

Legal Empowerment Quarterly

Edition Five

May 2008

Message from the Executive Director



Welcome to the final edition of the *Legal Empowerment Quarterly*. As our work comes to a close I would like to take this opportunity to thank all of

you who have shown an interest in **legal empowerment** and highlight some of our upcoming events and recent successes.

As most of you know by now, the Commission will conclude its work with the release of its report this summer. There will be a global launch event on June 3rd at the United Nations headquarters in New York which will include a press conference, a presentation to the Deputy Secretary-General and a panel discussion. In the following weeks the Commission's report will be presented in a number of other venues. In Washington D.C, two events centered on the launch of the final LEP report are to occur, the first being held on June 13th at a meeting of the Organization of American States and on the 17th at the World Resource Institute. These events will be followed by regional launches in Asia and Africa. In addition, I will be speaking on **legal empowerment** at the Growing Inclusive Markets forum in Halifax, Nova Scotia on the 20th of June.

We are delighted at the reception and uptake that the findings of our Commission have enjoyed throughout the development community. At a recent conference of the United Nations Economic Commission for Africa, 52 ministers of finance, economic planning and development of African countries jointly endorsed an agenda of **legal empowerment** as vital for Africa in the next decade. Furthermore, they agreed to file a report in support of the LEP Agenda at the African Union's next heads of state summit in early July.

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UN Photo/B Wolff

According to the Consultation Reports, agricultural concerns such as the right to own land, to form unions and to reap benefits from their own harvests were common concerns of the poor.

The Consultation Reports Are In

As we come to a final close we wish to share with our readers the many achievements of the Commission, including the the wealth of information gathered from the national consultation process. Since our first consultation planning missions in early 2007, the Commission has held consultations in 22 countries in the Americas, Asia, Eastern Europe, the Middle East and North Africa and in Sub-Saharan Africa.

The overall National Consultation process has ensured awareness and support for the **legal empowerment** agenda worldwide and has provided an abundance of information and experience. As part of the National consultation process experts in all 22 countries produced reports on the four thematic areas of the Commission's work: Access to Justice and the Rule of Law, Property Rights, Labour Rights and Business Rights. These reports, which are currently available for download on the **legal empowerment** website, offer a clearer understanding of what the law means to the poor themselves at a local level.

The reports, while providing an extensive international overview of **legal empowerment** also emphasize a variety of unique road blocks to **legal empowerment** within the 22 countries ranging from environmental concerns to health care issues. According to the experts in Brazil, natural disasters such as flooding and heavy rainfall often result in conflicts over land ownership. The report on property rights claimed that people are often living on land up to 70 km away from the property they have legally registered. On the other hand, the reports from Kenya focused more on health care concerns such as the impact of HIV and AIDS. In Kenya, where the majority of those infected with HIV are women, the report called for the strengthening of legislation surrounding health care services including the right to receive basic treatment for this health epidemic.

Yet while the reports and discussion groups identified key national distinctions and provided insight into a variety of **legal empowerment** issues on the

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What Have We Produced?

As we count down the days to the launch of our final report, it is a good time for us to reflect on our outputs as a Commission. On June 3rd, the final report of the Commission, *Making the Law Work for Everyone*, will be launched globally at UN Headquarters. This report represents the joint effort of the Co-Chairs and 21 Commission Members and is the product of their numerous discussions and debates since the Commission's creation.

The full report will be distributed in English at the time of the launch along with copies of the executive summary in Arabic, French and Spanish. All four language versions of the report will be available on the legal empowerment website by the end of June. The report will also be available for purchase in the UN bookstore and for free download from



UN Photo/John Isaac

Ready access to business rights for workers in the informal sector was a common concern in the consultation reports.

the legal empowerment website in all four languages.

The report is supplemented by a more technical volume on the Commission's work. Volume II was produced by

the numerous experts involved in the working groups of the Commission and addresses our work in the key thematic areas of Access to Justice and the Rule of Law, Property Rights, Labour Rights and Business Rights, while providing a final chapter on Road Maps for the Implementation of Reforms.

The final report and the technical supplement will be made available along with the reports from all 22 national consultations on a comprehensive **Legal Empowerment** CD which will be distributed at the main launch event on June 3rd as well as at the global launch events worldwide. We are also leaving behind a heightened awareness, networks, political support and a deep global interest in legal empowerment of the poor.

The Consultation Reports Are In *cont.*

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ground, several common themes were also echoed from region to region.

