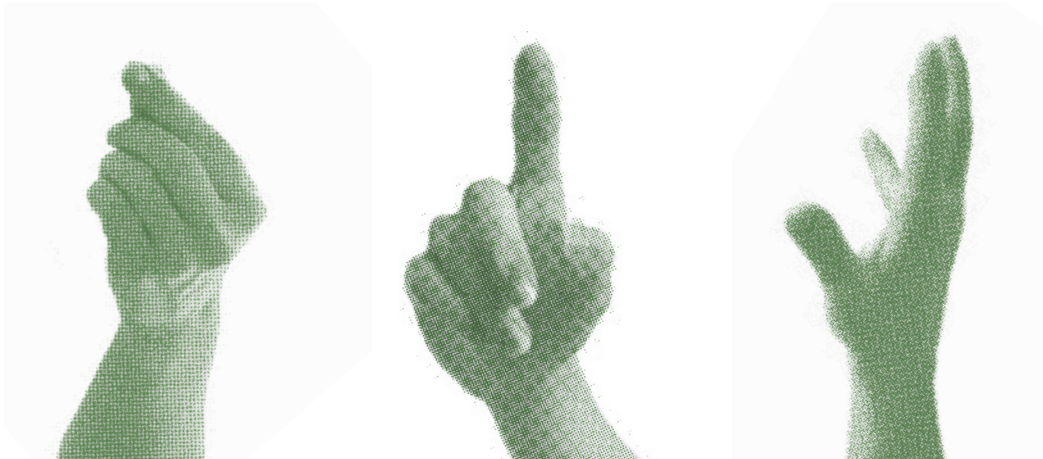
RECOMMENDED ACTIONS

STEP 1
TALK TO THE COMMUNITY, GATHER INFORMATION

- After getting to know the community as described under Part 2, you might want to ask its vulnerable members the following questions, if relevant:
- > Do you participate in any cultural activities?
 - > Is the government helping you preserve and promote your culture?
 - > Is anything undermining your cultural heritage and preventing you from participating in cultural activities? (This could include Government tourism policies that actually undermine people's culture, or if they are indigenous, having their land taken away.)
 - > Do you have any problems accessing cultural events, good, services and institutions?
 - > Do you socialise with others often? If not why not? Do you feel isolated?

STEP 2
MOBILISE AND EMPOWER

- > **Raise awareness** of Government's obligations in ensuring access to cultural events and activities and protecting cultural diversity.
- > **Find and contact** associations that work to protect indigenous, minority and/or local cultures.
- > **Get to know** who at the local and national levels are responsible for regulating the media, establishing school curriculums, developing tourism policies and promoting social integration.



STEP 3
DISCUSS AND AGREE

Discuss and agree with the community including its most vulnerable and marginalised members what needs to be done, this can include:

Helping local authorities

- > **Create opportunities** for people living in poverty to participate in, access and contribute to cultural life. This could include identifying:
 - How cultural goods and services such as libraries, museums, cinemas, literature could be available to people living poverty. This could include developing mobile libraries or museums for those living in remote areas or using local radio to share information on culture for those in isolated areas.
 - Public space available for cultural activities and interaction organized by associations working with disadvantaged groups.
 - Those who may require special attention such as women, children, older persons, and persons with disabilities, and the special measures needed to promote access to cultural activities.
- > **Examine** how the community's own culture and that of others have been incorporated in school curriculum. Make suggestions for improvement.
- > **Understand** the link between indigenous peoples' access to and control over land and their right to take part in cultural life and raise awareness of any threats to this, and measures needed to protect their access to land.
- > **Preserve** existing cultural expression by working with people living in the community to document their own cultural practices.
- > **Better understand** how people living in poverty may be stigmatized for or unable to express their culture, and the actions needed to remedy this. This could include better legislation, education and public awareness of the experiences of people living in poverty.

Helping local leaders

- > **Recognize** and value cultural diversity, and to respect and protect the cultural heritage of people living in poverty, including through designing educational policies and programmes with people living in poverty.

Helping the media

- > **Positively promote** and protect cultural and social diversity, and prevent stigmatisation, especially of those living in poverty. This includes positively sharing information on their experiences, hardships, culture and values.



