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Human rights and extreme poverty

**Report submitted by Ms. A.-M. Lizin, independent expert,
pursuant to Commission resolution 2002/30**

Executive summary

The independent expert has been studying the relationship between extreme poverty and human rights since receiving her mandate from the Commission on Human Rights under its resolution 1998/25. For details of the recommendations she has made on the basis of the mandate conferred upon her, reference should be made to her previous reports (E/CN.4/2000/52 and E/CN.4/2002/55).

In its resolution 2002/30, adopted at its fifty-eighth session, the Commission decided to renew the mandate of the independent expert for two years and laid down new guidelines for her work, namely to bring out the connection between her mandate and the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (the Durban Conference) and the World Summit on Sustainable Development, and to contribute to the midterm evaluation of the first United Nations Decade for the Eradication of Poverty.

In accordance with this mandate, the independent expert identifies below a priority for implementing for the benefit of the populations of the poorest countries a recommendation that appears in her previous report (E/CN.4/2002/55), namely the reorganization of civil registration services in countries which have neglected or abandoned them. The recognition of citizenship is a minimum condition for the exercise and enjoyment of many rights and its practical expression is the issuance of an identity document. A questionnaire addressed to national authorities concerning civil registration services is attached to this report for approval (Annex 1).

The independent expert also pursues below her study of the importance for the implementation of public policies to combat extreme poverty of the decentralization and resource levels she recommended in her previous report (*ibid.*). She proposes to gauge the extent of decentralization efforts by means of a questionnaire addressed to officials of decentralized local authorities, elected or otherwise (Annex 2).

In addition, she refers to her ongoing constructive dialogue with international financial institutions to persuade them to mainstream respect for all human rights in their activities.

Lastly, she looks at migration that illustrates the despair of poor populations. Migratory movements are increasingly being exploited by criminal elements and are provoking a considerable racist and security backlash.

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1 - 10	4
A. Growing international awareness of the need to integrate economic and social rights into the concerns of international financial institutions	1 - 7	4
B. Relevant elements of recommendations from previous reports and new elements of the independent expert's mandate	8 - 10	5
I. CONTINUATION OF ANALYSIS OF GOOD PRACTICE BY STATES, NON-GOVERNMENTAL ORGANIZATIONS AND LOCAL AUTHORITIES IN TAKING ACCOUNT OF THE NEEDS OF THE POOREST	11 - 29	6
A. Continued analysis of State practice	11 - 22	6
B. The case of the Democratic Republic of the Congo	23 - 29	8
II. EXTREME POVERTY, MIGRATION AND TRAFFIC IN HUMAN BEINGS	30 - 35	9
III. IMPLEMENTATION OF THE RECOMMENDATION ON DECENTRALIZATION	36 - 40	11
IV. REORGANIZATION OF CIVIL REGISTRATION SERVICES	41 - 51	11
V. FURTHER DIALOGUE WITH INTERNATIONAL FINANCIAL INSTITUTIONS	52 - 55	13
Conclusions	56 - 61	14
Annex 1. Questionnaire on civil registration services		16
Annex 2. Questionnaire on decentralization to reduce poverty		18

The story of Tabita, aged 5, born in Kinshasa

One day in October 2002, officials from what, according to the indicators devised by the United Nations Development Programme (UNDP) is one of the world's richest States governed by the rule of law deposited a 5-year-old Congolese girl all alone on the tarmac at Kinshasa airport after she had spent three months in close confinement. They knew very well (it having been spelled out to them by the Office of the High Commissioner for Refugees and their own embassy) that no one was expecting her. The same officials knew that the child's mother, a refugee in an even richer country (according to the same UNDP indicators), had not secured the right to see her little girl again. This little girl is called Tabita, and her lawyer in this happy and prosperous country will attempt to assert her rights - rights that the officials in question knew perfectly well but flouted in the certainty that they would not be held accountable. What future awaits this child abandoned in a poor country like the Democratic Republic of the Congo?

