

GUIDE FOR LOCAL PLANNING FROM A HUMAN RIGHTS-BASED APPROACH

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GUÍA PARA LA PLANIFICACIÓN LOCAL DESDE LA PERSPECTIVA DE LOS DERECHOS HUMANOS

Coordinado por Milena Leivi. - 1a ed.

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CONTENTS

FOREWORD	07
1. INTRODUCTION	08
1.1. Presentation	08
2. CONCEPTUAL ELEMENTS	09
2.1. Development, Poverty and the Human Rights Approach.....	09
2.2. Historical Context	09
2.3. The Human Rights-based Approach and the United Nations	11
• The Human Right Based Approach: implications for the public policies, definitions and principles: Principles of Universality, Equality and Non-discrimination	12
• Participation and Inclusion	13
• Interdependence and Indivisibility	14
• Accountability and the Rule of Law	14
2.4. The Contribution of the Human Rights-based Approach to Local Planning for Poverty Reduction	15
2.4.1. Participation	17
3. OPERATIONAL IMPLICATIONS OF THE HUMAN RIGHTS-BASED APPROACH IN LOCAL PLANNING: LEVELS OF APPLICATION OF THE METHODOLOGY AND PRACTICAL IMPLICATIONS	19
3.1. Prior Actions and Prerequisites	20
3.1.1. Preparation	20
• Ensure political commitment	20
• Appoint a coordinator	20
• Make up the technical team	20
• Setup and institutional arrangements	21
• Diagnostic with community participation	21
3.2. Three Key Moments	22
3.2.1. Diagnostic and situational analysis.	22
3.2.1.1. Identification of problems and/or issues and which human rights are related	22
• Identification of problems and/or issues	22
• Identification of affected human rights	24
Jurisdictional competencies	25
The municipal management style	25
Existing resources	26
• Relevant indicators	26
• Information sources	26
• Human and financial resources	27
• Priority setting	27
3.2.1.2. Identifying Players	28
• Identification of rights-holders	28
• Identification of duty-bearers	29
• Identification of “influence groups”	30

3.2.1.3. Analysis.....	30
• Roots analysis	30
• Analysis of capacities	31
• Gap analysis, including analysis of rights and obligations	31
3.2.1.4. Formulation and Programming	32
• Writing the diagnostic and analysis report	32
• Public presentation, distribution and dissemination of the diagnostic report	33
3.2.2. Design and formulation of a local poverty reduction plan or strategy based on human rights	34
• Requesting for suggestions and comments on the diagnostic to the various government areas and CSO involved in making it. Analysis and incorporation.	35
• Summarizing major outcomes as stated in the diagnostic and submission to the Mayor and Municipal Officials.	36
• Holding participatory workshops	37
• Defining actions	37
• Holding participatory workshops with local CSOs	38
• Holding participatory workshops with municipal officials	38
• Submitting the preliminary plan or strategy to the Mayor and the Municipal Officials and incorporating their opinions	38
• Approving the plan or strategy	39
3.2.3. Implementation and Monitoring	39
• Public presentation of the plan or strategy	39
• Monitoring plan	40
• Indicators	40
• Communication and dissemination	41
• Entry Points of the Human Rights-based Approach in the public policy planning cycle.	42
4. ANNEXES INDEX	43
• Annex I: Gender and MDG	44
• Annex II: Workshops Guide	48
• Annex III: Participatory Workshops with Municipal Officials	57
• Annex IV: Key Informant Interview Guide	60
• Annex V: Table of “Institutional Responses” in relation to each MDG.	62
• Annex VI: Regulations	64
• Annex VII: Indicators and Statistical Sources.	80
5. BIBLIOGRAPHY	82

FOREWORD

Since its foundation in 1945 and pursuant to Article 1(3) of its Charter, the United Nations has embraced the human rights of all people as one of its main purposes. Subsequently, on December 10th, 1948, the General Assembly proclaimed the Universal Declaration of Human Rights. Rarely has so brief a text, having only thirty articles, exerted such strong moral, political and legal influence as to change International Law and global development and, in turn, influence so many domestic legal systems.

Since then, significant progress has been made in terms of legislation to protect, respect and promote human rights at a global, regional and national level. This is fundamental for a country like Argentina which has ratified all international human rights treaties, thus assuming all obligations derived from them. However, the work in the field of human rights is boundless, particularly in the effort to fulfil the principles of universality and indivisibility, and the progressive realization of all rights.

In this sense, there are persistent challenges on the path towards the recognition of human rights and their actual enjoyment and fulfilment by all people regardless of age, gender, ethnicity, social status or any other condition. At a local level, it is precisely through the implementation of public policies that human rights are fulfilled, adding one more reason why it is essential to integrate human rights in public policies to fulfil the obligations undertaken by the State when ratifying such international treaties.

Considering all these challenges and needs, the United Nations System ratifies its commitment to cooperate with all the governments in the world in the promotion of human development, the strengthening of democracy and the effective realization of human rights.

In the last few years, at regional level and particularly in Argentina, local governments have increased the level of citizen participation and accountability while the demands by citizens and the effective response by governments have also been on the rise. Undoubtedly, the newly acquired proximity between governments and citizens strengthens the bonds and the quality of democratic practices. Thus, the strengthening of local governments' capacities to involve citizens in public issues calls for a renewal of political practices.

In this sense, during 2005 and 2008, the United Nations Programme in Argentina developed a project called "Implementation of Local Strategies aimed at reaching the MDG based on a Human Rights Perspective," which developed an analysis and an action plan for poverty reduction at municipal level adopting a human rights-based approach in two municipalities of the country. This initiative was coordinated by Abuelas de Plaza de Mayo, with the assistance of the National Human Rights Secretariat.

This Guide is a system based on past experiences so that they can be replicated in other municipalities of the country. It is intended to provide methodological tools and guidelines for the formulation of local plans or strategies for poverty reduction from a Human Rights-based Approach. Our intention is for municipalities to reciprocally share the best ways to promote opportunities for citizens and to address the various local governance challenges and problems.

In this way, the United Nations seeks to increase the value of its contribution to the progress of the country in a context that offers new opportunities, fostering the fulfilment of human rights for all men and women and striving to fulfil the fundamental aspirations of the Universal Declaration in its daily efforts.

Martin Santiago

Resident Coordinator of the United Nations System in Argentina

Amerigo Incalcaterra

Regional Representative for South America, OHCHR



1. INTRODUCTION

1.1. Presentation

Poverty is not only a matter of income, but also, more fundamentally, a matter of being able to live a life in dignity and enjoy basic human rights and freedoms. Poverty describes a complex situation of mutually reinforcing deprivations, which result in the lack or violation of certain basic freedoms that impact on people's ability to claim and access their civil, cultural, economic, political and social rights. Therefore, the denial of human rights is an essential part of the definition of what it is to be poor.

A more comprehensive outlook and a human rights-sensitive understanding of poverty facilitate the development of more effective and equitable actions and policies to respond to the multiple dimensions of poverty. In this sense, this perspective supplements other more orthodox approaches, by focusing not only on an individual's income level but also on their capabilities, choices, security and power needed to reach an adequate standard of living and other fundamental rights.

WHAT IS IT FOR?

The core objective of this publication is to provide methodological tools and guidelines for designing local poverty reduction plans or strategies from a Human Rights-based Approach (HRBA). This guide is presented in general terms which the reader should adapt according to their own context. It is not intended as a technical, rule-setting manual but rather, as a means to suggest a set of entry points and guidelines that should be considered whenever planning is attempted from a human rights perspective.

WHO IS IT FOR?

This guide is targeted at municipal officials, professional teams in charge of coordinating and implementing projects and NGO leaders working in sector-related and/or planning issues.

HOW IS THIS GUIDE USED?

This guide was created to facilitate planning tasks at local level based on a Human Rights approach.

It is divided into 4 sections: introduction, conceptual elements, operational implications of plan or strategy-making and annexes.

Note:

The United Nations Development Programme promotes gender equality. With the aim to simplify both the writing and reading of this publication, generic language has been used at times, which should be understood as including both genders.

> 2. CONCEPTUAL ELEMENTS

2.1. Development, Poverty and the Human Rights Approach

In 2001, the United Nations Committee on Economic, Social and Cultural Rights (CESCR) defined poverty as “a human condition characterized by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights.”¹

While this definition identifies economic scarcity as one of the constitutive dimensions of extreme poverty, it also highlights that poverty is not restricted to it since it also implies other significant deprivations of social, cultural and political nature. In this sense, poverty describes a complex situation of deprivations that are mutually reinforcing and result in the lack or violation of certain fundamental freedoms which impact on people’s capability² to claim and access their rights.

The link between fundamental freedoms and poverty is based on the grounds that these freedoms are essential for an individual to enjoy minimal human dignity. It is this minimal dignity level that concerns the human rights approach, which suggests that “human beings have rights inalienable to those freedoms. [...] Therefore, poverty can be defined equivalently as either the failure of basic freedoms – from the perspective of capabilities– or the non-fulfilment of rights to those freedoms – from the perspective of human rights.”³

2.2. Historical Context

Human rights, such as they are currently known, are the result of a historical evolution which, in terms of explicit formulation, dates back to the European Age of Enlightenment, Buddhism, and other Asian doctrines⁴. Before the United Nations started addressing the issue of human rights, it was considered an exclusively internal matter of the States.

International rules regarding human rights only appeared by late 19th and early 20th century and were developed at a faster pace after the Second World War. Since its foundation in 1945, the United Nations has reasserted their faith in the human rights of all the peoples that were part of it. In its Charter, the United Nations⁵ stated that human rights were in the core of their concerns and so it has been ever since. Little after its foundation, on December 10th, 1948, the General Assembly proclaimed the Universal Declaration of Human Rights (UDHR)⁶. With this valuable instrument, for the first time in history a document declared of universal interest was being

¹ E/C.12/2001/10, paragraph 8.

² “The concept of ‘capability’ refers to a person’s freedom or opportunities to achieve wellbeing in this sense.” OHCHR, *Human Rights and Poverty Reduction. A Conceptual Framework*, HR/PUB/04/01, United Nations, New York and Geneva, 2004, p. 7

³ OHCHR, *op. cit.* p. 10

⁴ “(...) it must be acknowledged that the values that Asian countries have defended in the past - both in East Asia and other Asian regions - are widely diverse. In fact, in many aspects they resemble some important variations that are also frequently observed in the history of western ideas. The belief that authoritarian values have prevailed in Asian history does not do much justice to the rich variety of ideas involved in Asian intellectual traditions. The arguable political action cannot be justified based on an arguable historical analysis.” Sen, Amartya “Development as Justice”; Planeta Publications, Buenos Aires, 2000, p. 299

⁵ <http://www.un.org/es/documents/charter/chapter1.shtml> (Art. 1.3)

⁶ <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/046/82/IMG/NR004682.pdf?OpenElement>

approved by an international organization. Also for the first time, human rights and fundamental freedoms were enunciated in detail. The UDHR gave way to the signing of the first two and more comprehensive conventions adopted in 1966, namely, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which were enforced in 1976.

The international legislation on human rights has evolved with the aim to safeguard the integrity and dignity of individuals, establishing legal obligations on the States in order to protect the rights of all the people living in their territory. As mentioned earlier, this is based on the Universal Declaration of Human Rights which comprises thirty articles that specify all the human rights that must be protected by the governments and the international system. Furthermore, the international community has established a series of international treaties, which are promotion, protection and technical assistance mechanisms, to help governments fulfil their responsibilities. These treaties have broadened both the scope and the depth of those human rights to be protected by the States⁷.

In 1946, the United Nations Commission on Human Rights was established with the aim to examine all human rights-related matters, to draft and codify international rules and to make recommendations to the states. Likewise, in 1993 the post of United Nations High Commissioner for Human Rights was created and in 1998 the Rome Statute of the International Criminal Court was adopted, whereby the Court seated in The Hague was founded, with the intention to strengthen the human rights mechanisms within the Organization.

Since then, the United Nations has held world conferences to address the subject of human rights, starting in 1968, the “International Year for Human Rights.” Another important conference worth mentioning was held in Vienna in 1993, where the universality of human rights was reaffirmed and the progress made since the adoption of the UDHR was evaluated, thereby identifying hindrances and challenges. As a result of said conference, 171 countries proclaimed the Vienna Declaration and Programme of Action, by which a series of commitments and an action plan were adopted towards strengthening and promoting human rights, underscoring that States are duty-bound to promote universal respect for, observance of and protection of human rights and fundamental freedoms for all individuals and emphasizing the vital relationship between democracy, development and human rights⁸.

On the other hand, the concept of development (the increase of prosperity in a society by means of strategic social and economic investment) arose by late 18th and early 19th century, more specifically against the backdrop of the British industrial revolution.

The Marshall Plan for rebuilding Europe was the first contemporary big-scale development programme. The most important cooperation programmes in developing countries started to emerge in the 60s, once the decolonization processes made it possible for a conglomerate of countries to commit to multilateral aid actions.

Development was first acknowledged as a right by the United Nations Commission on Human Rights through resolution 4 (XXXIII) on February 21st, 1977, in which the UN Secretary General was requested to undertake a study on “the international dimensions of the right to development as a human right.”⁹ Later, in 1986, the General Assembly proclaimed the *Declaration on the Right to Development through* resolution 41/128 which constitutes the main legal instrument on this subject. The United Nations Declaration on the Right to Development of 1986¹⁰ is an essential instrument that connects rules, processes and implementation, considering development as a comprehensive economic, social and political process.

Subsequently, the Rio declaration, which resulted from the UN Conference on the Environment and Development

⁷ Each United Nations member state has ratified at least one of the eight major UN human rights treaties. Argentina has ratified 10 and signed 5 of the UN international human rights treaties; or universal system treaties. (For details on Argentina's ratification and signature status, see <http://www.unhcr.ch/tbs/doc.nsf/newhvstatusbycountry?OpenView&Start=1&Count=250&Expand=7#7>).

⁸ See full text of the Vienna Declaration and Program of Action: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G93/142/36/PDF/G9314236.pdf?OpenElement>

⁹ United Nations Commission on Human Rights, Resolution 4 (XXXIII) of February 21st, 1977.

¹⁰ <http://www2.ohchr.org/spanish/law/desarrollo.htm>

held in June 1992, proclaimed the right to development once again and connected it to environmental protection, thus interpreting it as the right to sustainable development.

The Vienna Conference has also been a milestone for the right to development. Paragraph 8 underscores that “democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing concepts.” Likewise, paragraph 10 is devoted to the right to development stating that “the World Conference on Human Rights reaffirms the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.”¹¹ Until relatively recently, however, these two concepts – human rights and development – evolved separately: the former, applying a legal approach based on rights; the latter, by means of a pragmatic combination of macroeconomic investment and social commitment.

Thus, it was no easy task to harmonize pathways to work on them and by late 90s, they began to identify common interests. As the links between governance and economic performance became increasingly evident, various multilateral and national development organizations and NGOs started to include in their programmes the legal framework that the human rights perspective was offering to analyze power relations and accountability. In turn, human rights organizations came closer to development organizations on account of the possibilities to access big communities of poor and excluded people these organizations could provide.

2.3 The Human Rights-based Approach and the United Nations

The United Nations was founded on the principles of peace, justice, freedom and human rights¹². As mentioned earlier, the UDHR recognizes human rights as the foundation for peace, justice and democracy. In turn, the unanimously adopted Vienna declaration and its Programme of Action state that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing.

Against the backdrop of the United Nations Programme for Reform launched in 1997, the Secretary General called upon all agencies under the UN System to mainstream human rights into their various activities and programmes, within the framework of their respective mandates.

In 1998, the United Nations Development Programme (UNDP) adopted a policy to “Integrate Human Rights with Sustainable Human Development”. Later on, in 2000 and 2002, the reports on Human Development¹³ stated that human development is essential to the realization of human rights and that human rights are essential to achieve integral human development.

According to the Human Development Report 2000, “human development and human rights are close enough in motivation and concern to be compatible and congruous, and they are different enough in strategy and design to supplement each other fruitfully.”¹⁴

This report highlights that human rights and human development share a common vision and purpose: to guarantee freedom, wellbeing and dignity of all human beings; and it conceives human rights as an inherent part of development, and development as a means to realize those human rights.¹⁵

¹¹ Ditto note 9: see full text of the Vienna Declaration and Program of Action: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G93/142/36/PDF/G9314236.pdf?OpenElement>

¹² See report of the UN Secretary General *In Larger Freedom, Towards Security, Development and Human Rights for All*, New York, 2005 (<http://www.un.org/spanish/largerfreedom/>)

¹³ <http://hdr.undp.org/en/>

¹⁴ *United Nations development Program (UNDP), Human Development Report 2000: Human Rights and Human Development*, New York, 2000, p 19 (http://hdr.undp.org/en/media/HDR_2000_ES.pdf)

¹⁵ *The right to development has been reaffirmed as an inalienable human right in several resolutions by the General Assembly and above all, in the Millennium Declaration.* <http://www.un.org/spanish/milenio/ares552.pdf>

Later, in 2003, the Agencies of the United Nations System agreed on a Common Understanding on the Human Rights-based Approach, understanding that “In a human rights-based approach to programming and development cooperation, the aim of all activities is to contribute directly to the realization of one or several human rights.”¹⁶ Since then, several UN Agencies have adopted a human rights based approach in their development cooperation programmes and they have gained experience in rendering them operational.

Thus, the role of international human rights treaties is to set a range of minimum standards to protect and look after human rights which governments should meet. They also establish the rights of individuals and obligations of States to guarantee the protection and defence of such rights. These obligations are enshrined in three categories: (1) the obligation to respect, (2) the obligation to protect and (3) the obligation to meet or fulfil:

(1) To respect human rights means to not interfere with their enjoyment. For instance, the States should refrain from carrying out forced evictions and should not arbitrarily restrict the right to vote or the freedom of association.

(2) To protect human rights means to take steps to ensure that third parties do not interfere with their enjoyment. For example, States must protect access to education by ensuring that parents and employers do not stop boys and girls from attending school.

(3) To fulfil human rights means to take progressive steps to realize the concerned right. This obligation is sometimes subdivided into obligations to facilitate and to provide for its realization. The former refers to the obligation of the State to engage proactively in activities that would strengthen people’s ability to meet their own needs and claim their rights, for instance, creating conditions in which the market can supply the healthcare services that they demand. The obligation to provide goes one step further, involving direct provision of services if the rights concerned cannot be realized otherwise, or if the people have no access or are unable to access their rights by their own means; for example, to provide free healthcare or unemployment insurance.¹⁷

THE HUMAN RIGHT-BASED APPROACH: IMPLICATIONS FOR THE PUBLIC POLICIES, DEFINITIONS, PRINCIPLES.

The Human Rights-based Approach (HRBA) considers the conceptual framework provided by human rights as rights recognized by international treaties, ratified by the States and likewise recognized in the constitutions and legal systems of the States. Such framework offers a coherent system of principles and guidelines which are applicable to development policies.

HRBA applied to the reduction of poverty mainly implies that basic necessary conditions should be guaranteed to increase people’s ability to “make their own choices and to transform those choices into desired actions and outcomes, and to participate in, negotiate with, influence, control and hold accountable the institutions that affect their lives.”¹⁸ “Thus, the human rights perspective draws attention to the fact that poverty signifies the non-realization of human rights so that the adoption of a poverty reduction strategy is not just desirable but obligatory for States which have ratified international human rights instruments.”¹⁹

Therefore, a HRBA considers that the first step towards empowering excluded sectors is to acknowledge that

¹⁶ United Nations, *A Human Right-based Approach to Development Cooperation. Towards a Common Understanding among the United Nations Agencies*, New York, 2003.

The major Common Understanding points are:

- (1) All programmes of development cooperation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.
- (2) Human rights standards contained in, and principles derived from the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming efforts in all sectors and in all phases of the programming process.
- (3) Development Cooperation contributes to the development of the capacities of ‘duty-bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights.

