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**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**The Social Forum**

**Report of the Chairman-Rapporteur, José Bengoa, in accordance  
with Sub-Commission resolution 2004/8\***

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\* The annexes to the present document are being circulated in the original language only.

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## **Introduction**

1. In its resolutions 2002/12 of 14 August 2002 and 2003/14 of 13 August 2003, the Sub-Commission on the Promotion and Protection of Human Rights requested the Commission on Human Rights to authorize the holding in Geneva of a pre-sessional forum on economic, social and cultural rights before the fifty-seventh session of the Sub-Commission, to be known as the Social Forum, for two days, with the participation of 10 members of the Sub-Commission, taking into account regional representation. By its decision 2003/107, adopted on 22 April 2003, the Commission on Human Rights approved the resolution. The Economic and Social Council gave its authorization in its decision 2003/264 and 2004/217.

2. On 9 August 2004, the Sub-Commission adopted resolution 2004/8 in which it decided that the theme for the Social Forum 2005 will be "Poverty and economic growth: challenges to human rights". The main issue to be discussed will be the principle of accountability - its role and implications - in the relationship between economic growth, poverty and human rights.

### **I. ORGANIZATION OF THE SESSION**

3. The Social Forum was held on 21 and 22 July 2005. The following experts of the Sub-Commission participated: José Bengoa, Chin Sung Chung, Christy Ezim Mbonu, Iulia-Antoanella Motoc, Florizelle O'Connor, Marc Bossuyt, Abdul Sattar.

4. Representatives of the following Members States of the United Nations were represented by observers: Afghanistan, Australia, Argentina, Armenia, Bangladesh, Belgium, Benin, Brazil, Chile, Côte d'Ivoire, Costa Rica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, Honduras, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Kazakhstan, Malaysia, Nicaragua, Republic of Korea, Panama, Romania, Russian Federation, Slovak Republic, South Africa, Sri Lanka, Tunisia, Turkey, Ukraine, Venezuela.

5. A representative of the following non-member State was represented: Holy See.

6. The following United Nations bodies and specialized agencies were represented: United Nations Conference on Trade and Development (UNCTAD), United Nations Development Programme (UNDP), United Nations Human Settlements Programme (UN-Habitat), United Nations Educational, Scientific and Cultural Organization (UNESCO), International Labour Office (ILO), World Health Organization (WHO), World Bank, International Monetary Fund (IMF)

7. The following intergovernmental organizations were represented: Organisation of the African Unity (OAU), Organisation of Islamic Conference (OIC), Organisation for Security and Cooperation in Europe (OSCE).

8. The following non-governmental organizations (NGOs) in consultative status with the Economic and Social Council were represented: ATD Quart Monde, Brahma Kumaris, Centre Europe – Tiers Monde, Conference of Non-Governmental Organisations in Consultative Relationship with the United Nations, Dominicans for Justice and Peace, Franciscan International, New Humanity, International Association for Religious Freedom, World Confederation of Labour, World Federation of Trade Unionist, World Muslim Congress, World Organisation against Torture, World Organisation of the Scout Movement, World Vision (General consultative status), Aids Information Switzerland, Asian Forum for Human Rights and Development, Baha’I International Community, Dominicans for Justice and Peace, Human Rights Information and Documentation System, Interfaith International, International Commission of Jurist, International Conference Volunteers, International Council of Jewish Women, International Federation of Social Workers, International League for the Rights and Liberation of Peoples, International Organisation for the Elimination of all Forms of Racial Discrimination, International Service for Human Rights, Norwegian Refugee Council, Pax Romana, People’s Decade of Human Rights Education, Union of International Associations, Women’s International League for Peace and Freedom, World Union of Catholic Women’s Organisations, Worldwide Organisation for Women (Special consultative status), Associations of World Citizens, International Catholic Society for Girls, International Federation of Rural Adult Catholic Movements (FIMARC), International Public Relations Association, The Hunger Project (Rooster status).

9. The following organizations and academic institutions also attended: Alianza Internacional de Mujeres, Rehab Hope Fund, Lund University Hospital.

10. The Social Forum was comprised of three panels: “The perspective of those living in poverty: Voices from around the world” (panel 1); “Growth with accountability” (panel 2); and “Methods and instruments of accountability” (panel 3). Each panel discussion was led by experts. Questions and comments from Forum participants followed the presentations of the experts. The agenda of the Social Forum is attached as annex I. A list of background documents is attached as annex II.

11. The experts and NGO representatives who participated in the three panels were the following:

(a) Panel 1: Sister Valsa Joseph (Franciscans International, India), Françoise Ferrand and Cécile Reinhardt (ATD-Quart Monde, France), Rajsoomer Lallah (Member of the Human Rights Committee), Chamba Kajege (Coordinator, Tanzania Coalition on Debt and Development (TCDD), Tanzania), Haydée Isabel Castillo Flores (Movimiento Autónomo de Mujeres de Nicaragua);

(b) Panel 2: Arjun K. Sengupta (United Nations independent expert on the question of human rights and extreme poverty), Brian T. Ngo (Adviser, World Bank Europe Office), Jean-Pierre Chauffour (IMF Representative to the WTO, Geneva Office), Aliro Omara Joel (Commissioner, Uganda Human Rights Commission), Rick Rowden, (Policy Officer, Action Aid USA), Anthony Ohemeng-Boamah (Special Assistant to the Regional Director, Regional Bureau for Africa, United Nations Development Programme);

(c) Panel 3), Robert Archer (Executive Director, International Council on Human Rights Policy), Boua Chanthou (Director, Partnership for Development in Kampuchea (PADEK), Cambodia), Zonke Zanele Majodina (Commissioner, South Africa Human Rights Commission).

12. The United Nations High Commissioner for Human Rights opened the Social Forum. She highlighted two aspects of particular importance to ensure that economic growth and poverty reduction would benefit all and not only some sectors of the society. Participation of those living in poverty in the processes of poverty reduction was paramount as well as systems of accountability which guaranteed that State institutions were held to account for their failures to secure that poverty reduction strategies resulted in real improvements in the standards of living of the most vulnerable and destitute. The High Commissioner recalled her recently issued Plan of Action to strengthen the capacity of her office to implement human rights, where she had identified poverty among the key challenges to be addressed in order to be able to close the gap between human rights rhetoric and reality. She encouraged the Forum to provide useful guidance in developing strategies to meet these challenges.

13. The Social Forum then moved to the election of its Chairperson. Iulia-Antoanella Motoc nominated José Bengoa as Chairperson-Rapporteur, Abdul Sattar supported the proposal; the nomination was approved by acclamation.