Introduction**A. Growing international awareness of the need to integrate economic and social rights into the concerns of international financial institutions**

1. This interim report, which is designed to indicate to the Commission on Human Rights the various themes which the independent expert intends to explore in the report that she will submit to the Commission at its sixtieth session in 2004, has been written against an encouraging global background as regards States' willingness to tackle poverty. Outstanding efforts have been made in this area by the Secretary-General of the United Nations and all the institutions of the United Nations system. Under pressure from Governments and civil society, international financial institutions whose annual programmes and activities have been examined by the independent expert have developed a vocabulary and methods of work that testify to their concern to intensify poverty-reduction efforts and, more generally, to take action to ensure respect for economic and social rights.
2. International financial institutions' interest in a new approach to poverty is illustrated in particular by the preparation at national level of Poverty Reduction Strategy Papers (PRSPs); the Commission's efforts to integrate economic and social rights into PRSPs more effectively have undeniably borne fruit. Nevertheless, the recommendation made by the independent expert in her previous report remains on the agenda, to ensure that the interest currently being shown in this topic does not evaporate. Amendments to the international financial institutions' articles of agreement would oblige them to consider the impact of their policies on the exercise of human rights, including economic and social rights.
3. The relationship between globalization and poverty is now being studied in a more focused manner, leading to an increasingly cogent critical analysis. Thus, for example, Europe currently contributes 120 million euros in development aid to South Africa, but the massive dumping of European sugar on the South African market means that, every year, the country loses about the same amount in potential export earnings.

4. The independent expert believes that the report of the United Nations Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/49, Annex) deserves a special mention. It brings home the fact that the gradual impoverishment of a country and a population through commercial operations that exploit the country's weakness cannot continue with impunity. That is a very significant development because it augurs well for a new approach to international trade, one based not on plunder and exploitation but on a concern for sustainable development.

5. Africa has bestirred itself; the New Partnership for Africa's Development (NEPAD) features initiatives that could attain the desired scale if the international community lends its support. However, the President of Algeria, Mr. Bouteflika, in his address to the Summit of la Francophonie held in Beirut in October 2002, warned lest poverty reduction initiatives diminish interest in development in the broadest sense. He noted that under no circumstances should the right to development be neglected. The period covered by this report has been marked by a profusion of key initiatives on the impact of globalization on the economy, such as the European Social Forum held in Florence in November 2002.

6. The development of inter-city ties to combat urban poverty has also revealed a growing awareness on the part of local administrators and politicians, as opposed to national or central authorities, of the question of tackling extreme poverty. Several parliaments of Member States have also studied this issue and shown willingness to act on the choices made by Governments to reduce poverty.

7. In line with this trend, the independent expert has received numerous invitations to participate in symposiums and events dedicated to the economic and social rights of the poorest. The growing numbers of her interlocutors, be they parliaments or cities, should be noted. There have been several international gatherings on this topic, for example the Forum of the World Alliance of Cities against Poverty organized by UNDP at Huy (Belgium), which facilitated comparison of good poverty-reduction practices of cities and communes and confirmed the need for decentralization policies.

B. Relevant elements of recommendations from previous reports and new elements of the independent expert's mandate

8. The independent expert's core recommendations for evaluating the legislative initiatives and practices of States to reduce poverty (as regards housing, health care, education, food and security) still hold good for her current mandate, with its objective of continuing the study of good practices at the national level (E/CN.4/2000/52 and E/CN.4/2002/55, paras. 173 and 174).

9. Commission resolution 2002/30 incorporates new elements into the independent expert's mandate, chief among them being to take into account the outcomes of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the World Summit on Sustainable Development, and to contribute to the midterm evaluation of the first United Nations Decade for the Eradication of Poverty and associated events. Other components

of the mandate remain unchanged, namely identification of good practices by States, local authorities, international organizations and non-governmental organizations (NGOs), cooperation with international organizations, including the financial institutions, and continuation of direct consultations with populations living in extreme poverty.

10. Accordingly, the independent expert continues below her study of documents and practices of organizations and Governments, thereby confirming the growing scale of poverty-reduction efforts in all international organizations, particularly at the regional level (for example, NEPAD and the European Union). She also makes a special study of two of the recommendations from her previous report, the first concerning decentralization and the second concerning support for national civil registration services. Over the coming years, proper civil registration should be accorded priority in programmes that combine poverty reduction with the exercise of human rights.