¹⁷ UNDP, *Human Right in UNDP. Practice Note*, New York, 2005. www.undp.org.

¹⁸ OHCHR, *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies*, HR/PUB/07/12, Geneva, 2006, p. 13

¹⁹ OHCHR, *op.cit.*, p. 13.

they are rights-holders that may hold States accountable and have the right to demand certain provisions and behaviours from them. Thus, the HRBA is the means to enforce those legal, imperative and demandable obligations imposed by international human rights treaties and the constitutions. On the other hand, however, the adoption of a HRBA has an instrumental rationale, since it leads to better and more sustainable development outcomes.

In the last few years, the principles, rules and standards that make up the international human rights law have defined with greater accuracy not only the negative obligations of States but also a series of positive ones. This means they have defined in greater detail not only what the State should not do to avoid violations but also what they should do to guarantee full realization of civil and political rights as well as economic, social and cultural rights (ESCR). In this sense, human rights are currently regarded as “a programme that can guide and orient public policies of States and help to strengthen democratic institutions, particularly during transitions or in incomplete or weak democracies.”²⁰

Thus, the human rights regulatory framework, through the principles of universality, non-discrimination and equality, participation, accountability and interdependence of rights, can contribute in various ways to broadening the capabilities of poor people.

Principles of Universality, Equality and Non-discrimination

Human rights are universal and inalienable. All people in every country around the world are entitled to enjoy them. The human person, in whom they are inherent, cannot voluntarily renounce them; nor can they be deprived from these rights by a third party.

Each and every woman, man, girl and boy are entitled to enjoy their rights for the mere fact of being human. The universality principle requires that no group is left aside or discriminated from the benefits and scope of development and public policies, on the grounds of race, colour, gender, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or any other condition.²¹

Equality also implies that all individuals in a society should enjoy equal access to available goods and services necessary to satisfy basic human needs. It prohibits discrimination in the law or its enforcement in any field regulated and protected by public authorities. The non-discrimination principle applies to all state policies and practices.

The recognition of these principles draws attention to the fact that poverty finds its origin in discriminatory practices and the multiple forms that inequality and discrimination may take. For instance, they may arise from express legal inequalities; policies that are blind to the needs of a given group of people; social values that shape relationships within households and communities, etc.²²

Participation and Inclusion

An essential principle within the international human rights framework is that each and every person has the right to participate in, contribute to and enjoy development in which human rights and fundamental freedoms can be realized. The principles of participation and inclusion imply that people have the right to participate in the society to the top of their potential.

²⁰ Abramovich, Victor: “An Approximation to a Human Rights Approach to Development Strategies and Policies;” *CEPAL Review 88* (ECLAC), April 2006, p. 38. <http://www.eclac.org/publicaciones/xml/2/24342/G2289eAbramovich.pdf>

²¹ OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, New York and Geneva, 2006, p. 24.

²² OHCHR, *Human Rights and Poverty Reduction. A Conceptual Framework*. Op. cit., p. 20.

Participation is an objective, as well as a means, of development; it is a fundamental human right which is intrinsically related to the democratic principles and values that promote critical consciousness and decision-making as the basis for active citizenship.²³

The HRBA highlights the importance of ensuring participation by poor people and marginalized and/or vulnerable groups in the formulation, implementation and monitoring of poverty reduction strategies and policies.

Interdependence and Indivisibility

Human Rights are indivisible. These rights, whether of civil, cultural, economic, political or social nature are inherent to the dignity of all humans. These rights cannot be categorized in hierarchical order since they all lie within the same range of importance. The enjoyment of a right is indivisibly related to the enjoyment of other rights. All human rights – civil and political or economic and social - must be treated with equal respect. Policies and programmes should not attempt to implement a particular right separately.

Based on the foregoing, although poverty is primarily related to economic, social and cultural rights, the HRBA states that the enjoyment of these rights is related to the enjoyment of other rights.

Accountability and the Rule of Law

States and other duty-bearers answerable for ensuring the observance of rights are accountable for the realization of human rights. They must comply with the legal norms and standards enshrined in human rights instruments.

The accountability principle is essential to ensure a development-friendly environment. Human rights not only define people's needs but also recognize individuals as rights-holders and active participants in the development process, thus establishing duties and responsibilities from those in charge of ensuring such needs are met. Consequently, identifying duty-bearers and the hindrances they face when fulfilling their duties should be highlighted as an integral part of the development programme.

However, for accountability to actually work, the capacities of rights-holders to demand and claim their rights should be analyzed. Under a HRBA, mere charity is not enough. Rather, plans, policies and processes of development are based and founded on a system of rights and duties established by international law²⁴. In this manner, the HRBA helps promote the sustainability of the development process by empowering rights-holders, especially the most excluded or marginalized, to participate in policy-making and to be able to demand accountability from those whose obligation is to enforce their rights. As stated further on, the principle of participation is key in development strategies and policies.

Thus, promoting HRBA-focused public policies implies at least **two levels of requirements expected from the State**. The first one is to design and implement policies that respect human rights and international legal regulations and the second is to strengthen or implement policy enforceability mechanisms (judicial or administrative), since rights demand obligations and obligations require mechanisms to make them enforceable and fulfil them.

The design of policies based on human rights rules and principles is not sufficient if the mechanisms for their legal and administrative enforcement are not strengthened.

Therefore, human rights “strengthen good governance frameworks and they require going beyond the ratification of human rights treaties, integrating human rights effectively in legislation and State policy and

²³ OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 26.

²⁴ *Ibid.*, p. 15.

practice; establishing the promotion of justice as the aim of the rule of law; understanding that the credibility of democracy depends on the effectiveness of its response to people's political, social and economic demands; promoting checks and balances between official and unofficial institutions of governance; effecting necessary social changes, particularly regarding gender equality and cultural diversity; generating political will and public participation and awareness; and responding to key challenges for human rights and good governance such as corruption and violent conflict."²⁵

The human rights-based approach to development thus demands:

- Participation and transparency in the decision-making process.
- Non-discrimination.
- Empowerment.
- Accountability of duty-bearers.
- Rights enforcement mechanisms.

From the rights-holder's perspective, development and poverty reduction strategies regard empowerment as a prerequisite for participation in the development processes and in the design of public policies. The HRBA focuses essentially on granting this power by recognizing rights, as opposed to the approach based on needs and obtaining State grants.

The HRBA thus provides a new policy-making starting point, since it is no longer the existence of a disadvantaged sector that has unfulfilled needs but more fundamentally, the existence of people who have rights they can claim or demand.²⁶

In this sense, **there is a clear difference between right and need**. A right is something one possesses for the mere fact of being a person. It is what makes it possible for an individual to live with dignity. A right can be enforced and respected and it implies an obligation by the State. Conversely, a need is an aspiration which, although it may be legitimate, it is not necessarily linked to a governmental duty. The fulfilment of a need cannot be imposed.

In addition, human rights contribute to improving the effectiveness of development programmes through an explicit acknowledgement of its political dimensions. Since human rights are based on the responsibilities of States, the approach helps governments move from a basic needs or basic service provision approach towards a capacity development role. This means that the focus of attention is drawn to strengthening the capacities of rights-holders to claim and defend their rights and the capacities of duty-bearers to fulfil their obligations. The human rights interdependence and indivisibility principles have promoted more comprehensive approaches to social issues and have led to greater cooperation among sectors and public institutions.

2.4 The Contribution of the Human Rights-based Approach to Local Planning for Poverty Reduction

As mentioned earlier, poverty is not only a matter of income, but also, more fundamentally, a matter of being able to live a life in dignity and enjoy basic human rights and freedoms.

From this perspective, an analytical contribution of the human rights approach is that it provides a tool to examine the structural causes of poverty, such as focusing on inequality and exclusion as major barriers to

²⁵ OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, *op. cit.*, p. 10.

²⁶ "Internationally recognized human rights not only narrow the discretion of the State in regard to policy choices, but they also establish a minimum level of protection that States are legally obligated to provide" See "Report of the Independent Expert on Human Rights and Extreme Poverty", A/63/274, New York, 2008, p.11.

the reduction of this scourge. It also helps to better understand the context and the power relations in which development programmes operate.

Integrating this outlook and understanding poverty from a human rights perspective facilitate the development of more effective and equitable actions and policies to respond to the various dimensions of poverty. This perspective supplements other more orthodox interpretations by drawing attention not only to an individual's income level but also to the capabilities, choices, security and power that are needed to reach an adequate standard of living and other fundamental rights.

The HRBA applied to poverty reduction strategies does not change “what” as much as it changes “how” and “why” actions are to be undertaken. The notion of participation is in the core of this approach. Poor people and marginalized and/or vulnerable groups should be considered the main players and strategic partners of development.

The HRBA states that the process by which rights are fulfilled is as important as its outcome. This highlights a significant difference from other development approaches, especially of the United Nations: while the human development paradigm tends to focus on the outcomes of development efforts (such as the Millennium Development Goals), the human rights-based approach requires, both at a time, the achievement of development outcomes and acceptable processes from an ethical standpoint. In other words, human development is a necessary condition but not enough to fulfil human rights. The same may be said of the relationship between the Millennium Development Goals (MDG)²⁷ and HR. The growing awareness of the fact that respect for human rights is a sine qua non condition to achieve socioeconomic outcomes challenges the view that income should be used as a good and sufficient proxy indicator of poverty. Likewise, a country may be achieving goals set out in the MDG while not respecting the rights of women, children or indigenous peoples; also, given that the MDG are associated with national averages, their scope may not be revealing regional disparities within a country.

In this sense, the main goal of the MDG is to set development priorities, identifying spheres of action where governments should focus. On the one hand, this fact shows the difference between the MDG approach and the HR approach, since, in general terms, rights cannot be prioritized as they are regarded as equal. On the other hand, human rights play a similar role, as they set a series of minimum standards for protecting and guarding human rights that States are expected to meet. Thus, both approaches focus their attention on key government areas and duties.

It is also worth mentioning that human rights principles are mandatory and systemic, while MDG are partial, do not set mandatory goals and may and should be adapted to local contexts. From this standpoint, human rights represent a superior, more complete and comprehensive framework, without a time horizon and backed by a legal framework.

The ultimate notion underlying the adoption of a HRBA is that the policies and institutions for poverty reduction should be explicitly based on rules and values included in the international legislation on human rights.

A human rights-based approach offers a greater and deeper understanding of the underlying root causes and consequences of poverty. It does so by linking a comprehensive analysis of poverty to a regulatory framework which seeks to guarantee outcomes and accountability all through the poverty reduction process. **Its added value is not simply to create a favourable setting for the development process by realizing people's rights but also to empower those people to take part in decision-making processes, and to fully contribute to and participate in development.** Thus, the poor become the main players in this process. This is what differentiates the HRBA from a basic needs approach, the latter being based on separate relationships: among the State players on the one hand and between individuals and local communities on the other hand.

²⁷ <http://www.endpoverty2015.org/>

See also Sen, Amartya, "Development as Freedom," Chapter 4: "Poverty as Capability Deprivation," *op. cit.*

In summary, it may be said that living in poor conditions for many means not getting some of their human rights realized; for example, the right to healthcare, education, etc. At the same time, the responses designed by the States to overcome poverty should and may be channelled from a comprehensive human rights approach both in the search for outcomes and the development of processes. Thus, the policies to overcome poverty should comply with human rights principles and standards in terms of design, implementation and enforceability.

Likewise, the human rights framework reflects the crucial indivisibility and interdependence among economic, social and cultural rights and civil and political rights. As mentioned earlier, the participation principle is an essential guide for identifying needs and priorities at local or community level in development and poverty reduction strategies and it is closely linked to the fulfilment of certain civil and political rights.

In this sense, any strategy to fight poverty based on a human rights approach requires the participation of all. This political participation a democratic system calls for goes beyond the scheme of free, regular elections a nation may have. It also implies the right of association and assembly, freedom of association, freedom of expression and the right to access information. The real capacity to put such rights into practice will determine whether the poorest sectors are able to influence political processes and the orientation of public policies. It is therefore important to consider the distinct capacities of the various social groups to participate in defining local needs and prioritizing policies.²⁸

2.4.1 Participation

Participation means “ensuring that national stakeholders have genuine ownership and control over development processes in all phases of the programming cycle: assessment, analysis, planning, implementation, monitoring and evaluation.”²⁹

Efforts to promote development should then focus on building capacity in communities without disregarding the impact the more aggregate levels of society may have on those capacities. In this sense, two levels of participation may be described: participation by community members in making decisions or contributing to community/municipal actions, and participation by communities or their representatives in broader economic, political and social development efforts that affect the community.

It is worth highlighting that participation has been rediscovered as an instrument that may be used both to consolidate democratic government systems and to strengthen development programmes and projects. The fundamental premise is that people have an imperative need and the right to take part in the processes and events that shape their lives.

This means that, apart from its instrumental role in ensuring better decisions and greater implementation efficacy levels, participation per se strengthens democracy. Participation contributes to development efforts through representation, voice and accountability channels.

The process of formulating a poverty reduction strategy is made up of four participation stages: a) stating preferences; b) selecting policies; c) implementing and monitoring; and d) evaluating and establishing accountability.

²⁸ The studies that analyze the capacity of Civil Society Organizations to influence public policies have identified the capacities that social groups need to have to become public policy players with advocacy capacity. What turns group players or social groups into public policy players? *Negotiation capacity: The ability to influence the formulation and management stage of public policies based on available political and economic resources; Capacity to decipher the context: possibility to access as much essential quality information as possible during the public policy process; Representation capacity: leadership capacity to legitimately express the ideas of those who constitute its “foundations”; Capacity to demonstrate: ability to push other stakeholders on account of group size in certain circumstances (see González Bombal, Inés: “Civil Society Organizations and Impact on Public Policies: Reflections to Keep Moving Ahead”, in González Bombal, Inés and Villar, Rodrigo (comp.): “Civil Society Organizations and Impact on Public Policies”, Libros del Zorzal Publications, Buenos Aires, 2003).*

²⁹ OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 26.

- a)** Stating preferences is the initial and fundamental stage of any policy formulation process, since the population needs to be able to express their preferences and the goals they wish to achieve.
- b)** Selecting the policy refers to the moment of formulation and decision-making as to the resources to be allocated to it.
- c)** While policy implementation is basically the State's responsibility, it is essential for people to be given a participatory space in policy application. This may be achieved through a greater democratization and decentralization of the poverty reduction strategy.
- d)** Finally, policy monitoring and evaluation should also rely on mechanisms that allow for people's participation and by means of which the States and other duty-bearers can be held accountable for their obligations.³⁰

Empowerment from a HRBA means encouraging people to become acquainted with and learn how to claim their rights and to participate in decisions that concern their lives and the development of their communities. Formal institutional governance arrangements should be evaluated in order to learn how they impact on the lives of the most vulnerable groups in terms of political participation and policy response capacity to the problems of poor and marginal people. The principles of equality and non-discrimination, participation and inclusion, accountability and the rule of law should all be endorsed by legal frameworks comprised in effective democratic governance structures.

³⁰ OHCHR, *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies*, *op. cit.*, p. 31 and 32.



3. OPERATIONAL IMPLICATIONS OF THE HUMAN RIGHTS-BASED APPROACH IN LOCAL PLANNING: LEVELS OF APPLICATION OF THE METHODOLOGY AND PRACTICAL IMPLICATIONS

<p>There are three levels of application of the local planning methodology from a HRBA.</p>	
<p>First, at a <i>mainstream level</i>, it implies accepting and recognizing human rights principles and standards in all actions taken as part of the process. Participation and non-discrimination should particularly guide all stages. At an operational level, this recognition has implications in terms communication and dissemination, for which an ongoing, mainstreamed communication plan should be designed to keep rights-holders informed.</p> <p>Second, in <i>setting the planning process goals</i>, it implies identifying human rights as public policy objectives. This change in perspective does not necessarily imply changes in what is done but rather, in how and why it is done, which means focusing on the processes to obtain results and cope with problems such as social exclusion and poverty reduction. In this sense, the use of human rights standards and principles help ensure that goals are set and pursued in an equitable, inclusive and sustainable manner.</p> <p>Finally, in <i>implementing and monitoring</i> poverty reduction strategies, the methodology based on human rights has practical and definite implications on each of the process phases. Following the traditional planning scheme (preparation, diagnostic, formulation, implementation and monitoring), we will now deal with the HRBA entry points, operational interventions and its relationship with the principles of rights.</p>	

<p>Making the Plan or Strategy</p>	
<p>The making of any poverty reduction plan or strategy implies a series of steps. In this particular case, it is necessary for all actions to be relevant not only in setting goals and defining indicators but also in ensuring a Human Right perspective.</p>	

Basically, the process presented herein has **three main moments**:

- A) Diagnostic and situational analysis.
- B) Design and formulation of the local poverty reduction action plan or strategy based on human rights.
- C) Implementation and monitoring (mainstreamed into the whole cycle).

However, there are certain actions and requirements that should be taken into consideration before starting diagnostic actions:

3.1 PRIOR ACTIONS AND PREREQUISITES

3.1.1 Preparation

ENSURE POLITICAL COMMITMENT

The first and major prerequisite is to ensure political commitment from the highest municipal authority with the poverty reduction plan or strategy formulation process. It is important to mention that in order for planning to be effective, it is vital that political authorities be willing to put the plan into practice. Otherwise, the planning task would become mere void statements. *“Planning is much more than a rationalization process applied to decision-making; it is the instrument of a **political project**, even when such project has only been vaguely and ambiguously defined.”*³¹

Ensuring political commitment with the entire planning process from a HRBA also implies ensuring the understanding of the role human rights play in local development and accountability in terms of human rights.

APPOINT A COORDINATOR

Once the executive decision to carry out this task has been made, the Mayor is expected to appoint someone in charge of ensuring all conditions and requirements are met to lay the groundwork for starting the implementation actions per se.

MAKE UP THE TECHNICAL TEAM

The process of making up a technical team starts long before the moment its members are appointed. Role distribution should consider the inclusion of both people with expertise and human rights sensitivity and non-governmental agents (NGO representatives, academia, private sector) so as to guarantee objectivity all through the process. Establishing participation mechanisms with adequate local community representativeness, including vulnerable or marginalized groups and favouring equal participation by men and women to guarantee process transparency and facilitate a setting of dialogue and respect will be determining factors for a smooth process development.

Based on past experience, it is advised to make up a mixed technical team, i.e. to appoint public officials and municipal technicians, university technicians, academic centers, technical assistance centers, consultants, etc. In this way, combined field knowledge is guaranteed while a more objective look is ensured due to the diversity of players.

A few guiding questions for making up the team may be:

- **What is the most adequate number of members?**
- **Who should be in charge of team coordination?**
- **What are the required professional profiles?**
- **What are the roles and functions to be fulfilled both by the team itself and each of its members?**
- **What are the expected outcomes?**

³¹ Bernazza, Claudia. *Material on strategic planning: Introduction to planning, how to design a project, SWOT technique, strategic planning and leadership*; Text adapted from “Introduction to planning,” in Ezequiel Ander Egg, *Siglo XXI*, 1991

The principles of **participation and accountability** will be key guides in this first phase.

SETUP AND INSTITUTIONAL ARRANGEMENTS

It is convenient to begin the plan-making process with a setup programme aimed at involving political decision-makers in the project: the Mayor, municipal officials, legislative body (Deliberating Council/Legislature).

<p>Some guiding questions may be:</p>	
<ul style="list-style-type: none"> • What kind of information should be communicated? • Who should communicate? • Who should this information be targeted at? • What is the most adequate way of communicating this information? • Is it advised to hold meetings? With the Mayor only? With the Mayor and all municipal officials? With some municipal officials only? • Is it advised to suggest the Mayor which official(s) would be the most suitable for taking the political responsibility of making the plan or strategy, according to the technical team's opinion? • What criteria should prevail in such definition? 	