14. José Bengoa thanked the High Commissioner for her introduction and the issues she had brought to the attention of the participants. He described the Social Forum as the only place in the United Nations human rights machinery where specific issues related to poverty and economic and social rights were debated. Despite the fact that the issue of poverty had become a major subject of international meetings, there were still no effective mechanisms to solve the problem of poverty and social exclusion. He called on experts, governments and NGOs participating in the Forum to develop strategies to raise awareness around the issue of poverty and to establish effective means to achieve progress in the eradication of poverty. He invited members of the Social Forum to contribute to the panels and to share their ideas and recommendations for the successful poverty reduction.

15. The provisional agenda (E/CN.4/Sub.2/SF/2005/1) was adopted.

## **II. PANEL 1: THE PERSPECTIVES OF THOSE LIVING IN POVERTY: VOICES FROM AROUND THE WORLD**

16. Sister Valsa Joseph (Franciscans International, India), spoke about her experience with marginalized communities in India where despite impressive economic growth almost half of the country's population is still living in poverty. She had lived and worked with Dalit communities belonging to the Arunthdiar caste for twenty years, encouraging and assisting them in getting organized. Based on the conviction that their situation would not change, unless the Dalits were empowered to become agents of their own liberation, she and her sisters started education programmes to make them aware of the unjust system in which they lived, of their rights as a human being, and to empower them. As a result, women and youth felt the need to get organized. With the assistance from the Government they were able to start self-employment schemes and eventually became the agents of their change. Sister Valsa Joseph urged the Social Forum to clearly state in its report to the Sub-Commission that economic growth is not a sufficient answer

to eradicate poverty. She recommended adopting a human-rights approach to combat poverty based on principles of participation, empowerment and accountability, and in particular adopting the Optional Protocol to the International Convention on Economic, Social and Cultural Rights.

17. Cécile Reinhardt (International Movement ATD-Fourth World, France), spoke about her experience as someone who has lived in poverty in the Eastern part of France. She described that living in poverty meant hiding and constantly justifying the status of poor health, nutrition and housing conditions. People living in poverty were neither able to control their life nor to protect themselves and often they did not even question the fact that nobody expected anything from them. They were not aware that there were bodies like the Social Forum discussing about them and trying to solve their problems. Cécile Reinhardt underlined the expectations of those living in poverty to be recognised as people who had something to say. She stressed that it was important that people living in poverty not only had a chance to learn and understand the world but also to actively participate in cultural life. She explained how ATD-Fourth World had organised a dialogue on the issues of poverty between people living in poverty and the academic community. She was glad that she had been involved in this unique research project on poverty that had involved the participation of those concerned.

18. Françoise Ferrand, (also from International Movement ATD-Fourth World, France), talked about the Sharing Knowledge and Practices Team of her organisation. She highlighted several preconditions for a successful interchange of knowledge between the different actors with the ultimate aim to combat poverty. People living in poverty had to be physically present to participate in the dialogue, the research and the elaboration of projects. The objectives of the projects had to be clearly set out from the beginning and had to be comprehensible for all participants, including for those who lacked formal education. Françoise Ferrand stressed the need for a clear framework of participation that allowed different groups of actors to preserve their freedom of thought by having both joint and separate discussions. For a genuine exchange between very divergent groups sufficient resources and time were indispensable. She underlined the need for human resources, explaining that facilitators had to keep close contacts with people living in poverty in order to assist genuine collaboration.

19. The Chairperson invited Rajsoomer Lallah, member of the Human Rights Committee to comment on the first three presentations. Rajsoomer Lallah welcomed the statements of those who had lived in and worked with poverty. He asked why people who lived in poverty were often deprived of civil and political as well as economic rights and why the rights contained in the seven international human rights instruments were not yet available to everyone in all State parties. Do existing instruments lack a clear focus on poverty eradication? He recalled the proposal to draft an optional protocol to the International Convention on Economic, Social and Cultural Rights but also asked participants to look first at how the existing instruments could be used to eradicate poverty. Rajsoomer Lallah suggested studying all existing human rights treaties with the objective to identify those rights that were particularly relevant for the eradication of poverty and to encourage all State parties to implement those rights. Mentioning several rights such as the right to freedom of association, the freedom of expression and the right to be informed, he highlighted how civil and political rights could empower poor people to influence the conduct of public affairs and to determine policy. As an example, he referred to the right to life and stated that all parts of the world faced issues related to high infant and maternal mortality and HIV/AIDS.

20. The Chairperson opened the floor for questions. The representative of Pax Romana noted that poverty did not have a specific framework convention but existed at the crossroad between freedom from want and freedom from fear, the importance of which had been highlighted by the Secretary-General in his report "In larger freedom" (A/59/2005). He also drew attention to this year's study of the High Commissioner on the fundamental principle of participation and its application in the context of globalisation (E/CN.4/2005/4). The representative of the International Alliance of Women recalled the Convention on the Rights of the Child which was the only instruments that gathered together civil and political and economic, social and cultural rights; the holistic vision of this convention, which was the most widely ratified instrument, should be explored further. On Sister Valsa's presentation, Iulia-Antoanella Motoc asked for additional information on the relations between the Dalits and the other casts. She also referred, based on the presentation made by Cécile Reinhardt, to the need to establish links between the academic world and the informal education sector.

21. The representative of the International Monetary Fund (IMF) stated that there was still a gap between civil and political rights and economic, social and cultural rights. He expressed the hope that the rights-based approach could address poverty eradication and development by circumscribing the scope of rights so that they were most useful in the context of development. The representative of the NGO Group for the rights of the child stated that in case a new text on poverty eradication should be drafted it would be contrary to human rights not to consult the poor about what would be the most important rights for them; a participatory approach would be necessary.

22. The Chairperson highlighted the important issues that should be reflected in the conclusion, such as the need for effective participation, the fact that poverty existed in all parts of the world, including in developed countries, and the proposal for a new instrument. He invited the last two panellists to make their presentation.

23. Chamba Kajege, Coordinator of the Tanzania Coalition on Debt and Development, described a number of challenges that civil society organisations had encountered during their engagement in various policy processes for poverty reduction in Tanzania. He identified the lack of information as one of the major obstacles to effective participation throughout policy processes. He criticised the authorities for withholding information by classifying it to a large extent as confidential and for using a technical jargon in policy papers and discussions, which made it more difficult for the poor to get involved. Those living in rural areas faced additional problems in accessing information because they did not possess the means of communication such as internet access. Chamba Kajege stated that there was still limited understanding on how the capabilities of non-state actors could compliment efforts to reduce poverty. He urged the government to develop confidence and trust and to recognize the critical role the poor themselves could play in collaborating with the private sector towards an equitable development.

24. Haydée Isabel Castillo Flores (Movimiento Autónomo de Mujeres de Nicaragua), referred to her experiences in contributing to the empowerment of the rural population in the fight against poverty and her analysis of the national development policies. The current economic model was undermining local communities that were paramount to social development. She urged for a holistic sustainable vision of development that was not exclusively based on economic growth. Reliance on cheap labour was not an option for sustainable development because this violated labour rights of the citizens. She underlined the necessity for

redefining citizenship and reinstalling the social fabric in the communities. Macro-economic stability had to be replaced with micro-stability. She urged for a new economic and political model that focused on collective and individual fulfilment. Processes rather than projects were needed, which respected the needs of citizens and established mechanisms to hold the government accountable.