I. CONTINUATION OF ANALYSIS OF GOOD PRACTICE BY STATES, NON-GOVERNMENTAL ORGANIZATIONS AND LOCAL AUTHORITIES IN TAKING ACCOUNT OF THE NEEDS OF THE POOREST

A. Continued analysis of State practice

11. States are responsible for the well-being of their citizens. This truism, repeated time and time again in the independent expert's reports, needs to be restated in anticipation of the report she intends to submit in 2004. It is unacceptable that any State should shirk this primary responsibility. A given State may, of course, legitimately claim that it cannot afford costly social policies, but solidarity must be possible within each and every society. At issue is the relationship between citizens' exercise of their rights and the State's recognition that the citizen exists (birth, family or marriage status, passport, death, inheritance).

12. The independent expert continued to study good practice by States within the terms of reference set out in her previous report. She focused in particular on the Democratic Republic of the Congo, the Republic of Moldova, Ukraine, Mongolia, Algeria, Benin, Bolivia, Argentina, Brazil, Lebanon and China, while not overlooking poverty in the richest European countries.

13. Among the countries in transition that the independent expert studied, Ukraine is making efforts to assist its poor population, but more could be done. The international community is giving the Ukrainian Government valuable support. The situation in Mongolia, where children are living rough in the streets and buildings of the capital, seems to the independent expert to be crying out to be addressed. Poverty in the Republic of Moldova is serious. Penniless elderly ethnic Russian women beg for food in the capital, and people are trying to emigrate by whatever means they can. As in Ukraine, the efforts of UNDP and the International Organization for Migration (IOM) should be commended.

14. Poverty is still a reality in the richest countries: the Mayor of London recently received a report which shows how seriously the issue is taken and how dire the situation is in the boroughs of Hackney, Lambeth, Southwark and Tower Hamlets. In every European country associations

have revealed the stubbornness of poverty, highlighting inter alia families' inability to afford funerals and the fact that courts have been obliged to place children in foster homes because the mother is too poor to provide proper support.

15. The independent expert continued to study the efforts being made by Benin, focusing on that country's PRSP and the importance attached to economic rights. The Head of State has shown a keen interest in poverty reduction initiatives and he has allowed the independent expert to be associated with the formulation of new development projects, for example the Beninese programme of action for the period 2001-2006, a campaign demonstrating the importance of sustainable development for the country, the establishment of an extensive programme of microcredit and an ambitious decentralization programme.

16. The independent expert continued her relationship with Bolivia, and in particular with the new Minister of Agriculture, who is making significant efforts to develop land, thereby confirming the independent expert's conclusions from her visit to the country in 2001. The proximity of crisis-hit Argentina has obviously had an impact on the Bolivian economy. The positive practices of the International Fund for Agricultural Development (IFAD) in the Andean countries, including Bolivia, should be noted.

17. The death of Argentine children from malnutrition following the adoption of an austerity plan to accommodate the wishes of the International Monetary Fund (IMF) illustrates the extreme seriousness of the situation in Argentina. Starvation has reappeared and poverty is rapidly increasing, especially in the province of Tucumán; the independent expert recommends bringing pressure to bear on the IMF so that sufficient resources are left for poverty reduction throughout the country. In the centre of Buenos Aires, the numbers of beggars and of people scavenging for food in dustbins have risen dramatically.

18. The independent expert notes the excellent work being done by the Brazilian Platform on Economic, Social and Cultural Rights (DhESC), in particular its report on extreme poverty, and proposes that Brazil should be encouraged to serve as a model for the realization of economic, social and cultural rights in its relations with the international financial institutions.

19. The independent expert has paid considerable attention to China, because it appears to be achieving notable successes in combating poverty. China is preparing a series of laws on health insurance, pensions and unemployment. From the social point of view, all the ingredients for future success are present: a rising guaranteed minimum wage; effective local arrangements for identifying beneficiaries; and the attachment of priority to reducing female poverty, especially in rural areas. However, the scale of prostitution is still too often downplayed, as is the serious shortage of care for the disabled.

20. The social security system which China is putting in place will be a good tool for combating poverty. The independent expert has made a special study of a city with a population of 700,000, of whom 100,000 live below the subsistence level, namely US\$ 22. A subsistence allowance is paid to 2,000 families on condition that they register for a re-employment

programme. The independent expert considers that China's experience merits special study, taking into account the country's economic prospects, in order to identify the ingredients of success. It would, for example, be interesting to determine whether public policies are diminishing rather than reinforcing ethnic distinctions between Chinese.

