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# Eradication of Poverty is a Basic Human Rights Issue

The Final Document of the  
Workshop under the theme  
Poverty as a Basic Human Rights Issue

October 1995  
Colombo, Sri Lanka



Asian Human Rights Commission



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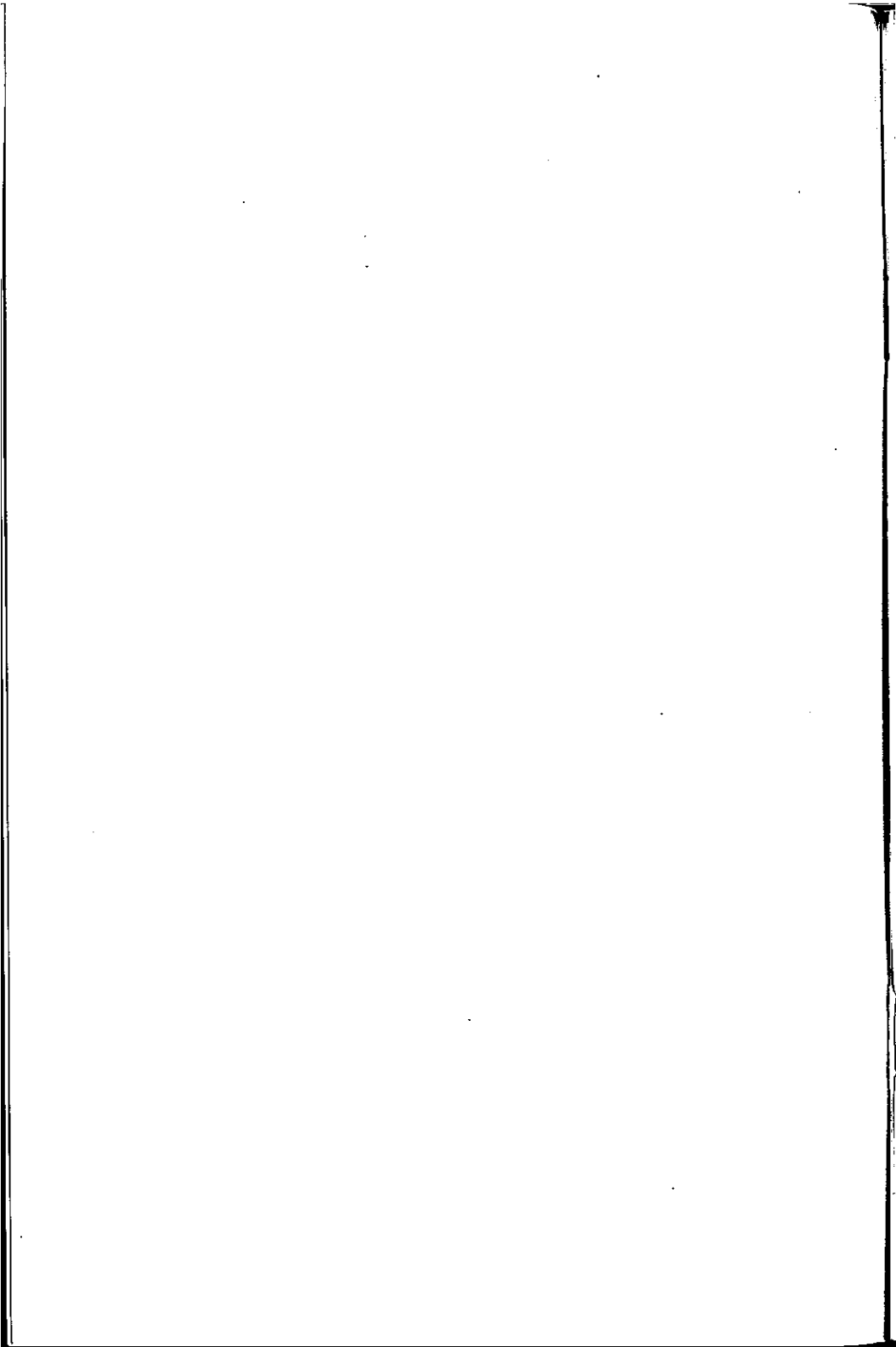
**The Final Document of the Workshop on  
"Poverty as a Basic Human Rights Issue"**

Jointly Organised by

Asian Human Rights Commission (AHRC)  
and  
Lasallian Community Education Services (LCES)

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# I. INTRODUCTION

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## **I.1. The Motivation for the Workshop**

This workshop was sparked off by an accidental meeting of Lorna Wright, Executive Director of Lasallian Community Education Services (LCES), a small NGO working in the slums of Colombo, Sri Lanka, and Basil Fernando, Executive Director of the Asian Human Rights Commission (AHRC) based in Hong Kong, an organization deeply committed to a holistic approach to human rights. LCES's basic approach is empowerment of women, the marginalised poor, drop outs, non school going children through skills training and working for the upliftment of families in the slums through education and improving nutrition. LCES's work has been successful in many ways but society has given little recognition to the work done.

The AHRC is Asia wide active in promoting the perception of human rights which gives equal weight to economic, social and cultural rights as to the civil and political rights. The AHRC is convinced that the human rights community should expand its commitment, and focus as much on economic, social and cultural rights as on political and civil rights. It is involved in drafting an Asia Charter on Human Rights which is very much

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centered around the problems of the poor and marginalised in Asia.

These two very different organizations, LCES and AHRC, decided to organize a special workshop on the theme: Poverty as a Basic Human Rights Issue.

## **1.2. The Participants of the Workshop**

The core group of participants (around 12) in the workshop came from different NGOs in Asia involved in programmes to improve the situation of the poor: Lasallian Community Education Services (LCES) in Sri Lanka; "FRIENDS" that works with street children in Cambodia; Development for the Poor in Bangladesh; the Vigil India Movement, a human rights organization in India and the Asian Human Rights Commission (AHRC) in Hong Kong. From Sri Lanka several people from various backgrounds: university lecturers, civil servants, a business consultant and a development consultant (originally from Nigeria) were present during part of the workshop and contributed their thoughts and insights. A Dutchman who previously worked with a donor agency in the Netherlands participated as well.

## **1.3. The Process of the Workshop**

From the start it was clear to the participants of the workshop that it would not be an easy workshop. For two reasons:

- a. It was decided to work with a very open agenda. There was only one prepared paper at the beginning of the workshop. All the other inputs came spontaneously from the participants emphasizing their experiences in working with the poor. The agenda which developed during the workshop
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was dictated by discerning the commonalities and differences in the experiences from the work in the different countries.

- b. The participants of the workshop were aware that they were trying to do a fairly unique work. They tried to establish whether it was realistic and helpful to put programmes to eliminate poverty in a human rights perspective. Was it possible to justify on the basis of experiences that e.g. basic skills training of women is a human right? Is the failure of governments to do away with poverty a violation of the human rights of the poor? Could redress and positive action being sought from human rights authorities to ensure that poverty is eliminated and culprits are being brought to court? The participants were all aware of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Political and Civil Rights and felt that the workshop should try to bridge the gap between the abstract concepts in those covenants with the practical experiences. It was also clear for the participants that starting point for the discussions was not a further elaboration of the Covenants but to connect themselves with the practical realization of economic, social and cultural rights at the level of poor communities.