Academic attention was central to many of the reports. There appeared to be a universal call for more in-depth research on **legal empowerment**. Such research, the reports claimed, could be used to educate and guide policy makers toward making decisions more beneficial to the poor. Many reports also stressed the need for better education at a local level to ensure that the poor have an adequate understanding of the law and their rights within it. It was evident in several reports that efforts must also be made to ensure the poor know how to access the law. The need for more paralegals played a critical role around the world as did the call for regional monitors capable of hearing local legal complaints while providing much needed legal advice. Ready access to business and property rights was equally

as critical in many countries. The concern for the rights of women was also raised globally including the right of women to inheritance, a right which many may gain legally, but which in practice may often be denied to them due to cultural norms.

The information shared in the reports, both country specific and with global resonance, provides a rich informational platform on which future research and academic studies can be based. It has also successfully raised the national and global awareness of the **legal empowerment** agenda creating a dedicated group of **legal empowerment** partners in 22 countries around the world who are ready to help bring the **legal empowerment** agenda forward.

Reports from all 22 national consultations are currently available on the legal empowerment website.



UN Photo/L Rajanina

Labourers such as the woman above frequently earn less than \$1 a day. Laws must be changed and structured to offer protections and benefits to the working poor.

The Role of Faith-based Organisations in LE

The World Conference of Religions for Peace, the world's largest and most representative multi-religious coalition, held a high-level global consultation of fifteen religious leaders in parallel to the fifth meeting of the Commission on February 5-8th, 2008 in New York. The meeting organized by Religions for Peace in Cooperation with the Commission on **Legal Empowerment** brought together a remarkably diverse group of religious leaders from seven faith based groups including African Independent Churches, Buddhism, Christianity, Hinduism, Indigenous spirituality, Islam, and Judaism.

Commission Members Mike Moore and Allan Larsson as well as Executive Director Naresh Singh participated on behalf of the

Commission along with experts from the Commission's four thematic Working Groups. The overall aim of the consultation was threefold: to forge stronger partnerships amongst diverse faith based communities, to work together for the well being of the poor and to examine possible roles the faith based community could play in advancing the **Legal Empowerment** Agenda.

Representatives of the consultation addressed Commission Members on the final day of the conference and were well received by Co-Chair Secretary Albright who confirmed that the Commission would take on board recommendations from the religious community in the implementation phase of its work.

Religions for Peace is now working closely with the Commission to develop a plan to take the LE agenda forward within faith based communities. This plan of action will focus on the unique position maintained by religious groups as trusted social leaders, a position that allows them to communicate with a vast international audience, including many of the poor. In the words of H.H. Samdech Tep Vong, Supreme Patriarch, Cambodia, a consultation participant, "Faith communities embrace all, including the poor, and are present everywhere." Together the Commission and the religious community can raise public awareness by advocating for the reform of legal systems, mobilizing the strength of faith communities and by engaging in global, regional and national processes.

Message from the Executive Director, *cont.*

In addition, the Organization for Economic Cooperation and Development's Development Assistance Committee (OECD-DAC) Poverty network will be implementing a work program on **legal empowerment** as one of its main agenda items for action in 2009.

It has been a great pleasure to work for the Commission with all of you. I hope for your continued interest in **legal empowerment** and invite you to become involved in the upcoming implementation phase which will be led by our many partner institutions throughout the world, many of whom served on the Commission's Advisory Board. Our host institution UNDP will no doubt play a significant role in the next phase.

Commission on **Legal Empowerment** of the Poor

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LE Featured Prominently at AU-UNECA Conference

The **Legal Empowerment** agenda was featured prominently at the First Joint Annual Meetings of the African Union Conference of Ministers of Economy and Finance and the Economic Commission for Africa Conference of African Ministers of Finance, Planning and Economic Development that took place 26 March - 2 April in Addis Ababa, Ethiopia. The meeting was attended by Commission Members Benjamin Mkapa and Clotilde Medegan Nougode, as well as Executive Director, Naresh Singh.

The importance of **Legal Empowerment** of the Poor was recognized by the Conference of Ministers in its resolution on the Millennium Development Goals. Ministers declared that they looked forward to the finalization of the Commission's report and its submission to the African Union Assembly.

Earlier, the Committee of experts had made several recommendations including the incorporation of **Legal Empowerment** into the Millennium Development Goals,

aid-for-trade and EPA negotiations, as well as the need for Africa specific research on socially excluded and vulnerable groups. The experts also proposed that the African Union Summit in early July should be used to launch the final report of the Commission and that the AU should take the LE agenda through G 77 and China to the General Assembly as an appropriate resolution.

Speaking before the Conference, the former President of the Republic of Tanzania, Benjamin Mkapa focused on "Empowering the Poor". The former President added, "**Legal empowerment** is a goal, a process and a means to fight against poverty. Given the chance, poor people will work to get out of poverty." President Mkapa emphasized that in order to drive this agenda, political commitment and leadership at the highest level are required.