21. International Movement ATD Fourth World is an extremely interesting NGO because its support for a participative approach to formulating poverty indicators is directly relevant to the realization of fundamental rights. Guided by experience, ATD Fourth World aims to create the conditions for meaningful dialogue and consultation with the poor and genuine partnership with very impoverished populations. The contribution of ATD Fourth World at the World Summit on Sustainable Development in Johannesburg highlighted the need for a partnership of this kind with people living in extreme poverty, the missing partners in sustainable development, and outlined the conditions in which such a partnership can be realized.

22. Work done by UNDP represents a significant step forward in drawing up participative indicators of poverty reduction through the realization of fundamental rights.

B. The case of the Democratic Republic of the Congo

23. The independent expert thought it useful to find out more about extreme poverty in the Democratic Republic of the Congo in the light of the particularly disturbing situation in that country: the omnipresence of street children and of very serious diseases and the lack of public health care and education. That situation notwithstanding, the Government and the Governor of the central bank are grateful for the role played by the IMF and the World Bank, which they believe have accurately gauged the crisis convulsing the country. The independent expert wishes to draw the attention of the Commission to various elements which will make the Democratic Republic of the Congo a future priority for her.

24. The independent expert wishes to stress the importance and the direct impact on her work of the report of the United Nations Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (see para. 4 above). Poverty levels remain high even though the country's mineral wealth is sold off dearly. The contrast between the wealth created by these illicit activities and the general destitution of the country have impelled the independent expert to make the following observations based on in situ visits undertaken independently of her mandate.

25. The extreme poverty in the Democratic Republic of the Congo deserves close scrutiny, among other reasons because officials of international organizations have been explicitly accused of exploiting the vulnerability of the poorest. That is a matter which goes beyond the independent expert's mandate and one that she has been unable and unwilling to study in greater depth; instead she has left it to the appropriate bodies to react as they see fit. The numbers of beggars and child prostitutes are high, the deterioration in education is taking a heavy toll in terms of the level of brutality and people have started to use cannabis. Statistics are unreliable and no civil register is kept in the country.

1. Child prostitution and the “sale” of children abroad

26. The role of certain expatriates in the sexual exploitation of young children in Kinshasa has been unanimously criticized. Ninety per cent of the child prostitutes are girls. The “sale” of children from Kinshasa is also a reality. A practice has evolved of giving them a new identity with a view to their being adopted abroad, even when the destitute parents are living in Kinshasa. This is nothing less than traffic in children; if they are fortunate, the children will be enrolled in school by their adoptive family, but in other parts of the world they may be enslaved.

2. Non-existent civil registration

27. Civil registration simply does not exist and there is nothing to prevent impersonation. There is no way any more of knowing a person’s age or date of birth; all documents can be bought, even conspicuously false ones. For many of the independent expert’s interlocutors, particularly the Minister of the Interior, rebuilding the civil registration service is a prime requirement.

3. Relations with the IMF

28. The Governor of the central bank maintains that IMF plays a positive role, since it has brought the renewed benefit of a stable currency. IMF is frequently criticized from an ideological standpoint, but the Governor says that debate has been constructive. The Democratic Republic of the Congo has a PRSP and benefits from the Poverty Reduction and Growth Facility.

29. The independent expert notes the efforts of the Congolese Ministry for Human Rights and Ministry of Foreign Affairs in preparing, disseminating and translating the key elements of core human rights instruments. She also notes the role and the activities of a multitude of associations working in the areas of health care and education in Kinshasa and its suburbs and the support offered to street children by women’s associations with the aim of giving them back their dignity.

II. EXTREME POVERTY, MIGRATION AND TRAFFIC IN HUMAN BEINGS

30. Never before have so many extremely poor people migrated as during the past few years. The world’s rich countries are witnessing a sometimes dramatic influx of people who are prepared to run any risk to settle there. The flow in question is often organized by networks of people smugglers which have created an entire economic sector; it starts in travel agencies and ends up, for the most part, on the beaches of Spain, Italy and Florida, or the pavements of some large city in Europe, North America or Australia. The countries affected are putting in place sophisticated protection mechanisms designed to counteract these networks, whose activities are branded as criminal. The would-be immigrants are those most affected by this policy; the fact that they are the victims of this traffic is rarely acknowledged. Recognizing the importance of the work of the Special Rapporteur on the human rights of migrants, the independent expert feels obliged to add her voice to the cautions against the negative trends observable in the attitudes of States and criminal networks alike in respect of movements of population towards rich countries.