In addition, it is necessary to analyze the municipal regulations in force in order to determine if it is necessary and suitable to strengthen the existing legal support for making a plan or strategy, whether by promulgating a new specific regulation or by reformulating an existing one.

DIAGNOSTIC WITH COMMUNITY PARTICIPATION

“Rights analysis can provide insights into the distribution of power. By identifying groups lacking effective rights - and groups who may be denying rights to others – it can highlight the root causes of poverty and vulnerability. As such, a rights approach provides a way of examining the operation of institutions and political and social processes that influence the livelihoods of the poor and the most vulnerable.”³²

The diagnostic moment is key in including a HRBA since it is then when the current status is determined and problems, human rights violations, needs and action priorities are identified with the participation of the entire community

In view of the participatory strategy applied to plan or strategy-making, it is required to carefully analyze **what type and form of interrelation there is between the municipal government and its community**. This analysis will help determine whether the call upon the civil society fulfils the thematic and geographic representativeness conditions that are needed for a participatory approach to plan or strategy-making.

³² OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 27.

The following questions can help identify how the local civil society is made up.

- Are there any participation mechanisms currently operating in the municipality?
- If so, which one? How does it work? Who participates?
- How is the civil society organized?
- What types of organizations are there (traditional: regional development agencies, community assemblies, etc; other)? Are there any human rights–related organizations?
- Are there any second-tier organizations or networks that group these organizations? Do they focus on any particular subject?
- What is the degree and kind of interrelation they have with the local government?
- Do these organizations enjoy social representativeness and legitimacy?

3.2 THREE KEY MOMENTS

The following is an explanation of a “typical” methodology by steps that each municipal team should adapt according to their specific needs and local reality. As mentioned earlier, the methodology presented herein has been analytically broken down into three main moments. Please note that some of the actions are concomitant and others need to follow a time sequence.

The three key moments are:

- A) Diagnostic and situational analysis.**
- B) Design and formulation of a local poverty reduction plan or strategy based on human rights.**
- C) Implementation and monitoring (mainstreamed across the whole cycle).**

3.2.1 Diagnostic and situational analysis

Every plan or strategy requires a more accurate knowledge of the present situation, and this is why it is necessary to start with a diagnostic.

3.2.1.1 Identification of problems and/or issues and which human rights are affected

This step includes the analysis of two main components: - the identification of problems and/or issues and – the identification of the human rights that are affected. Both components are interrelated and they directly impact and affect each other.

IDENTIFICATION OF PROBLEMS AND/OR ISSUES

Before starting the problem evaluation and analysis process, it is necessary to review all relevant material available, sources of information, baselines, indicators, documents published by the various agencies and institutions (international, national, governmental and non-governmental). This preliminary revision is meaningful since it contributes to a better, more global understanding of the municipality situation from different perspectives: political, economic, social, legal, cultural, historical and developmental.

The diagnostic and situational analysis does not simply consist in gathering basic demographic socioeconomic data. It also entails compiling information on the State's administrative features, legal framework and existing programmes and plans, including an analysis of accessibility, acceptability, universality, etc., and procuring information on human rights mechanisms (treaty bodies and special rapporteurs) and their recommendations. All the **information** should be **broken down** by gender, age, ethnic group, labour status, geographical location, disability, etc., i.e., based on discrimination premises outlined in international human rights treaties.³³ The backbones in this stage should be **all human rights standards and the principles of indivisibility, interrelation, equality and non-discrimination and accountability.**

Some guiding questions and tips:	
<p>Regarding statistical information:</p> <ul style="list-style-type: none"> • Is there statistical information available at municipal level? Is it relevant? Is it easy to access? • Are statistics at provincial and national level adequate? <p>Bibliography selection: The bibliography should be selected as a theoretical support of the fundamental concepts of the process.</p> <p>Identification of statistical sources: The analysis of the municipality's institutional capacities will help define, for every particular problem, whether available statistical sources are adequate or if additional efforts should be made to produce them.</p> <p>Building data collection and analysis instruments (See annex IV. Key informant Interview Guide)</p>	

Once this data compilation has been made, the team will start gathering general information by getting in touch with their counterparts, including the local authorities, civil society organizations and vulnerable groups' representatives. All this will offer a holistic perspective of the municipal situation and will help identify the most urgent issues and needs as well as the problems that impact on people's lives.

³³ "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other condition. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty." The Universal Declaration of Human Rights, Art. 2 <http://www.un.org/es/documents/udhr/>

Analysis of the institutional “responses” and their link with human rights:

This activity is done taking other types of information sources, such as:

- compilation of information on government plans, programmes and actions,
- interviews to officials in charge of them,
- interviews to officials at other government levels,
- interviews to key informants (either members of the municipality or not),
- focus groups.

This information is of utmost importance since it helps determine, at program level, whether there are any definite action strategies and/ or mechanisms based on a human rights perspective.

It is advised to search and identify the root causes of issues and problems only after determining the priorities on which the coordinating team in charge of plan or strategy-making should work.

It is worth noting that the human rights approach reinforces the situational analysis at three levels:

- Causality analysis: drawing attention to root causes of development problems and patterns of discrimination;
- Role/obligation analysis: helping to define who owes what obligations to whom, especially with regard to the root causes identified; and
- Definition of interventions needed to build rights-holders’ capacities and improve duty-bearers’ performance.³⁴

It is thus highly recommended for the team in charge of data collection - which is part of the plan or strategy-making coordinating team - to be well acquainted with human rights beforehand so as to be alert, right from the start, to the emergence of any matter related to human rights violations during the interviews with the counterparts, and to draw attention to which could be the vulnerable groups affected by them. This means the team should rely on a sound knowledge of human rights principles and standards, their content and regulatory implications, before starting the data collection process.



GUIDING QUESTION:

Which are the problems and the dimensions of poverty that most affect people’s lives and the enjoyment of their human rights?

IDENTIFICATION OF AFFECTED HUMAN RIGHTS

Once the most pressing matters have been identified from a HRBA, the team should more specifically evaluate which human rights are affected, denied or violated by them. Likewise, they should identify which

³⁴ OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit, p. 27.

rights-holders' rights are related to each of the affected rights and which obligations the State holds to respect, protect and fulfil those rights. In doing so, it is important to evaluate if and how the affected human rights are protected by the national/provincial/municipal legal framework, i.e., **whether the problem is the lack of legal protection or an implementation issue.**³⁵

The use of participatory approaches also helps include the problems and concerns of the inhabitants of the municipality, since they are divided into different age, gender, ethnic, political, religious, rural and urban groups. It also helps include vulnerable groups that would otherwise be left out. Ensuring the participation of these groups as well as the objectivity and independence of the process will prevent the risk of other more dominant or powerful groups influencing the processes and outcomes.

It is relevant to identify the regulations related to human rights, both at international (conventions, treaties, etc.) and national, provincial and municipal level, in order to analyze whether it is necessary to make any amendments to the legal framework aimed at respecting and enforcing the human rights perspective (see Annex VI, Regulations).

It is worth noting that not only “bad” or troublesome examples should be identified. Rather, it is advised to also identify good examples of human rights protection and promotion that may be used as best practices and lessons learned to be applied in future actions carried out in the same municipality or to be replicated in other interested municipalities.

Guiding tips:	
<ul style="list-style-type: none"> • Identify which human rights are affected or denied by the problems/ issues. • Evaluate if and how human rights are protected by the national/ provincial/ municipal legal framework. • Evaluate whether it is a legal protection or law enforcement problem. • Identify the rights of rights-holder and the obligations of the duty-bearers. • Identify not only “bad” examples but also good examples of human rights protection and promotion. 	

Other important points to consider when carrying out the diagnostic are:

- **Jurisdictional competencies**³⁶:
 - What are the direct municipal attributions and which correspond to other levels of government to respond to the problems identified? Which level(s)?
 - Is there policy coordination with other levels of government?
- **Municipal management style**:
 - Are there any specific strategies to interrelate with the civil society?
 - Are there any planning mechanisms that include actions to monitor and evaluate programmes and projects?
 - Are the interrelation mechanisms transparent and massively disseminated?
 - Which role does the municipal government give citizens in terms of programme and project management?

³⁵ A human rights-based analysis may reveal capacity gaps in legislation, institutions, policies and voice; OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 27.

³⁶ See “Analysis - Analysis of capabilities” below.

- What types and forms of interrelation are there (public meetings, meetings on specific topics, thematic commissions, etc.)?
- Are there any specific policies or actions regarding the circulation of information and the dissemination of programmes and projects?
- What are the means and forms of communication? Who have access to them?

- Existing resources

The evaluation of available resources should not be restricted to human and financial resources. It should also comprise other types such as statistical information with relevant indicators and a thorough analysis of the information sources:

RELEVANT INDICATORS

In Argentina, the most widely used indicators are the Unmet Basic Needs (UBN) and Indigence (IL) and Poverty Line (PL), determined by income levels. As the measurement of some of these indicators is made only on big urban conglomerates, these indicators may not be available for all areas.

There are other indicators, such as child labour or health-related measurement - particularly on Chagas Disease - that are not available at local level.

These are rather widespread problems in a federal country like Argentina. Solving these difficulties implies the paramount task of searching for and working along with those bodies - decentralized or not - that may have and provide the required information. Another alternative is for the municipal Statistics Board to create and measure their own data, as long as is it made possible by the municipal structure and resources.

Another point to consider, which may also be presented as an obstacle, is the importance of **ensuring comparability** of both the period selected by the various sources and the data and methodologies used to obtain them.

INFORMATION SOURCES

In Argentina, the main source of national information is the National Institute of Statistics and Censuses (INDEC, Instituto Nacional de Estadística y Censos). There are others related to poverty which were designed by the Ministry of Labour, Employment and Social Security, the Ministry of Health and the Ministry of Education and Social Development. In turn, each province has its own Statistics Board and some municipalities also have local statistics production capacity. Additionally, although serious inadequacies were detected in the activities and beneficiaries records, the programmes at national, provincial and municipal level constitute other practical sources of information.

Comparability and data-gathering methodologies are aspects that need to be more carefully observed and analyzed.

To overcome some of these problems, a few municipalities³⁷ decided to design programmes that would allow them to rely on their own sources of information with the aim to obtain data they could not gather otherwise or that were unavailable but key in developing their programmes and projects.

³⁷ An example of that is the work done by the municipality of Morón (Province of Buenos Aires, Argentina): "The discussions within the framework of this project and/ or with reference to it helped detect a series of inadequacies. In this regard, the Permanent Households Survey of Morón (EPH) is worth mentioning as a project that, although it was already on the way as part of the management's concerns prior to this project, it has been considered by the Diagnostic as an indispensable tool for devising and evaluating public policies" (Project "Implementation of Local Strategies aimed at reaching the MDG based on a Human Rights Perspective,"; p. 28, Final Report, Municipality of Morón).

HUMAN AND FINANCIAL RESOURCES

Some of the guiding questions regarding human and financial resources may be:

- Are there any available financial resources for the planning process? And for implementation?
- Are there enough human resources?
- Do they need to be trained? If so, are there any local organizations capable of providing technical assistance to the municipal team?
- Is there a budget allocated to education and training activities?

Example 1

As a lesson learned from the diagnostic and analysis, the Municipality of Morón concluded that: "... as regards the information coming from official bodies, whenever possible, we have tried to replicate the indicators used by the nation when adapting the MDG to Argentina at national, provincial and municipal level. However, we have found that, for many of them, no information broken down by municipality was available.

We consider that one of the contributions of this investigation is to have detected a series of flaws in terms of access to statistical information disaggregated at municipality level. It is really difficult to find, in the various jurisdictions of the statistics system, the degree of breakdown required by some indicators to account for the local reality at municipality scale. It would be really useful to get prompter access to municipal data when it comes to making public policies.

As regards poverty measurement, we have used some indicators of the Unmet Basic Needs (UBN) methodology that can be retrieved from the National Population and Households Censuses, the results of which are broken down by municipality. We have not turned to the Poverty Line (PL) methodology that stems from the Permanent Households Survey (PHS), which is used by the Nation, since the data result from a sample that is taken from large population centers and are not broken down at municipal level. The same is true of more specific data related to employment measurement: we have worked with data retrieved from the Census and not from the PHS, although the latter tend to be more accurate in surveying the dimensions of such phenomenon. However, we have the advantage that the Municipality is designing a PHS at local level which is expected to be conducted by the end of this year and, although it was not available for the Diagnostic Report, we may be able to use it when adapting the MDG to Morón."

Source: Final Report of the Municipality of Morón on the pilot Project Implementation of Local Strategies aimed at reaching the MDG based on a Human Rights Perspective, implemented by the UNDP and coordinated by Abuelas de Plaza de Mayo (Grandmothers of the Plaza de Mayo), 2005-2008.

PRIORITY-SETTING

After collecting available data, it is necessary to prioritize the issues identified based on how important each of them is to the population, drawing special attention to vulnerable groups. Priorities should be set with these questions in mind: **what is the problem?; why is it a problem?; who is affected by this problem and how?; which and whose rights are affected by this problem?; who are the most affected ones among them?; Who is it a priority for and why?; who is this problem most important for?** To ensure that all concerns and needs of both rights-holders and duty-bearers are integrated in this analysis, it is important to do an exhaustive verification and a priority check based on a participatory approach guided by human rights standards and principles and the regulations related to the rights affected.

This process helps focus on the most relevant and serious problems and issues and on the human rights and groups of people most affected by them. Most importantly, the process is essential to ensure that all matters are addressed to the greatest degree possible and that the concerns of vulnerable groups rank first in the evaluation list.

Guiding questions:	
<ul style="list-style-type: none">• What is the problem?• Why is it a problem?• Who is affected by this problem and how?• Which and whose rights are affected by this problem?• Who are the most affected ones among them?• Whose priority is it? For example, who is the problem important for?• Who is this problem most important for?• Why is it a priority?• Is it the only priority or are there any others?	

It is also key to analyze the players involved and those who are affected and/or have some degree of influence on the problems/issues. It is thus important to establish who the rights-holders and the duty-bearers are, what responsibilities they have, what they need in order to take action, and what potential “influence groups” exist, if any.

3.2.1.2 Identifying players

Identifying all players involved contributes to a better understanding of the power relations among rights-holders and duty-bearers, to help modify the current dynamics and bridge the differences that divide them.

Thus, it is important to “map power relations influencing the given situation. Power is dynamic, its different dimensions are in constant change, they are relational and not always visible. Historical lack of power can be socialized and concealed within, crippling people’s propensity and ability to accept that they have rights and to claim them.”³⁸

The focus should be placed on the following three main players:

IDENTIFICATION OF RIGHTS-HOLDERS

It is important to identify who is most affected by the problem(s)/issue(s). Also, it is essential to establish what the affected group or person is entitled to. In this process, special efforts should be made to identify the most vulnerable groups.

As mentioned earlier, the core of the human rights-based approach is basically to build people’s capacity to participate in development projects. Thus, identifying who has the right to what becomes a key feature in human rights-based planning.

Furthermore, considering that every poverty reduction strategy should begin by identifying the poor, it is essential to determine the attributes that are deemed to constitute poverty and which population groups possess these attributes.

³⁸ OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 18.

It is essential for the process of identifying the poor to be guided by two special considerations. Firstly, it is necessary to ascertain who the poor are and how poor they are i.e., identifying those in extreme poverty, as well as specific groups, so that the problem can be addressed at a disaggregated a level as possible. Secondly, special efforts must be made to identify those among the poor who are specially deprived and marginalized so that, when resource constraints call for the setting of priorities, it is the entitlement of these groups that should receive prior attention.³⁹

At this stage, it is advised to develop a gender analysis.⁴⁰

Guiding questions:
<ul style="list-style-type: none"> • Who is marginalized? Who are the most vulnerable? • Why and how are they more affected? • Do they belong to any particular group (men, women, ethnic, religious, or political groups, disabled, age groups, people living in a given geographic location, etc.)? • Do they belong to any particular religion, ethnic or cultural group? • Are they members of a political party or any particular religion? • Are they based in any specific geographic region? • What is their economic status? • What age group do they belong to? • Are there any children particularly affected by this problem? • How are women affected? • Who are the rights-holders? • What are they entitled to?

IDENTIFICATION OF DUTY-BEARERS

The main objective here is to identify who has the responsibility to do what is needed to ensure that human rights are respected and protected, to implement solution mechanisms and to fulfil the obligations related to the issues and rights identified. Duty-bearers should be identified at all levels of authority, establishing responsibilities among the various government hierarchies and branches. For example, under the right to education, there are different duty-bearers with different obligations: from teachers and education institutions to Ministries of Education and parliaments. It is also advised to identify those non-governmental players who also bear obligations, such as parents.

As mentioned earlier, the State has three main human rights-related duties: to respect, protect and fulfil them. Identifying these three duty categories promotes an effective integration of human rights into poverty reduction strategies “by clarifying the nature and scope of human rights obligations. Greater clarity about human rights obligations helps duty-holders identify measures that implement their obligations; it also permits the enhanced accountability of duty-bearers.”⁴¹

³⁹ OHCHR, *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies*, op. cit, p. 17 and 18.

⁴⁰ See “Guide to Gender Mainstreaming in Development Projects,” UNDP Mexico, 2006. http://www.undp.org.mx/IMG/pdf/Guia_de_Transv-de_Gen-en_Proj-.pdf

⁴¹ OHCHR, *Human Rights and Poverty Reduction. A Conceptual Framework*, op. cit., p. 35.

Essential elements:	
<ul style="list-style-type: none">• Who is responsible for doing what is needed and for establishing solution mechanisms to respect, protect and fulfil human rights? What level of authority does this person have?• What are the obligations of each identified duty-bearer in light of the international standards and the national legal framework?	

IDENTIFICATION OF “INFLUENCE GROUPS”

Finally, it is necessary to identify those players having either a positive or a negative influence on the problems, as well as on the capacities of rights-holders and duty-bearers. These groups are herein called “influence groups” and they are generally non-governmental players. These may be economic, social or political interest groups, or power blocks such as religious leaders, business entities, NGOs, mass media, neighbouring countries or international/donor agencies.

These forces have the power to influence rights-holders and duty-bearers and have a fundamental obligation which is to exert that influence with responsibility, regardless of not being legally bound to do so. Therefore, the power relations among influence groups, rights-holders and duty-bearers should be evaluated and this identification should be taken into consideration all along the analysis and planning process.

“While development is not a zero-sum game, all entitlements cannot be realized for all people at once. Clashes of interest are inevitable, and development actors can profoundly influence the pattern of winners and losers nationally. Conflicts swept under the carpet and grievances ignored can give way to violent confrontation. Conversely, and more positively, non-violent conflict can help create space for dialogue and generate momentum for social change. With human rights in mind, development programmes and actors can help to address and manage conflict.”⁴²

Essential elements:	
<ul style="list-style-type: none">• What are the negative and positive influences behind the identified issues?• Do they have a positive or negative impact on rights-holders and duty-bearers?	

3.2.1.3 Analysis

All collected and reviewed information for each of the identified problems/issues should be subjected to the following three types of analysis:

ROOTS ANALYSIS

Roots analysis is a tool for identifying the causes of a problem. It focuses on the root and the underlying causes of the problems/issues by observing: the deprivation of rights; their impact on the enjoyment of rights; who is affected and why; how these problems interrelate; the various impacts of these problems on different groups of people; and why the problem exists. The analysis results in a list of unrealized or not respected human rights placed in hierarchical order - immediate, underlying and structural causes -, and it helps identify rights-holders and duty-bearers.

⁴² OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 19.

