

A study of legal empowerment in **PAKISTAN** found that informal businesses in the country are vulnerable to constant exploitation, abuse and rent-seeking by corrupt officials. For example, without legal paperwork, street-sellers are unable to protect themselves from being forcibly removed for reportedly blocking pedestrian routes or encroaching on roads. As such, with no opportunity to seek justice or redress through the courts, informal entrepreneurs prefer to stay in the shadows where the authorities are less likely to harass or extort money from them. The first step in tackling this development challenge is to understand it better — this is where UNDP comes in. The UNDP Country Office in Pakistan commissioned a fact-finding mission looking at the need for legal empowerment in Pakistan under the interlinked headings of access to justice and property, labour and business rights. They found that the informal economy in Pakistan is estimated to bring in as much as 37% of Gross National Product (GNP), while nearly half of all enterprises are unregistered. The report is available at [www.undp.org.pk](http://www.undp.org.pk)



Utility meter in Mexico

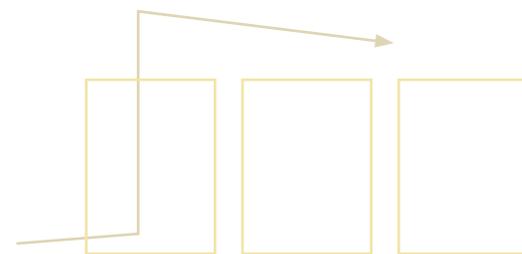
Reforms designed to improve employment conditions in **ZAMBIA** must penetrate the informal economy; otherwise 88% of the country's working population or 4.1 million people — including most of the working poor — will miss out. This is one of the key messages of research carried out by UNDP and the Government of Zambia looking at the question of legal empowerment. The studies go further, warning against labelling informal sector workers as 'lawbreakers' and against simplistic legalisation schemes that could actually threaten their livelihoods. For them, 'legalisation' can often mean eviction from their place of work and demolition of their premises. This research is set to help the Government find ways to make the law relevant to the informal economy while avoiding these pitfalls.



Informal pharmacy in Niger

Life changed dramatically for 33-year-old Nefissa Hussein from **EGYPT** after completing a small-scale, labour-based contractors' training programme in May 2000. Specialising in potable water system construction Nefissa has since been awarded contracts worth over US \$90,000. "Before, I was a teacher making LE 120 a month (\$22). Now, I'm someone respected in the community. Now, people — men — come knocking on my door asking, 'Is it possible for my son to work for you?'" she said. Nefissa's case is one of the success stories being promoted by UNDP in Egypt, in partnership with the Social Fund for Development. It shows the value of a comprehensive approach to legal empowerment, combining small business development, enhanced labour rights and the recognition of women's role in the economy. To facilitate the training programme, International Labour Organisation documents were translated into Arabic, making international standards locally accessible.

Regulatory bottlenecks, unpredictable rules, and a number of laws that simply do not work are forcing people and businesses in **ALBANIA** to operate in what's called the 'extralegal economy.' That's according to a joint programme of the Government of Albania, the Institute of Liberty and Democracy and UNDP, designed to help Albania better understand the obstacles it faces in modernizing its property and business systems. The Programme for the Transition to the Rule of Law and an Inclusive Market Economy in Albania says that, stuck in the shadows of the law — a fertile breeding ground for public and private corruption — these entrepreneurs have no opportunity to grow their businesses. Having completed the diagnostic phase, the program will now turn to the formulation of appropriate policies and reforms.



Informal settlement in South Africa



Legal assistance and access to information are two of the essential services offered by UNDP's Legal Empowerment and Assistance for the Disadvantaged project in **INDONESIA**, which was designed to make access to justice a reality at the community level. The project tackles the challenge from two perspectives: building the capacity of civil society and communities to understand and demand their rights and then opening up channels of constructive engagement between government and civil society. The starting point for the project was a comprehensive assessment of legal needs and access to justice in five Indonesian provinces, recorded in the report Justice for All. The assessment found that economic concerns presented the strongest access to justice challenge — a reflection of the priorities in many Indonesian communities where daily life revolves around earning a basic livelihood. As a woman in the village of Kailia-Lia explained, "When we have our own homes..., when our children have an adequate education, and when we can live safely and peacefully and have enough food and drink for each day. If we can achieve this, then we will have justice." The report is available at [www.undp.or.id](http://www.undp.or.id).



Street vendor in Viet Nam

In **INDIA**, progressive judicial interpretation of the Constitution and public policy initiatives like the National Rural Employment Guarantee Act, demonstrate that the concept of legal empowerment is gaining ground. However, according to a survey carried out by UNDP in India these measures need to be reinforced by local level action. Take for example the case of 29-year-old Tulasi Nayak from Angul District, one of the least developed areas in the Indian state of Orissa. A former leader ('Sarpanch') of the elected local council ('Panchayat'), Tulasi used her knowledge of the law to ensure access to low-priced food for a poor villager who had not been able to secure the required Below Poverty Line-card. Recognizing that her legal knowledge empowered the community, Tulasi helped others to work through legitimate channels and avoid corrupt practices that had crept into the system. "If one is legally sound, it is difficult for others to create hurdles," she says.

**EQUITY, INCLUSIVENESS  
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TO ECONOMIC ASSETS  
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IN WAYS THAT ARE FAIR  
AND EQUITABLE.**

United Nations  
Development Programme  
(Strategic Plan 2008-2011)



**T**he majority of the world's poor do not enjoy the protection of the law and have no access to the opportunities it can provide. As a result, an invisible barrier is erected between them and their chance to build a better life for themselves.