25. The Chairperson opened the floor for an interactive dialogue. Christy Ezim Mbonu stated that the importance of accessibility of education for poor people could not be overemphasized. The representative of the World Bank reiterated the inadequacy of economic growth alone and stated that the Bank's view had evolved; the forthcoming World Development Report would look at equity and illustrate what a human rights approach had to offer in the development context. The representative of Costa Rica stressed the importance of the participation of people living in poverty in determining relevant policies. Several participants highlighted the fact that poverty also existed in developed countries and free and democratic societies.

26. The representative of the World Trade Unionists spoke about the fact that the global nature of social exclusion is a multifaceted phenomenon and strategies had to be tailor made to address this issue. The representative of Nicaragua welcomed the presentation of Haydée Isabel Castillo Flores that had well captured the political crisis the country was going through. She stressed that progress had been made in ensuring consultations with civil society organisations and described the mechanisms the government had adopted to ensure permanent participation of citizens in the drafting of the national plan against poverty.

27. The Chairperson then gave back the floor to the panellists. Boua Chanthou spoke about the process of drafting the Poverty Reduction Strategy Paper (PRSP) in Cambodia where the strategies had not benefited the poor but mainly those who were already better situated. She underlined that the poor could not participate in poverty reduction strategies due to lack of resources and reminded relevant institutions to set aside the money to ensure effective participation. Sister Valsa Joseph reiterated that in India economic growth and development had reached only the cities and the literate masses. Excluded and marginalised groups had remained at the same level of development. Cécile Reinhardt highlighted that the key factor for her personal development had been the interaction with people from her own as well as other backgrounds.

28. To follow up on a question raised by Iulia-Antoanella Motoc on the link between academics and informal education, Florizelle O'Connor stated that the Social Forum had an important role to play in bridging the gap between academia and policy makers on one side and the real world on the other side to ensure mutual understanding. Whereas for policy makers growth was determined by statistics for those on the ground it was determined by matters that affected their day-to-day life. She welcomed Cécile Reinhardt's statement and cautioned against a narrow definition of education. People who had only been informally educated would be excluded from participating in meetings such as the Social Forum if education was understood exclusively as formal education.

29. Françoise Ferrand underlined that knowledge was multifaceted and that academic, life-based and/or experience-based knowledge were equally important and complemented each other. She drew a link between knowledge and power in a sense that academic knowledge lead to power that excluded many people. Yet, issues of poverty eradication and human rights could

only be addressed with the understanding and knowledge of very poor people. Haydée Isabel Castillo urged for a holistic approach to include all sectors of society and a developmental model that takes into account the diversities of people. The visions of women, youth and indigenous peoples were still excluded; their inclusion could bring about a new way of development, which should be taken advantage of.

### III. PANEL 2. GROWTH WITH ACCOUNTABILITY

30. Abdul Sattar noted that the Social Forum provided a unique opportunity to focus on economic, social and cultural rights, which were generally given less attention than civil and political rights. Further, he referred to the recognition in the Universal Declaration on Human Rights and the 2000 Millennium Declaration that the realization of rights requires both national and international action. The fact that the realization of the Millennium Development Goals was falling behind underlined the need for international cooperation for development.

31. Arjun K. Sengupta, United Nations independent expert on the question of human rights and extreme poverty, noted that the theme of the panel should be further defined as “growth with accountability in a human rights framework”, as accountability and growth acquired particular meanings in a human rights framework. While economic growth was instrumental in achieving development and the basic needs necessary for a life in dignity, growth in a human rights framework meant that development should be for all people and particularly for the most vulnerable and marginalized. Actors who have a role in ensuring the protection of human rights are considered duty bearers with an obligation to work towards the realization of rights; the main duty bearer is the State, but the international community also has human rights responsibilities.

32. The human rights framework called for mechanisms to monitor, adjudicate and suggest measures for the fulfilment of rights. The human rights framework remained incomplete if there were no mechanisms to address the grievances of rights-holders. The judicial system could be an effective mechanism of accountability, but it required that human rights objectives had been encoded in law. The adoption of an optional protocol to the International Covenant on Economic, Social and Cultural Rights would be one way of strengthening international and national judicial accountability. There were a range of other accountability mechanisms, such as public pressure generated by civil society groups and peer review mechanisms, such as the one developed within the New Partnership for Africa’s Development (NEPAD). Mr. Sengupta noted that the multifaceted nature of pro-poor policies made it difficult to establish clear responsibilities and specific violations of rights; it was difficult to make states or institutions responsible for the non-realization of rights. It was more useful to hold decision-makers accountable for ensuring the implementation of adequate policies to address poverty. The NEPAD peer review mechanism served this purpose. Other examples were the internal review mechanisms of the IMF and World Bank to assess the effectiveness of their programmes. He suggested that the envisaged Human Rights Council, which may replace the current Commission on Human Rights, should also establish a peer review mechanism. It should be a body of State representatives, where any Member State facing problems in implementing a rights-based poverty reduction strategy could seek consultation, peer review and redressal. All States and their agencies, like IMF and the World Bank, must be associated with this participation process and find appropriate solutions.

33. Brian Ngo (the World Bank), underlined the World Bank's interest in moving forward the human rights agenda and the central role of PRSPs in efforts to reduce poverty. Launched in 1999, PRSPs had gradually become the centre of public policy debates: they represented a departure from a traditional approach to development, in that it focused on country ownership and introduced a framework of mutual accountability. The World Bank and the IMF were currently undertaking a review of the PRSP process, and one of five areas covered in the review was the use of poverty reduction strategies as an accountability framework between countries and donors. Brian Ngo noted that monitoring of development efforts tended to focus on accountability to donors, rather than to domestic stakeholders, and that countries should pay more attention to domestic accountability.

34. Brian Ngo highlighted some of the challenges in developing effective national monitoring systems, including the coordination among data producers, information flows among different stakeholders, and the ability to organize, analyse and disseminate information. National monitoring systems should include household surveys to assess the status of poverty and be able to assess progress. Much more efforts were required to strengthen the statistical capacity of countries. Accessibility of data was key to accountability, and such data was only useful if it became available to all those involved in the process. Linking monitoring to rights would help sustain the accountability process. To ensure country ownership, Brian Ngo stressed the importance of dialogue between different sectoral ministries, parliaments and other national, and that more work could be done in this area. There is a lack of institutional mechanisms to facilitate dialogue between government and other stakeholders in civil society. He pointed to other processes to enforce accountability, such as the 2002 Monterrey Consensus and the Peer Review of the Organization for Economic Cooperation and Development – Development Advisory Committee (OECD-DAC). The World Bank's Action Plan for Africa dealt with accountability and rights, concentrating on delivery of services, accountability and participation; it also focused on facilitating access by the poor to the legal system as well as strengthening accountability mechanisms, such as parliaments, local media and NGOs, to enhance oversight over government operations.