The process of working came off well. The participants shared their experiences and it appeared to be possible to set an agenda for every day. The contributions of the participants on paper, with an elaboration of their experiences, which they wrote in the course of the workshop, helped to draft the final document.

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## **I.4. Recommendation to Continue to LCES and AHRC**

At the end of the workshop the participants felt that it had been very stimulating to relate practical experiences in poverty eradication with human rights. It helped to develop a new perspective in many ways and gave a new focus to existing work. The participants did experience throughout the workshop that this linkage provides a new overall framework. A framework which will be helpful in strengthening the work of the poor to improve their living conditions and of human rights organizations which take economic, social and cultural rights as equally important as political and civil rights. The participants expressed that LCES and other NGOs deserve encouragement and recognition to continue their work with the poor and to put it in a human rights perspective. Likewise AHRC received encouragement to continue with its holistic approach and to include poverty eradication as a priority in its human rights work.

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## 2. LESSONS FROM EXPERIENCES

### 2.1. The Sharing of Experiences

- \* LCES is active in two slum areas of Colombo. LCES provides pre-school education, nutrition to pregnant women and young children and basic skills training. This training has led to empowerment of people, in particular women. Women have gained in self-esteem and dignity and have been able to get involved in gainful employment. Almost all of them in the informal sector. Many children in the slums are raised by grandparents since fathers and mothers are absent for reasons of work outside the country or because men have left the families. LCES recognises that it can not provide the total upliftment of the slums and the families. LCES has set out to do what can be done realistically and does so that results can be seen. Breaking through the poverty cycle and the victim syndrome of women is not easy. It is down to earth work. LCES can deliver results in the field of individual upliftment and will not start group formation among families or people as there is only a remote chance that this could be successful. Basic skills training provides the chance for people in the
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slum to make a better living. This very basic work deserves to be recognized more. The government and the World Bank disregard the informal sector and do not value the skills training. This again is proof of the little recognition of these institutions for the variety of effective bottom up approaches.

- \* Vigil India Movement's main activity is to create awareness of human rights among the poor. India is in the fortunate position that it has a functioning social action litigation system. This is a very helpful instrument to redress wrongs done to the poor. When e.g. education is denied to a group of people the case can be brought to court with a good chance to win within a short time. These cases help to create awareness of human rights among the poor. Vigil India Movement promotes the use of the social action litigation, which is initiated by the Supreme Court in India. This type of legal action, which is unique in Asian countries proves to be a valid instrument in fighting poverty and is enhancing human rights at the same time. Vigil India Movement does not receive funds from external resources and generates all its income from within India.
  
  - \* "FRIENDS" is a young NGO in Cambodia that works with street children. The situation in Cambodia is backward compared to the situation in Sri Lanka and India. Institutions are broken down. There is hardly any implementation of law. The government is not capable of providing sufficient education to its population. The situation can be characterized as anarchy. Family values that existed before the Khmer Rouge period have almost disappeared and are returning only very slowly. To go to school is only possible for parents who can pay for their children, since the teachers are far underpaid and charge students. Only few parents can pay, so many children are not in school. Working with street children means working with dysfunctional families. "FRIENDS" works at reintegrating the children in their families, in schools, in places of work and in their culture.
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"FRIENDS" offers various programmes. A central place in its programmes is the shelter where children are taught the regular school programme and practical skills. Similar services are extended to the families of street children with a special emphasis on health care issues like hygiene and AIDS.

\* The NGO "DEVELOPMENT FOR THE POOR" in Bangladesh is mainly working with women and children. It is providing education, skills training and human rights training. In Bangladesh, poverty is a vexing problem. The per capita income is \$ 180/-. Female literacy is 6%, male literacy is 22%. The government of Bangladesh relies heavily on outside resources and does not seem to be capable of guaranteeing civil and political rights, leave alone economic, social and cultural rights to its population. It was stated that in Bangladesh the poor don't articulate human rights as an issue. They are concerned about poverty and security, as their survival is at stake and human rights is a concept which is by and large outside their reality.

## **2.2. What is Common in these Experiences?**

### **2.2.1. A variety of actors involved**

In all programmes to improve the situation of the poor there are different actors involved. They are:

- the poor families themselves, men and women and their organizations;
  - the community at large with all the groupings within it and its prevailing value system;
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- the government as presented by its different departments and different levels (national, district, local);
- the international organizations - International Monetary Fund (IMF), World Bank (WB), international donors and United Nations etc.

All these actors have a role to play and are in one way or another linked together. All have positive and negative aspects to them.

### **2.2.2. Human rights mostly equated with political and civil rights**

In considering activities of human rights organizations, most of these will be concerned with civil and political rights. Very rarely these activities are explicitly concerned with economic, social, and cultural rights. Organizations involved in poverty eradication programmes often don't perceive themselves or are not perceived as human rights organizations. However these organizations are implicitly involved in realising economic, social, and cultural rights.

### **2.2.3. Common obstacles.**

There are many comparable obstacles in the different Asian countries to the elimination of poverty and the promotion of human rights:

- the lack of self confidence and sometimes sense of fatalism among the poor;
  - the lack of capability and lack of political will of the governments to act responsibly;
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- the inadequate response of the community at large because of lack of social responsibility;
  - the social stratification (class and caste), superstitions, religious and cultural prejudice, alcoholism and drug addiction.
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# 3. EXAMPLES OF PROBLEMS AND CHALLENGES

The workshop did not try to discuss all the problems and challenges expressed by the participants related to poverty as a human rights issue. It concentrated on the relationship of poverty with children rights, with motherhood, with education, with the role of different actors (the poor, the community at large, the government and the international community). Attention was also given to the role of donor governments and agencies and to NGOs.

These problems and challenges are presented here as examples of how to bridge the gap between practical experiences and the human rights covenants.

## **3.1. Poverty as a Child Rights Issue: the Cambodian Case**

At the time when, in Cambodia, the Convention on the Rights of the Child (CRC) is on the agenda, poverty is the biggest threat to

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successful implementation in Cambodia. Indeed, poverty hinders all the rights for children mentioned in the CRC.

**Right to life:** poverty leads to a very high death rate among young children (85/1000). Malnutrition leads to various physical and psychological harm that might then be transmitted from one generation to the other.

**Right to health care:** poverty prevents children access to regular and timely medical care. Many children die because parents, unable to face the cost, wait until the last minute before taking the child to the hospital. This was the case during the latest Dengue fever epidemic, when many more children could have survived when proper medical care had been applied in time.

**Right to education:** education in Cambodia is theoretically, provided free to all. In practice education is so expensive (uniforms, school books and supplies, 'special lessons', registration fees) that many families cannot afford to send their children to school. Some children work in degrading jobs (e.g. scavenging) in order to pay for school. Children often contribute substantially to the family income. Many parents try to get their children into full time work. This is part of the reason why the drop-out rate is very high and why illiteracy is prevalent. These children are mostly denied training for a better employment in the future. Once adult, these children will reproduce the cycle with their own children.

**Right to protection:** many children are forced out of their homes because of poverty. Parents send them out of the house to earn a living away from their families. These children are confronted with lack of food, lack of guidance and lack of affection). They have to fend for themselves in a very harsh and violent environment.

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Right to protection from abuse: poverty leads in many cases to involvement of adults (family members, neighbours, police, older children,...) in sexual, physical and mental abuse of children. Sometimes parents feel themselves forced to sell their own children, often to the sex trade. Domestic violence due to the consequences of poverty (alcohol, frustration, lack of education, lack of money) is prevalent.