31. Thus, all the countries affected by the arrival of these immigrants have set up “administrative-law prisons” where people are now detained simply for not having administrative documents that conform to existing regulations. This very significant legal development and far-reaching extension of deprivation of liberty and imprisonment has occurred in the space of two years with only minimal protests in the countries concerned. These days, the criminal activity which provokes the biggest reaction from the law enforcement forces in rich countries is the traffic of human beings, yet there is scant interest in the plight of victims of trafficking.

32. But who are these victims? The example chosen by the independent expert which is highlighted at the beginning of this report may appear to be an extreme case, but it has become a weekly if not daily occurrence in all the services responsible for dealing with foreign populations in rich countries. A 5-year-old girl, who did not arrive unaccompanied but was separated from her mother when the latter requested asylum in Canada, was held alone in close confinement in Europe for several months. Although it was clear to everyone that she no longer had any family in Kinshasa who could care for her, she was nevertheless deported to Kinshasa airport. This is how things currently stand with human rights, as the problem of immigration provokes racist behaviour and disproves even long-standing traditions of welcome in countries where it is thought that human rights are respected.

33. This deep-seated fear of immigration currently influences the political behaviour of millions of citizens in the richest countries, spawning attitudes and legislation that run counter to the commitments which these same countries entered into at Durban, for example. It is therefore urgent not only to measure the trend now under way towards the criminalization of all forms of immigration, but also to require that in addressing the issue States should take into account first the interests of the victims of trafficking, especially unaccompanied minors, and then the root causes of these population movements, which are more often than not linked to poverty. The independent expert believes that the existence of detention centres and prisons for administrative offenders is a development of law that, if tolerated, will lead in time to a substantial reversal of respect for universal freedoms and rights.

34. It is vital to open people’s eyes to the inherent nature of this characteristic phenomenon of our age, which the closure in December 2002 of the holding centre for asylum-seekers at Sangatte in France showed at its height. The victims of trafficking networks should be accorded an international status recognized by every State concerned.

35. As the independent expert was able to observe in the Republic of Moldova and the Russian Federation, IOM is doing an excellent job and should be encouraged in its work. It is endeavouring to rescue the victims of exploitative prostitution networks. These women’s shocking poverty is compounded by the fact that, as prostitutes, they are rarely willing to return to their country of origin because, in all probability, they would face a hostile reception from their families. The independent expert is of the view that the most serious human rights violations, whether in the social, economic, cultural, civil or the political sphere, currently occur among this group of victims.

III. IMPLEMENTATION OF THE RECOMMENDATION ON DECENTRALIZATION

36. The independent expert appreciates the importance of structuring the competencies of local authorities to tackle poverty directly and of providing them with proper financial resources to do the job. In the countries she has visited and studied, the need to decentralize is often at the heart of the political debate. The question of financial resources for decentralized bodies is hotly contested. In this connection, the independent expert wishes to refer to recommendation No. 3 from her previous report (E/CN.4/2002/55, para. 174).

37. Mention must be made of the outstanding role being played by UNDP and the Forum of the World Alliance of Cities against Poverty. The cities of Geneva, Lyon, Huy (Belgium), Rome and Bangui are at the centre of an initiative that grew to unprecedented proportions in April 2002 when representatives from more than 600 cities met to exchange their experience of combating poverty. Here was an unmistakable sign: local representatives came together to network, compare experiences and forge solid relationships for the future. Local authorities are in closest contact with the poorest populations. Local elected representatives are in the best position to know the real needs of their constituencies in terms of infrastructure and income. The Forum of the World Alliance of Cities against Poverty is committed to sustainable development, in line with the relevant recommendations of the World Summit on Sustainable Development, and is making its contribution in the form of exchange of practical experience.

38. In this way, rich cities can help poor cities, and poor cities can in return share their own exciting experience regarding, for example, energy-saving. The globalization of direct city-to-city contacts is fascinating in that it permits information shortcuts: one city's establishment of a mayoral commission for promoting women's rights can be of interest to another city and one town's technique for dealing with a particular minority can be of help to another. Exchange becomes possible and it is what counts nowadays, considering that local authorities are the principal and sometimes the sole interlocutor for much of the world's population.