35. Jean-Pierre Chauffour presented his personal reflections on pro-human rights policies and on the kind of institutional accountability needed to promote such policies. There are two approaches to pro-human rights growth policies: a growth-oriented approach, focusing on economic growth as a precondition for progressively affording the realization of human rights, and a rights-based approach, focusing on the realization of human rights through deliberate policies of empowering people with rights. Jean-Pierre Chauffour argued for the superiority of market-based solutions, but acknowledged that these provided no "magic wand" and that too little was still known about pro-poor economic growth. Contrary to popular myth, standard market-based pro-growth macroeconomic policies were good for the poor, as they increased the income of the poor to the same extent as that of other households. A rights-based approach based on the realization of positive economic rights offered little guidance on how to bring about the resources needed to fulfil these rights. Jean-Pierre Chauffour felt it would be more helpful to look at the economic, social and cultural rights that would be relevant from an economic development perspective, focussed first and foremost on the protection of economic, social and cultural freedoms. The key ingredients of economic freedom would include personal choice, voluntary exchange, freedom to compete, and protection of personal property.

36. On the issue of accountability mechanisms, Jean-Pierre Chauffour underlined that the natural level of accountability for human rights and the rule of law was the institutional setting of the nation state. The pursuit of civil and political liberties and economic freedom called for limited, but effective government; government coercion should be limited to that necessary for the citizens of a community to protect and maintain liberty itself. As to whether the IMF and other inter-governmental organizations were accountable under international human rights law, he noted that the former General Council of the IMF had a comprehensive analysis of this issue. The analysis had concluded that the IMF was not bound directly or indirectly by the international human rights treaties.

37. Aliro Omara (Uganda Human Rights Commission - UHRC), shared the experience of a national human rights institution in influencing national policies and ensuring that governments pursue pro-human rights policies. To be able to hold government accountable, a National Human Rights Institution had to be independent, competent and have the powers to deal with all matters within its competence. The UHRC had been established by the Uganda Human Rights Commission 1995 Constitution and had a broad mandate, which included powers to monitor government compliance with international human rights instruments, and the legal duty to make recommendations to Parliament and the Executive. He gave several examples of the UHRC progressive success in succeeded in achieving pro-human rights policies and legislations. Since 1997 the UHRC had consistently made comments in its annual report about the status of certain economic and social rights, which had subsequently been recognized by the Ministry of Finance, Planning and Economic Development. From the year 2001, the UHRC deliberately made moves to introduce a rights-based approach in the government planning process. The UHRC participated in the formulation of the current Poverty Eradication Action Plan (PEAP) and human rights issues it highlighted had been included and acknowledged in the PEAP. Uganda's food and nutrition policy had also been revised by government after the UHRC submitted the original policy to a national seminar of stakeholders: the policy for the first time recognised food as a human right and committed government to adopting a rights-based approach to achieve its realisation.

38. Based on the experience of the UHCR in influencing policy-making, Aliro Omara highlighted the importance of engaging in dialogue with all concerned; strategic and convincing advocacy, providing examples of good-practice; analysis and critique of policies, showing their strengths and weaknesses, and giving recommendations; directly participating in policy discussion at the formulation stage; convincing policy-makers of the importance of national human rights institutions' participation; providing well-argued analysis and recommendations to policy-makers concerning the human rights implications of bills before Parliament and existing laws; identifying and building alliances with progressive officials within the ranks of policy-makers in strategic areas. Aliro Omara stressed the importance in the Ugandan case of building working relations with officials of government.

39. Rick Rowden (Action Aid USA) presented the difficulties and limits to influence poverty reduction policies through participation in the PRSP processes. Rich countries failed to achieve the first development goal of gender parity in education, which should have been achieved by 2005; he ascribed this to the general failure of the neo-liberal development model. He was concerned that there had been little growth and little accountability as a consequence of structural adjustment policies recommended by the World Bank and the IMF. He referred to studies indicating higher economic growth rates as well as human development progress during

the two decades which preceded the past 20 years of IMF - and World Bank - sponsored structural adjustment programmes. The fact that 500,000 persons had been pulled out of poverty in the past 20 years, as shown in the World Bank's 2004 World Development Report, did not reflect the success of the neo-liberal model: 400,000 of those persons lived in India and China, which had not followed the liberal policies sponsored by these institutions.

40. On the issue of country ownership and consultations with civil society in the design of PRSPs, Rick Rowden noted that there were two parallel processes: the PRSP process, which allowed for consultation with civil society, and IMF's Poverty Reduction and Growth Facility (PRGF), which did not allow for such consultations. An Action Aid study of the experience of civil society with PRSP consultations showed that the process did not offer any opportunities to discuss and criticize the macro economic framework, which was determined in the PRGF. Governments exercised self-censorship to ensure approval of their policies by the IMF, given that such approval was a precondition for receiving funding from the World Bank. NGOs should recognize that PRSPs served to depoliticize discussions on development. PRSPs provided an "invited space" for NGOs, but NGOs should seek to create their own space, where they would be free to set their own agendas and to question macro economic policies. Mr. Rowden also expressed concern at the disconnect between the impact of World Trade Organization (WTO) agreements on the ability of countries to implement poverty reduction programmes.

41. Anthony Ohemeng-Boamah (UNDP), explained the content of pro-human rights development from the perspective of his organisation. According to the UNDP, the ultimate objective of socio-economic growth policies was to ensure an equitable and full-fledged participation of all members of the society. This was achievable by emphasizing the centrality of people in all development interventions through conscious attempts by governments and partners to tailor development and economic growth programmes to address ignorance, illiteracy, ill-health, poverty and other deprivations which curtailed the enjoyment of full human rights. The inter-relations between human rights and development had been affirmed in the Human Development Reports of 2000 and 2002, highlighting the importance of human rights for growth and the attainment of human development. The key message was that the elimination of poverty is an entitlement and a human right. In its advocacy for inclusion and human rights, UNDP had noted that economic growth should be pro-poor to address the needs of the most deprived in our communities; national budgets should adequately support priority human concerns and thus promote the enjoyment of human rights by all populations; political space should be expanded as an important element of good governance and to ensure participation; protection of environmental and social capital of the poor should receive attention from government; the removal of all forms of discrimination and the incorporation of human rights into law were essential to guarantee the fulfilment of human development.

42. Anthony Ohemeng-Boamah highlighted UNDP's partnership with civil society organizations, professional associations and other United Nations agencies. In particular UNDP had a strong partnership with OHCHR through the joint UNDP-OHCHR Global Human Rights Strengthening Programme (HURIST). Through programme monitoring and reviews, UNDP assisted governments and programme countries in assessing the impact of policy and programmes in areas such as basic education and health. Through national Millennium Development Goals reports and human development reports, UNDP demonstrated the repercussions of basic human rights deprivations on socio-economic development as well as

ways to correct them. UNDP acknowledged the important institutional responsibility of United Nations agencies to the Charter of the United Nations.