Right to a standard of living: poverty prevents parents to offer their children the necessary standards of living. Parents can not offer a good climate for harmonious personal development. Lack of hygiene, attention, shelter, food, intellectual stimulus... are all common handicaps to the children's development in Cambodia.

Right to free expression of opinion: poverty, leading to the lack of education as well to a serious lack of self-esteem makes it very difficult for a poor child to voice his opinion.

Listing these points one easily gets a feeling of helplessness. But also hope is justified in Cambodia. There are the resourceful individuals and families who show incredible initiative to improve their living conditions. NGOs prepared to work with the people are recognising this and connect themselves with these initiatives. Efforts are made to set up voluntary Cambodian organizations to organize the care for the children and their families. Most of these efforts come from foreign NGOs so far. It is very important that local NGOs will take over because one can not rely forever on external help. The most efficient long term poverty eradication policy lies within the people themselves. Education, community building, creating equal opportunities are prerequisites for sustainable poverty eradication.

### **3.2. Poverty and Motherhood**

Pregnancy and motherhood are usually portrayed in poetry and literature as the fulfillment of womanhood. However, under

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conditions of extreme poverty, this fulfillment could be a terrifying experience. Reality in many third world countries is that there are a huge number of pregnant women who are unable to provide for themselves. Malnourished pregnant women give birth to low weight babies. Low weight babies suffer the consequence of such birth. The brain damage caused by malnutrition does limit the capacity and the opportunities of such persons throughout their lives. They suffer physically and mentally.

The rights of the pregnant women for adequate nourishment, care, education and information should be treated as basic rights. Denial of such rights should be treated as a violation of the human rights of the community. Programmes directed towards the achievement of these rights should be encouraged, promoted and adequately funded. Successful programmes should be publicized so that more persons would have the benefits of such programmes. These experiences could be shared with other countries and could be replicated. Indigenous food programmes need to be encouraged as a very important way to fight maintaining proper nourishment among the poor. The rights of pregnant women should be promoted vigorously so that happy motherhood should become a right achievable by all women irrespective of the income level of the families.

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### **3.3. Skill Training as a Means to Empowerment**

Empowerment of poor people, particularly the women who live below the poverty line is an urgent necessity in achievement of Human Rights. Such empowerment is a complex process and its achievement requires taking practical steps. Men and women need basic skills training if they are to earn a living. They also need these skills to improve their abilities to run their families and homes. With opportunities to improve their conditions they will be in a better position to break through the circle of dependence and stand on their own against abuse and violence.

Skill training programmes are an essential component of the women's emancipation and assertion of their dignity as human beings. Such programmes should be recognized and promoted as an integral part of human rights work. The experiences of LCES can be shared and replicated elsewhere. The human rights community should draw the attention of the government, the larger community and international organizations to give recognition to such programmes. Basic skill training programmes for the poor can be considered as a basic human rights programme, realising economic, social and cultural rights. Adequate funding for these programmes is essential. Neglect of such programmes leads to continuous violation of the rights of the poor. The human rights community need to promote such programmes as an integral part of their human rights work.

### **3.4. The Right to Education**

Education is generally accepted to be an important tool to fight poverty. Therefore, almost all countries in Asia are professing

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universal education to be provided through a formal school system. This system however works out for the poor contrary to what it aims at. The poor are trapped by the social conditions that accompany poverty: unemployment or instability of employment, drinking fathers, abused mothers, malnourishment, diseases, etc. Children who grow up in these chaotic conditions lack a learning environment. If at all these children go to school, most of them will not pass the grade, they become drop-outs and are more frustrated than before.

It is not clearly perceived in society that the benefits of education just cannot be reaped by the poor. Poor parents have equal hopes for their children as parents who can afford to let their children have a good education. Education is a universal human wish. It is also recognised a basic human right. Poverty is a syndrome which prevents the poor from reaping the benefits of education. Therefore living in poverty is quite clearly and categorically a violation of basic human rights.

Organizations of the people should be involved as much as possible in decision-making and implementation in order to contribute to the relevance of education. Interaction between organizations of the community at large and the government is necessary to provide relevant education. Education should provide basic skills for life (self esteem, survival skills, self employment in the informal sector), which are different in urban and rural context. People should have options for different types of education. A voucher system could be helpful in this regard. At the one hand it should be avoided that education for the poor does not give them access to academic education. At the other hand to strive for academic education for all, is certainly creating dropouts. The expectations of most of the parents who want their children to go for white collar jobs is an obstacle to providing relevant education to all.

Above all the poor should be able to see their condition as a violation of their fundamental human rights and organize

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themselves. Only when the poor get organised a change in their situation is possible. They can be powerful pressure groups that keep knocking on the door of governments and international organizations, to bring changes in the law to prevent violation of the human rights to have access to relevant education.

Government is to provide education at least to create the conditions (providing a legal context, control of quality and providing financial means to those who can not afford to pay for education). Government is the only body to guarantee that education is made available to every one.

### **3.5. Role of Different Actors**

From the experiences shared, one can see that different actors with different interests, are parties to solve the problem of poverty and to enhance human rights. These actors all play their roles, some aspects of these roles are positive, some are negative with regard to improvements of the situation of the poor. One has to recognize that and to bring out the positive aspects and to link them together for the sake of breaking through the poverty cycle in a sustained way. The actors are:

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### **3.5.1. The Poor**

They are the individual poor men and women, their families and organizations. Empowerment, acquiring self-esteem and getting organized are the basic starting points for any change of their situation. Without initiative and organization from within the community of the poor no change will be possible and external support is to no avail.

### **3.5.2. The community at large**

The civil society is nowadays often used to indicate the community at large. The civil society is the important area in which different interest groups compete and cooperate with each other: professional groups, NGOs, churches, trade unions, and other groups (e.g. business groups) outside the government. It is an important area for citizens to exercise their social responsibilities, in relation to the government and to the market forces. It is not only to exercise responsibilities but also to pursue their interests. There will be contradicting views and interests. It depends on the respect of each others' positions and approaches whether it will be possible for a large section of the civil society to work hand in hand for the elimination of poverty and enforcement of human rights.

NGOs are an important part of civil society, they should work to increase the space to operate. They should organise themselves in such a way that they are:

*effective in poverty elimination*  
*effective in advocating for proper policies*  
*effective in promoting human rights.*

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Interaction and dialogue between NGOs should be intensified in order to strengthen each other and gain in credibility.

### **3.5.3. The Government**

The main task of the government is to provide people with the space and the means to work for their own improvement, by:

- guaranteeing rights and the rule of law (= enjoying political and civil rights);
- creating conducive conditions for access to services, e.g. education and health, and resources, e.g. means of production or employment (= enjoying social and economic rights).

Governments are not monolithic bodies. Cooperation with some departments may be possible, while with others it is not. As an NGO or people's organisation one should be flexible: sometimes to cooperate with and sometimes to challenge and confront the government. Both functions are essential in the process to promote and to seek enforcement of human rights. The closer people are to a government the better the chances are to hold the government accountable and to cooperate with the government. Decentralization of government authority and recognition of citizens initiative are essentials in bringing about this constructive tension between government and citizens.

