

Legal Empowerment Quarterly

Edition Two

April 2007

Message from the Executive Director



Welcome to the second edition of the **Legal Empowerment Quarterly**. We have had an intensely productive couple of months since the January Commission Meeting. This newsletter highlights some of our field activities around the world as well as high-level events.

On a more personal note, I wanted to share with you some thoughts I had during my planning mission to India. While in New Delhi, I reunited with an old friend from the non-profit organization Gobind Sadan and took part in the center's International Forum on Development and Civil Society. They also organized a field visit, and we drove out in Uttar Pradesh, visiting three villages along the way.

People living in the first village had no land titles. People in the second village had limited, or lease-hold titles, and those living in the third had land titles that allow them to sell their property at will.

One concern with extending these titles is that often the value of land increases with the privatization of land markets, and the poor may choose to sell the land for a quick profit, or when they need money for a variety of reasons. This may leave them landless again. But in this village, no one wanted to sell the land. Their homes and farms were all they had. They wanted to farm their lands, build stronger homes – not sell their livelihoods away! I think it is important to take into account the risks of property rights, but also to put trust in the decisions of the poor.

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The majority of the poor in Cotonou, Benin, do not have identification cards. Commissioner Clotilde Medegan Nougbo (center) and Veronique Verbruggen, Chief of Programme and Knowledge Management (right) survey a group registering for temporary identification documents. These papers enabled them to vote in the March 25 parliamentary elections.

Kicking Off Consultations

Legal Empowerment has kicked off National Consultations around the world. As of March, planning missions to West and Southern Africa, the Middle East, Latin America and Asia had been completed. The planning missions are the first step in each National Consultation Process. During the two to three day visit, a representative of the **Legal Empowerment** Secretariat meets with representatives from civil society, academic and research institutions, and senior policymakers to discuss plans for focus group meetings and identify authors for preliminary research papers.

In Benin, President of the High Court and **Legal Empowerment** Commissioner Clotilde Medegan Nougbo hosted Veronique Verbruggen, Chief of Programme and Knowledge Management. ICA Benin, a partner organization of the Huairou Commission, organ-

ized a field visit for Commissioner Nougbo and Veronique, where they met with women running informal businesses and heard the challenges of raising their families in slums. Other West African countries visited by **Legal Empowerment** include Burkina Faso, Mali and Mauritania.

In Southern Africa, Executive Director Naresh Singh traveled to Zambia, South Africa and Mozambique. In Zambia, Naresh met with the country's senior officials, including Justice Minister George Kunda, and representatives of Justice for Widows and Orphans Project. In South Africa, the UNDP country office has taken a strong lead in organizing the national consultations with active support from South Africa's National Development Agency. **Legal Empowerment** Commissioner and Minister of Housing Lindiwe Sisulu will also play an important role.

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BRAC Champions Legal Empowerment



Dhaka, Bangladesh: Against a backdrop of political turmoil, Bangladeshis debate the legal empowerment agenda.

In Bangladesh, the poor do not have access to housing, banking or even an identification card, said Dr. Fazle Hasan Abed at the **Legal Empowerment** focus groups hosted in Dhaka in February. Dr. Abed is a Commission member and the founder of BRAC, one of the world's largest non-government organizations with more than 4.8 million group members.

Legal Empowerment and BRAC University School of Law jointly organized the discussions at BRAC Inn Centre in Dhaka. The discussions included many of Bangladesh's leading economists, and legal and development experts.

Dr. Kamal Hossain, who chaired the focus group, said that the participants should study the existing legal system and identify challenges which deprive the poor of their rights.

"We must look at how the law can support the poor," Dr. Hossain said. He added that lawmakers who promised to change the fate of the poor before the elections simply forget their promises.

The slum population in Dhaka has doubled in a decade, reaching 3.4 million in 2006 from 1.5 million in 1996, following heavy rural-urban migration. UN-Habitat forecasts that the population of Dhaka will increase to 21.1 million in 2015, from 12.3 million in 2000. At that time,

Dhaka will have one of the highest populations of slum dwellers in the world. During the discussions, Dr. Abed insisted that "the government should take into account the human rights of hawkers and slum dwellers." Dr. Hossain added, "We hope that the MPs who will sit in the next parliament will formulate laws for the poor and those in the informal sector."

National elections that were originally set for January 22 were postponed after 45 people were killed and hundreds injured in nation wide violence. The army-backed interim administration has launched a crackdown on corruption, insisting that no election can be held until Bangladeshi politics are cleansed of widespread graft and critical legal reforms implemented.