ANALYSIS OF CAPACITIES

The basic assumption is that rights are not fulfilled because rights-holders lack the capacity to claim their rights. In turn, it is also assumed that rights are not fulfilled because duty-bearers lack the capacity to fulfil their duties.

The analysis of capacities requires a thorough evaluation of the capacities⁴³ people and groups have to enjoy and exercise their rights - with special focus on vulnerable groups and the causes of their vulnerability - and an analysis of the capacities of duty-bearers to respect and fulfil their obligations in the pursuit of human rights.

The capacity analysis can be done using the SWOT analysis methodology,⁴⁴ combined with relevant group-specific issues. The analysis of rights-holders' capacities should focus on their access to information, their ability to get together and participate, their ability to plead for policy changes and to claim, seek and obtain changes in affected or denied rights. This analysis should also identify the capacity gap of each right-holder to claim their rights.

The analysis of duty-bearers' capacities includes: (a) their authority and power to act on prioritized issues⁴⁵; (b) their responsibility, including the understanding of and respect for their obligations in the pursuit of human rights and political will; (c) the resources - human, financial and organizational; and (d) the access to necessary information and sources of knowledge, and the capacity gaps of each duty-bearer to fulfil their duties.

GAP ANALYSIS, INCLUDING ANALYSIS OF RIGHTS AND OBLIGATIONS

The "gap analysis" summarizes all the above mentioned analyses. It focuses on which rights are related to each of the prioritized problems and affected rights and confronts them with the extent to which they are being fulfilled or not fulfilled and how the State fulfilling or not its duties impact on the lives of rights-holders.

Finally, the analysis observes which steps have been taken by duty-bearers or other players to fulfil their obligations and solve the problems identified and it underscores the steps (either immediate or progressive) that have yet to be taken.

Essential elements:	
<ul style="list-style-type: none"> • Root analysis (root cause and underlying causes, problems and impacts). • Analysis of rights-holders' capacities, including the analysis of vulnerable groups. • Analysis of the duty-bearers' capacities. • Gap analysis, including Rights and Obligations. 	

⁴³ The capacity components can be analytically divided into: Responsibility/ motivation/ commitment; authority; access to and control of resources; communication capacity; decision-making and learning capacity.

⁴⁴ Strengths, Weaknesses, Opportunities and Threats.

⁴⁵ This is particularly important in a federal country like Argentina, where municipalities quite often lack the jurisdictional power to act on certain problems.

The following are a few guiding questions to be taken into account in this stage of the planning process:

- Which are the priority human rights/goals to be diagnosed?
- What are the most appropriate territories for diagnostic? (Focus on marginal regions/ at province level, etc.)
- Who are those responsible for the major policies?
- What direct influence does the province/ municipality have on them?
- What are the principal dimensions of the analysis? (For example, differences and/ or obstacles in the access to services, institutional responsibilities, people's claiming capacity, the role of the civil society, etc.)
- What investigation methodologies are advised for use?
- How do we make participants aware that emphasis should be given to rights rather than to needs?

3.2.1.4 Formulation and Programming

WRITING THE DIAGNOSTIC AND ANALYSIS REPORT

During the formulation phase, it is necessary to define a joint vision shared by the entire community. This is achieved by ensuring the commitment of all, including marginalized and vulnerable groups. It is also necessary for the definition of such vision to comprise an understanding across all sectors of what life quality means, in order to achieve a comprehensive approach.

In order to start the writing of the diagnostic report, it is essential to bear in mind that this document will publicly reveal the findings in a comprehensive manner, including all the analysis elements based on a human rights approach.

In this sense, the elements that cannot be absent from the diagnostic report are the following:

- Identified and presented problems.
- Clearly presented roots analysis for each of the identified problems.
- Clearly analyzed and presented capacity analysis.
- Gap analysis mainstreamed into the entire report.
- Clearly explained obligations, rights and responsibilities.

Likewise, there are matters that should be mainstreamed into the whole analysis process and that should be clearly shown in the diagnostic report. These are:

- Ensure a gender approach: in all the problems identified, a gender analysis should be carried out ⁴⁶. In the work discussions, workshops and meetings with the players, gender-related issues should be identified and analyzed in the report.
- All along the process, **use a data collection and analysis methodology** (both qualitative and quantitative) and review, screen and delete irrelevant and wrong information. Check information sources thoroughly.
- Finally, evaluate what kind of investigators/evaluators team is needed, paying special attention to the **role and**

⁴⁶ See "Guide to Gender Mainstreaming in Development Projects," *op. cit.*
Also: "Challenges to Gender Equality in Argentina. UNDP Strategy," UNDP Argentina, Buenos Aires, 2008.
http://www.undp.org.ar/docs/Libros_y_Publicaciones/Desafiosigualdaddegeneroweb.pdf

influence of all players (rights-holders, duty-bearers and influence groups) in the process and the results of the evaluation and analysis in all stages.

PUBLIC PRESENTATION, DISTRIBUTION AND DISSEMINATION OF THE DIAGNOSTIC REPORT

The diagnostic report is the first result of the joint planning between the local government and its community; strictly speaking, it is only part of it since, no matter how broad participation by citizens may have been, there is always a big part of the community which has naturally not participated directly.

The purpose of a public presentation is at least fourfold:

- It is a means to give a **feedback** to all those who have directly participated in making the diagnostic.
- It helps **communicate** to the entire society the outcomes of the endeavours undertaken.
- It helps **consolidate the next steps** of the process based on an effectively reached result.
- **It helps obtain opinions, suggestions and critique to enrich the diagnostic.**

Example 2:

The first task of the diagnostic process in the Municipality of Morón consisted in drawing up a theoretical framework to sustain the analysis of actions and programmes, based on how much they contribute to the achievement of the Millennium Development Goals and how close they are to a Human Rights perspective. This included a historic-geographic common thread to show the background that led towards the ongoing poverty and exclusion reality and its different developments at local and national level.

In making the diagnostic, three information sources were used: existing statistical data; interviews to those in charge of management focused on ongoing actions and programmes; workshops with the community aimed at discussing and analyzing those actions.

To hold those workshops, a professional was appointed as coordinator and based on previous participation instances, representatives of Community Councils, Thematic Councils and intermediate associations were invited.

Four biweekly meetings were scheduled, each dealing with correlative subjects that were reformulated according to the outcomes of each session.

Also, graphic material was produced to illustrate the issues to be addressed in each meeting, including the results of the activities carried out in the previous session. A virtual forum was created to exchange, disseminate and discuss this material.

As a result of the activities, the importance of the MDG and their relationship with human rights was promoted among the population; the conceptual framework designed by the coordinating team was problematized; the analysis and discussion of ongoing government actions was encouraged and the need for new actions was evaluated; a space for face-to-face discussion with municipal officials was created.

The diagnostic-making workshops had some unexpected outcomes, which demonstrate the potential and scope of implementing this kind of approach in the formulation of poverty reduction strategies from a human rights perspective:

- The demand for continuity of the space created;
- The concern as to how difficult it is to attract more players committed to participation;
- The problematization of the mechanisms to disseminate government actions;
- The creation of a space that could, in turn, be used as a mechanism to monitor government actions.

Guiding tip:

- **The participatory diagnostic is the result of joint efforts and it therefore “belongs to us all.” In view of this, it must be massively distributed to the various local government areas, civil society organizations, universities, study centers, etc.**

Distributing this material will guarantee that it will be read and it will thus trigger contributions to help enrich the diagnostic.

As part of this initiative, it is advisable to disseminate the report outcomes through the local mass media, which may imply the creation and distribution of specific press material. This material should be aware of potential political susceptibilities.

3.2.2 Design and formulation of a local poverty reduction plan or strategy based on human rights

If the diagnostic was done by means of a participatory process, it will offer us an updated outlook of what the situation of the municipality is in relation to human rights not only from the perspective of statistical data, regulations and deployed “institutional responses” but also from a qualitative and experimental standpoint based on the opinion of the community and key informants.

While the human rights-based approach implies a multiple-cause understanding of poverty and emphasizes the interdependence and indivisibility of rights, it is still quite reasonable to demand that all human rights be simultaneously fulfilled. Conversely, the shortage of resources and institutional constraints often make priority-setting compelling in the planning stage.

Thus, it is wise to recognize that, quite often, some human rights should be fulfilled progressively over time. The idea of progressive realization has two major effects on policy-making. First, it allows for a time dimension by recognizing that full realization of human rights may have to take place in a progressive manner. Second, it allows for setting priorities among different rights at any point in time.

What distinguishes the human rights approach is that it imposes certain conditions aimed at ensuring that the State does not relax efforts towards the realization of human rights: the State must acknowledge that, whenever there is a strong will to reduce poverty, it may be possible to make progress towards the realization of certain rights regardless of resource constraints; the State should prepare and implement a time-bound action plan that spells out when and how the full enjoyment of those rights is expected to be reached; the plan should establish a series of benchmarks -immediate targets-; the State will have to identify some indicators that should be as disaggregated as possible in order to clearly reflect the situation of each population group suffering from any kind of poverty.⁴⁷

Objective and goal setting during the planning process is another entry point for applying the HRBA. First, it will be based on the priorities identified in the diagnostic phase and, again, it will involve both local government players and the community. The issue of jurisdictional competence of local governments should not be overlooked. In federal countries like Argentina, there are sectors in which municipalities have hardly any decision power (for example, areas such as health, education, security, etc.) Therefore, when defining priorities, objectives and goals, it would be advisable to coordinate efforts with locally-implemented national and provincial plans and

⁴⁷ OHCHR, *Human Rights and Poverty Reduction. A Conceptual Framework*, op. cit., p. 26 and 27 and OHCHR, *Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies*, Op. Cit., p. 26 and 27.

programs in order to avoid duplications, to improve resource efficiency and to attain greater impact. Thus, it becomes essential to establish sound baselines and human rights indicators that embrace other levels of government with local impact.

As far as priority-setting is concerned, while the HRBA does not establish any strict pattern, it does require the fulfilment of certain conditions both in the process and in their basic content:

First, priority setting must involve the effective participation of all stakeholders, including the poor. Second, when setting priorities, no human right can be given precedence over others on the grounds of intrinsic merit since all of them are equally valuable for the mere sake of being rights. Third, while allocating more resources to the rights which were given priority, care must be taken to ensure that the level of realization of all other rights is secured. Finally, notwithstanding the recognition of resource constraints, the international human rights system requires States to ensure certain minimum levels of enjoyment of various human rights such as the right to live, the right to adequate food, and the right to health, among others.⁴⁸

<p>Some guiding questions in this stage may be:</p>	
<ul style="list-style-type: none"> • Are there enough/too many dimensions in relation to local realities? • What rights are they related to? • Who is responsible for them? • What direct impact does the province/ municipality have on them? • Who participates and when? • How can we guarantee the participation of neglected and/ or excluded groups? • Who is responsible for implementation? • How are the various players coordinated? • How is the national/ provincial government involved? • What responsibility mechanisms are available to ensure accountability? • How do we guarantee that human rights principles are respected during the implementation process? 	

This is the starting point when defining the methodology required for making the plan of action. The necessary steps are suggested below:

REQUESTING FOR SUGGESTIONS AND COMMENTS ON THE DIAGNOSTIC TO THE VARIOUS GOVERNMENT AREAS AND ORGANIZATIONS INVOLVED IN MAKING IT. ANALYSIS AND INCORPORATION.

<p>Example 3</p>	
<p>In the Municipality of Rosario, immediately after setting up the work teams, a daily update on the MDG status diagnostic was started. This was done by collecting newspaper articles and by participating in city events with the aim to supplement the information gathered in 2005 and thus be able to define the major local issues in terms of MDG. On the other hand, a thorough compilation of available statistics and indicators from each Municipal Secretariat was carried out. This helped as a first approach to the availability of information from the various work teams and their technical capabilities of setting mid and long term goals.</p>	

⁴⁸ OHCHR, *Human Rights and poverty reduction. A Conceptual Framework*, op. cit., p. 27 and 28.

SUMMARIZING MAJOR OUTCOMES AS STATED IN THE DIAGNOSTIC AND SUBMISSION TO THE MAYOR AND MUNICIPAL OFFICIALS.

<p>Example 4:</p>	
<p>Having analyzed the issues identified in the 2005 participatory diagnostic, the Municipality of Morón drafted a document which was submitted to the Mayor with the aim to give the 2006 planning stage a political-institutional framework. This document included the following:</p> <ul style="list-style-type: none"> • The core themes of the plan or strategy design (MDG, HRBA, role of the state and of public policies); • Its conceptual and practical implications on the leadership and the citizenship; and • The main positive (worth highlighting) and negative (to work on and correct) aspects arising from the participatory diagnostic that may be addressed by the leaders. <p>Likewise, work was done with the Private Secretariat to start developing the workshops to be held with officials against an institutional backdrop. There were significant modifications that should be incorporated in the following stage.</p>	

<p>Example 5:</p>	
<p>In the municipality of Morón, goals set mainly aim at increasing the coverage measures for the target population of the public policies implemented in its territory. This entails a twofold task in the areas where no instruments are available to measure the impact of the actions taken: on the one hand, it is necessary to create indicators that may be used to show the situation of the Municipality regarding certain issues such as maternal mortality rates; on the other hand, these indicators should be used as effective tools for evaluating both the work done and the work yet to be done. In some cases, goals were set that involved actions around a number of practices which are unlikely to be evaluated with quantitative indicators. To this aim, we may need to resort to a different kind of approach and evaluation tools of qualitative nature.</p> <p>It was decided to work along three main lines of action in a mainstream manner.</p> <p>Program coordinated implementation in the territory: Efforts are being made to integrate the various social, healthcare, educational and labour policies at municipal level with the aim to improve coordination and enhance impact on the great number of ongoing programmes (nation, province and municipality-wide) concomitantly operating in different district areas.</p> <p>Creation of indicators at local level: The aim is to rely on tools to help either effectively carry out or improve the diagnostic evaluation, the monitoring tasks and the evaluation of outcomes and impact of public policies. The municipality is designing a Permanent Households Survey (PHS of Morón). Although it is a very important instrument which implies a very high cost, it fails to cover all data-building needs.</p> <p>Public Management training for intermediate-level officials: The aim is to promote a comprehensive approach to training, mainstreamed into all decision-making levels of the municipality. The aim is to move out of the standard, strictly thematic framework in order to go along with the recent changes in the Municipality Office structure that the Territory Secretariat has recently incorporated.</p>	

HOLDING PARTICIPATORY WORKSHOPS

The areas of the municipal government strictly involved in the formulation and/or implementation of public policies should attend these participatory workshops in order to work on the technical aspects of the plan. The aim is to define trends, intermediate goals and indicators as well as gaps.

DEFINING ACTIONS

It is important to distinguish those actions that can be carried out by the municipal government by itself from those that require the participation of other government jurisdictions with the aim to achieve the proposed goals.

<p>Some guiding questions are:</p>	
<ul style="list-style-type: none"> • A given goal is fulfilled by implementing a number of programmes and projects. Please specify them. Are there any ongoing plans and projects implemented by the municipality that contribute more specifically to the fulfilment of a/some human right(s)? How can we take advantage of what has been done so far? • Is it necessary to issue any specific regulation? • Is it necessary to redistribute the budget? • Is it necessary to modify the organic structure of the municipal government? Is there a need to create new areas or merge existing ones? Is it required to appoint a new role? • Are the available human resources appropriate? Is it necessary to set up any specific training programme? • Is it necessary to review the mechanisms to interrelate with the civil society? • Are there any political conditions for reaching agreements with the provincial and national governments? • How can we analyze the obstacles that we may face in reaching that goal? • What human, material, infrastructure, budget, etc., resources are available (analysis of available resources, responsibility setting)? • Are the actions being taken enough for attaining the goal? What should be done that is not being done at the moment? What should not be done that is being done right now? • Which ongoing actions are strictly linked to the attainment of said goal? Which are indirectly linked? • How are we going to get people involved in the actions (participation)? • What is evaluation going to be like during the strategy implementation process (monitoring and follow-up)? (What, how, who, etc.) • How is the final evaluation going to be done (outcomes)? (What, how, who, etc.) 	

REVIEWING THE STRATEGY FOR PARTICIPATION AND CONSULTATION WITH THE CIVIL SOCIETY DEVELOPED DURING THE DIAGNOSTIC PROCESS.

The following questions may help:	
<ul style="list-style-type: none">• Is the call to participate in the workshops made to Civil Society Organizations during the diagnostic phase adequate for this stage?• Is the content appropriate for this stage or is it necessary to strengthen any aspect (subjects, territory, representativeness, legitimacy, etc.)?• Is the workshop methodology used in the diagnostic phase adequate for this stage? Should it be modified? Completely? (See Annex II. Participatory workshops with CSO)	

HOLDING PARTICIPATORY WORKSHOPS WITH LOCAL CSOS

It is of utmost importance to analyze the role of the civil society in the activities conducted by the municipal government by itself and those that require the participation of other government jurisdictions for the fulfilment of the goals set. The analysis should be participatory in nature and it should focus on politically prioritized human right(s) and on the goals and indicators proposed in the strategy designed by municipal government areas. As an output of this moment, a document will be issued with the conclusions by CSOs with regard to the prioritization and planning tasks performed by the technical team.

Participatory workshops:	
<p>As mentioned earlier, in order to ensure the community's involvement in making, executing and monitoring the plan, it is necessary to rely on widespread and representative civil participation since the start of the process. The suggested workshop methodology emerges both from the analysis of municipal institutional capabilities and the diagnostic of citizen participation. (See Annex III. Participatory Workshops).</p>	

HOLDING PARTICIPATORY WORKSHOPS WITH MUNICIPAL OFFICIALS

The document containing the CSO's contributions will be submitted to the municipal government areas directly involved in the formulation and/or implementation of policies in order for them to analyze the conclusions contributed by CSO. (See Annex III. Participatory workshops with officials).

As a result of this action, a preliminary draft of the plan or strategy will be made, including the conclusions both by the CSO and the municipal government areas.

Submitting the preliminary plan or strategy to the Mayor and the Municipal Officials and incorporating their opinions.

The last step before the final version of the plan or strategy is to submit it to the municipal authorities with the aim to include their observations and reach political agreement and commitment needed for its future implementation. At this point, it is necessary to consider some matters to do with the conditions required for implementing the plan or strategy.

<p>The following questions may help:</p>	
<ul style="list-style-type: none"> • Is it possible to readapt actions according to the new management goals? • Are there any mechanisms to include the goals prioritized in the strategy as a municipal government policy? • Is it possible to reach agreements with provincial and national administrations to redirect the programs and projects towards the fulfilment of the plan or strategy goals? • Are the plan or strategy implementation mechanisms explicit? • Are the monitoring mechanisms explicit? Do they consider the constitution of a monitoring team made up of organizations outside the local government? • Is the municipal structure in charge of implementing the plan or strategy explicitly defined? • Are the required regulations defined? • Are the budget resources needed for implementing the plan or strategy explicitly defined? 	

APPROVING THE PLAN OR STRATEGY

In accordance with the regulations of the municipal State, all necessary institutional adjustments will be made both to the Executive Power and the Deliberating Council/Legislature. During these processes, a mechanism should be set up to make a public presentation of them and to disseminate all scheduled participatory monitoring activities.

The **output** of this whole stage is the **Local Action Plan or Strategy for Poverty Reduction based on a Human Rights Approach**.

3.2.3 Implementation and monitoring

PUBLIC PRESENTATION OF THE PLAN OR STRATEGY

Before implementing the plan or strategy, it is wise to put it to public discussion or consultation with the aim to validate the document, maintain the supporting and monitoring role of the civil society and get the commitment of those responsible for defining local public policies to adopt the plan or strategy as a government plan. To achieve this, formal legal approval should be obtained, in accordance with the municipal regulations in force.