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### **3.5.4. The international community**

The international community includes the United Nations, with its International Bill of Human Rights and its instruments to implement its declarations and covenants but also the International Monetary Institutions as the World Bank and IMF and trading organizations like the GATT or WTO. Also international NGOs like Amnesty International, the environmental and women's NGOs are part of the community. Lots of activities going on in the international community related to the globalisation of the market - work out negatively for the poor. Other organizations, e.g. the United Nations Human Rights bodies, could work positively. International organizations of NGOs should pressurize these bodies to develop policies from which the poor are to benefit.

### **3.5.5. The role of donor agencies**

It is proper in the context of poverty eradication to pay attention to private and public donors which operate internationally. All donors state their interest in poverty eradication but most of the time they are only interested in projects with limited objectives to be implemented in a relative short time. Poverty eradication requires a long term approach. Donors should understand that and provide long term support with transparent indicators and agreed time frames for measuring output and possible consequences for phasing outs. Donors which cannot provide long term security (e.g. five to ten year contracts, endowment- or trust- funds) and transparent mechanisms for decision-making on discontinuation or continuation, better stay out of funding poverty eradication programmes.

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There above, funding should be integrated in an overall mutual concern for working towards common goals at both sides of the world, for exchange of information, for sharing of experiences and policy dialogue. Donors should also enable partners to learn from each other by informing partners about relevant experiences elsewhere. No development programme will be sustainable if these aspects are ignored from the start of any programme.

It is necessary that at regional or national levels, human rights commissions should be established to redress and arbitrate in areas of disputes between international donors, government donors, NGO donors on the one hand and receiving governments or NGOs on the other hand.

Receiving governments and NGOs can appeal to this commission for redress in case of grievances as well as donors can appeal. It is also essential that governments and NGOs in Asia make it a point to decrease dependency on external funding. Working towards sustainability is more than the financial side i.e. people and communities taking responsibility for the implementation of programmes and contributing in kind and cash.

### **3.5.6. The role of NGOs**

NGOs have tremendously gained in importance in the last decades. There is an increase in number and generally the attention for performance in terms of efficiency and effectiveness has become much more than about ten years ago. At the same time in spite of recognition by some parts of governments and international organizations, the attitude towards NGOs is one of ambivalence. Part of it is because governments perceive NGOs as undermining their power, part of it that many NGOs have not been able to deliver the goods which they profess to aim for. NGOs have also been slow in recognising each other as partners within the community at large to work for the poor. Learning lessons from each others experiences could become much stronger. There are also NGOs which are fairly aloof from the people they profess to work with or for. It is essential that NGOs establish among themselves a network which allows for critical self appraisal. At all times this should be complemented with close relations with the poor. It would provide them with the credibility necessary to do their work effectively and to hold the government accountable.

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# 4. WHAT CAN BE DONE?

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What can be done to enhance the human rights of the poor in conjunction with strengthening the efforts to eliminate poverty? The workshop did not distinguish sharply between enhancing human rights and programmes to eliminate poverty. On the contrary it became logical in the workshop to articulate activities in which both the human rights component and poverty eradication was visible. The workshop basically distinguished the necessity of the two pronged approach, working from below and working from the top:

- strengthening the community spirit of the poor to make sure they would be the key actors in the process of empowerment and emancipation, and
- strengthening the mechanisms for implementation of the human rights of the poor.

## 4.1. Building the Community

Poverty as such hardly ever destroys communities of the poor. It is in the combination with civil war or other internal violent conflict that the structure of a community will be destroyed. Manipulation of parties by irresponsible leaders for political

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aims is often characteristics in such situations. Then people become distrustful and only think of individual family survival. Each one fighting for him or herself. They tend to become cynical of talking in terms of community spirit and as such forfeit the benefit of community action and care. These negative tendencies should be challenged and replaced by actions to positively build up communities. A major way for poor people to break through the poverty cycle is to set distrust aside, overcome cynicism and fatalism and start recognising each other as part of the same community with more common than adverse interests. "L'union fait la force" ("unity creates power"): building a community is empowering people. It is the first step to the elimination of poverty but also to enhancing human rights. Because ultimately it is the community of people which is the guardian of human rights.

The question is: what are the steps and the ways to build a community among people that would be geared towards poverty alleviation and to the enhancement of human rights?

In the workshop a number of common characteristics of building community and strengthening shaken communities were listed:

- a. The poor people themselves are the key actors. They should recognise that it is their interest to act as a community rather than as individuals. Acting together enhances the problem solving capacity, it generates self confidence and usually a number of issues can be identified a number of practical problems which is directly in the interest of members of the community.
  - b. Governments should create a conducive climate for the poor to organise themselves. The freedom of assembly and of expression is a first prerequisite as well as access to information on matters concerning the lives of the poor.
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c. People's organizations, NGOs and religious groups are in the best position to provide a supportive leadership role in launching and promoting communities. It should be very clear that they should not take away the initiative from the people but to foster it. If they do so the communities will gain in strength and trust. This will be the basis for growth in cohesion and further activities. As many NGOs are involved in supporting communities they have developed methods of community organizing and building the community spirit. It is a complex process along which a community spirit evolves, but enhancing the problem solving capacity of communities as an essential part towards strengthening a community, is relatively simple to describe. Experience has proven that the following steps usually are effective:

- Defining an issue: by working for a period of time within a community, NGOs can identify subjects/problems that could/should be solved/discussed by the potential community. It is necessary to discover the interest of the people in the issues and to select the most urgent ones. Essential also is to start with issues which offer a good chance of successful solution.
  - Discovering the leaders of the community. Opinion leaders are the key to success. They vary accordingly to the issue : chief of village, religious leaders, health workers, teachers, informal neighbourhood leaders and leaders of people's organisations. If they provide backing to the action then there is a good chance that people will experience their action as legitimate.
  - Defining the obstacles to solve the issue. A careful assessment of who is responsible for leaving the problem as it is, is essential. Communities always have to take into account the position of
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representatives of the government and the local powers and elite.

- Discussing the issue with all the people of the community interested in solving the problem. Decision making should clearly be with the people who are to take the initiative to take action. NGOs should develop personal contacts, provide information/ education/ training, promote cultural activities, role plays, dramas, organize workshops, seminars, demonstrations, etc.

## **4.2. Mechanisms for the Implementations of the Human Rights of the Poor**

The principles, standards and norms articulated by the international community in United Nations Declarations and Covenants on Human Rights, still remains a distant dream for millions of people who live under extreme conditions of poverty. These principles, standards and norms don't necessarily lead to implementation. In fact the implementation is weak. Why is this so?

The virtual absence of a sense of social responsibility among many individuals and groups in society is one of the factors that contributes to the violation of basic human rights, in particular those rights which pertain to social and economic needs of people. The pursuit of naked short term self interest by many governments and individuals, with little or no regard for the adverse social consequences of their behaviour is at the root of widespread violation of human rights. The poor vulnerable groups such as women, children and underprivileged youths suffer most of these violations.

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The enactment of legislation and the adoption by governments of human rights covenants is not sufficient to arrest the above trends. Legislative measures have to be complemented by other actions to create a body politics that is prepared to enforce the human rights legislation. Therefore conscientization of the public at large in particular those who are in positions of power, influence and privilege is necessary. Awareness building programmes can be helpful to persuade people to identify their own, often unconscious, contribution to the violation of the basic rights other people. This may be so because various forms of deprivation and marginalization are happening since powerful people have the control over scarce resources which are not distributed equally. The unequal access to resources amounts to violations of basic rights of those with little or no access.