Co-chairing another session of the **Legal Empowerment** focus groups, economist Rehman Sobhan said that the fate of the poor will remain the same unless they are legally empowered both in democratic and economic spheres.

"Conditions must be created where the poor are entitled to equal opportunities and equal rights to prosperity, resources and democratic process," said Dr. Sobhan said.

The consultation process also included field visits to BRAC sites in and around Dhaka, where Executive Director Naresh Singh

noted the strong interlinks between BRAC and **Legal Empowerment's** agenda.

Social Development Programmes, such as the Human Rights and Legal Services programme, are designed to educate people living in rural areas about rudimentary laws. Economic Development Programmes, including microfinance and employment schemes, provide individuals with the tools they need to turn entrepreneurial efforts into sustainable income.

Legal Empowerment draws on the practical experiences of organizations like BRAC to bring the issues of access to justice, property and labor rights to the attention of global policymakers.

Naresh met with women teaching each other about law through simple pictures. The pictures included images negating dowry and polygamy. One woman was able to develop her business with the aid of a 6,000 Taka (US\$90) microfinance loan. The extra money allowed her to expand the family farm from two cows to 10.

"This is very exciting work," Naresh said. "Dr. Abed and BRAC are wonderful partners for the legal empowerment agenda. You can see their successes all around us."

(Staff of The Daily Star in Bangladesh contributed to this story.)

Legal Empowerment and UNDP Join Forces

In the context of the third Commission meeting in January, **Legal Empowerment** co-hosted a panel with the United Nations Development Programme. The forum was coordinated with the UNDP Task Force on **Legal Empowerment** and attended by up to 100 UN staff and media. Olav Kjørven, Assistant Administrator and Director for Development Policy at UNDP, who has spearheaded the task force since its creation in November 2006, chaired the discussions.

During the panel, Commissioners Ashraf Ghani, Erna Witoelar, Clotilde Medegan Nougbo and Board Member Sheela Patel highlighted what they see as both the opportunities and the challenges for the legal empowerment agenda.

“The way to hell is paved with good intentions. We need to be imaginative and delib-

erative with our recommendations, but also very careful. That is why we need to work from the bottom up, to make sure everyone is included in the process,” Mr. Ghani said.

Sheela Patel from Slumdwellers International echoed the need for a “bottom up” approach. She told a story of a group of women living on the pavement in India. The group, tired of buying electricity informally, was able to convince the electric company to sell directly by showing the lost revenues from the informal sales.

“Poor people have simple, pragmatic solutions to produce inclusiveness,” Ms. Patel said. “It’s urgent that we do something about the services that the poor produce in informality because we all benefit from them.”

The panel was webcast live on Thursday,

January 10, from 4pm to 5:30pm. It can be accessed on the UN website at: <http://www.un.org/webcast/SE2007.html>

The UNDP Task Force is galvanizing support for the **Legal Empowerment** agenda among different practice areas and units. **Legal Empowerment** cuts across all five of UNDP’s Practice Areas: democratic governance, poverty reduction, crisis prevention and recovery, energy and environment and HIV/AIDS. In addition, UNDP has a mandate to promote inclusion of human rights considerations, links to the Millennium Development Goals and gender issues.

In the field, UNDP country offices are collaborating with **Legal Empowerment** in organizing and carrying out National Consultations in Africa, Latin America and Asia. UNDP has 166 country offices worldwide.

Message from the Executive Director, *cont.*



An impromptu discussion on property rights with villagers in Uttar Pradesh Province was a highlight of my planning mission to India.

I would like to invite you to comment on this or other topics. Please, send in your thoughts on **Legal Empowerment** and let us know if you see opportunities to make the legal empowerment agenda part of your work. You can contact us at media.legalempowerment@undp.org In the coming months, we will post your comments and incorporate them in our work.

Warm Regards,
Naresh Singh *Executive Director*

Kicking Off Consultations, *cont.*

In the Middle East and Northern Africa, **Legal Empowerment** was hosted by former Egyptian Minister of Finance and Commissioner Muhammad Medhat Hassanein. **Legal Empowerment** also visited Morocco, Jordan and Yemen for initial planning.

In Latin America, Mexico, Brazil and Guatemala are organizing **Legal Empowerment** consultations. In Mexico, a wide range of academic and other institutions is taking part under the coordination of UNDP Mexico, and with funding from the Social Development Ministry (SEDESOL). In Guatemala, Fundacion Guatemala is preparing grassroots academies with indigenous women, adding a vital gender voice to the consultations.