The process of drafting a local poverty reduction plan or strategy is the paramount goal of the endeavours jointly undertaken by the local government and its community. The initiative to make this plan or strategy public arises from the need to keep citizens informed and to make all its implementation and monitoring mechanisms transparent. Such as the diagnostic stage, it fulfils the following premises:

- It is a means to give a feedback to all those who have directly participated in making the diagnostic.
- It helps communicate the outcomes of the endeavours undertaken to the entire society.
- It helps consolidate the next steps of the process based on an effectively reached result.
- It helps obtain opinions, suggestions and critiques to enrich the strategy.

MONITORING PLAN

Every planning process should include an information system for collecting, analyzing and producing data to be used in monitoring the implementation of public policies.

Setting up a permanent and participatory monitoring mechanism is another HRBA entry point.

In the case of HRBA planning, the information system should include indicators that reflect the State's performance as to whether it fulfils its obligations in terms of human rights and to what extent it does so.

In this stage, it is essential to create an information system that includes human rights indicators and that sets intermediate goals to facilitate a regular evaluation of policies with the aim to reveal any failure or problem that may arise.

INDICATORS

Human rights indicators are tools for measuring gaps between standards and the current situation, identifying the population groups that are more unprotected or whose rights are more vulnerable in such a way that existing discrimination is made evident.⁴⁹

The information system may be sourced from different kinds of indicators built from a HRBA. These types are defined by: the essence of what is being measured (qualitative or quantitative); the moment of the planning process to be measured (input, process or outcome); the state obligation it will refer to (to respect, to protect and/ or to fulfil); or the public power it will monitor (executive, legislative, judicial or citizen power).⁵⁰

Other indicators may be used to reflect people's capacity to claim and have their rights respected. These could be called "enforceability indicators."

In view of the universality and inalienability principles of human rights, when designing indicators from a human rights perspective, it is important to include indicators that describe to what extent people or groups are affected by any kind of discrimination that may be affecting the enjoyment of their rights. In this sense, the notion of "accessibility" in contrast with mere "availability" becomes important in determining the capacity of people to demand the realization of their rights.⁵¹

Some questions to be made when defining the monitoring mechanism:

- **Who is in charge of monitoring?**
- **Who is responsible for the outcomes?**
- **What is being monitored?**
- **What indicators are used? How often?**
- **What verifications tools are used?**
- **Are there any intermediate goals? What are they?**
- **What level of breakdown should an indicator have?**
- **How are qualitative indicators built?**
- **How does the government incorporate all lessons learned?**

⁴⁹ See OHCHR, *Report on Indicators for Promoting and Monitoring the Implementation of Human Rights*, HRI/MC/2008/03, Geneva, 2008.

⁵⁰ EWhen developing indicators to monitor achievements of a HRBA, three clusters may be used: structural, process and outcome indicators; structural indicators capture information reflecting the legal and institutional framework for the realization of the human rights concerned; process indicators identify information that relates particular policy instruments to "milestones outcomes" that contribute to the protection and progressive realization of human rights; finally, outcome indicators reflect summary information on the state of realization of a human right. (OHCHR, *Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation*, op. cit., p. 30.).

⁵¹ OHCHR, *Report on Indicators for Promoting and Monitoring the Implementation of Human Rights*, op. cit., p. 19.

COMMUNICATION AND DISSEMINATION

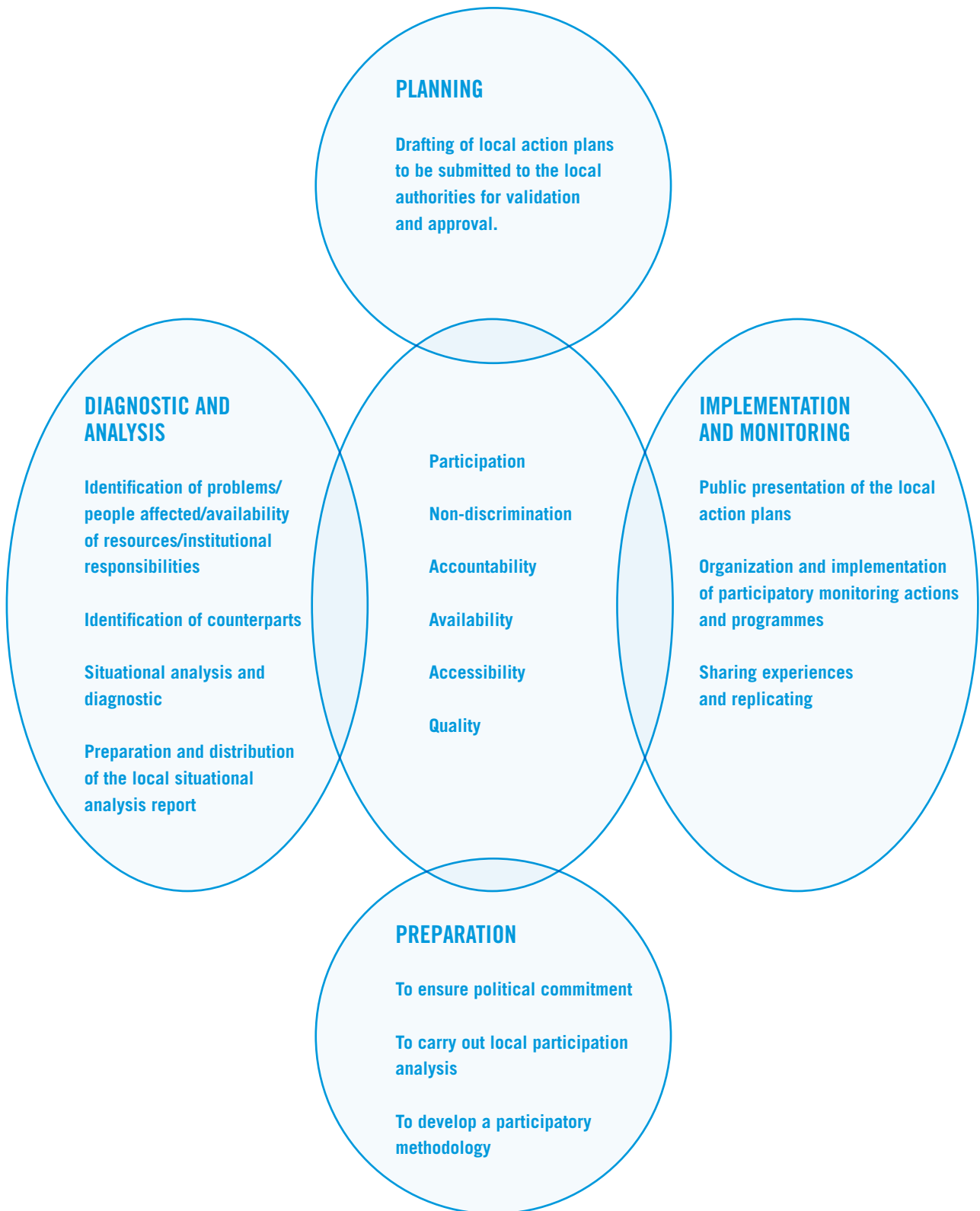
Communication and dissemination through clear messages regarding the activities, participatory settings, outcomes and unexpected events should guarantee a continuous flow of information between the local government and its community to help bring transparency to the process, tighten social bonds and improve the quality of democratic practices.

Since all the process needs to count on the active participation of the various government areas and community organizations, it is important to define an internal and external Communication Programme to be mainstreamed into the whole plan or strategy implementation cycle.

<p>Some guiding questions:</p>	
<ul style="list-style-type: none"> • The communication programme should consider the roles and functions of municipal officials: who is it targeted at? Is it any different to communicate to a Secretary or a Director, Department Head, etc.? • Is it any different to communicate to the general population or to the community organizations specialized in a certain topic? What about those with experience in participatory processes? • Is it any different to communicate at the beginning of the strategy-making process or at other process stages? • What are the communicational strategies the local government has developed that are most adequate for the specific goals? Is it possible to use these strategies to communicate this particular process? • What communication means are available? What alternative means can be proposed/ created? 	

<p>Example 11:</p>	
<p>The Municipality of Rosario carried out a number of communication activities based on the players concerned or the moment of the process. The following are some examples:</p> <ul style="list-style-type: none"> • A public feedback session on the 2005 diagnostic report was held with Secretaries, people from the municipality in charge of programmes and civil society organizations with the aim to strengthen the commitment as to the scope of the plan or strategy. Prior to this, a communication strategy was designed to disseminate the pilot project and the diagnostic through the website, newspapers, magazines and radio with the aim to set in the subject matter of the plan both inside (municipal officials) and outside (civil society) the municipality, highlighting the main features of the process and the diagnostic outcomes. • Meetings were held with the representatives of UNDP Argentina and Rosario Municipality Officials. • The municipal Human Rights Office organized a series of activities, programmes and projects aimed at raising awareness, building capacity and developing knowledge among the local population regarding the importance of consolidating and strengthening the respect for human rights. In this sense, the UNDP office developed work strategies from a communicational perspective, outlining field activities of a teaching-learning kind; in addition, workshops, fora and discussion sessions were held as part of the initiative to promote appropriate settings for exchanging ideas and perspectives related to human rights. 	

ENTRY POINTS OF THE HUMAN RIGHTS-BASED APPROACH IN THE POLICY PLANNING CYCLE



4. ANNEXES

The annexes to this guide compile a series of instruments and tools developed during the implementation of the pilot project *“Implementation of Local Strategies Aimed at Reaching the Millennium Development Goals (MDG) based on a Human Rights Perspective,”* between 2005 and 2008 in the municipalities of La Plata, Morón and Rosario, coordinated by Abuelas de Plaza de Mayo (Grandmothers of the Plaza de Mayo).

The purpose of this project was to develop an analysis and a plan of action to reach the MDG at municipal level adopting a human rights-based approach.

Against this backdrop, all instruments and tools presented in the following annexes have the MDG as a frame of reference. We have decided to include them in this guide since they are specific examples of how a human rights-based approach can be included in more quantitative strategic planning tools and processes.

ANNEXES INDEX

- 1. Annex I: Gender and MDG**
- 2. Annex II: Workshops Guide**
- 3. Annex III: Participatory Workshops with Municipal Officials**
- 4. Annex IV: Key Informant Interview Guide**
- 5. Annex V: Table of “Institutional Responses” in relation to each MDG**
- 6. Annex VI: Regulations**
- 7. Annex VII: Indicators and Statistical Sources**
- 8. Bibliography**

ANNEX I – GENDER AND MDG

CHART No 1: GENDER AND MDG

Gender is a key dimension that operates by reinforcing many of the existing inequalities which are sometimes not completely reflected in local diagnostics and would need to be taken into consideration in the design and implementation of specific policies.

In order to be successful and sustainable, the incorporation of a gender approach in MDG localization calls for a programming strategy supported by a comprehensive, multi-sector perspective. To achieve this, the following is needed:

1. FINE-TUNE THE DIAGNOSTICS RELATED TO THE VARIOUS MDG INCORPORATING DISAGGREGATED INDICATORS:

Local diagnostics for identifying major challenges in reaching the MDG in provinces and municipalities should include indicators disaggregated by gender to help analyze existing differences between them, their cause and what consequences they may bring towards development, thus allowing for a better analysis of the population's living conditions. This will make it possible to identify inequalities in the participation of men and women in social, work, family and political life. Furthermore, it is of utmost importance to conduct a more qualitative and participatory analysis aimed at identifying needs (practical and strategic), interests and differential capacities for men and women so as to produce tools to exceed them.

2. PROMOTE THE DESIGN, IMPLEMENTATION AND EVALUATION OF POLICIES AIMED AT REACHING THE MDG to help overcome gender inequalities which hinder their achievement. The inclusion of a gender approach in institutional designs and the formulation and implementation of public policies clearly reveal gender inequalities and promote the transformation and equalization of such differences, thus preventing them from becoming natural and sustained. Therefore, it is important to rely on a design, data collection and analysis based on gender indicators so as to measure the outcomes of policies or projects in terms of gender equality.

3. FAVOUR PARTICIPATORY PROCESSES TO PROMOTE MDG LOCALIZATION BASED ON A GENDER APPROACH: The participation of multiple sectors is vital in monitoring the processes by which the gender dimension is incorporated to the localized MDG diagnostics and the local strategies that are carried out for its implementation.

MDG IN ARGENTINA	GENDER INDICATORS FOR MDG DIAGNOSIS	ACTIONS TO PROMOTE GENDER EQUALITY IN MDG POLICIES
1. Eradicate extreme poverty and hunger.	<p>Poverty analysis including a gender approach.</p> <ul style="list-style-type: none"> • Percentage of population with income under the poverty line disaggregated by gender. • Percentage of the population with income under the indigence line disaggregated by gender. • Poverty gap ratio, disaggregated by gender. • Share of poorest quintile in the national income disaggregated by gender. • Percentage of households headed by men and by women under the poverty line. • Percentage of income received by extreme deciles and inequality ratio. 	<ul style="list-style-type: none"> • Policies aimed at overcoming poverty promote women's economic self-reliance and equality of rights between men and women. • Policies that remove hurdles to women's participation in the labour market (training, child care services, among others).
2. Reach basic universal education.	<ul style="list-style-type: none"> • Registration data disaggregated by gender. • Completion data at each education level disaggregated by gender. • Retention data at each education level disaggregated by gender. • Literacy data disaggregated by gender. • Percentage of students who start the initial level and complete 3rd level of the Basic General Education (EGB), disaggregated by gender. • Net attendance rates by age group; female student rate by region and by urban/rural location. • Female student rate among graduates from the higher level by type of education. • Female student rate combining EGB and 3-year high school cycle (multi-modal education) (for international comparison), and combining EGB, multi-modal, college and university. 	<ul style="list-style-type: none"> • School reintegration policies taking into account the various causes and consequences of school drop-out for men and women.
3. Promote decent work.	<ul style="list-style-type: none"> • Total unemployment rate at country level and by province disaggregated by gender. • Total activity rate at country level and by province disaggregated by gender. • Proportion of workers with social security coverage disaggregated by gender. • Unemployment insurance coverage rate disaggregated by gender. • Child labour rate (under 14) disaggregated by gender. • Employment rate disaggregated by gender. • Proportion of 14-year-old (and over), income-earner men and women by region. 	<ul style="list-style-type: none"> • Development of labour policies. • Development of policies aiming at narrowing the male-female income gap • Development of work-family balance/co-responsibility policies.

MDG IN ARGENTINA	GENDER INDICATORS FOR MDG DIAGNOSIS	ACTIONS TO PROMOTE GENDER EQUALITY IN MDG POLICIES
3. Promote decent work.	<ul style="list-style-type: none"> • Income gap according to poverty condition and percentage of total income earned by women. • Participation in household chores disaggregated by men and women. 	
4. Promote gender equality.	<ul style="list-style-type: none"> • Literacy rate of men and women aged between 15 and 24 (international comparison). • Proportion of women with remunerated jobs in the non-agricultural sector according to condition of activity, job qualification and branch of activity (international comparison). • Gender gap in income of wage-earners with a similar level of education and job qualification. • Gender gap in overall income. • Gender gap in income by level of education. • Male-female ratio in public and private hierarchical positions. • Proportion of National Congress seats filled by women (international comparison) and in province legislatures. • Proportion of women and men in the provincial executive and judicial powers. • Percentage of women working at secretariats and under-secretariats. • Percentage of women in decision-making positions in provincial executive powers, by region. • Percentage of women in charge of municipal governments. • Percentage of women in the supreme courts of the jurisdictions. • Women participation in province legislatures. • Available information on violence against women. 	<ul style="list-style-type: none"> • Increase capacities of women's offices and of planning and sector-related bodies at local level, to mainstream the gender approach into MDG promotion and monitoring. • Develop policies that comprehensively address violence against women. • Define Gender Equality local Plans.
5. Reduce child mortality	<ul style="list-style-type: none"> • Child mortality rate by gender. • Child mortality rate by mother's age. • Child mortality rate by mother's education level. 	
6. Improve maternal health.	<ul style="list-style-type: none"> • Obstetric health indicators (women nutrition, access to contraceptive methods, pre and post-birth healthcare, general healthcare). • Women's access to healthcare systems. • Mother mortality rate, at total country and province level. • Causes of mother mortality, at total country and province level. 	<ul style="list-style-type: none"> • Highlight the constitutional and legal regulations related to women's reproductive rights.

MDG IN ARGENTINA	GENDER INDICATORS FOR MDG DIAGNOSIS	ACTIONS TO PROMOTE GENDER EQUALITY IN MDG POLICIES
	<ul style="list-style-type: none"> • Gini coefficient for MMR. • Proportion of births in charge of specialized healthcare staff. • Neonatal and post-neonatal deaths according to preventability criteria. • Mother mortality rate and percentage of hospitalised births. • Percentage of live births from mothers under 20 years of age. • Percentage of live births from mothers according to maximum level of education reached. • Percentage of live births from mothers according to birth order (4th or higher). • Adolescent fertility rate. 	<ul style="list-style-type: none"> • National sexual and reproductive health programmes consistent with the national and provincial legislation.
7. Fight HIV/AIDS, Tuberculosis and Chagas.	<ul style="list-style-type: none"> • HIV prevalence rate among pregnant women between 15 and 24 years of age. • Prevalence rate of condom use among young people, between 15 and 24 years of age, disaggregated by gender. • Mortality due to AIDS disaggregated by gender. • HIV+ population disaggregated by gender. • Young people with HIV disaggregated by gender. • Tuberculosis incidence rate and TB related mortality rate, disaggregated by gender. • Proportion of tuberculosis cases detected and cured with short treatments under direct observation, disaggregated by gender. • Female rate in reported cases of AIDS and percentage of men and women in reported cases according to way of transmission. • HIV+ population by gender and occupation. • Cases of AIDS and HIV in young people between 13 and 24 by gender and female rate. • Prevalence of Chagas in pregnant women. 	<ul style="list-style-type: none"> • HIV prevention programmes where the interests and needs of men and women are taken into consideration. • Gender violence prevention and care programmes.
8. To assure means sustainable atmosphere.	<ul style="list-style-type: none"> • Percentage of the population with access to drinking water disaggregated by gender. • Percentage of the population with access to adequate sanitation systems disaggregated by gender. • Type of dwelling. 	<ul style="list-style-type: none"> • Actively involve the perspective of men and women under equality conditions in policy-making aimed at promoting the sustainable development of the environment.

ANNEX II - WORKSHOPS GUIDE

EXAMPLE 1: Participatory Diagnostic Workshops (Municipality of Morón).

WORKSHOP: a different way to approach knowledge since it is based on the participant's own experience.

Aim of the workshops: to gather the perspectives of district neighbours regarding the actions and programmes that involve MDG and to work on raising awareness and adopting a perspective based on the concept of human rights applied to social policies.

WHAT HAS BEEN DONE: 4 workshops were conducted in 3 consecutive months.

WHO WAS INVITED: The key participants were neighbours involved in Community Councils (whether or not representatives of local institutions). The decision to work with representatives of Community Councils was based on the fact that, apart from offering a territorial representative sample (the Community Management Units where Community Councils operate represent each of the areas that make up the District), it allowed institutions (through their representatives) and neighbours participating independently in the councils to make their voices heard. The representatives of each area council and institutions directly working on any of the issues addressed by the MDG also took part in the workshop. In turn, efforts were made to guarantee equal participation by men and women in order to integrate all perspectives evenly.

GENERAL OBJECTIVE OF THE WORKSHOP CYCLE: to generate a clearly defined dialogue, reflection and action setting.

TO ACHIEVE THIS: attention was focused on the transforming possibilities to build a collective environment with the aim to:

- Raise awareness among citizens regarding local Strategies aimed at achieving MDG from a HRBA;
- Incorporate the participation of the neighbours of Morón as relevant players in the participatory diagnostic;
- Ensure a flowing exchange of information among the various players participating in the project, in face of the need to generate strategies and activities.