It is the responsibility of the state to create mechanisms for implementation of the programs directed towards the promotion and the protection of the human rights of the poor. This involves making of laws for matters relating to elimination of poverty and for the prevention of social practices that aggravates the harsh conditions faced by the poor. To achieve the makings of such laws the law-making bodies such as law commissions and other such agencies should have close links to the poor. Such laws must be concrete, socially relevant and dynamic. Most of all they should be implemented and procedures for their implementation should be made public. These procedures must be just and conform to the human rights norms and standards. Particular attention should be given to the laws and procedures for the implementation of the economic, social and cultural rights.

Judiciary must not in any way be hindered to exercise its full independence in the interpretation and the enforcement of these rights. Direct or indirect coercion should not take place and unfair procedures such as restrictive prescription periods, or other procedural limitations which result in the negation of those rights should be done away with.

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In the Asian context it is relevant to refer to the social action litigation promoted by the Indian Supreme Court. Since its start in the early 80's it has brought enormous relief for the poor in India. The abandonment of the principal of *locus standi*<sup>1</sup> and interpretation of human rights principles such as right to life in a manner to give them a rich social content makes social action litigation a unique achievement in development of a jurisprudence relating to human rights. This experience need to be assimilated into the body of law in other countries of the Asian region. The implementation of the social action litigation in other countries were to be treated as a human rights priority.

The responsibilities of the state also includes the training of civil servants at all levels of government to respect, protect and implement human rights. The *officer responsibility*<sup>2</sup> for the enforcement of human rights should be strictly enforced. The public should have easy access to the civil service and to all the information relevant to the implementation of human rights. The poor must be allowed to pursue their interest by themselves or by representatives of their choice including organizations which promote their interest.

The professional groups owe a special responsibility for promotion and protection of human rights. The professional community has benefitted of years of education and is in a position to be conscious of what makes a society to function well and what practices promote justice and what are not. In spite of this there are mercenary professional habits formed by practices that try to exploit the community for the purpose of quick enrichment which often leads to grave violations of human

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<sup>1</sup> The Supreme Court held that interested organisations or individuals could complain on behalf of the victims of human rights violations and not necessarily the victims themselves.

<sup>2</sup> This means that officers who violate human rights should be personally held liable for such violations.

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rights. This is not what one should expect from the professional community. This community owes it to the larger community to provide information and education necessary to maintain a sane and civilized society. The community should at all times represent the high humanitarian traditions associated with the professions. Where parts of the professional community become self-centered and socially irresponsible, it contributes to social degeneration and demoralization. The human rights community needs to be constantly in dialogue with the professional community. The professional community should take all steps to promote the necessary structural and social reforms to protect and promote the rights of the poor. When bureaucracy or the political system prevents the achievement of the norms of their profession, the professional community are to seek redress in the larger community.

The affected parties and the community at large has a right to know about the allocation of funds for programmes relating to promotion of human rights which includes programmes for elimination of poverty. These funds must be allocated on the basis of urgent needs of the poor and granting and the withdrawal of such funds must be done in a just and fair manner. No form of arbitrary decision-making should be allowed in this sphere. Where conflict arise relating to these decisions the parties should at all times have access to courts and other forms of arbitration for the settlement of such disputes.

The community at large bears a great responsibility relating to the implementation of rights including the rights of the poor. All forms of social apathy are negations of this social responsibility. All forms of cynicism contributes to the development of a negative spirit relating to the rights of people. It is a responsibility of leaders of the community, leaders of all religions, intellectuals and all others who play a role in making of social opinion to fight against all forms of social apathy and cynicism. A heavy burden for this lies also on journalists with

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newspapers, radio and TV, who in modern society play a vital role in either negating the rights of people or in the promotion and protection of human rights. It is the duty of everyone to constantly participate in the social debate for the promotion and protection of human rights.

It is a responsibility of the state and the international community to provide adequate funding and other resources for the implementation of programmes relating to protection of human rights which includes the programmes for the elimination of poverty. The IMF, the World Bank, international agencies as well as donor agencies from developed countries bear a heavy responsibility to prevent the promotion of policies and programmes that leads to the increase of poverty.

The human rights community includes the United Nations, the United Nations High Commissioner of Human Rights, the UN humanitarian agencies, international agencies, concerned persons in all communities, peoples' organizations and NGOs dealing with human rights. They have a paramount social responsibility to keep vigil on all human rights issues including economic, social and cultural rights and to fight against all forms of social apathy that leads to social tolerance of violations of rights, including negation of poverty.

Human rights community must constantly be in dialogue with the large community to improve the moral and ethical norms of the society. This is essential for the protection of human rights of all the persons, and prevent the degeneration of social institutions, and social morale. Inability to address the basic poverty related problems as basic human rights issues contributes to such degeneration and demoralization. The dialogue between the human rights community and the larger community is essential for promotion of equality, justice, peace and security.

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# 5. CONCLUSION

The consensus among the participants may be summed up as follows:

1. The degree of care extended by the members of a society to each other is the degree of human rights enforcement in any community. Neglect of the human rights of any section of society manifests the failure of that society to exercise its care towards all members of the society. Failure to exercise care, wounds the core of society and adversely affects the rights of the members of a society.
  2. Poverty is a negation of human rights, it violates human dignity. Poverty makes a mockery of the declarations and covenants on human rights. The credibility of the international community need to be proven by genuine and firm practical steps to eradicate poverty. Until this happens the community would be blamed for maintaining double standards.
  3. In recent years, the United Nations and the human rights community have repeatedly asserted the need for protection and promotion of economic, social and cultural rights and to develop human rights principles and strategies to achieve these rights. Holistic approach to human rights has been
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accepted theoretically. Universality as well as indivisibility of human rights has been reaffirmed. Practical implementation remains the open challenge.

4. Eradication of poverty is a fundamental human right. Promotion and enforcement of human rights is inseparable from eradication of poverty.
  5. The human rights community and all the actors involved in eradication of poverty need to be in constant dialogue with each other in designing and implementing strategies and programmes for eradication of poverty.
  6. It is the duty of the state to protect the human rights of the poor by developing policies and implementing programmes for eradication of poverty. The state policies must confirm to the international human rights norms and standards. Any policy of the state that is maintaining or creating impoverishment must be condemned as a violation of human rights.
  7. The state must expand and maintain educational opportunities for the poor in order to make the right to education a reality. The education provided should be relevant to the need of the people in their different contexts. Education must lead to actual possibilities of employment. The state needs to recognize and to encourage informal education activities geared towards acquiring basic skills for survival and to the protection and promotion of the rights of the poor.
  8. The women among the poor may be considered as poorest of the poor. The state as well as the community owes a responsibility to develop and implement strategies and programmes for the eradication of poverty of women and children. The recent discussion on the enhancement of women's rights as human rights have so far had little impact
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on the position of women. If the commitments to promotion and protection of rights of women and children are to be credible, genuine steps need to be taken for eradication of poverty affecting every aspect of their lives. Women who are impoverished often face multiple violations of their rights: forced prostitution, trafficking of women, rape and domestic violence. Such conditions often lead to children leaving the homes and roaming the streets, involvement with child prostitution, and to child abuse. They then have entered the cycle of poverty that becomes increasingly difficult to break. All attempts to fight against these abuses need to be accompanied by a consistent attempt to take positive steps for eradication of poverty.