39. Through her meetings and visits, the independent expert has seen how far decentralization has progressed in Morocco, Benin (where the greatest successes have been achieved), Algeria and Bolivia.

40. The independent expert wants to develop this priority recommendation further in the report she intends to submit to the Commission in 2004, and she therefore proposes that the questionnaire in annex 2 to this report should be sent to as many mayors and decentralized authorities as possible in order to identify good practices for combating poverty and to garner opinions on decentralization practices.

IV. REORGANIZATION OF CIVIL REGISTRATION SERVICES

41. This report reproduces and amplifies recommendation No. 10 from the independent expert's previous report (E/CN.4/2002/55, para. 174).

42. Universal civil registration is a prerequisite for ensuring that the poorest members of society can exercise their rights. This is because civil registration is the only way to ensure that everybody's rights are recognized, to secure access to property and inheritance and guarantee the exercise of civil, political, economic, social and cultural rights. Civil registration is also one of the most effective means of protecting the rights of girl children, to enforce parents' obligation to enrol their children in school and to ensure that rights of access to property are observed. The keeping of a comprehensive, up-to-date land register is a necessary accompaniment

43. Today, civil registration services in Africa and the poorest parts of the world, including some countries in transition, are falling apart. Against this backdrop, networks are emerging that exploit the weaknesses in systems for identifying individuals, for example increasingly extensive and sophisticated networks for human trafficking, the sale of passports based on fictitious identities, and, in certain African and European countries, widespread visa fraud, and networks for the sale of children or for finding illegal employment.

44. The collapse of civil registration services opens the way to all kinds of trafficking and abuse and breeds complete legal anarchy: people no longer know what their rights are; they are convinced that they have lost them or, alternatively, that they have acquired an identity that gives them impunity. The re-establishment of the civil registration services therefore brings a number of important benefits: it buttresses the rights of the poorest and weakest members of society by safeguarding the existence of minimum rights, it enhances the effectiveness of efforts to root out people-trafficking networks, visa fraud and illegal immigration, and it helps to fight terrorism more effectively.

45. The independent expert wishes to highlight the efforts made in this regard by the United Nations Children's Fund (UNICEF), especially the registration of births (a first step towards comprehensive civil registration extending to all stages of life) in 10 English-speaking African countries with a common administrative heritage.

46. The workshop organized in November 2002 for these 10 African countries aimed to identify good practices for encouraging regular registration and bringing about positive action by Governments. A birth certificate is a ticket for citizenship and all the protections that come with citizenship of a State. It facilitates school enrolment and makes it possible to monitor school attendance, as well as access to health care and public service. UNICEF estimates that 50 million children (two thirds of births in the world) are not registered at birth.

47. The Republic of Moldova is a central European State in transition, a large proportion of whose population is attempting to emigrate. Although population registers do exist, all passports are for sale, and the same situation applies in Transdniestria. This means that anyone can create or re-create an identity for himself, and the Republic is a recycling centre enabling people to launder criminal identities.

48. France is planning to develop cooperation programmes in central Africa that focus on civil registration and the establishment of regional electoral lists. The French support effort deserves to be mentioned, since it follows on the heels of similar assistance to two other African countries that are rebuilding their civil registration systems, namely Mauritania and Madagascar.

49. The independent expert believes that large inter-city coalitions such as the International Association of Mayors and Others Responsible for Partially or Entirely French-speaking Capital Cities or Metropolises or the UNDP Forum of the World Alliance of Cities against Poverty could usefully concentrate their future activities on programmes of this kind. The expert further recommends that the World Bank should take account of the many benefits to be gained from comprehensive civil registration programmes and support them in Africa as a matter of urgency. A continent-wide approach would yield economies of scale and make possible compatible technological choices linking together the goals of poverty reduction, preparation for democratic elections, child welfare, the combating of people trafficking, and international security, including the war on terror.

50. During the independent expert's visit to Kinshasa, the restoration of civil registration services emerged as a central theme in discussions. Passports are issued in all of the city's 20 district administrative centres (maisons communales), which have no means of establishing applicants' real identities or even of knowing how old or what nationality they are.