In South Asia, Commission members in India, Pakistan, Bangladesh and Sri Lanka are advancing consultation activities. In India, focus groups in February included the participation of grassroots

organizations, such as Swayam Shikshan Prayog. **Legal Empowerment** is also working with activist Madhu Kishwar to study the experience of street hawkers who have established a “Model Market”, where they can do business safely and legally.

In February, **Legal Empowerment** hosted focus groups in Bangladesh with Commission member Dr. Fazle Hasan Abed and his organization, BRAC. Read the feature story for more information.

The National Consultations in East Africa, Indonesia and Brazil wrapped up in November and December 2006. And in May 2006, a consultation bringing together participants from Ukraine, the Russian Federation, Moldova, Georgia, Kyrgyzstan and Tajikistan was held in Kiev, in collaboration with UNECE and DFID. Reports from those consultations are available on the **Legal Empowerment** website.

Third Commission Meeting



Commissioners consult during the third meeting in New York.

Legal Empowerment hosted its largest and most diverse Commission meeting to date on January 11-12 at the UN Secretariat in New York. Nineteen members of the Commission were joined by Board of Advisors representatives from the European Commission, the International Labour Organization (ILO), the World Bank, Slum Dwellers International, Huairou Commission, CARE Canada, Citi-group Microfinance, the African Development Bank, and the UN Permanent Forum on Indigenous Peoples. Representatives from donor countries Norway, Switzerland, Sweden, Canada also took part, as did USAID. There were special remarks from Nobel economist Douglass North and from Ad Melkert, the Associate Administrator of UNDP.



Shirin Ebadi and Tanwir Naqvi; Ashraf Ghani and Benjamin Mkapa

The Commission meeting provided a platform for a passionate debate on two approaches to development: human rights versus market based. The group also discussed the impact of labor market regulation on job creation. Minutes from the meeting are now posted on the **Legal Empowerment** website, along with a full list of participants and many photos.

The next Commission meeting will be held July 11-13 in New York.

Economics of Empowering Women

The Commission on **Legal Empowerment of the Poor** took part in a high-level conference held by the German Ministry for Economic Cooperation and Development (BMZ) and the World Bank on February 22-23 in Berlin. The event “Women’s Economic Empowerment As Smart Economics” focused on women’s contribution to economic growth and production, including in the informal economy.

Legal Empowerment was represented by Commissioners, Board of Advisors and donors, through Dr FH Abed of BRAC; Donald Kaberuka, African Development Bank President; Louis Michel, EC Commissioner for Development; Erik Solheim, Norwegian

Minister of International Development; and Mona Brother of Norway who was the keynote speaker in a session on Women’s Legal Status and Access to Economic Resources.

“Norway has been at the forefront of efforts to bring legal empowerment and the fight against poverty onto the global agenda,” Ambassador Brother said. “We have therefore actively supported the new Commission, and intend to promote the dissemination of its results and the mainstreaming of legal empowerment into both regional and national programs.”

Ambassador Brother’s full speech appears on the **Legal Empowerment** website.

Upcoming Events

LE’s Green Power

Co-Chair Hernando de Soto will be honored on Friday, April 20, at the closing ceremony of the PODER Green Forum in Miami. The Forum features keynote speaker Al Gore. The Green Forum brings together business, academic and political leaders to discuss environmental challenges, including unregulated urban development and its impact on natural resources. The event coincides with Earth Day celebrated globally on April 22.

Co-Chair de Soto will receive a PODER-BCG Business Award for his promotion of economic development in Latin America and around the world. Co-Chair Madeleine Albright, who was the key note speaker at the PODER-BCG Business Awards ceremony in 2004, will appear in a short video about Co-Chair de Soto’s work.

Discussion at Georgetown

Co-Chairs Madeleine Albright and Hernando de Soto will speak on building stable societies and economic democracy on Monday, April 16, at Georgetown University. The event will include a short multimedia presentation, and provide an open forum for students to question the co-chairs on legal empowerment, poverty and development. More than 500 people are expected to attend. Co-chair Albright is a professor at the Georgetown School of Foreign Service.

The discussion will be held from 2pm-3:30pm at Gaston Hall in Washington DC. It is a joint event organized by **Legal Empowerment** and the Mortara Center for International Studies. For more information, please check the events page of the **Legal Empowerment** website.

Commission on **Legal Empowerment of the Poor**

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