43. The Chairperson then opened the floor for discussion. A representative of Côte d'Ivoire raised the dilemmas of opening for participation in situation of conflict as pressure from NGOs could heighten political tensions. Christy Ezim Mbonu reflected on the negative impact of the policies and programmes on human rights. José. Bengoa asked about the panel's opinion on compulsory mechanisms of accountability. Zonke Zanele Majodina emphasized the principle of indivisibility of human rights. Since the Vienna Conference, economic, social and cultural rights and civil and political rights are on equal footing. A representative of Tunisia stressed that economic growth in itself did not necessarily lead to a reduction of poverty, if there were no clear policy for social development; stressing the importance of national and international solidarity, he advocated the creation of a global solidarity fund to assist the most deprived areas of the world. Chamba Kajege agreed with Rick Rowden that PRGFs were exclusive and that there was a need for more transparent information. Haydée Isabel Castillo Flores inquired about how the quality of participation of civil society in PRSPs could be enhanced. Pax Romana raised a question as to the global accountability of the international financial institutions. The World Federation of Free Trade Unions drew attention to the relation between poverty and exploitation in employment and arms production and increasing military spending in the world.

44. The Chairperson gave back the floor to the panellists. Arjun K. Sengupta noted that there was plenty of evidence suggesting that access to education and health led to a reduction of poverty, he also highlighted the fact that the United Nations Millennium Declaration made reference to international assistance and the right to development. Rick Rowden said that it was not possible for citizens to determine where the sovereign decisions of their government ended and the influence of the international financial institutions began, as agreements are reached behind closed doors; he noted States parties to human rights treaties would not be able to meet obligations if they followed the recommendations of the World Bank and IMF. Aliro Omara noted that dependence on government financing was a weakness of many national human rights institutions. Anthony Ohemeng-Boamah recommended participants to engage constructively on how one could influence international financial institutions to achieve desired development objectives. Brian Ngo also encouraged participants to constructively suggest how things could be improved in practice, as creating a space for participation was important but often difficult to do in practice; although there is a need to do much more, he considered the World Bank to be the honest broker between those with the resources and those in need of assistance; however, many governments were not ready to open up. Jean-Pierre Chauffour mentioned that there was plenty of data showing that countries following IMF programmes had made progress in the areas of social spending and social achievements; when talking about rights from a development perspective, one should base strategies on rights to empower people, with civil and political rights as well as with economic rights in the form of liberty to invest and be creative, to equip people with the fundamental freedom to move out of poverty.

#### IV. PANEL 3: METHODS AND INSTRUMENTS OF ACCOUNTABILITY

45. Mr. Bengoa presented his working paper on participation, development and human rights (E/CN.4/Sub.2/SF/2005/3). He noted that the main reason for the failure of poverty alleviation policies was the lack of participation, and that participation was a right set out in article 20 of the Universal Declaration of Human Rights. He distinguished between negative participation, which prevented the authorities from interfering with the free association of participation, and positive or proactive participation, whereby authorities would be required to listen regularly to citizen's groups and consult them in important decisions. Additionally, there was a difference between passive and active participation. In development programmes, participation was usually understood in a passive sense, as mere consultation, whereas active participation referred to the entire decision-making process, from project design to implementation, follow-up, oversight and evaluation. Active participation was a long-term process that required an investment in the organization of meetings, oversight and training; it limited the independence of the authorities and was the only way to curtail the dangerous phenomenon of corruption. Active and meaningful participation was a sine qua non of programmes aiming at achieving the Millennium Development Goals.

46. Ms. Motoc mentioned traditional mechanisms of accountability and stressed that monitoring and accountability procedures presented a unique challenge in the context of poverty reduction. She recalled that there are four categories of accountability, judicial, quasi-judicial, administrative and political. Under international law, the State is the principal duty-bearer with respect to the human rights of people living within its jurisdiction. However the international community as a whole also has a responsibility to contribute to realize the action of universal human rights. She expressed the view that monitoring and accountability procedures must not only extend to States but also to global actors such as the donor community, inter-governmental organizations, international NGOs and Trans National Cooperations. Ms. Motoc then referred to proposals concerning an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and elaborated on contentious issues, in particular the justiciability of economic, social and cultural rights, and the discussions within the Working Group established to make proposals for an optional protocol.

47. Mr. Archer, Executive Director of the International Council on Human Rights, spoke about new tools to ensure human rights accountability of the State for poverty reduction. He stressed that these tools could not replace the role of traditional means of accountability, such as monitoring by civil society organizations and the media, parliamentary reporting and monitoring, and the role of courts. There are several new methods and tools to improve accountability, such as budget analysis, a methodology ranking Government priorities by breaking down and comparing official expenditure on different areas of public policy. Where Governments provide information transparently, this methodology could generate large amounts of information. Advocacy around statistics and information vital for the Government as well as monitors to assess State performance. Indicators, which could signal changes of direction as well as progress or regression, had to be selected well, to be accurate and put in context to be of value. Applied with judgement, they could also be used in more sophisticated ways to test and develop policies. He highlighted that participatory mechanisms ensured accountability during the process of policy-making, contrary to traditional accountability mechanisms that could only be applied once the process is finished. Social and human rights impact assessments take this even a stage further and project into the future. Social impact assessments examine the impacts development

and economic projects might have on the people and communities concerned. On opportunities to work with institutions in new ways, Mr. Archer mentioned the creative roles national human rights commissions and local governments could play. He also suggested testing new methods to hold Governments accountable in relation to their international policies on trade, aid and debt.

48. Boua Chanthou, Director of Partnership for Development in Kampuchea (PADEK), (Cambodia), spoke about methods and instruments for State accountability and civil society participation in poverty reduction strategies in Cambodia. She maintained that development partners needed to take into consideration the local context when devising methods and instruments of accountability. In post-conflict situations like in Cambodia, donors need to invest evenly in building and strengthening grass-roots organizations and Government institutions. It was important that development partners focused more on the development of civil society organizations and the empowerment of local communities in order to strengthen their capacities to hold formal institutions accountable. Sidelining the poor contained the risk that they might turn to various forms of protest to protect their interests, resulting again in conflict situations. Ms. Chanthou referred to the experience made in Cambodia, where donors have invested heavily in the strengthening of formal institutions although the people trusted non-formal institutions more than governmental institutions and have relied so far on accountability mechanisms that emerged from outside the formal institutions.