51. To avoid dissipation of effort and merely sporadic initiatives, the independent expert intends to organize a special consultation with civil registration authorities on this matter to emphasize the need for bilateral and multilateral cooperation and to make it clear that civil registration must henceforward be considered an important programme deserving of proper funding. A questionnaire for submission to national authorities is annexed to this report (Annex 1).

V. FURTHER DIALOGUE WITH INTERNATIONAL FINANCIAL INSTITUTIONS

52. Since presenting her first report to the Commission, the independent expert has opted for a constructive debate with international financial institutions rather than a systematic critique of their policies. In the same spirit, the present report notes both the World Bank's efforts to take account of the independent expert's recommendations in support of rapid and adequately funded decentralization (see part III), and the fruitful presence of the World Bank's representative at the Forum of the World Alliance of Cities against Poverty.

53. One poverty-reduction tool that has made a positive contribution is the Consultative Group on International Agricultural Research (CGIAR), a North-South alliance of 21 countries of the Organization for Economic Cooperation and Development (OECD), the major Southern countries confronting extreme poverty, especially in rural areas, and international and regional multilateral organizations such as the Food and Agriculture Organization of the United Nations (FAO), UNDP, IFAD and the World Bank. CGIAR is committed to launching Global Challenge Programmes and is pursuing its efforts to address the structural causes of extreme poverty as effectively as possible.

54. The preparation of PRSPs to gain access to funds under the Poverty Reduction and Growth Facility, taking account of the economic and social rights of the target populations, has been studied in detail by the independent expert and the highest authorities in Benin. The model

which Benin has adopted could be developed in a manual to enable experts to incorporate into their work not only monetary, commercial and debt variables, but also variables connected with people's actual needs for health care, education and housing, which are hidden by statistics.

55. Recommendation No. 5 from the independent expert's previous report stresses the usefulness of expressly incorporating human rights into the obligations of the IMF and the World Bank. In addition to injecting clarification and coherence into international systems, the proposed changes to those institutions' articles of agreement (amend article I (ii) and article IV, section 1 (i), of the articles of agreement of the IMF; amend article I (iii); article III, section 5 (b) and section 8, of the articles of agreement of the World Bank) appear to be in line with the shift in their attitude over the past year.

Conclusions

56. **Over the world as a whole the evidence of action to reduce poverty remains mixed, although there have been many positive developments in the form for example of States' increased willingness to tackle the question of poverty-reduction, successes such as those achieved in China, and the multiplication of poverty-reduction programmes presented to donors.**

57. **The independent expert appreciates the richness of the ideas contained in the report of the Secretary-General on human rights and extreme poverty (A/57/369) and in General Assembly resolution 57/211 of 20 November 2002, which was adopted pursuant to that report. She urges the Commission on Human Rights to study those documents closely.**

58. **On the other hand, the situation is deteriorating in Argentina, Mongolia, the Republic of Moldova or southern Africa and in various countries where the fabric of the State has continued to unravel.**

59. **Accordingly, this report by the independent expert elaborates on two recommendations pertaining to poverty-reduction that are connected specifically with the nature of the State and its actual capacity to protect and establish respect for the rights of its citizens:**

The reorganization of civil registration services is a priority in that it fuses together the State, recognition of the right to exist in a legal sense from birth, and the meaningful exercise of the rights to education, property and health care. The independent expert hopes that many member States will be kind enough to respond to the questionnaire on the matter that she intends to send to them.

The decentralization of authority and resources for poverty-reduction is a recommendation that the independent expert made in her report to the Commission at its fifty-sixth session in 2000. This recommendation was clarified and fleshed out in 2002 through the preparation of the PRSP for Benin, and it will be further refined through specific consultations with local authorities based on the questionnaire annexed to this report.

60. The ongoing constructive dialogue with IMF and the World Bank on the one hand and bodies for the protection and promotion of human rights on the other gives hope that the necessary coherence of multilateral action will be reinforced through the mainstreaming of human rights and the readjustment of mandates, if necessary.