9. Participants agreed that skills training helps to eradicate poverty by enhancing the capacity of the poor to find employment and increase independence. This particularly applies to women whose earning capacity as well as family and household skills may be improved thereby. The programmes which have successfully promoted this approach need to be brought to the attention of others and where possible need to be replicated. Exchange programmes need to be encouraged among organizations that are engaged in promoting the rights of the poor.
  10. Human rights of the poor could be promoted through diverse programmes directed to eradication of poverty. These programmes include advocacy and monitoring programmes relating to civil and political rights as well as economic, social and cultural rights. Programmes for literacy, programmes for eradication of drug addiction and alcoholism are essential programmes for the promotion and protection of the rights of the poor.
  11. Programmes promoting health-care are to be considered as a priority. In this respect, health care of the pregnant mothers need to occupy a central place. The rights mothers
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to proper nutrition, information and education need to be implemented strictly. Such protection affects not only the mother but also the child. The society needs to devote ample resources to eradicate under-nourishment among pregnant women and children.

12. The participants agreed that concept of poverty eradication as a human right needs to be canvassed at all places. The development schemes that lead to increase of poverty need to be rejected and programmes and policies that lead to eradication of poverty need to be promoted.
  13. It is necessary that at regional or national levels, human rights commissions should be established to redress and arbitrate in areas of disputes between international donors, government donors, NGO donors on the one hand and receiving governments or NGOs on the other hand.
  14. United Nations, in particular the United Nations High Commissioner for Human Rights must be urged to create mechanisms to monitor the implementation of economic, social and cultural rights with specific reference to eradication of poverty.
  15. United Nations, in particular the United Nations High Commissioner for Human Rights should take positive actions to develop the capacity of United Nations Centre for Human Rights in Geneva relating to the economic, social and cultural rights. At the moment United Nations, in particular the United Nations High Commissioner for Human Rights's office lacks such capacity.
  16. In the Asian region, human rights mechanisms need to be developed for the promotion and protection of human rights including the economic, social and cultural rights. These regional and sub-regional mechanisms should include those relating to eradication of poverty.
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17. The participants felt that the reflections and the conclusions of this workshop need to be shared widely with the human rights NGOs and other NGOs engaged in promotion and protection of economic, social and cultural rights with particular emphasis on those engaged in activities directed towards eradication of poverty. These ideas need to be shared widely with the larger community and also canvassed in the Asian region as a whole and with the international community.
  
  18. The promotion of economic, social and cultural rights jointly with the political and civil rights should be further developed in consultation with other people's organizations, NGOs and government related bodies. For these purpose a dialogue on eradication of poverty as a human rights issue should be carried out extensively and in depth. The participants felt that such a dialogue is an urgent requirement for the promotion of the rights of the poor.
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## 6. Annexures

### 6.1. Annexure I : List of Participants

- Saji Thomas : Vigil India Movement, India
- Dilip Saha : Development for the Poor, Bangladesh.
- Sebastien Marot : FRIENDS, Cambodia.
- Dunni Goodman : Sri Lanka.
- Dulcy De Silva : Sri Lanka.
- Oranee Jansz : Sri Lanka.
- Prof. S.T. Hettige : Sri Lanka.
- Charitha Ratwatte : Sri Lanka.
- Dr. Thilokasundari Kariyawasam : Sri Lanka.
- Nelum Gunasekara : ECONSULT, Sri Lanka.
- V. L. Weerasinghe : Sri Lanka
- P. Manikkam : Sri Lanka.
- Col. N. B. S. Balalle : LCES, Sri Lanka.
- Dr. Brightie De Mel : LCES, Sri Lanka.
- Lorna Wright : LCES, Sri Lanka.
- Basil Fernando : AHRC, Hong Kong.
- Sanjeewa Liyanage : AHRC, Hong Kong.
- Biem Lap : The Netherlands.
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## **6.2. Annexure II : Poverty as a Basic Human Rights Issue in Sri Lanka, paper by Lorna Wright, presented at the workshop.**

Today, 1995, sadly in the world, it is the menacing note we hear. Man seems to be deliberately playing a destabilising role. UN 'Decades' move into yet another 'Decade'. International Forums on Food, Pollution, Environment, Poverty, Malnutrition, Education, Women, and the world collects yet another inventory of critical problems.

A starting point within Sri Lanka would be the recognition that these problems cannot be 'tackled' by government alone, but should involve others both in the private as well as public sector. A truly coherent and collaborative action plan must come into effect, one which acknowledges the equality and strengths of women in relation to men, and to each other, and of the family in relation to the overall community.

Sri Lanka has collected praise for its past efforts in eradicating poverty via its health and educational policies and practices, particularly, as regards literacy, malnutrition, mortality, morbidity and family spacing. Yet a World Bank report 1993 in a survey of 127 countries and the island received a ranking of 31 and fell on the cusp of the bottom 25 per cent of countries in terms of per capita income.

Quality of life in Sri Lanka is on the whole poor - 31% of the children under 5 years are under weight and 33% of pregnant women moderate to severely anaemic. The fact still remains that the core issues of chronic poverty eradication: education, health, and unemployment are becoming increasingly difficult to tackle. It is arguable whether the introduction and practice of an open economic policy, exemplified by increased business competition and the resulting creation of new wealth, benefiting mostly the upper and middle classes, has further

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exacerbated the fate of the poor

Nevertheless there does exist a diagnosis and a theory that have concerned citizens, the 'haves' worried about the restlessness and plight of the 'have nots'. The fact is that Sri Lanka has 22% of its 17.9 million citizens living below the poverty line, that translates into approximately 3,980,000 persons. The acceptable diagnosis is that Sri Lanka needs to cut short this poverty cycle soon. The theory is that the easiest and most efficient way to do this is via schools as well as formal - informal educational programmes. It must be acknowledged that many of the poor have little if any formal education, and almost nothing that has relevance to their lives that would make them employable.

By adopting poverty as a human right or basic right issue, Government Agencies, Banks and Development Practitioners will be forced to strip it of all "respectability" and condemn it with the same aversion they place on violence and rape. It is only then, that adequate resources can be concentrated to swiftly reduce its risk to society.

This is not a new concept for those of us at LCES. We believe strongly that poverty is the root cause of much of the abuses we witness. Poverty is very much linked with powerlessness. Every so often, we in the NGO sector trot out the concept of "empowerment" as a solution to the problem. This is usually confined to a few training sessions or workshops, the maggi board and charts on the wall, finally documents to add to those already on the shelf. The Project is over and the donors close the books. But that is exactly when we should think about implementation. LCES has worked on Basic Skills in Food, Clothing and Shelter as a means of Empowerment for boys, girls, youth, men and women young and old the last fifteen years.