49. Ms. Majodina, Commissioner of the South Africa Human Rights Commission, gave an account of parliamentary accountability mechanisms for poverty reduction strategies in South Africa, with a focus on the South Africa Human Rights Commission. The Commission is mandated to monitor and assess the observance of human rights in the country and to report on its activities, investigations and findings to the President and the Parliament. She underlined that reporting served a number of important functions, such as informing Parliament, recording the monitoring process, engaging State organs in improving access to rights, making recommendations and identifying areas of priority. Additionally, the Commission complemented the oversight role of the Parliament by monitoring legislation. It commented on draft legislation, provided advice throughout the legislative process, and consulted with civil society groups, in particular in sectors concerning poverty reduction programmes. Ms. Majodina said she saw the emergence of the African Union and NEPAD with its peer review mechanism as initiatives designed to make the issue of accountability a central element of good governance and democratization processes in the region. She stressed the need to develop a human rights framework to monitor and adjudicate poverty reduction strategies. In this regard, human rights indicators could improve monitoring mechanisms to assess the effectiveness of poverty reduction programmes.

50. In the general debate, the representative of the World Bank welcomed that the Social Forum provided an opportunity for a meeting of minds that use different types of languages and stressed the World Bank's commitment to human rights and the importance of human rights to its mission of poverty reduction. The World Bank is currently developing methodologies to demonstrate empirically the causal links between human rights and positive development outcomes. Once these empirical foundations were established, the World Bank would be in a better position to demand greater accountability. PRSPs were introduced in the 1990s in order to provide a space for consultation with civil society. But since PRSPs were based on home-grown, country-based strategies, differences would persist. Poverty reduction was impossible without economic growth, without sound macroeconomic policies, without investment and without

opening up to trade; however, there were other important factors such as equity, education and participation. The representative of OECD reported that work of the Development Assistance Committee was currently focusing on how potential synergies of human rights and development cooperation could be better exploited in the future. He mentioned several initiatives within OECD that contributed to the development of new accountability mechanisms, such as Paris 21, which is trying to support capacity building for national statistical offices, and the Metagora project aimed at developing nationally owned assessment mechanisms through indicators.

51. The representative of Ecuador emphasized the role of accountability mechanisms in curtailing corruption. Ways to address this issue were increased citizens' participation, the setting up of anti-corruption civic networks, and the role of the media to ensure transparency. Referring to the experiences in Ecuador, she highlighted the need to train citizens to enhance participatory democracy and to improve the relationship between the State and its citizens. Ms. Ferrand questioned whether the experiences of private companies to empower the employees could be easily transferred to the social level. She regretted that she and her colleague had not been able to follow the debates during the previous session because participants used their own language and codes, and reiterated that it was necessary to explore existing methods and mechanisms to find a common language and to ensure mutual understanding.

52. Mr. Rowden recommended to examine the operative definition of "sound macroeconomic policies" used by IMF, particularly as defined in its PRSP Sourcebook, which stated that inflation must be in the low single digits. He pointed out that there was a contradiction between the increases in public spending needed to meet the Millennium Development Goals and to fulfil human rights obligations, and the level of spending that was currently afforded to States under the IMF (PRGF) arrangements. Ms. Castillo Flores reiterated the need to establish an interdisciplinary dialogue to reach a common understanding on issues of poverty and development involving all development actors, including international financial institutions. Mr. Omara confirmed the relevance of the discussion on conceptual issues, but urged to carry forward these agreed upon concepts to ensure effective and equal participation of all people and local structures.

53. The representative of Franciscans International called to explore further how indicators could be used to grasp the reality of people's living conditions. She also suggested that the different United Nations human rights mechanisms should be encouraged to mainstream the issue of extreme poverty and to analyze the implications of extreme poverty for their own areas of work, and reiterated the need to include and consult with any group of people based on the wisdom of their life experience. Particular attention needed to be paid to the most marginalized communities to avoid the negative tendency of them being dominated by more powerful groups.

54. Several representatives expressed support to the drafting process of an optional protocol to the International Covenant on Economic, Social and Cultural Rights. The representative of Argentina, talking about a future human rights council, suggested that a peer review mechanism could include elements to consider the eradication of poverty. He drew attention to the effect of international trade, in particular agricultural protectionism, on national efforts to eradicate poverty. The representative of Tunisia agreed that mechanisms and tools to ensure participation had to be flexible and respond to particular needs of different groups of the population. Ms. O'Connor reminded participants of the importance of the right to seek compensation and to

seek remedies, and referred to situations where people had lost their livelihood and employment as a result of failed development policies and programmes.

55. Reacting to the general debate, Mr. Archer expressed that more had to be done to communicate the core values of human rights without losing the legal precision and specific contributions that human rights could make. He also cautioned against the many pitfalls in the use of the term “participation”. Since there was no common understanding on this term, and civil society and Governments had different expectations. The human rights framework, which was defined legally, could add clarity because it offered a formal framework and provided minimum obligatory standards. He agreed that empowerment had the potential to generate conflict but argued that accountability mechanisms provided structures that could contain contentious discussions and permitted the development of decision-making cultures that were more transparent and equitable. Ms. Motoc reiterated that an optional protocol to the International Covenant on Economic, Social and Cultural Rights could offer remedies but that the adoption of such a protocol was still far away as States were quite divided on this issue.

56. Mr. Bengoa expressed the hope that one day it would be possible to develop an accountability mechanism on the international level despite the principle of sovereignty, leading to the setting up of an international system of accountability that could be accessed by all those in poverty. Ms. Chanthou was pleased to hear from the OECD representative that donors were moving away from the one-size-fits-all approach, and called for a transparent assessment of both successful and failed projects.

57. The Social Forum adopted a number of conclusions and recommendations that it transmits to the Sub-Commission.

## **V. CONCLUSIONS AND RECOMMENDATIONS**

### **A. Conclusions**

58. Poverty deprives individuals of their capabilities to enjoy human rights. Extreme poverty is a violation of human dignity and frequently represents a violation of human rights. Poverty is a worldwide phenomenon, affecting all countries including developed States and democracies.

59. Economic growth is a necessary but insufficient condition to eradicate poverty. It has been widely acknowledged that growth without equity could eventually increase poverty. Human rights provide a universally accepted set of standards and principles that can help identify and assess economic growth policies in terms of whether they will lead to an equitable and sustainable reduction of poverty. They provide a framework for policies that contribute to making poverty reduction strategies more effective and, at the same time, identify the responsibility of the different actors for the content and implementation of such strategies. The Social Forum recalled the work done on a human rights approach to poverty and extreme poverty, including that by the special procedures of the Commission on Human Rights, and the OHCHR Draft Guidelines on a Human Rights Approach to Poverty Reduction Strategies.

60. The Millennium Development Goals are the key means of guiding poverty reduction in developing countries. Impressive growth has been achieved in some countries to lift hundreds of millions of people out of poverty. Nevertheless, progress towards their achievements, in particular of goal 1 on reducing by half the number of people living on less than a dollar a day by 2015, is behind schedule in most countries concerned.