SECTION 8

BEING PROTECTED FROM THE ACTIONS OF BUSINESS CORPORATIONS²⁷

Your Government is responsible for ensuring that business corporations – including multinationals - do no harm through their services, products and activities. Examples of abuses include bad and unsafe working conditions, forcibly evicting small farmers without compensation or polluting a local water source. It can govern what a business can and cannot do through many different means, including regulating the concession of natural resources, environmental regulation, inspections, labour laws, and permits and licences. It must also investigate, punish and redress any abuse by business related activity. The Government have additional and specific obligations and responsibilities towards peoples (indigenous peoples, ethnic or racial minorities, peasant communities) that share a collective identity and special relationship to their territory that can be affected by business operations.

On 13 June 2012, a local woman protesting against the alleged negative economic and health effects of a mining project in her community, was shot at while driving home from a protest outside a mine site.

El Tambor in San José del Golfo and San Pedro Ayampuc, in Guatemala.²⁸

YET PEOPLE LIVING IN POVERTY ARE LIKELY TO:

- > Lack political and economic power to challenge the activities of businesses. Often large businesses and corporations have huge economic political and economic power and influence.
- > Lack easy and safe access to courts and/ or other mechanisms that allow them to challenge the activities of business because of discrimination, and cultural, physical, social and financial barriers. They also may not know of their existence of such mechanisms.
- > Be unable to meaningfully participate in any consultation mechanism because of - amongst other things - fear and lack of knowledge.
- > Have their interests purchased or swayed for an unjust price, taking advantage of their urgent needs, lack of legal representation and collective bargaining, and precarious circumstances.
- > Face increased risks of reprisal when challenging businesses due to lack of political power. Those challenging the harmful activities of business corporations have suffered reprisals including being killed by both state and non-state actors, arrested and tortured.

- > Do you have access to information about their activities? Are you able to complain about their activities if they adversely affect you?
- > How do the business relate to other groups with influence in the community (politicians, police, government agencies, illegal groups, industry collectives, religious/civic organizations etc.)

STEP 2
MOBILISE AND EMPOWER

- > **Raise awareness** of the Government’s obligations and what the local and national authorities should be doing such as monitoring the business’s impact on local communities. YOU could, for instance, organise workshops on relevant legislation with either sympathetic local officials or lawyers.
- > **Identify** whether the community shares a collective identity that strengthens the possibility their demands will be heard, and whether the authorities have given sufficient consideration to the regulation of business activities in the area.
- > **Identify** whether the business is having similar adverse effects elsewhere. Remember the more people, the larger the movement that can be built and the likelier it is that change can be achieved.
- > **Build alliances** with relevant organisations. Given the power of large business, this is very important and alliances can be built with local civil society organisations, trade unions, national and international human rights organisations, and UN agencies such as UNDP (United Nations Development Fund), UNICEF (United Nations Children Fund) and the ILO (International Labour Organisation).
- > **Know** the relevant authorities, and individuals within them who may be sympathetic to your concerns.
- > Given the power of many corporations, **contacts with media** can be key in raising public awareness and putting pressure on both the company and the government to change things.

STEP 3
DISCUSS AND AGREE

Discuss and agree on what sort of strategy is needed: an approach of direct dialogue, advising the business on necessary changes and/or a focus on democratic institutions and pressuring the local and national authorities to take action and ensure that the business respects human rights.

It could include if relevant:

- > **Identifying** people willing to help, whether in the business community or within the local government services.
- > **Developing**, if possible, an opportunity for dialogue with the company, in order to:
 - **Encourage** them to be transparent in their operations, proving accessible information to the community about current and future activities to help to ensure them keep informed and be able to meaningfully participate in discussions.
 - **Encourage** them to assess the current and future impact of their activities on people living in poverty.
 - **Design** safe consultation mechanisms to avoid/mitigate adverse human rights impacts of activities.
 - **Provide** training on fair working practices
 - **Develop** a code of conduct that businesses could use to ensure that they respect their human rights responsibilities, both regarding their labour force and the impact of projects and services on the ground.

REMEMBER

Minimise the risks: Challenging the activities of businesses is often dangerous for persons living in poverty, and for those working with them, who lack political and economic power. This is especially if the business wants to access natural resources, as the stakes are high. Please read and follow Part 2 entitled Key Principles of engaging with people living in poverty.

Be continually aware of the risk of reprisal for those challenging the activities of business corporations, ensure the community’s awareness of this risk and never do anything without the consent of the community, especially its most vulnerable and marginalised members.

IN BRAZIL
I worked six years in a company that did not pay me correctly. So I sued them and they threatened to kill me. I had to hide.²⁹
A man living in poverty.