The aim of this conference, as you are all aware, is to explore "poverty as a basic human rights issue" and to *develop innovative and practical ways for combating and overcoming it.*

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It is generally acknowledged that poverty in Sri Lanka is predominantly rural. Recently questions have been raised - how rural is rural Sri Lanka today? Our fight to give the Informal Sector credibility for job solving, creating employment, is to give the youth a marketable skill in His/Her world. Discrimination? Not if there is recognition that the Informal Sector is a Reality - That it is not in a transient stage and will be there in the 3rd world for years to come. At the educational level of thousands, of drop-outs non-school going children, the girl-child, youth, education in basic skills must be directed at the home-grown, fundamental and affordable consumer market in Food, Clothing and Shelter. However the bulk of the Government of Sri Lanka and other development organizations intervention (in its attempts towards the elimination of poverty) has been directed towards the rural sector, which politicians and professionals looking after the poor through a mixture of welfare programs inclusive of food stamps, land reforms, and macro economic policy changes. In theory, this policy has focused on agriculture, infrastructure development, such as housing, community water resource management, and the promotion of export oriented business. In practice it has failed to generate enough jobs for the unemployed and underemployed. Most important it has not addressed the cultural aversion to non-white collar employment (status jobs) that hinders the average Sri Lankan worker from full participation in the workforce. It follows therefore it has not made any focused attempt at uplifting the status of the poorest of the poor, in particular the urban poor. 'LCES' initiative the last fifteen years has been characterized by its work in the urban slums of Colombo and its environs. It has also watched with concern and dismay the influx of displaced persons - refugees into the city slums from wartorn areas.

Experience in other countries has demonstrated that the swiftest means to alleviating poverty is through the creation of employment opportunities via micro and small business. These incentives, however, must not be to the detriment of the poor and in particular the youth and women. The governments poverty alleviation programmes

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have not however been dramatic enough for those at the bottom of the socio-economic scale.

Research shows that the number of people living at or below the level of poverty has not changed within the last 10 years as against the top ten percent who have seen significant gains in their personal income. This erosion of real income among the working poor and urban poor has been drastic as they have been further marginalised for the sake of the economic growth within the middle and upper economic classes. The withdrawal of the state as a provider of social welfare programmes has left such programmes primarily in the hands of sector agencies such as NGO's.

In response to this change of events, LCES' experience in urban poverty alleviation has resulted in our promotion of basic and common survival skills and employment in the informal sector. Basic skills are seen as being those tools that enable the individual to acquire their fundamental needs of Food, Clothing and Shelter. Some people refer to it as sustenance skills. Through our observations, we have learned that most families in the urban slums, do not know how to cook nutritious, indigenous low cost meals, sew, nor set a household budget and plan for the future. This can be attributed in part to an increase in number of the Girl-Child with a break in the traditional mother-daughter link in learning. To changes in family dynamics (increase in dysfunctional families, single headed households, increase in male unemployment as the newly created jobs are tailored for young women rather than men) and migration. Equally our beneficiaries spend a disproportionate amount of their meager income, (80 to 90 percent) on food leaving little or nothing for other productive use. Expecting such persons to participate in income generating activities via their savings would result in failing to understand the day-to-day realities of urban poverty. Though 80 to 90 percent of their income was spent on food, most of it was on low nutritious (status) items like white bread, white sugar, white rice, tea and watered down sodhi (pulse gravy).

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A consequence of such poor nutrition is low birth weight babies, retardation, wastage and stunted growth, and poor health. Absenteeism in school is common among such children due to constant illness, poor concentration, leading eventually, to ever increasing rates in non-achievers and school leavers. How one breaks from this cycle of poverty is, for LCES, a two stage programme.

First, LCES believes the home or family unit is a most essential starting point. Mothers are encouraged to acquire and practice good home management skills: Food preparation, sewing, knowledgeable consumer purchasing, budget planning, health and nutrition, control of waste, recycling food and clothing items and the importance of continued education.

Daily and residential training courses are provided to participants (beneficiaries) who are chosen from all ethnic and religious groups. LCES is of the view that an aware mother is a better mother: a mother that cooks nutritious indigenous low cost meals is less likely to have low-birth weight babies nor have an unhealthy family. Savings from health bills with knowledge of simple Ayurvedic preparations will automatically be directed to more skill enhancing activities such as education relevant to their lives. Education is most fundamental in breaking the poverty cycle. Families that are aware of its benefits are likely to take a long-term view and provide their children with the emotional and financial support needed to see it through.

Secondly, as LCES considers work or employment as an important component of poverty eradication it attempts to bring dignity to labour in the goods and services sector. Its participants (beneficiaries) are encouraged to consider work in the informal sector for which LCES provides vocational training under a Socially Useful Productive Work Program. LCES training curricula is designed to provide "experiences" in a variety of areas to include carpentry, plumbing, masonry, tailor-

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ing, welding, electrical wiring, leather work, hoteliering, baking, and catering. It serves as career guidance to drop-outs. At the end of this initial training, each participant is encouraged to specialize and apprentice with a master-craftsman to gain experience and, with his/her range of skills finds employment. The bulk of our beneficiaries end up working in the informal sector.

However, the inability of the government to meet its target figures in job creation, plus the realization that Sri Lanka can only attract low technological industries (as the country productivity is low) has provided a new momentum to the merits of the Informal Sector. If the Government is to avoid a repeat of the youth unrest of 1987 - 89 as well as to act in practical terms in ending the present day civil unrest it will need to be seen as providing acceptable jobs to the youth.

There are a large number of jobs that could be designated prestigious if standards were introduced in the work place. The informal sector is that sector of the economy which is characterized by unskilled or semi-skilled labour and few if any government regulations. Our fight to give the informal sector credibility for job solving, with a marketable skill, in a competitive economic market, thus leading to a greater form of social empowerment has been very much tested by the inability of the government and international donors to focus on this aspect of the problem of the urban poor. Concentration on macro-economic issues and privatization, while slum dwellers and urban poor fight for survival with integrity, is to live in a society which is not willing to hear the battle cry, or the chilling quietness of drug-addiction.

Whilst the macro - economic policies and plans have resulted in numbers of young women entering the formal labor force particularly, in the garment industries, a great number of women and men have had to look to the informal sector for employment. Indeed, very little documentation is available on the informal sector, and its contribution is never formally acknowledged. A Woman's contribution to the economy, through her contribution of household or family labor is an

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aspect that is not being acknowledged publicly but rather down graded as a chore - In economic or social terms it is an area totally despised, one any ignorant woman can handle. This is seen by us at LCES as a grievous violation of ones basic human rights. The family budget- 'the kitty' whether contributed to in cash or kind, is the households contribution of time and energy for the well-being of all. A house could be a collection of individuals under a roof, but a family in a HOME is a living whole.

When one discusses human rights issues, much attention is normally focused on the political images of dictators, despots and physical oppression. Thoughts of human rights violations are never directed towards the root causes of poverty and the policies and practices that perpetuate the cycle of oppression which poverty presents. This is most strongly observed as society continues its daily ignorance of domestic life. People trapped in such abject situations are rarely considered oppressed or violated, they are merely poor and ignorant due to their own inability to pull themselves up by their bootstraps, outright laziness and viewed as deserving of their fate. Few question whether government policies and societal attitudes play a role in perpetuating this dreadful state. Sending mothers to the Middle East to be part of our remittances from abroad, earnings - issuing liquor licences for customs revenue and political party support is to witness situations primed for disaster, in a country gone culturally haywire.