The possibility to carry out biweekly meetings was prioritized in order to favour the following aspects:

- Work on a limited number of specific objectives per meeting;
- Wrap up each meeting (with conclusions and an assessment of the day's activities) and encourage a kick-off (concerns and expectations for the following meeting);
- For the coordinating team to be able to reformulate the initially planned goals from meeting to meeting in order to rethink them according to all concerns brought up in the meetings;
- Give participants some time to reflect, assimilate concepts and understand what has been done both at an intellectual and an emotional level;
- Deliver material and summaries based on the work put in and the activities carried out in the immediately preceding meeting;

OBSTACLES: the shrinkage in the number of participants this process may suffer from meeting to meeting over a three-month period. However, this attrition is not deemed significant in terms of work quality. Rather, it is considered to be part of the typical group dynamics and turnover, which may even happen in a long full-day session.

IN BRIEF, THE WORKSHOPS INCLUDED THE FOLLOWING ACTIVITIES:

- meeting-by-meeting goal-setting;
- selection of dynamic techniques to be used;
- analysis of the outcomes of each meeting;
- creation of a shared email account to be used as a virtual room for exchanging and disseminating the material dealt with.

GOAL OF THE WORKSHOPS:

- Reflect on the MDG, associating them with local management policies.
- Account for the fulfilment of MDG through Municipal leadership action and compare them to the citizens' imaginary.
- Validate activities according to their visibility (impact) and to what extent they are known (information circulation).

Each workshop was divided into four moments:

MOMENT 1. DESCRIPTION OF THE DISTRICT'S SITUATION

Upon arrival, participants were handed a map of the district with statistical data including UBN (Unmet Basic Needs), education, employment, access to the healthcare system, etc. and a brochure featuring the outcomes and conclusions of the first meeting and supplemented with a brief analysis outlined by the coordinating team. The meeting kick-off was a presentation delivered by a member of the coordinating team, who, using a full-size map of the District as a visual aid, explained the above-mentioned statistical data in detail and compared the reality of the municipality in relation to the “the mean” in the region and the province. Strong emphasis was placed on the fact that, while the situation of the district is comparatively more favourable than in other places, the needs of those with some UBN indicators should not be ignored.

MOMENT 2. GROUP WORK

- Delivery of handouts with a summary of the First Workshop.
- People split into two groups.
- Group (I) was subdivided into 8 groups of 4 members each. Each subgroup was given a poster with the title of one of the MDG. In a given amount of time they had to write actions/programmes they thought the municipality should carry out towards fulfilling the MDG; when time was up, they had to fold the written part backwards and pass it on clockwise to the next group. This was repeated 8 times until poster 1 came back to group 1 (full round). In this way, all 8 groups noted down their actions without knowing what their partners had suggested (it should be noted that the name of the MDG should be written at the bottom of the poster so that when the written text is folded, the MDG remains visible).
- Group (II) worked simultaneously for which it was split in two. Each subgroup was given a list of actions with 2 columns (those done by the municipality, which they ignored); a) One of the subgroups had to write True or False next to each action; b) the other subgroup was asked to write the MDG associated with each local action.

The **objectives** of each group were to:

- Groups I: work on the demands of the community,
- Group II a) identify the visibility and the concept of Core and Secondary to define local Public Policies.
- Group II b) Associate local actions with MDG and define how close they are to a HRBA based on the prevailing concepts of Assistance, Prevention and Promotion.

MOMENT 3. "CORE IDEAS" WERE DISCUSSED AND RECORDED.

MOMENT 4. GENERAL CONCLUSIONS WERE DRAWN AND RECORDED.

OUTCOMES MOMENT 2 (GROUP II A AND II B)

ORDER	ACTIONS (Selected sample of 45 actions over 99 collected)	GROUP II "B" ASSOCIATED MDG	GROUP II "A" TRUE/FALSE	GROUP II "A" PRIORITY: CORE OR SECONDARY	GROUP II "B" TYPE: ASSISTANCE, PREVENTION, PROMOTION
2	Community Employment Programme (CEP)	1) poverty/hunger	true	core	assistance
7	Burial services for the indigent	1)poverty/hunger	true	core	assistance
17	Assistance to soup kitchens, milk cup programmes and supplemented teatime snacks	1) poverty/hunger	true	core	assistance, promotion
22	Life Worth Coupon (Vale Vida) programme for the Elderly	1) poverty/hunger	true	core	assistance
23	Municipal nutrition programme	1) poverty/hunger	true	core	assistance
27	Direct Aid	1) poverty/hunger	true	core	assistance
41	Greater Buenos Aires Neighbourhoods Programme	1) poverty/hunger	true	core	assistance
43	Unemployed Heads of Households Programme	1) poverty/hunger	true	core	assistance
35	Greater Buenos Aires Vegetable Gardens	1) poverty/hunger	true	secondary	assistance, promotion
9	Ownership Regularization Plan (for settlements in municipal lands)	1) poverty, environment	true	secondary	promotion

ORDER	ACTIONS (Selected sample of 45 actions over 99 collected)	GROUP II "B" ASSOCIATED MDG	GRUPO II - "A" VERDADERO/ FALSO	GRUPO II - "A" PRIORIDAD: CENTRAL o SECUNDARIA	GRUPO II - "B" MODALIDAD: ASISTENCIA, PREVENCION, PROMOCION
1	Project for Fewer Children on the Streets	2) education	false	core	prevention- assistance
10	Workshops on the role of teachers	2) education	false	core	promotion
26	Municipal Institute of Higher Education	2) education	false	core	promotion
5	University for Older Adults	2) education	false	secondary	promotion
21	My Future Special Education School	2) education	false	secondary	promotion
8	School for deaf and hearing-impaired children	2) education	true	core	promotion
11	Project for teenagers and social integration	2) education	true	core	prevention
30	Kindergartens	2) education	true	core	Promotion, assistance
37	Healthcare and Education Programmes	2) no answer	false	core	no answer
20	Job-placement Project	3) work	false	core	promotion
39	Youth Employment Programme	3) work	false	core	promotion
6	Employment Agency	3) work	true	core	promotion
28	Work counselling project	3) work	true	core	promotion
29	Education/work relationship Programme	3) work	true	core	promotion

ORDER	ACTIONS (Selected sample of 45 actions over 99 collected)	GROUP II "B" ASSOCIATED MDG	GROUP II "A" TRUE/FALSE	GROUP II "A" PRIORITY: CORE OR SECONDARY	GROUP II "B" TYPE: ASSISTANCE, PREVENTION, PROMOTION
33	Network of small undertakings and productive projects	3) work	true	core	promotion
31	Plan for Equal Opportunities	4) gender	false	core	promotion
13	Project for the promotion of employability and gender equality in the textile sector	4) gender	false	secondary	promotion
44	Workshop "It's a matter of gender"	4) gender	false	secondary	promotion
34	Day session during the International Day for the Elimination of Violence against Women	4) gender	true	core	Prevention, promotion,
18	Women Council of Morón	4) gender	true	secondary	promotion
25	Participation in the National Women's Gathering	4) gender	true	secondary	promotion
40	Various immunization Programmes	5) child mort., maternal health	true	core	assistance, promotion
42	Mother and Child Healthcare Programme	5) child mort., maternal health	true	core	assistance, promotion
14	Mother's Buddy Programme (Assistant to pregnant women)	6) maternal health	true	secondary	promotion
3	More Life Plan	6) child mort., maternal health	true	core	assistance

ORDER	ACTIONS (Selected sample of 45 actions over 99 collected)	GROUP II "B" ASSOCIATED MDG	GROUP II "A" TRUE/ FALSE	GROUP II "A" PRIORITY: CORE OR SECONDARY	GROUP II "B" TYPE: ASSISTANCE, PREVENTION, PROMOTION
15	Prevention Campaign "I take care of you=I take care of myself"	7) AIDS, TB, Chagas	true	core	prevention
16	Health in Schools Programme	7) AIDS, TB, Chagas	true	core	prevention
38	UNDP- funded Programme for the prevention, promotion and detection of HIV/AIDS.	7) AIDS, TB, Chagas	true	core	prevention, promotion
12	Sewer Plan	8) environment	false	core	assistance
36	Programme for the recovery of green spaces	8) environment	false	secondary	promotion
32	Tap Water Plan	8) environment	true	core	assistance
45	Strategic development plan	8) environment	true	core	promotion
4	Community pavement plan	8) environment	true	secondary	promotion
19	Rearrangement of the neighbourhood Carlos Gardel	8) environment	true	secondary	assistance
24	Federal Plan for Housing Construction	8) environment	true	secondary	assistance

OBSERVATIONS:

• VISIBILITY:

13 out of the 45 actions presented above were classified as “false” which we translate as NOT VISIBLE, i.e., unknown by neighbours. They account for 29% of the total. The visibility of actions has to do with how much they are informed and disseminated with the aim to promote access to them. We have noticed there is awareness as to the actions related to Goal 1 (Poverty and Hunger), 5 (Child Mortality), 6 (Maternal Health) and 7 (AIDS; TB and Chagas), since all of them were classified as true. The highest level of unawareness was seen in Goal 2 (Education), where 5 out of 8 actions were not visible and 1 was not identified. It was followed by Goal 4 (Gender) with 3 out of 6 not visible; then Goal 3 (Work), with 2 out of 6 and finally, Goal 8 (Environment) with 2 out of 7. The greatest degree of awareness (VISIBILITY) was seen in ASSISTANCE-related actions, 15 out of 16 (94%) and the lowest in PROMOTION-related actions, 12 out of 22, (55%), while PREVENTION stands in the middle with 5 out of 6 (83%).

• CORE ACTIONS:

participants considered most of the ongoing actions as core; 32 out of 45 proposed actions were considered a priority, which accounts for 71% of the total. Likewise, high priority was given to PREVENTION actions since all of them were deemed CORE, followed by ASSISTANCE, where 13 out of 16 actions were considered CORE while in terms of PROMOTION the answers were quite even, 12 being CORE and 10 being SECONDARY.

• TYPE OF ACTION:

there is a predictable prevalence of ASSISTANCE kind of actions for Poverty and Hunger Goals and, though to a lesser extent, assistance also prevails among Environment Goals, including housing construction, water and sewer plans. In actions related to Child Mortality and Maternal Health, ASSISTANCE is associated with PROMOTION. In addition, actions related to Education, Work and Gender are strongly linked to PROMOTION. Actions related by participants to the goal of AIDS, TB and Chagas were classified as PREVENTION, and the “Health in School Programme” was also placed within this goal. It is worth noting that, according to participants’ opinions, employment programmes were marked as CORE, ASSISTANCE-type actions and were included within the Poverty and Hunger Goal and not within Work. Network of Small Undertakings was actually included among the Work goals, which in fact operates as a supplement of said plans.

• MATERIALS:

- 12 posters [8 for group (I) and the rest to be used for jotting down conclusions]
- 12 posters with 1 of the MDG written as a heading at the bottom
- 8 markers
- 5 pens
- 2 sets of lists of Municipality actions with a grid to fill in true or false and a blank column to write the MDG –a list of the 8 MDG is enclosed as an aide-mémoire.

EXAMPLE 2: Action plan preparation stage: Workshops with the civil society. Identification of common horizons (Methodology of another participating municipality).

WORKSHOP: Strategic analysis of social players. It promotes dialogue among different visions and perspectives identified in the millennium goals building process with the aim to identify common horizons. It builds up a setting where social players put at stake their expectations, positions and common, sometimes controversial, yearnings. It opens and strengthens a space of mutual recognition, dialogue and shared conclusions. This possibility to let words, looks and differences circulate and to identify common concerns is the starting point for defining common scenarios (horizons) that are both desirable and attainable.

The joint task of identifying common concerns adds value to the definition of the MDG at city level and makes it sustainable. Achieving these goals will greatly depend on specific cooperative agreements that may be progressively reached among the city players.

OBJECTIVES: LOCAL PLAYERS SHOULD:

Define local common horizons within the framework of the MDG
Identify possible management networks for achieving these horizons

EXPECTED OUTCOMES

Define horizons at city level when prioritizing 2010-2015 MDG for the city

WORK METHODOLOGY

1. Starting point: Coordination of all progress made:

Diagnostic
PEM (Metropolitan Strategic Plan)
MDG

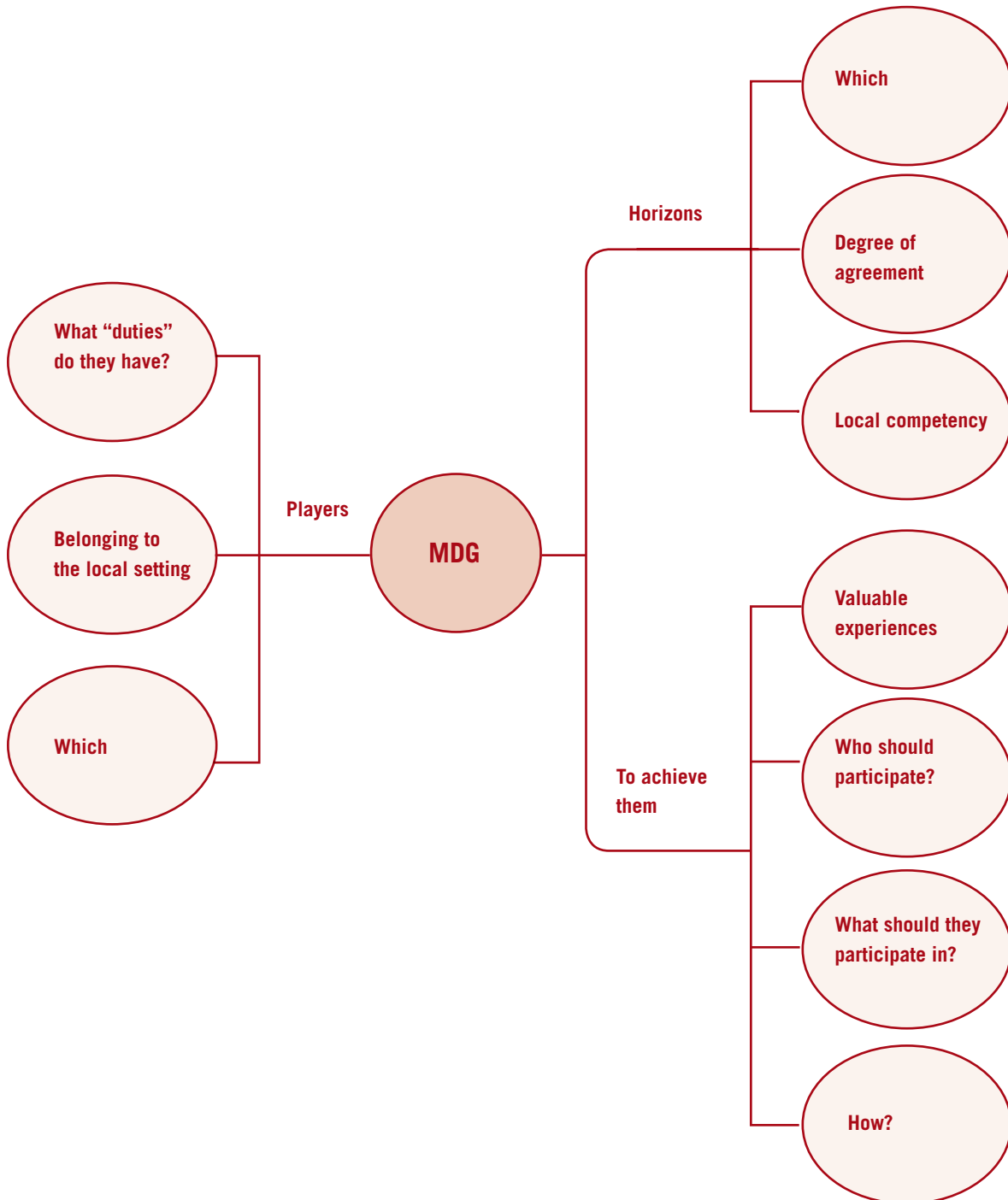
2. Roundtable discussion by MDG:

Poverty and work
Education
Diversity
Maternal health and child mortality
AIDS/Tuberculosis/CHAGAS
Environment

WORK BY THEME GROUPS:

1. Introduction of participants
2. Presentation of work expectations and objectives based on the work done in 2005 and the current year
3. Development of a theme Diagram containing open questions to participants
4. Written record of agreements on cards

THEME DIAGRAM



ANNEX III

PARTICIPATORY WORKSHOPS WITH MUNICIPAL OFFICIALS

Participatory planning workshops with municipal officials: Proposed goals, contents, expected outputs and deadlines.

It is important to ensure equal participation of men and women in the workshops.

1ST SESSION – (TARGETED AT SECRETARIES)

- HRBA's key elements applied to social policies (focused on the subject as a legal person; obligation derived therefrom for the State; how to comply with such obligation and incorporate it as a State policy; application of the participation principle relating to this perspective.)
- Positive and negative key elements included in the summary presented to the Mayor.
- Presentation of the 2006 Work Plan (activities, deadlines and expected outputs.)
- Introduction to issues that are to be addressed throughout the year.

In this first session, the organizing team hands out the following material to be used by officials later on:

- Relevant items of the 2005 Diagnostic Report, divided by area.
- HRBA's theoretical and methodological bases.
- Summary of goals and indicators proposed by the National State.

Secretaries undertake to work on and discuss the following items within their areas:

- Determination of MDG to be addressed (all, some; extent.)
- Definition of one or more GOALS for each MDG (in case of selecting one/more indicator(s), specify the selected ones.)
- Provisional analysis of ACTIONS to be taken in order to achieve the goals (initially taking into account existing actions.)

Instance	
<p>For the MDG "Eradicate extreme poverty and hunger," the UBN can be considered an indicator, with the TARGET of reducing UBN by X% through a proposed ACTION (for example, the creation of a housing construction plan or ensuring that all children in school age attend school), which is to be led by the designated PERSON IN CHARGE and will be performed within a certain DEADLINE; all this in terms of HR.</p>	

2ND SESSION (TARGETED AT DIRECTORS AND COORDINATORS)

- HRBA's key elements applied to social policies (focused on the subject as a legal person; obligation derived therefrom for the State; how to comply with such obligation and incorporate it as a State policy; application of the participation principle relating to this perspective.)
- Work using dynamics on the importance of Planning.

3RD SESSION – (TARGETED AT SECRETARIES)

- Sharing of definitions by each area, based on what was established in the first session.
- Formulation of the goals proposed by the different areas.
- Sharing of the actions that are temporarily set forth as the most adequate for the achievement of the goals.
- Preparation of a summary of the work done.

Considering the definition of the MDG and the GOALS to be addressed for each MDG, the Secretaries undertake to work on and discuss within their areas, the following:

- Definition of ACTIONS to be taken towards the goals, considering the level of PARTICIPATION of the population.
- Definition of the PEOPLE IN CHARGE of the execution of said actions
- Definition of DEADLINES for the achievement of each goal.
- Definition of MONITORING mechanisms for each project.
- Formulation of all of the above in the terms of the HR's approach.

4TH SESSION (TARGETED AT SECRETARIES)

- Sharing of definitions by each area, based on what was established in the first and second Secretary sessions.
 - Coordination of goals and actions proposed by the different areas in a single plan of action.
 - Preparation of a summary to be presented to the neighbours as the Leadership's proposed goals.
- Specific material prepared for discussion in workshops with municipal officials:

1) Suggestions for establishing criteria for goal-setting at the local level

Setting **local goals** requires a previous process of **definition and hierarchization of criteria** for such purposes. Below, certain conceptual standards are set forth, which would be useful to reflect on. This proposal is not intended to limit, narrow down or rule out concepts which may prove useful to officials in the performance of this difficult task. It is simply believed that this could contribute useful input or not, in so far as they **allow explaining the underlying reasons driving certain management's decisions on public policy matters.**

For goal-setting, the criteria to consider may be the following:

- **Social significance and relevance**

The resulting goals must be significant and relevant for the community for which they are intended. In other words, they must promote substantial changes and improvements in people's every-day lives and life quality.