61. Trafficking of the most impoverished is the dark side of a world in which commercialization is the sole recognized value. During the year, the independent expert has observed a dangerous trend towards treating the poorest from a standpoint of suspicion and the security reflex, and an alarming tendency to criminalize. These developments become more marked still whenever, because of ethnic or religious factors, differences are exacerbated instead of being seen as enriching. The report that the independent expert intends to present to the Commission at its sixtieth session will therefore contain material on the worldwide phenomenon of large-scale migration of the poor.

Annex 1

Questionnaire on civil registration services

This questionnaire concerns the operation of the civil registration services or the equivalent thereof in your country. It deals with the following operations, which may be effected by different authorities according to the country concerned (municipality, police or gendarmerie station, court, civil registry, passport service):

- Registration of births and deaths and issuance of birth and death certificates at local level; issue of civil-status certificates;
- Registration of marriages and divorces (all types);
- Issuance of family civil-status book - if such document exists - and subsequent amendments thereto as the composition of the family changes;
- Issuance of identity documents (identity cards) to individuals;
- Issuance of voter's card;
- Issuance of passport;
- Registration of residence and issuance of residence certificates for nationals and resident legal aliens.

In the case of all these operations, the competent authorities may proceed in a more or less centralized fashion according to the type of document. To enable me to gain a better understanding of the system in your country and propose possible improvements with a view to assisting the poorest populations and seeking the resources to achieve this, I would be most grateful if you would answer the following questions:

1. How are the following documents prepared in your country, by what authority and at what administrative level (commune, district, department, province, governorate, region, federated state)? What is the cost of issuing the original or a replacement in case of loss or expiry?

- Birth certificate (what is the legal deadline for registration?);
- National identity card;
- Passport.

2. Are there any restrictions on the request and issuance of the above documents to women, whether minors, single, married, cohabiting or divorced? For example, can an unmarried woman register a child? Must she indicate the name of the father? Can a mother have her minor children included in her passport?

3. Are there any agreements with religious organizations or hospitals providing for their involvement in certain tasks connected with keeping civil registers?
4. Do you consider that the services responsible for issuing the above documents in your country are operating satisfactorily and that the central administration has an up-to-date picture of the civil status of the population?
5. Are these services scheduled for (a) reorganization or modernization?
(b) computerization?
6. Do you plan to include the modernization or rehabilitation of the administrative services responsible for issuing the above documents among your Government's priorities in the next two years? Yes/No.
7. What is the main purpose of registration of births, deaths or residence in your country? (List the following nine statements in decreasing order of importance, starting with 1).
 - (a) To protect children's rights;
 - (b) To protect the rights of girl children at birth;
 - (c) To ascertain internal population movements;
 - (d) To ascertain the ethnic composition of the population;
 - (e) To ascertain the marital status of the population: civil marriage, religious marriage, traditional marriage, unmarried cohabitation, polygamy;
 - (f) To establish descent through the father or the mother;
 - (g) To establish hereditary rights to property for male and female heirs;
 - (h) To establish rights of access to social benefits for parents and their children (health insurance, retirement pension, emergency relief);
 - (i) To monitor transborder movements.
8. Do you believe that the civil registration authority cooperates effectively with the authority responsible for censuses and demographic data? Do they share a common database?
9. Would your Government be interested in technical assistance to enhance the work of the administrative services responsible for issuing documents and keeping relevant registers or databases?
10. Is this kind of support already provided to your country by a donor on a bilateral basis?

Annex 2

Questionnaire on decentralization to reduce poverty

1. Do you consider that the current system of administration and the relationship between the different levels of territorial administration in your country is satisfactory?
2. Do you think that greater decentralization to local authorities would be useful in your country?
3. Ideally, what spheres of competence should be transferred to the decentralized authorities?
 - Environment;
 - Administration of social problems;
 - Meeting the needs of the poorest;
 - Education;
 - Water;
 - Electricity;
 - Major infrastructure;
 - Others.
4. Do you think that the poorest have confidence in the local authorities in your country?
5. Do you consider that the financial resources available to local authorities are adequate? Explain briefly the origin of the resources at the disposal of your locality (rates, national or other equalization, central subsidies). Do they seem adequate?
6. Is there a civil registration service in your city? In your opinion, to what extent does it serve the needs of the true population of the city? Could it be improved? What kind of improvements would you like to see?
7. Do you have a partnership of the decentralized cooperation type with a city in another country? In what country? It is useful? Can you cite an example of effective cooperation?