The relevant extract of the resolution of the experts as well as Commission Member Mkapa's Speech are available on the **Legal Empowerment** website.

Civil Society – What role in LE?

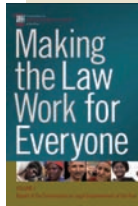
On February 6th, 2008 at UN Headquarters in New York, a meeting of civil society organizations (CSOs) was held on behalf of the Commission on **Legal Empowerment** of the Poor. Several members of the Advisory Board of the Commission were joined by more than twenty representatives from four distinct groups of civil society: socially responsible business, non-governmental organizations and non-profits, grassroots and community based organizations and academia. The meeting was held in parallel to the Fifth Meeting of the Commission to discuss the role of civil society in advancing the legal empowerment agenda.

Chaired by Commission Advisory Board Member Sheela Patel and attended by fellow Advisory Board Members Robert Annibale of Citigroup, Kumi Naidoo of Civicus, Jan Peterson of the Huairou Commission and John Watson, formerly of CARE Canada, the diverse group of civil society actors brainstormed not only how best each could contribute to the LE initiative, but also discussed the ways in which the Commission was well placed to form new partnerships amongst civil society actors united in working towards the advancement of the LE agenda.

Meeting participants recommended that the global community currently working for legal empowerment of the poor be systematically mapped and that the existing impact of LE be evaluated. This proposal was further endorsed by Commissioner Mary Robinson who participated in the afternoon session and who emphasized civil society's role as being at the very heart of the implementation process.

Following a presentation by meeting participants to the Commission, Commission Co-Chair Madeleine Albright further acknowledged the essential role of civil society in the LE agenda and ensured participants that the critical recommendations generated at the meeting would be considered in the implementation phase.

Global Launch in New York



The Co-Chairs of the Commission, Madeleine Albright and Hernando de Soto will be in New York on June 3rd to kick off the global launch of the Commission's final report at U.N. Headquarters.

The report, which will remain strictly embargoed until this event, will be made available to the public during the morning ceremonies and will be included in a downloadable format on the **legal empowerment** website.

The event will commence with the ceremonial hand-off of the report entitled *Making the Law Work for Everyone* to the Deputy Secretary-General of the United Nations, Dr. Asha-Rose Migiro of Tanzania. A press briefing will follow with international media representatives. The message of **legal empowerment** will be shared globally through radio, television and print media.

The morning ceremony and press briefing will be followed by a two hour panel discussion with the Co-Chairs of the Commission and

Executive Director, Naresh Singh. This event will address the Commission's findings in the four thematic areas of **legal empowerment**: Access to Justice and the Rule of Law, Property Rights, Labour Rights and Business Rights. Matthew Bishop, the Chief Business Writer and American Business Editor of the Economist will moderate this event. The discussion will be attended by country ambassadors and mission representatives to the United Nations, United Nations officials, civil society groups, and academics from the New York area, as well as many other friends and partners of the Commission. The panel event will be broadcast live on the United Nations website.

The report *Making the Law Work for Everyone* and its findings is supplemented by a technical report on the Commission's work that has already been made available to the public. This edition, Volume II of the final report of the Commission, is currently available in a downloadable format on the **legal empowerment** website.

Upcoming Events

A series of international legal empowerment events will follow close on the heels of the launch of the Commission's final report on **June 3rd** in New York and will be hosted in cooperation with a wide array of partners and stakeholders committed to advancing the legal empowerment agenda.

The global events will commence immediately after the main launch with a national event planned in Oslo, Norway on **June 5th**. This event will be hosted by the Government of Norway.

On **June 13th** in Washington, D.C., Commission Co-Chair Madeleine Albright will join together with the Secretary General of the Organization of American States, José Miguel Insulza to launch the report in the Hall of the Americas at OAS. Commission Member Justice Anthony Kennedy will represent the Commission at a second Washington event on the morning of

June 17th. This event will take the form of a policy seminar and will be hosted by the World Resources Institute. Jonathan Lash, the President of the World Resources Institute will also be in attendance.

During the early part of the summer, major regional launch events are being planned in Asia, Europe and Africa with the Commission's partners.

Several national launch events are also slated to occur in 2008. These events will be hosted by the Commission in close cooperation with government officials, academic institutions, and civil society organizations in Canada, Italy, Pakistan, and the United Kingdom. Commission Members and representatives will be in attendance.

Make sure to check the legal empowerment website in the coming months for more details on upcoming legal empowerment events.