RECOMMENDED ACTIONS

STEP 1
TALK TO THE COMMUNITY, GATHER INFORMATION

After getting to know the community as described under Part 2, you might want to ask the vulnerable populations the following questions, if relevant:

- > What was your life like before the business started operating in your area?
- > How is the business affecting your lives? Have they consulted with you at any time? Do you have regular discussions with them?
- > Do the businesses have private security forces, or links to state security forces, and are they affecting you in any way?
- > Have the business activities affected women’s lives differently than men’s? Have business activities affected children in particular, such as using child labour or making them sick because of pollution?
- > What are local and international businesses doing in the region, are they providing good livelihood and employment opportunities? Is it helping you improve your situation in the long term? Have they invested in the social good of the community? And are resources coming from business shared equitably?

- > **Identifying** local authorities that are sympathetic to the problems of the community, and help them:
 - **Identify** how businesses could open up opportunities to promote productive livelihoods for people living in poverty and other disadvantaged groups, through improving access to financial services, technical and vocational training, and capacity-building, with special attention to ensuring equal access for girls and women.
- **Determine** the direct and indirect impacts of the business activities, policies and or employment practices, including if necessary by providing evidence (only with the consent of the persons affected).
- **Develop** laws or directives to prohibit abuses and raise awareness of this and other relevant legislation governing the activities of businesses.
- **Ensure** that victims of abuse have access to the courts and free legal aid if need.
- **Visit** the community to see first hand the impact of business activities and to talk with the persons affected.
- **Develop** meaningful participatory channels that address the needs and characteristics of the community or a particular sector within it. This includes ensuring that the business corporation makes available information on its current and future activities.
- > **Using** sensitized parts of the media to publish the adverse effects of such activities, policies and employment practices.

PLEASE NOTE

Before using publishing things in the media, you must have the consent of those living in poverty as it can have significant repercussions against them.

REMEMBER

While it may be difficult to investigate and campaign against large business and corporations, it is important to gather information and pass this to national and international organisations specialising in this kind of work.³⁰
As long as people agree!



© UN Photo by Albert González Farran

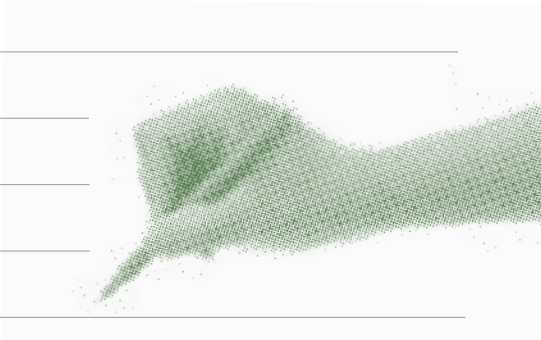
A USEFUL TOOL
THE LITMUS TEST ON BUSINESS AND HUMAN RIGHTS³¹

STEPS	PRINCIPLES	ASSESSMENTS
1	DO NO HARM	<ul style="list-style-type: none">> To what extent can business activities be carried out without violating human rights, including the rights to life, health, water, food, right to land and control over productive resources, right to work, right to self-determination (including FPIC), or cultural life?> To what extent can the activities be carried out without damaging vital ecosystems or threatening Earth’s capacity?> Are disadvantaged or marginalized groups particularly vulnerable to these impacts in a way that violates their right to non-discrimination?> Can measures be taken to protect the population from situations that violate human rights and which tend to accompany large-scale activities, including human trafficking, land grabbing, insecurity, and armed conflict?
2	ERADICATE ROOT CAUSES OF POVERTY	<ul style="list-style-type: none">> Does the local community enjoy a greater enjoyment of their human rights as a result of the development?> Do the positive contributions of the business activity prioritize the promotion of human rights among the most disadvantaged or marginalized groups, with a particular attention to possible gender or racial/ethnic biases?> Does this activity effectively contribute to eradicating poverty?
3	PEOPLE AS RIGHTS-HOLDERS	<ul style="list-style-type: none">> Do potentially affected people and communities have sufficient access to information and policy-making spaces, to effectively participate in the process of assessing the extractive activity?> Are there conditions that allow affected communities and human rights defenders to fully exercise their rights?> Is effective remedy guaranteed if harm does occur?
4	SUSTAINABILITY	<ul style="list-style-type: none">> What are the effects of potential activity in the immediate and/or short term?> Based on all available evidence and indication, how will this business activity affect the rights of future generations mid- and long-term?> For risky environmental activities, can uncertainty be overcome in adherence to the precautionary principle?