In this sense, and looking at it from the HRBA, the social significance and relevance of every political intervention has to be established with the focus of attention set on the issues affecting all players involved in such action (whether the members of the community, the experts or the management's officials.)

- **Pertinence**

The resulting goals must be pertinent, i.e., "adequate or suitable" for the end or ends pursued by the local state and the community it represents. Pertinence is evidenced by the coherence between the goals set by the leadership and the prevailing needs in the municipality's scope of action.

Such pertinence may be stated in political and institutional terms: the goals should be specifically framed within the public leadership's strategic planning. A planned management involving active and effective processes of popular participation in its various stages generates a political action accompanied by a HRBA.

Furthermore, pertinence may be shown in terms of regulations: there are guidelines in place that regulate the local state's actions on matters that affect the state's jurisdictions (at municipal, provincial, national and international levels.) Goal-setting as a process should reflect all progress made on the issues that are being addressed (on HR, health, education, employment, environment, poverty, MDG matters, among others.)

- **Feasibility**

The resulting goals must be feasible, seeking to act on what is “possible, workable” in a given context, with the different resources that are available (or not.) To that end, it is worth noting that this criterion, although mentioned last, it is not least, since the actual fact of carrying out these goals and making them viable and effective will depend on the feasibility of the goals set forth.

According to the different elements that restrict and influence on the ability to carry out an action plan aimed at achieving a specific goal, different feasibility principles can be used, such as political, regulatory, financial, technical, infrastructure and human resource, among others.

If political pertinence is associated with political conditions at the “internal” level, i.e., with the public kind of leadership both the municipality and its community are trying to offer, the political feasibility will have to reflect to which extent municipality's projects are viable at the local level, as well as at the larger political level, where other players and institutional authorities participate and which affect the development of the action plans geared toward meeting the proposed goals.

Regulatory feasibility is also related to the conditions that make the proposed goals material and symbolically viable or not, since it is publicly known that the mere “legal” existence of certain treaties, agreements, and regulations does not necessarily mean that they are actually enforced.

Financial, technical, and infrastructural feasibility, as well as human resource and other material resource feasibility, for instance, is related to the possibility of actually having all the elements required to achieve the goal.

In short, the approach to a subject may be “pertinent,” but that does not necessarily mean that it is “feasible.”

In conclusion, the complexity and multiplicity of intervening elements to realize an action plan for the achievement of (a) certain goal(s), strengthens and underscores the importance of having sound planning tools in the public management with a HRBA. Thus, the design of state actions should not only be based on quality standards (i.e., efficiently and effectively), but should also be fundamentally driven by (and quite possibly aim at) the need to improve the quality of life of the municipality's population.

ANNEX IV

KEY INFORMANT INTERVIEW GUIDE

MUNICIPALITY:	PROVINCE:	DATE:
MDG (Specify goals and targets: adapted to Argentina):		
Respondent's name:		
Position:		
Area:		
Institution:		
INFORMATION TO BE SURVEYED IN THE INTERVIEW		
Interview introduction: who we are; the work we are carrying out, mentioning the millennium goals; which information we will be looking for and why we are interviewing the respondent (relation to the specific goal.)		
<p>1. Which actions are being taken in connection with the millennium goals? (This question is associated with the specific goal based on the respondent. For instance: Mrs. D. is being interviewed in connection with the goal of "reaching basic universal education" and Argentina's target. In other words, in the context of this particular goal, which actions are being taken?)</p>		
<p>2. Within the framework of which policies /goals are these actions determined?</p>		
<p>3. With which millennium goals do you think they are connected? Respond as per the following list:</p> <ul style="list-style-type: none"> • Eradicate extreme poverty and hunger • Reach basic universal education • Promote decent work • Promote gender equality • Reduce child mortality • Improve maternal health • Fight HIV/AIDS, Tuberculosis and Chagas • Ensure a sustainable environment 		
<p>4. Which are the goals/targets set out to be achieved with these interventions/actions?</p>		
<p>5. Which are the targeted beneficiaries/populations of these interventions /actions?</p>		
<p>6. Which is the current status of these interventions/actions?</p>		
<p>7. Which are the jurisdictional levels and responsibilities involved in these interventions/actions? (municipal/provincial/national/other)</p>		
<p>8. Which other players are involved in these programmes, plans, and/or actions?</p>		
<p>9. What progress has been made towards achieving these goals and targets?</p> <ol style="list-style-type: none"> 1. More than expected. 2. As expected. 3. Less than expected. 4. No progress has been made. 		

MUNICIPALITY:	PROVINCE:	DATE:
<p>10. In the cases where progress was made, indicate the main facilitators based on the following list:</p> <ul style="list-style-type: none"> Socio-political and economic context Specificities of local issues Political commitment Adequate strategies Social recognition Inter-jurisdictional relations Networks with civil society stakeholders Communication with the community Existence of specific funding Development of adequate regulations Qualified human resources Personnel involvement Organizational structure and procedures Leadership schemes Economic resources Organizational culture Technological resources Relevant information availability Other (specify:) <p>Explain (why):</p>		
<p>11. Where problems were encountered, indicate obstacles found, based on the following list:</p> <ul style="list-style-type: none"> Socio-political and economic context Specificities of local issues Political commitment Adequate strategies Social recognition Inter-jurisdictional relations Networks with civil society stakeholders Communication with the community Existence of specific funding Development of adequate regulations Qualified human resources Personnel involvement Organizational structure and procedures Leadership schemes Economic resources Organizational culture Technological resources Relevant information availability Other (specify:) <p>Explain (why):</p>		
<p>12. Are there any assessment/follow-up mechanisms in place for these interventions/actions? If so, which are those mechanisms?</p>		
<p>13. Which difficulties/obstacles do you identify for the implementation and follow-up of these interventions/actions?</p>		
<p>14. In your opinion, which are the future expectations and undelivered promises in terms of meeting the MDG?</p>		
<p>15. Which are the main lessons learned from experience for the development of MDG?</p>		

ANNEX V

TABLE OF “INSTITUTIONAL RESPONSES” IN RELATION TO EACH MDG

JURISDICTION			
	MUNICIPAL	PROVINCIAL	NATIONAL
ERADICATE EXTREME POVERTY AND HUNGER	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • “The Most Urgent Hunger” National Food Security Plan
REACH UNIVERSAL BASIC EDUCATION	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • Adult Literacy Programme (University of Rosario - UNR) • National Literacy Programme. Strengthening Adult Continuing Education • National Programme on Peaceful Coexistence in Schools • National Programme on School Mediation • Comprehensive Educational Equality Programme • “700 Schools” National Plan • Education System Improvement Programme (PROMSE for its acronym in Spanish)
PROMOTE DECENT WORK	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • “Let’s Get Down to Work” National Plan • “More and Better Jobs” Comprehensive Employment Plan • Unemployed Heads of Households Programme • “Community Integration Centers” Project

JURISDICCION			
	MUNICIPAL	PROVINCIAL	NACIONAL
PROMOTE DECENT WORK			<ul style="list-style-type: none"> • National Labour Regularization Plan • “Incluir” National Inclusion Programme • Productive Projects (National Youth Office – DINAJU) • Federal Housing Emergency Plan
PROMOTE GENDER EQUALITY	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • “Families” Plan
REDUCE CHILD MORTALITY	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • Mother and Child Healthcare Programme • Programme on Sexual Health and Responsible Procreation • Perinatal Health Programme • Comprehensive Child Healthcare Programme
IMPROVE MATERNAL HEALTH	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • Programme on Sexual Health and Responsible Procreation • Perinatal Health Programme 	<ul style="list-style-type: none"> • Mother and Child Healthcare Programme • Programme on Sexual Health and Responsible Procreation • Perinatal Health Programme
FIGHT HIV/AIDS, TUBERCULOSIS AND CHAGAS	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<p>Detail</p> <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • National Programme to Fight against Human Retroviruses, HIV/AIDS, and STDs • National Chagas Department

JURISDICCION			
	MUNICIPAL	PROVINCIAL	NACIONAL
ENSURE A SUSTAINABLE ENVIRONMENT	Detail <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	Detail <ul style="list-style-type: none"> • Specific programmes comprising the MDG (overlap with other MDG allowed) 	<ul style="list-style-type: none"> • “Arraigo” Plan (Land and Housing Acquisition Plan) • Federal Housing Construction Plan • Federal Housing Improvement Plan • Federal Housing Emergency Plan

ANNEX VI

REGULATIONS

INTERNATIONAL, NATIONAL, PROVINCIAL AND MUNICIPAL REGULATIONS PERTINENT TO MDG

MDG 1- Eradicate poverty and hunger

INTERNATIONAL REGULATIONS

- **UNIVERSAL DECLARATION OF HUMAN RIGHTS**

Art. 25.1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

- **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

ART. 11 1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed:

- To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
- Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

- **AMERICAN DECLARATION ON THE RIGHTS AND DUTIES OF MAN.**

Art. 11. Right to the preservation of health and to well-being. Every person has the right to the preservation of his health through sanitary and social measures relating to food, clothing, housing and medical care, to the extent permitted by public and community resources.

- **ILO CONVENTION 182 ON THE WORST FORMS OF CHILD LABOUR**

Art. 8.3. Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

NATIONAL REGULATIONS

- **NATIONAL NUTRITION AND FOOD PROGRAMME – ACT NO. 25,724**

Creation of the programme to meet the nutritional requirements of children under 14 years of age, pregnant women, people with disabilities and persons over 70 years of age living in poverty. National Commission on Nutrition and Food. Provincial and Municipal and/or Community Commissions.

Enacted: December 27th, 2002. Promulgated automatically: January 16th, 2003.

- **Public Health. Resolution No. 196/2003**

Approval of the National Nutrition and Health Survey, to be conducted by the Health Programme Secretariat through the Executing Unit of Maternal and Child Health and Nutrition Programmes. August 14th, 2003.

PROVINCIAL REGULATIONS

- **PROVINCIAL CONSTITUTION**

Analyze articles relating to the MDG.

- **PROVINCIAL LAWS**

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law relating to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.

- Analyze municipal ordinances relating to the MDG.

MDG 2 – REACH BASIC UNIVERSAL EDUCATION

INTERNATIONAL REGULATIONS

- **UNIVERSAL DECLARATION OF HUMAN RIGHTS**

Art. 26. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

- **CONVENTION ON THE RIGHTS OF THE CHILD**

Art. 28. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

a) Make primary education compulsory and available free to all.

b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need. Make higher education accessible to all on the basis of capacity by every appropriate means.

c) Make educational and vocational information and guidance available and accessible to all children.

d) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

• **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Art. 13.1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.

Art. 13.2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

a) Primary education shall be compulsory and available free to all.

b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education.

c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education.

d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education.

e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

• **AMERICAN DECLARATION ON THE RIGHTS AND DUTIES OF MAN.**

Art. 12. Every person has the right to an education, which shall be based on the principles of liberty, morality and human solidarity. Likewise every person has the right to an education that will prepare him to attain a decent life, to raise his standard of living, and to be a useful member of society.

The right to an education includes the right to equality of opportunity in every case, in accordance with natural talents, merit and the desire to utilize the resources that the state or the community is in a position to provide. Every person has the right to receive, free, at least a primary education.

• **CONVENTION ON THE STATUS OF REFUGEES**

Art. 22.1 Public Education. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.

• **ILO CONVENTION 182 ON THE WORST FORMS OF CHILD LABOUR**

Art. 8.3. Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance, including support for social and economic development, poverty eradication programmes and universal education.

NATIONAL REGULATIONS

• **NATIONAL CONSTITUTION**

Art. 14. Teach and learn.

Art. 75.17. - To provide for the prosperity of the country, for the advance and welfare of all the provinces, and for the progress of education, drawing up general and university educational plans - Powers of the Legislative Branch -.

• **Act No. 24,195.** Federal Education Act. Rights, obligations and guarantees. General Principles. Education Policy. National Education System. Structure of the National Education System. General Description. Early

Childhood Education. Basic General Education. Multi-modal Education. Higher Education. Quaternary Education. Special Regimes. Non-university Higher Education. Private Education. Free and Assisted Education. Educational Unit and Educational Community. Rights and Duties of the Members of the Educational Community. Education Quality and Evolution. Management and Administration. Funding. Transitory and Complementary Provisions. Enacted: 04-14-1993. Promulgated: 04-29-1993.

TITLE I – RIGHTS, OBLIGATIONS AND GUARANTEES

Art. 1. This act establishes the constitutional right to teach and to learn in the entire Argentine territory and, on the basis of principles, sets forth educational goals both as a social right and a common responsibility. Also, it establishes the pertinent regulations for the organization and structuring of the National Education System, indicating the start and direction of its gradual restructuring for an ongoing response to national requirements within the different integration processes.

Art. 2. The national State has the non-transferable responsibility of establishing and enforcing the educational policy, aimed at the conformation of a fair and self-sufficient Argentine society that is, in turn, integrated into the region, the continent and the world.

Art. 3. The national State, the provinces and the Municipality of the City of Buenos Aires guarantee all its inhabitants access to all cycles, levels and special regimes of education through the implementation, maintenance, authorization and supervision of the necessary services, with participation of the family, the community, its organizations, and the private sector.

Art. 4. Educational actions are within the scope of responsibility of the family, as a natural and primary education agent; of the national State, as main responsible; the provinces; the municipalities; the Catholic Church; and all other officially recognized religions and social organizations.

• GENERAL BASIC EDUCATION, MULTI-MODAL EDUCATION AND NON-UNIVERSITY HIGHER EDUCATION. ACT NO. 25,273

The special regime for justified absences for pregnant students attending the above-mentioned cycles in national, provincial or municipal institutions.

Enacted: June 29th, 2000. Promulgated: July 24th, 2000.

PROVINCIAL REGULATIONS

• PROVINCIAL CONSTITUTION

Analyze articles relating to the MDG.

• PROVINCIAL LAWS

Thoroughly analyze applicable laws relating to the MDG.

Analyze the articles of each law relating to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.
- Analyze municipal ordinances relating to the MDG.

MDG 3 – Promote Decent Work

INTERNATIONAL REGULATIONS

• INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Art. 6.1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

Art. 6.2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

Art. 7. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- a) Remuneration which provides all workers, as a minimum, with
- b) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.
- c) A decent living for themselves and their families in accordance with the provisions of the present Covenant,
- d) Safe and healthy working conditions.
- e) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence.
- f) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Art. 12 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health....

- a) The improvement of all aspects of environmental and industrial hygiene.

• CONVENTION ON THE RIGHTS OF THE CHILD

Art. 32.

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- a) Provide for a minimum age or minimum ages for admissions to employment,
- b) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Art.36 States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

• AMERICAN DECLARATION OF RIGHTS AND DUTIES OF MAN

Art. XVI

Every person has the right to work, under proper conditions, and to follow his vocation freely, insofar as existing conditions of employment permit. Every person who works has the right to receive such remuneration as will, in proportion to his capacity and skill, assure him a standard of living suitable for himself and for his family.

(Correlative duty. Art. 37 of the Covenant: It is the duty of every person to work, as far as his capacity and possibilities permit, in order to obtain the means of livelihood or to benefit his community.)

- **CONVENTION ON THE STATUS OF REFUGEES**

Art. 17. 1 Wage-earning employment. The Contracting State shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment.

Art. 18. Self-employment. The Contracting States shall accord to a refugee lawfully in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies.

Art. 19.1. Each Contracting State shall accord to refugees lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practicing a liberal profession, treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

- **ILO CONVENTION 182 ON THE WORST FORMS OF CHILD LABOUR**

Art. 1. Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Art. 3. For the purposes of this Convention, the term “the worst forms of child labour” comprises:

a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.

b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances

c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.

d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Art. 6.1 Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.

Art. 7.1 Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour.

NATIONAL REGULATIONS

- **NATIONAL CONSTITUTION**

Art.14 bis ... dignified and equitable working conditions; limited working hours; paid rest and vacations; fair remuneration; minimum vital and adjustable wage; equal pay for equal work; participation in the profits of enterprises, with control of production and cooperation in the management; protection against arbitrary dismissal; stability of the civil servant; free and democratic labour union organizations(...).” It also guarantees trade unions the right to enter into collective labour bargains; to resort to conciliation and arbitration; and the right to strike.

Art. 75.17: ... the creation of jobs, the professional training of workers...

- **ACT NO. 25,250. LABOUR REFORM**

Promotion of job stability. Trial Period. Integrated System of Labour Inspection and Social Security. Enacted: 05-11-2000. Promulgated: 05-29-2000.

- **ACT NO. 25,872. NATIONAL SUPPORT PROGRAMME FOR YOUNG ENTREPRENEURS.**

Creation. Goals. Requirements. Priorities. National Award to Young Entrepreneurs. Enacted: 12-17-2003. Promulgated automatically: 02-06-2004.

• **ACT NO. 25,212 BUENOS AIRES, 11-24-1999. ENACTED: 11-24-1999. PROMULGATED: 12-23-1999.**

Federal Labour Agreement

In the City of Buenos Aires, on the 29th day of the Month of July of the year 1998, there appeared the President of the Republic of Argentina, the Minister of Labour and Social Security, the Minister of the Interior and the representatives of the provinces of Buenos Aires, Catamarca, Córdoba, Corrientes, Chaco, Chubut, Entre Ríos, Formosa, Jujuy, La Pampa, La Rioja, Mendoza, Misiones, Neuquén, Río Negro, Salta, San Juan, San Luis, Santa Cruz, Santa Fe, Santiago del Estero, Tierra del Fuego, e Islas del Atlántico Sur, Tucumán and the Government of the Autonomous City of Buenos Aires and agreed that:

RECITALS:

“Work is the activity that most adequately expresses, identifies and characterizes the human condition, and therefore, dignifies and enriches those who perform it within an organized community.”

Quoting His Holiness John Paul II “work, as a human issue, is at the very core of the social question,” thus becoming “a key, and perhaps a fundamental key, of the entire social question.”

The technological, organizational and productive changes that occurred in the last decades in the international labour sphere cannot be used as an argument to disregard the dimension of labour as a man’s means for growth and development.

On the contrary, these transformations provide the opportunity to imagine and put into practice creative new actions that contribute to the improvement of working conditions and, therefore, of the lives of the Nation’s inhabitants.

The hierarchization, transparency and stability of work in all its forms are a non-delegable duty of the State and the Provinces.

The assignment of responsibilities imposed by the government’s federal system on labour matters should not become an obstacle in the realization of policies and actions in the Republic which are destined for the general welfare. On the contrary, such assignment offers the possibility of joining forces, as well as human and material resources throughout the entire country.

Such labour protection duties include that the State, the Provinces and the City of Buenos Aires ensure equal opportunities for everyone working or seeking to join the productive activity. For this purpose, the conditions of the most vulnerable or less protected sectors, such as unregistered workers, children and people with disabilities, should be addressed. Also, equal opportunities for women must be ensured.

This special care required by the above-mentioned sectors should not be undertaken by each jurisdiction independently. Cooperation and coordination of efforts and functions, on the basis of equal opportunities and the harmonization of regulations, are fundamental towards achieving the common goal.

The enforcement of labour laws, although an inalienable duty of governments, does not by itself guarantee the success in the fight against the reiteration of proceedings and behaviours contrary to the social nature of labour. Consequently, additional measures are required to enhance the general awareness of the importance of protecting work in all its forms, and extending social security rights, duties and benefits to all workers.

Such measures should be aimed at engaging social players through the participation of employers and employees’ representative organizations, as well as other social institutions.