If we consider poverty as a violation of ones basic human rights, then, we must look to the powers that have created such conditions, perpetuate them, allowing such conditions to flourish. We must encourage said powers to put poverty on the national agenda as a basic human rights issue. Innovative responses are normally accepted from outside sources (foreign and academic), but rarely do we look to the home or family unit for answers to such far reaching problems. We at LCES have found that there is a direct link between family nutrition, its health, education, general prosperity of the family and its individual members ability to enjoy and pursue life at a level equitable to

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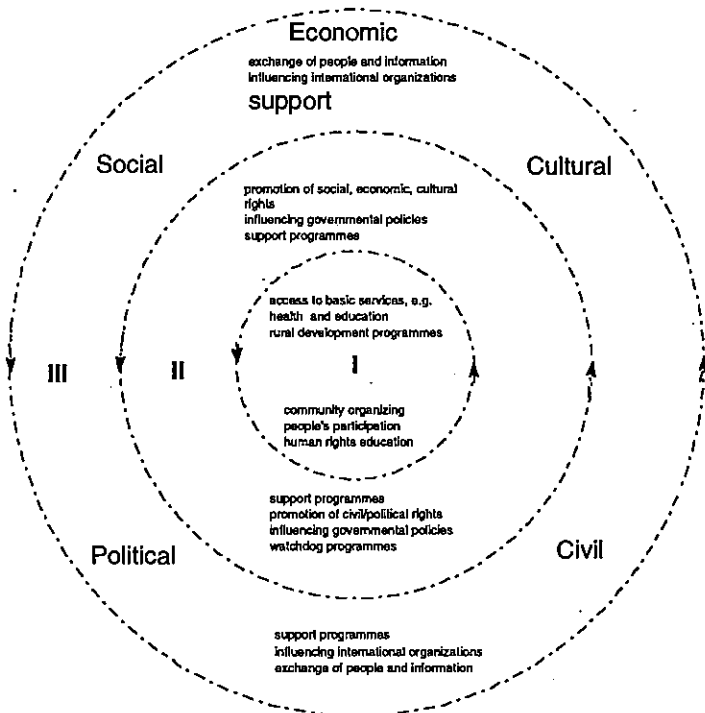
other members of the community.

Human rights and ones ability to live a respected and productive life away from poverty is directly linked to the shared goal of all humanity; that being to live in common yet, with a sense of individual identity and strength of who we are, and where we are going, Human rights and issues of poverty are one and the same and must be dealt with both with a compassionate heart and a strong hand. To overlook this point is to miss the link between poverty and powerlessness which in turn does a disservice to all humanity.

### 6.3. Annexure III : Diagram on the relationship between human rights and eradication of poverty.

#### 6.3.1. Relationship Between Human Rights and Eradication of Poverty.

In order to increase chances for success, strategies adopted should compliment one another. In the diagram that follows, we try to capture the complementarity which we think NGOs and churches could practice in addressing issues of poverty, human rights and democratization at local, national and international levels.



The upper half of the circles represents the social, economic and cultural rights, while the lower half represents civil and political rights. The circles themselves and the arrows indicate the interaction and interdependence between the different rights. The programmes which are mentioned in the circles are undertaken within the overall human rights frame work of social, economic, cultural, political and civil rights.

- I indicates the local level, where churches and NGOs are the main actors, with a focus on the programmes indicated in the diagram.
- II indicates the meso (national and regional) level, where national councils of churches and national and regional platforms and networks of NGOs are the main actors with a focus on programmes indicated.
- III indicates the macro (international) level where international church organizations and platforms and networks of NGOs are the main actors in the programmes indicated. The dotted outline of the circles symbolises the porosity and interrelation between the levels.

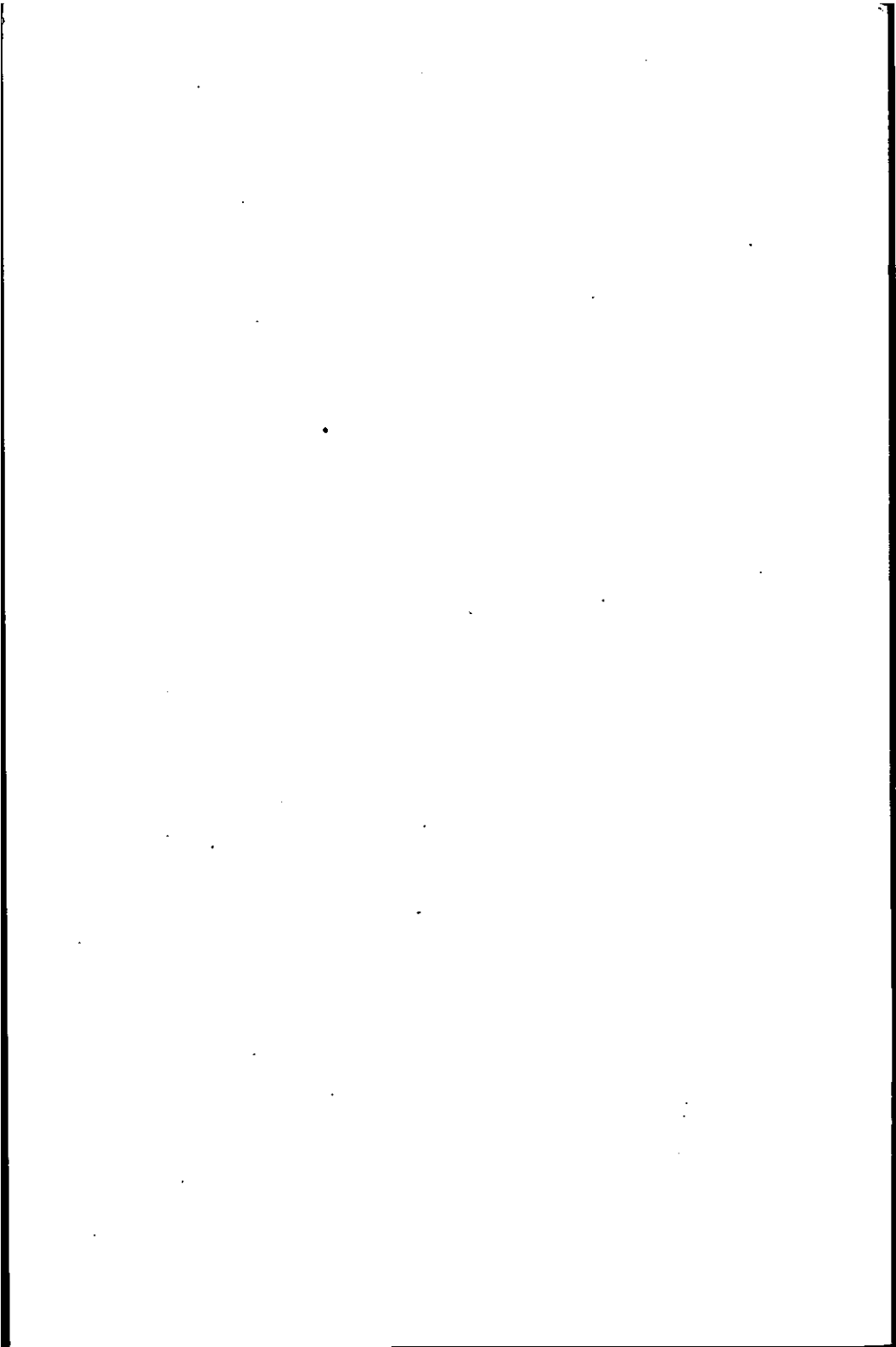
*[Taken from the Working Document on Human Rights, Democratization and Civil Society in Africa. Adopted by the participants of the consultation of ICCO partners, experts and ICCO, in Darwendael, Zimbabwe, 26 Sept. - 1 Oct. 1994.]*

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## Participants at the Workshop









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