NOTES

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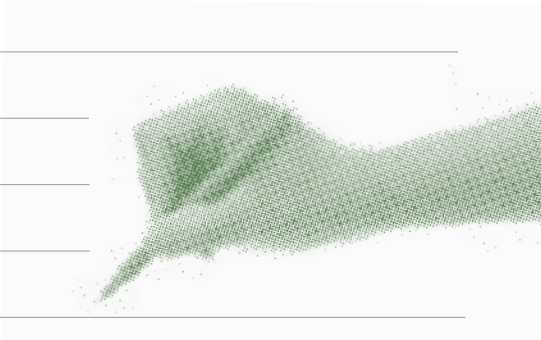
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PART 4

MONITORING AND ENSURING ACCOUNTABILITY

GOVERNMENTS HAVE LEGAL OBLIGATIONS TO ADDRESS THE ISSUES RAISED IN THIS MANUAL

They are not policy options. As such YOU should monitor the progress made in implementing and addressing the issues you have highlighted. If satisfactory progress has not been made, or the situation has worsened, unless you decide that it would put the community at risk, you should again raise this with the authorities at an increasingly senior level. If you have seen that the media is sympathetic to your cause, you might want to draw more attention to it through media action. In other situations, it might be more effective or safer to organize campaigns with larger organizations that have more power. This helps ensure that the government is held accountable for what it is doing and not doing.

To monitor YOU should:

MEASURE PROGRESS IN THE IMPLEMENTATION OF THE RIGHTS OF THOSE LIVING IN POVERTY AS IDENTIFIED

- > **Engage** in continual dialogue with the communities affected. Have they seen any improvements, have the local authorities/government taken any action that has worsened their situation?
- > **Design** scorecards that can help local community members monitor any improvement in services. This could include checking availability, accessibility, acceptability (culturally respectful) and quality of the service.
- > **Compile** a check-list of the actions agreed upon with the Government and check whether they have been done. If not ask for a time frame of implementation.

EXAMINE THE WAY IN WHICH THE LOCAL AND NATIONAL AUTHORITIES ARE IMPLEMENTING THEIR OBLIGATIONS

It is not just what they do that is important – it's also how they do it. Local and national authorities must comply with key human rights principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law. If people living in poverty cannot properly participate, even the actions of well-meaning governments can have negative effects on the ground.

QUESTIONS TO CONSIDER:

- > Are the local and national authorities doing things in a participatory way? Are the authorities allowing those living in poverty to participate in decision-making? Are they contributing to the empowerment of the local communities and individuals living in poverty?
- > Are the local and national authorities discriminating against or favouring particular individuals or groups within the community?
- > Are they prioritizing the most vulnerable and marginalized within the community?
- > Are they acting according to the law?
- > Is there transparency in their policies, activities, programmes? Do the beneficiaries understand the processes and who can be provided with what?
- > Are there actions promoting and preserving human dignity?

TO HELP ENSURE ACCOUNTABILITY YOU CAN

- > Reward good behaviour, let officials know when they have been helpful and efficient in realising their duties. Let their superior know if they have performed well.
- > If possible, continually raise with increasingly senior Government officials any failure by both individuals and a group to implement the necessary measures and conduct their duties. You should also communicate any deterioration in the situation of those living in poverty, ideally explaining the reasons for the deterioration and the remedies needing to be implemented.
- > Increasingly publicise the situation to wider audiences that you know are supportive, to create more pressure. If you were just using a local radio station to highlight a situation, try contacting a national or even international news outlet to explore whether they are willing to support your cause. *(As long as the community agree).*

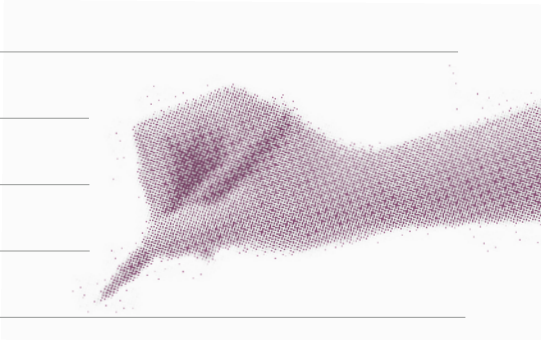
REMEMBER

In implementing human rights, the local and national authorities are supposed to comply with key human rights principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law.

NOTES

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REFERENCES

¹ ‘Magdalena Sepúlveda Carmona, Report of the Special Rapporteur on extreme poverty and human rights on the right to participation of those living in poverty, A/HRC/23/36, para 12.