Legal empowerment takes a fresh look at the relationship between law and development with the aim of pulling down that barrier. It advocates for an effective, inclusive rule of law that supports access to justice for everyone along with the basic rights individuals need to run their business, live securely in their homes, and earn a decent wage — whether or not they are a part of the formal economy. By removing the legal and administrative barriers that prevent the poor from participating fully in society, legal empowerment advances human development.

Taking the needs of the poor as the starting point, legal empowerment requires capacity development at two levels: the capacity of individuals to advance their rights and express their needs, and the capacity of the state and other actors to engage effectively with them and respond to their rights. By working together they can create systems where access to justice along with property rights, labour rights and business rights have a positive impact on the lives of the poor, leading to a larger, more inclusive economy and a more legitimate state.

As part of its Initiative on Legal Empowerment of the Poor launched in 2007, UNDP is working on legal empowerment of the poor in nine countries: Mauritania, South Africa, Tanzania, Zambia, India, Pakistan, Egypt, Albania and Kyrgyzstan. Other legal empowerment projects, such as the one in Indonesia, are also underway.

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IMPOSED FROM THE OUTSIDE. ... MEANINGFUL  
OWNERSHIP REQUIRES THE LEGAL EMPOWERMENT  
OF ALL SEGMENTS OF SOCIETY.**

United Nations Approach to the Rule of Law Assistance  
(Guidance Note April 2008)

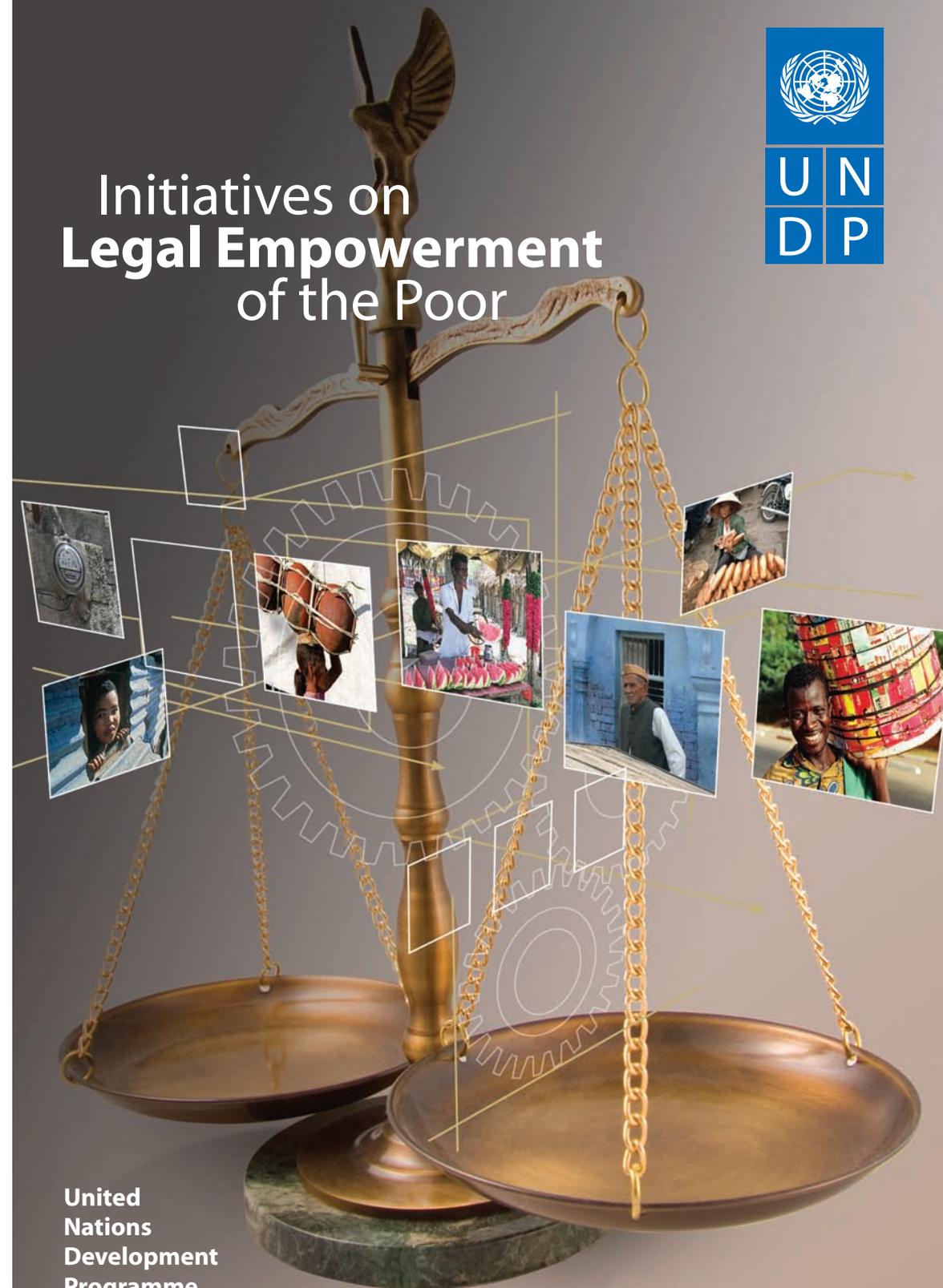
UNDP is the UN's global development network, advocating for change and connecting countries to knowledge, experience and resources to help people build a better life.



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## Initiatives on Legal Empowerment of the Poor



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