### **Participation**

61. The meaningful participation of people in decisions affecting them is a central component of a rights-based approach to poverty reduction, especially as it reflects meaningful and well-informed processes help at the local and regional levels. Meaningful, active and free participation is based on an individual's right to be involved in the Government of her or his country, on the right to information, the right to freedom of association and expression, the right to vote and so forth. Participation will also hone poverty reduction programmes towards the real needs of the poor and ensure respect for cultural practices. It will also engender ownership of communities, regions and nations in the poverty reduction programmes designed for their benefit.

62. The right to information deserves particular attention in the context of participation in poverty reduction strategies. Governmental and multilateral institutions can promote participation by declassifying and disclosing information (particularly financial information).

63. There are many modes of participation. The most effective and meaningful modes occur at the national level. These include formal means for participating in the democratic process, through to ad hoc mechanisms designed to allow a community to influence the design of a poverty reduction project before its implementation. Involving those living in poverty in poverty reduction processes is a long-term process. Individuals and groups need to be trained and receive resources over time in order to be able to participate effectively. Human rights help to identify the mode and extent of participation required in a given situation. The effectiveness and efficiency of participation is influenced by the language used between actors. Language should not be used as a means of further disempowering the marginalized through the use of technical terms or languages not spoken by the people involved.

64. Involving those living in poverty in decisions affecting them presents challenges in terms of representation. The poor, or their representatives, must be physically present when decisions are taken. In order to facilitate this participation, three levels of experience were identified. The first is the experience of those living in poverty. The second is the experience of those working with the poor. The third is that of experts or academics working in the area of poverty. All three experiences are equally valid and relevant. The richness of the experience and knowledge of the poor and those without formal education must be recognized and exploited.

65. A further challenge is the capacity of NGOs to represent the interests of those living in poverty. Mechanisms for participation, and the NGO community, must focus on ensuring the representativeness of those participating on behalf of the poor.

66. Consultation with individuals and groups may form a component of meaningful participation, but is not a substitute. Consultation often connotes merely an opportunity to comment on existing proposals or decisions. A key challenge for all actors is to ensure that participation is meaningful and not formalistic. This requires that consultations occur before a decision is taken and that they are undertaken so that the views of stakeholders can effect the ultimate decision. Participation implies an active role in the design, implementation and monitoring of poverty reduction strategies. Participation is thus an imperative both at the design stage, implementation stage and monitoring stage.

67. The spread of literacy, formal and non-formal education and efforts by civil society to inform and mobilize excluded segments of society are indispensable means for people to claim their rights.

68. Poverty reduction is a process that needs time, education and investment. Many poverty reduction activities are still largely project-driven. This approach raises a number of risks. Projects, particularly those run by international actors, are largely focused on short and mid-term results. They are driven by institutional concerns (e.g. budget rules) and constraints. Moreover, a project-driven approach often considers specific issues in isolation (e.g. addressing women's access to credit without considering the broader position of women in a community), thus artificially compartmentalizing issues. Participation is crucial to moving from the project-driven phase of poverty reduction to the longer-term, more comprehensive process of addressing poverty. Some changes have been seen recently in international institutions, but some efforts shall need to be undertaken in that regard.

69. At the international level, some progress has been achieved in securing participation through the Poverty Reduction Strategy process. Less progress appears to have been achieved in regard to the PRGF process.

70. All States, developing and developed alike, have an obligation to contribute to the realization of human rights, especially those contained in the International Covenant on Economic, Social and Cultural Rights (ESCR). Establishment of a more equitable international economic system, especially access to markets and removal of tariff and non-tariff trade barriers and elimination of subsidies on agriculture are prerequisites for the promotion of pro-human rights growth.

### **Accountability**

71. Human rights require accountability mechanisms to be accessible, transparent and effective. The establishment of accountability systems is a long-term effort and requires investment of resources on the part of States and international actors. Accountability mechanisms can exist at all levels of the poverty reduction process, with those located at the national level usually being the most meaningful and effective. At the national level, these mechanisms can range from judicial review and enforcement of human rights obligations through administrative procedures to hold officials accountable for their actions to community-based or traditional accountability mechanisms. National human rights institutions, constituted in accordance with the Paris Principles, provide an appropriate monitoring and accountability mechanism in many national contexts.

72. Traditional human rights accountability mechanisms show limitations to address poverty in some circumstances and contexts. New tools have been developed and should be promoted, with care taken that they are tailored to the local context: human rights-based budget analysis (“participative budget”), advocacy around statistics, the development of human rights or rights-sensitive indicators, human rights and social impact assessments, joint independent monitoring mechanisms (involving a broad range of actors at the national level), and so forth. For these tools to be effective, the quality and availability of data is essential.

73. At the international level, State accountability under human rights instruments is promoted by a range of actors including the United Nations human rights treaty bodies. The drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights would be an important step toward strengthening accountability at the international level and underlining the universality of all human rights.

74. The absence or failure of accountability mechanisms results in impunity. One consequence is the increase in corruption.

75. Participants at the Social Forum considered further possibilities, including an ongoing review of existing international human rights instruments, to consider their potential for addressing poverty and the possibility of drafting a new instrument.

76. While the primary obligations in human rights terms lie with the State, international development actors, NGOs and transnational corporations should be accountable for their actions aimed at poverty reduction. Internal mechanisms within the World Bank and IMF to promote accountability are a step in the right direction and should be expanded.

77. The African experience with the NEPAD peer review mechanism provides a novel means of enhancing the effectiveness of accountability at the international level. States’ commitment towards accountability should be recognized and incentives considered and encouraged.

78. The right to development provides a means for the accountability of all States in relation to poverty reduction efforts.

## **B. Recommendations**

79. On behalf of the participants in the Social Forum, the Chairperson-Rapporteur made the following recommendations to the Sub-Commission. The Social Forum recommends to consider means of enhancing active, full and meaningful participation of the poor in the process of formulating policies and strategies to attain the Millennium Development Goals (MDGs). In particular, strategies should include:

- The means for individuals and communities to participate in the design, implementation, monitoring and evaluation of projects;
- Monitoring and accountability mechanisms at the national level to allow for States to discharge their MDG commitments and human rights obligations;
- A means for accountability at the international level within the Millennium Development Goals process.

## **Participation**

80. One aim of the principle of participation is to foster the democratic process. States and development institutions should ensure that efforts to enhance consultation support and do not undermine democratic institutions and practices.

81. The Social Forum calls on States, international organizations and NGOs to empower people living in poverty to participate in the poverty reduction process in as equal a position as possible. In addition to appropriate mechanisms, this requires an approach that does not conceive poverty as an unending cycle, or the poor as being in an inescapable position. Recasting the beneficiaries of poverty reduction initiatives as “clients” rather than as “citizens” is unlikely to promote either inclusion or State responsibility.