In order to coordinate the actions of the pertinent bodies with jurisdiction over labour matters, at the national, provincial and the Autonomous City of Buenos Aires’ levels, it is necessary to institutionalize the Federal Council of Labour Administrations, so as to obtain the highest efficiency in the measures that are to be taken according to the principles of cooperation and co-responsibility.

To ensure the Nation’s legal consistency and certainty on labour matters, as well as obtaining better results in the coordination of monitoring activities for the enforcement of labour regulations, it is necessary to unify the general system of penalties applicable to labour offenses.

In order to achieve such goals, the parties AGREE to promote and facilitate the legal mechanisms necessary for the approval of the following Projects, Plans and Programmes:

1° The “Federal Labour Council” Creation Project, attached hereto as Annex I and an integral part of this Agreement.

2° The “General System of Penalties for Labour Offenses,” attached hereto as Annex II and an integral part of this Agreement.

3° The “National Plan for the Improvement of Employment Quality,” attached hereto as Annex II and an integral part of this Agreement.

4° The “National **Programme** of Action against Child Labour,” attached hereto as Annex IV and an integral part of this Agreement.

5° The “Plan for Equality of Opportunities between Men and Women at Work,” attached hereto as Annex V and an integral part of this Agreement.

6° The “National Plan for Integration into the Labour Market and Labour Improvement for People with Disabilities,” attached hereto as Annex VI and an integral part of this Agreement.

7° The parties undertake to contribute to the achievement of the specific objectives and goals of each of the Plans and Programmes, participating in them with the means and proceedings to be established and agreed upon in each particular case.

8° The undersigned undertake to submit this Agreement before the Honourable Congress of the Nation and the respective legislatures, as applicable, within ten (10) business days as of execution hereof, requesting its ratification to be enacted into law in each legislature respectively.

In witness hereof, the parties execute this FEDERAL LABOUR AGREEMENT, in the place and on the date indicated above.”

PROVINCIAL REGULATIONS

• PROVINCIAL CONSTITUTION

Analyze articles relating to the MDG.

• PROVINCIAL LAWS

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law pertinent to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.
- Analyze municipal ordinances relating to the MDG.

MDG 4 – Promote Gender Equality

INTERNATIONAL REGULATIONS

• UNIVERSAL DECLARATION ON HUMAN RIGHTS

Art. 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and shall act towards one another in a spirit of brotherhood.

• INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Art. 3. The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

Art. 2. Every person has the rights and freedoms herein recognized, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

• **CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)**

Condemns discrimination against women in all its forms. The States undertake:

- To incorporate the principle of equality of men and women in their legal system, and ensure the realization of such principle.
- To establish legal protection of women's rights on a basis of equality with men's rights.
- Equality in education, employment, medical attention and in other aspects of the economic and social life, protection and respect and equal opportunities for women in rural areas.
- Equality of men and women before the law.

• **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Art. 7. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- a remuneration that provides all workers, as a minimum, with:
- Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.
- Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;

• **AMERICAN CONVENTION ON HUMAN RIGHTS**

Art. 17.4. "Protection of the Family." The States Parties shall take appropriate steps to ensure the equality of rights and the adequate balancing of responsibilities of the spouses as to marriage, during marriage, and in the event of its dissolution...

• **AMERICAN CONVENTION ON HUMAN RIGHTS**

Art. 24. Right to Equal Protection. All persons are equal before the law. Consequently, they are entitled, without discrimination, to equal protection of the law.

• **INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN "CONVENTION OF BELÉM DO PARÁ"**

Art. 3. Every woman has the right to be free from violence in both the public and private spheres.

Art. 7. The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:

- refrain from engaging in any act or practice of violence against women and to ensure that their authorities, officials, personnel, agents, and institutions act in conformity with this obligation;
- apply due diligence to prevent, investigate and impose penalties for violence against women;
- include in their domestic legislation penal, civil, administrative and any other type of provisions that may be needed to prevent, punish and eradicate violence against women and to adopt appropriate administrative measures where necessary;
- adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harms or endangers her life or integrity, or damages her property;
- take all appropriate measures, including legislative measures, to amend or repeal existing laws and regulations or to modify legal or customary practices which sustain the persistence and tolerance of violence against women;
- establish fair and effective legal procedures for women who have been subjected to violence which include, among others, protective measures, a timely hearing and effective access to such procedures;
- establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and
- Adopt such legislative or other measures as may be necessary to give effect to this Convention.

NATIONAL REGULATIONS

• NATIONAL CONSTITUTION

Art. 37. Entry into force: 1994 Amendment. Actual equality of opportunities between men and women to elective and political party positions shall be guaranteed by positive actions in the regulation of political parties and in the electoral system.

Art. 75.23. Entry into force: 1994 Amendment. To legislate and promote positive measures guaranteeing true equal opportunities and treatment, the full benefit and exercise of the rights recognized by this Constitution and by the international treaties on human rights in force, particularly referring to women.

• ACT NO. 24,828.

Entry into force: 06-0401997. Housewives within the scope of chapter 5), subsection b), section 3° of Act No. 24,241, amended by section 1° of Act 24,347, may choose to join the Retirement and Pension Integrated System.

• ACT NO. 24,347.

Housewives retirement system, complemented by Act No. 24,828 – Entry into force: 07-23-1994. Housewives within the scope of chapter 5), subsection b), section 3° of Act No. 24,241, may elect to enrol in the Retirement and Pension Integrated System. The Executive Power shall create a “Solidarity Fund for Housewives,” destined to increase the beneficiaries’ pension. Housewives who decide to enrol shall do so in the lowest category. However, they shall be able to choose to enrol in a higher category.

• ACT NO. 24,241.

Entry into force: 09-23-1993. Extends the retirement age, granting women the option of retiring at the age of 60.

• ACT NO. 24,195.

Federal Education Act. Entry into force: 04-14-1993. Establishes a new educational system, with improvements regarding women’s conditions. The Act is written using non-sexist language.

• ACT NO. 24,576.

Entry into force: 01-18-1995. Adds a new chapter to the Labour Contract Law: “About Professional Studies,” which refers to the equality of opportunities among male and female workers as regards professional training.

• DECREE NO. 1246/2000.

National Electoral Code. Regulatory Decree No. 379/93 is derogated, and regulations are set forth in order to ensure the observance of Act No. 24,012, the National Constitution and international conventions with constitutional hierarchy, so as to obtain the effective integration of women into the political activity. Adaptation of internal rules of Political Parties, Confederations and Alliances.

• ACT NO. 24,429.

Voluntary Military Service – Entry into force: December 14th, 1994.

Art. 1: Allows women to enrol in the Voluntary Military Service.

• ACT NO. 24,012.

Quota Law – Entry into force: 11-06-1991. This law guarantees the participation of at least 30% of women on the lists of candidates for national elected offices, positioned in proportions sufficient to get elected.

• **ACT NO. 23,746.** Entry into force: 09-28-1989. Establishes a monthly unseizable life pension for mothers of seven or more children, regardless of their age and marital status, provided however they are not protected by any retirement or social security scheme whatsoever, or that they do not possess property, income or resources that provide her with a means of livelihood for her and her family.

- **ACT NO. 23,264.** Entry into force: 09-25-1985. Grants shared parental authority of minors to their father and mother. In the case of separated or divorced parents, the parental authority shall fall over the parent who has the legal custody of the child. Eliminates all distinctions in filiation, establishing equality of all children before the law.
- **ACT NO. 20,392.** Entry into force: 05-29-1973. Prohibits unequal pay for male and female workers for work of equal value.
- **DECREE NO. 254/98.** Plan for equal opportunities between Men and Women at work.
- **ACT NO. 23,179.** Approves the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW). Entry into force: 06-06-1985.
- **ACT NO. 24,632.** Ratifies the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará.) Entry into force: 07-15-1996.
- **ACT NO. 26,171.** Optional Protocol to the CEDAW, adopted by the United Nations Organization General Assembly on October 6th, 1999. Ratification and declaration of the Protocol. Entry into force: 12-06-2006.
- **ACT NO. 26,364.** Prevention and punishment of human trafficking and assistance to the victims. Entry into force: 04-29-2008.
- **ACT NO. 26,485.** Comprehensive Protection of women destined to prevent, punish and eradicate violence against them in their fields of interpersonal relations. Adapts our country's regulations to the concepts of the Convention on the Eradication of All Forms of Discrimination against Women (CEDAW) and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará). Entry into force: 04-01-2009.
- **ACT NO. 25,584.** Prohibition of actions in public education establishments that prevent the beginning or continuity of the academic year to pregnant students or nursing mothers. Amendment of Act. No. 25,808 modifying Art. 1.
- **ACT NO. 25,674.** Participation of Women in Collective Negotiation Units for Working Conditions (Quota for Women in Trade Unions.) Entry into force: 11-28-2002.

PROVINCIAL REGULATIONS

• PROVINCIAL CONSTITUTION

Analyze articles relating to the MDG.

• PROVINCIAL LAWS

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law relating to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.
- Analyze municipal ordinances relating to the MDG.

MDG 5 – Reduce Child Mortality

INTERNATIONAL REGULATIONS

• UNIVERSAL DECLARATION OF HUMAN RIGHTS

Art. 25.2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

• CONVENTION ON THE RIGHTS OF THE CHILD

Art. 6.1. The States Parties recognize that every child has the inherent right to life.

Art. 6.2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Art. 24.1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

Art. 24.2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- a) To diminish infant and child mortality
- b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
- c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
- d) To ensure appropriate antenatal and post-natal health care for mothers;
- e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents
- f) To develop preventive health care, guidance for parents and family planning education and services.

Art. 25. States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Art. 27.1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

• INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Art. 12. The States Parties hereof recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

- f) the provision for the reduction of the stillbirth-rate and of child mortality and for the healthy development of the child;
- g) The improvement of all aspects of environmental and industrial hygiene;

• AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN

Art. 7. All women, during pregnancy and the nursing period, and all children have the right to special protection, care and aid.

- **AMERICAN CONVENTION ON HUMAN RIGHTS**

Art. 19. Rights of the Child. Every minor child has the right to the measures of protection required by his condition as a minor on the part of his family, society, and the state.

NATIONAL REGULATION

- **NATIONAL CONSTITUTION**

Art. 75.23. To issue a special and integral social security system to protect children from abandonment, since pregnancy up to the end of elementary education, and to protect the mother during pregnancy and the period of lactation.

Art. 42. Health Protection (Users and consumers' protection)

- **PUBLIC HEALTH – RESOLUTION NO. 649/2003**

The Follow-up Guide for Newborns at Risk (prepared with the objective of reducing neonatal morbid-mortality and improving the quality of life of newborns at risk after they are discharged from health services, contributing to the improvement of the quality of the work performed in the perinatal area, and serving as a basis for the revision of regulations that apply to health services) is approved and incorporated to the National Medical Assistance Quality Assurance Programme.

PROVINCIAL REGULATIONS

- **PROVINCIAL CONSTITUTION**

Analyze articles relating to the MDG.

- **PROVINCIAL REGULATIONS**

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law relating to the MDG.

MUNICIPAL REGULATIONS

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- Analyze municipal ordinances relating to the MDG.

MDG 6 – Improve Maternal Health

INTERNATIONAL REGULATIONS

- **UNIVERSAL DECLARATION OF HUMAN RIGHTS**

Art. 25.2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

- **CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

Art. 12.1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

Art. 12.2. Notwithstanding the provisions of paragraph 12.1, States Parties shall ensure women appropriate services in connection with pregnancy, childbirth and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

- **AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN:**

Art. 7. All women, during pregnancy and the nursing period, and all children have the right to special protection, care and aid.

NATIONAL REGULATIONS

- **NATIONAL CONSTITUTION**

Art. 75.23 To issue a special and integral social security system to protect children from abandonment, since pregnancy up to the end of elementary education, and to protect the mother during pregnancy and the period of lactation.

Art. 42. Health Protection (Users and consumers' protection)

- **ACT NO. 25,929.** It sets forth that health care insurance regulated by national laws and private health insurance providers are obliged to render certain services related to pregnancy, labour, childbirth and postpartum, incorporating themselves to the Mandatory Medical Programme. Rights of the parents and the newborn child. Enacted: 08-25-2004. Promulgated: 09-17-2004

- **ACTS NO. 25,637 AND 26,130.** Regime for surgical contraception, tubal ligation and vasectomy. Entry into force: 09-2006.

- **ACT NO. 26,150.** National Integrated Sex Education Programme. Entry into force: 10-23-2006.

PROVINCIAL REGULATIONS

- **PROVINCIAL CONSTITUTION**

Analyze articles relating to the MDG.

- **PROVINCIAL LAWS**

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law relating to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.

- Analyze municipal ordinances relating to the MDG.

MDG 7 – Fight HIV/AIDS, Tuberculosis and Chagas

INTERNATIONAL REGULATIONS

- **UNIVERSAL DECLARATION OF HUMAN RIGHTS**

Art. 25.1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

- **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

- **ART. 12.**

- **1.** The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health...

- **g.** The prevention, treatment and control of epidemic, endemic, occupational and other diseases.

National Regulations

- **ACT NO. 25673.** The National Programme of Sexual Health and Responsible Procreation is created by the Ministry of Health. Enacted: 10-30-2002. Promulgated automatically: 11-21-2002

- **ACT NO. 23,798.** Public Health. Acquired Immunodeficiency Syndrome (AIDS.) The fight against AIDS was declared of national interest. Enacted: August 16th, 1990. Promulgated automatically: September 14th, 1990.

- **ACT NO. 24,445.** Health Care Insurance. Establishes the mandatory health care services that must be provided by the recipients of the solidarity fund for redistribution of Act No. 23,661. Enacted: 02-08-1995. Promulgated: 03-01-1995.

- **ACT NO. 25,543.** It sets forth that the test for the human immunodeficiency virus (HIV) shall be offered to all pregnant women. Express consent previously informed. Coverage. Health care institutions. Enforcement authority. Enacted: 11-27-2001. Promulgated automatically: 01-07-2002.

- **PUBLIC HEALTH.** Resolution No. 625/97. It approves the HIV/AIDS Programme for people infected with some human retroviruses, and those infected with the Acquired Immunodeficiency Syndrome (AIDS) and/or intercurrent illnesses, and the AIDS Prevention Programme set forth in Act No. 24,455 and its Regulatory Decree No. 580/95. Buenos Aires 09-19-1997.

PROVINCIAL REGULATIONS

- **PROVINCIAL CONSTITUTION**

Analyze articles relating to the MDG.

- **PROVINCIAL LAWS**

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law relating to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.

- Analyze municipal ordinances pertinent to the MDG.

MDG 8 – Ensure a Sustainable Environment

INTERNATIONAL REGULATIONS

- **CONVENTION ON THE RIGHTS OF THE CHILD**

Art. 24.2.c To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

Art. 29.1.e the education of the child shall be directed to the development of respect for the natural environment.

- **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Art. 12. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

b) The improvement of all aspects of environmental and industrial hygiene;

NATIONAL REGULATIONS

- **NATIONAL CONSTITUTION**

Art. 41. All inhabitants are entitled to the right to a healthy and balanced environment fit for human development in order that productive activities shall meet present needs without endangering those of future generations; and shall have the duty to preserve it.

- **ACT NO. 25,675.** National Environmental Policy. This law determines the minimum requirements to achieve a sustainable and proper management of the environment, the preservation and protection of biodiversity, and the implementation of sustainable development. Environmental Policy Principles. Environmental Planning. Education and Information. Citizen Participation. Federal Environmental System. Environmental Damage. Environmental Compensation Fund. Enacted: 11-06-2002. Partially promulgated: 11-27-2002.

- **ACT NO. 25,670.** Minimum requirements for the management and elimination of PCBs. It sets forth the environmental protection minimum requirements for the management of PCBs nationwide. Enacted: 10-23-2002. Promulgated: 11-18-2002.

PROVINCIAL REGULATIONS

- **PROVINCIAL CONSTITUTION**

Analyze articles relating to the MDG.

- **PROVINCIAL LAWS**

Thoroughly analyze laws relating to the MDG.

Analyze the articles of each law pertinent to the MDG.

MUNICIPAL REGULATIONS

- Analyze provincial regulations as regards municipalities, in order to understand assigned powers and other matters regarding jurisdiction.

- Analyze municipal ordinances relating to the MDG.

ANNEX VII

INDICATORS AND STATISTICAL SOURCES

MILLENNIUM GOALS NATIONAL TARGETS	Indicators and available sources by Municipality
<p>I. Eradicate Extreme Poverty and Hunger. GOAL 1: End indigence and hunger. GOAL 2: Reduce poverty to less than 20%</p>	<p>UBN Homes with Unmet Basic Needs (National Institute of Statistics and Censuses - INDEC) PL Population below Poverty Line Permanent Households Survey IL Population below Indigence Line Permanent Households Survey (INDEC) Provincial statistics bureaus Municipal statistics bureau</p>
<p>II. Reach Basic Universal Education. GOAL 3: Ensure that in 2010 all children and teenagers are able to complete the 3 levels of basic schooling (10 years of schooling) GOAL 4: Ensure that in 2015 all children and teenagers are able to complete all levels of education (3 EGB levels and multi-modal level.)</p>	<p>NLR Net Literacy Rate (INDEC) ER Enrolment Rate per Level (INDEC) Provincial Ministries of Education Update according to the new Education Law</p>
<p>III. Promote Decent Work. GOAL 5: Reduce unemployment by 2015 to a rate lower than 10% GOAL 6: Increase social protection coverage to two thirds of the population by year 2015. GOAL 7: Eradicate child labour.</p>	<p>UR Unemployment Rate (INDEC) National Ministry of Labour Provincial Ministries of Labour</p>
<p>IV. Promote Gender Equality. GOAL 8: Achieve by 2015 higher gender equality by means of a better economic participation of women, a reduction in the salary gap between men and women, keeping gender equality levels achieved by the year 2000 in the education field. GOAL 9: Increase women participation in decision-making levels (in public and private institutions)</p>	<p>GGUR Gender gap in the Unemployment Rate GGER Gender gap in the Enrolment Rate (INDEC) GGMPR Gender gap in municipal political representation (self preparation by one of the municipalities)</p>

MILLENNIUM GOALS NATIONAL TARGETS	Indicators and available sources by Municipality
<p>V: Reduce Child Mortality. GOAL 10: Between 1990 and 2015, reduce by 3/4 the mortality rate of children under 5 years of age, and reduce by 20% the inequality among provinces.</p>	<p>CMR Child Mortality Rate Statistics Bureau of the National Ministry of Health. Statistics Bureaus of the Provincial Ministries of Health.</p>
<p>VI: Improve Maternal Health. GOAL 11: Between 1990 and 2015, reduce by 2/3 the maternal mortality ratio, and reduce by 20% the inequality among provinces.</p>	<p>MMR Maternal Mortality Ratio Statistics Bureau of the National Ministry of Health. Statistics Bureau of the Provincial Ministries of Health.</p>
<p>VII: Fight HIV/AIDS, Tuberculosis and Chagas. GOAL 11: Between 1990 and 2015, reduce by 2/3 the maternal mortality ratio, and reduce by 20% the inequality among provinces.</p>	<p>Reported cases of AIDS, Tuberculosis and Chagas Statistics Bureau of the National Ministry of Health. Statistics Bureau of the Provincial Ministries of Health. There is a general lack of statistic data about Chagas at municipal level.</p>
<p>VIII: Ensure a Sustainable Environment. GOAL 12: Have halted by 2015 and begun to reverse the spread of HIV/AIDS. GOAL 13: Reduce tuberculosis incidence by 8% per year and the tuberculosis mortality rate by 10% per year, and have ensured the interruption of vectorial transmission of Chagas across the entire country by 2015.</p>	<p>PIH Population with Inadequate Housing HWOSS Homes without sewage systems HWO PWS Homes without public water supply (INDEC) Provincial Statistics Bureaus Municipal Statistics Bureaus</p>



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