² International Movement ATD Fourth World, *Extreme Poverty is Violence: Breaking the Silence, Searching for Peace*, 2012, p. 60.

³ *Homes Not Handcuffs: The Criminalization of Homelessness in U.S. Cities*, The National Law Center on Homelessness & Poverty and The National Coalition for the Homeless, July 2009, available at http://www.nationalhomeless.org/publications/crimreport/CrimzReport_2009.pdf, last accessed on 26 May 2014.

⁴ *Opening the door to equality, Access to justice for Dalits in Nepal*, Office of the High Commissioner for Human Rights, December 2011.

⁵ Narayan, D., Chambers, R., Shah, M., K., and Petesch, P., *Voices of the Poor, Crying Out For Change*, Oxford University Press, 2000, p208.

⁶ Ibid., p78.

⁷ For more information see www.ohchr.org.

⁸ Sepulveda, M., *Final draft of the guiding principles on extreme poverty and human rights*, Report of the Special Rapporteur to the Human Rights Council, A/HRC/21/39, 18 July 2012. http://www.atd-fourthworld.org/IMG/pdf/OHCHR_Extreme_Poverty_and_Human_Rights_EN_FINAL.pdf.

⁹ Sources include Haki Zetu, *ESC Rights in Practice*, Amnesty International Netherlands, 2010, p102.

¹⁰ *New Protection Manual For Human Rights Defenders*, Protection International. Available at http://protectioninternational.org/wp-content/uploads/2012/04/1-2_Manual_English_3rdEd.pdf, last accessed 28 May 2014.

¹¹ Narayan, D., Chambers, R., Shah, M., K., and Petesch, P., *Voices of the Poor, Crying Out For Change*, Oxford University Press, 2000, p219.

¹² Ibid., p232.

¹³ Ibid., p283.

¹⁴ Ibid., p221.

¹⁵ *Opening the door to equality, Access to justice for Dalits in Nepal*, Office of the High Commissioner for Human Rights, December 2011, p65.

¹⁶ International Movement ATD Fourth World, *Extreme Poverty is Violence: Breaking the Silence, Searching for Peace*, 2012, p60.

¹⁷ Enhancing Access to Human Rights, International Council on Human Rights Policy, 2003, p13.

¹⁸ Source : Ibid., p84.

¹⁹ Source : Ibid., p85.

²⁰ “Right to Water and Sanitation, a Practical Guide” Franciscans International and WaterLex http://franciscansinternational.org/fileadmin/docs/Water_manual/FI_WL_The_Right_to_Water_and_Sanitation_-_a_practical_guide.pdf

²¹ “The Guardian, “Burma Census is not counting Rohingya Muslims, says UN agency”, 2 April 2014. See <http://www.theguardian.com/world/2014/apr/02/burma-census-rohingya-muslims-un-agencyor> <http://www.bbc.com/news/world-asia-26807239>”.

²² FIDH, Joint Press Release, July 2014. See <http://www.fidh.org/en/asia/burma/15707-burma-end-the-prosecution-of-rohingya-human-rights-defender-kyaw-hla-aung>”.

²³ Source: Millennium Development Goals, Plan International. Available at <https://plan-international.org/learnwithoutfear/millennium-development-goals>.

²⁴ *Deadly Environment, the dramatic rise in killings of environmental and land defenders*, Global Witness, 2014.

²⁵ ‘Whither freed Haliya rehabilitation?’, 8 April 2011. See <http://www.ekantipur.com/the-kathmandu-post/2011/04/08/features/whither-freed-haliya-rehabilitation/220393.html>.

²⁶ *Is Poverty in the UK a denial of people’s human rights?* Joseph Rowntree Foundation UK, 2008, available at <http://www.jrf.org.uk/publications/poverty-uk-denial-peoples-human-rights>, last accessed on 26 May 2014.

²⁷ FI’s booklet “Development: sustainable for whom? http://franciscansinternational.org/fileadmin/docs/Environment/FI_20booklet_Development-Sustainable_20for_20whom_Nov_202013_final-EN.pdf.

²⁸ Direct communication to Franciscans International.

²⁹ Narayan, D., Chambers, R., Shah, M., K., and Petesch, P., *Voices of the Poor, Crying Out For Change*, Oxford University Press, 2000, p54.

³⁰ See Haki Zetu *ESC Rights in Practice*, Amnesty International Netherlands, 2010, p137.

³¹ Source Franciscans International and the Mining Working Group at the UN.