82. The Social Forum invites the international community to recognize the need for the voices of those impacted by projects (including but not limited to the poor) to be heard in international forums such as the Social Forum and in the international financial institutions, including the World Bank.

83. Participation requires investment of resources and time by States and international actors. The Social Forum urges all relevant actors to set up mechanisms to ensure adequate participation, to provide the means for the most marginalized to be represented in meetings at which poverty reduction strategies are decided, and continually to monitor the scope and effectiveness of participation from issue to issue.

84. The Social Forum acknowledges the significant progress achieved in the past twenty years in the level of local participation in poverty reduction strategies promoted by international donors, funds and agencies. This process has to be accelerated, and in doing so it should embrace a broader range of actors, including State institutions such as parliaments and locally elected bodies in both urban and rural areas. The latter, in particular, hold a key position in ensuring the sustainability of local strategies.

85. Civil society organizations play a key role in the development process and should support the participation of those living in poverty in development decision-making. The Social Forum recommends that civil society organizations:

- Institutionalized their means for an effective participation;
- Become literate in the macroeconomic and international public finance discourses;
- Ensure transparency and accountability of their internal structures.

86. The Social Forum recommends that those who fund poverty reduction strategies give considered attention to increased budget support for participation, and longer time frames within projects to achieve sustainable results through participation.

87. The United Nations, donor institutions, OECD countries and States with a record of sustained progress in poverty reduction should encourage exchanges of experience with developing countries to identify proven participatory strategies.

### **Accountability**

88. The Social Forum is of the view that the existence of human rights will have little impact on people's lives if there are no mechanisms to allow for their rights to be enforced. As access to formal justice is often non-existent to those living in poverty, it recommends to promote within national poverty reduction strategies innovative means for ensuring that obligations are discharged.

89. A corollary to providing the means to hold office holders and institutions accountable is the need to educate people in their rights, to complain and to criticize official policy.

90. The Social Forum welcomes the Property Reduction Strategy review as a means to strengthen the accountability framework between domestic stakeholders. It encourages those concerned to create demand for accountability using tools such as budget analysis and indicators on the progress of realization of human rights.

91. The Social Forum calls on States to devise systems of accountability both at central and local levels, in the relationships between local and central Government, as well as within government institutions.

92. It urges international actors, in particular donors, to continue their efforts in strengthening country systems and procedures, as stated in the Paris Declaration on Aid Effectiveness.

93. International institutions, national Government and civil society should create a demand for accountability and advocate for more precise and specific information to assess progress made towards specific rights and for the most vulnerable and marginalized groups.

94. The Social Forum underlines that meaningful accountability requires the establishment of mechanisms to address grievances, such as public hearings, social audits, judicial review, and recommends that all relevant actors adapt these mechanisms to the local context.

95. International support to fragile post-conflict States must include extended support to the establishment and growth of institutions for accountability, as well as budget support for the nurturing of a civil society.

96. In contexts where weak or non-existent institutions are being re-established (for example in post-conflict States), donor Governments and other development actors should pay sufficient attention to strengthening not only State institutions but those institutions that fulfil a servicing and monitoring role.

97. The Social Forum recommends to States to consider the importance for national human rights institutions to have a mandate to monitor the enjoyment of economic, social and cultural

rights, as well as the opportunity to provide human rights-based policy recommendations to Governments.

98. The Social Forum calls on international actors such as donor Governments and the international financial institutions, to design their strategies to support poverty reduction interventions in such a way that they support the ability of human rights duty bearers to discharge their obligations, and the ability of rights holders to claim their rights. In monitoring the impact of their actions, these actors must take into account the international human rights obligations of the States in which they are intervening. The current limited internal monitoring mechanisms within the international financial institutions should be expanded and strengthened in terms of independence.

99. The Social Forum welcomes proposals for introducing peer review mechanisms, put forward in the context of the current proposed reforms of the United Nations human rights machinery, and recommends that States take these into serious consideration. These mechanisms should in any case mainstream poverty and extreme poverty into their work.

100. The Social Forum calls on States to support the drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights to allow for a right to petition under the Covenant.

101. The Social Forum invites the international community to devise ways to implement its responsibility to promote and protect of economic, social and cultural rights.

### **The Social Forum**

102. The Social Forum is a unique mechanism within the United Nations, allowing for a dialogue between representatives of the poor, Member States, civil society and international organizations on economic, social and cultural rights. The current reform of the United Nations should recognize the value of the Social Forum and the space it creates for dialogue not available elsewhere in the system.

**Annex I**

**LIST OF DOCUMENTS**

<b>Provisional agenda</b>	E/CN.4/Sub.2/2005/1
<b>Background note prepared by the Secretariat</b>	E/CN.4/Sub.2/SF/2005/2
<b>Participation, development and human rights working paper submitted by Jose Bengoa</b>	E/CN.4/Sub.2/2005/3
<b>Report of the Second Social Forum</b>	E/CN.4/Sub.2/2004/26 and Corr.1

## **Annex II**

### **Programme of the Social Forum**

#### **Thursday 21 July 2005**

##### **Morning**

10 a.m. – 10.30 a.m. Opening of the Social Forum

Election of the Chairperson - Rapporteur

10.30 a.m. – 1 p.m. Panel 1 - The perspective of those living in poverty: voices from around the world

##### Panellists:

Sister Valsa Joseph, Franciscans International

Françoise Ferrand and Cécile Reinhardt, ATD-Quart Monde

Chamba Kajege, Tanzania Coalition on Debt and Development (TCDD)

Haydée Isabel Castillo Flores, Movimiento Autónomo de Mujeres de Nicaragua

Rajsoomer Lallah, Member of the Human Rights Committee

##### General debate

##### **Afternoon**

3 p.m. – 6 p.m. Panel 2 - Growth with accountability

##### Panellists:

Arjun K. Sengupta, United Nations independent expert on the question of human rights and extreme poverty

Joseph Ingram, Special Representative to the United Nations and WTO, World Bank, Geneva Office

Jean-Pierre Chauffour, IMF Representative to WTO, Geneva Office

Aliro Omara Joel, Commissioner, Uganda Human Rights Commission

Rick Rowden, Policy Officer, Action Aid USA

Representative of the United Nations Development Programme

General debate

Friday 22 July 2005

**Morning**

10 a.m. – 1 p.m.      Panel 3 - Methods and instruments

Panellists:

José Bengoa, Expert, Member of the Social Forum

Iulia-Antoanella Motoc, Expert, Member of the Social Forum

Robert Archer, Executive Director, International Council on Human Rights Policy

Boua Chanthou, Director, Partnership for Development in Kampuchea (PADEK)

Zonke Zanele Majodina, Commissioner, South Africa Human Rights Commission

Chin Sung Chung, Expert, Member of the Social Forum

General debate

**Afternoon**

3 p.m. – 5 p.m.      Panel 4 - Conclusions and recommendations

Plenary discussion

5 p.m. – 6 p.m.      Chairperson's closing remarks

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