



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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The Office of the High Commissioner for Human Rights presents its compliments to the Permanent Missions to the United Nations Office in Geneva and has the honour to transmit the questionnaire attached on *participation of persons living in poverty in public policies and programmes*, elaborated by the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona.

The Office of the High Commissioner for Human Rights would be grateful if this letter could be transmitted at your earliest convenience to the relevant departments or agencies, and if the submissions could be sent electronically to [srextremepoverty@ohchr.org](mailto:srextremepoverty@ohchr.org) no later than **14 December 2012**. Kindly limit your responses and attach annexes where necessary. Please also indicate if you have any objections with regard to your reply being posted on the OHCHR website.

The Office of the High Commissioner for Human Rights avails itself of this opportunity to renew to the Permanent Missions to the United Nations Office in Geneva the assurance of its highest consideration.

9 July 2012



## QUESTIONNAIRE ON PARTICIPATION OF PERSONS LIVING IN POVERTY SPECIAL RAPPORTEUR ON EXTREME POVERTY AND HUMAN RIGHTS

### **I. Objectives and scope of this questionnaire**

At the 23rd session of the United Nations Human Rights Council (June 2013), the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona, will submit a report on the human rights approach to participation of persons living in poverty in decisions that affect their lives. The objective of the report is: 1) to map the obstacles that persons living in poverty face in meaningfully and effectively participating in the design, implementation and evaluation of public policy and development interventions 2) provide guidelines on how to improve the participation of persons living in poverty in domestic policies as well as in international development.

The right to participate is reflected in numerous international instruments, including the International Covenant on Civil and Political Rights (art. 25), the International Covenant on Economic, Social and Cultural Rights (arts. 13.1 and 15.1), Convention on the Elimination of All Forms of Discrimination Against Women (art. 7), the Convention on the Rights of the Child (art. 12), the Declaration on the Right to Development (arts. 1.1, 2 and 8.2), the Declaration on the Rights of Indigenous Peoples (art. 5, 18 and 19) and the Millennium Declaration (para. 25). Participation is an affirmation of the right of every individual and group to take part in the conduct of public affairs, which in turn contributes to the solution to poverty and social exclusion. Anti-poverty and development policies are more likely to be effective, sustainable, inclusive and equitable if they are the result of participatory processes.

The report will seek to further clarify the normative framework and key principles, drawing lessons from existing participatory processes undertaken by States at different levels, including by local governments, in a whole range of areas, including public service delivery, social housing, development interventions, welfare programmes, social protection and budgetary processes.

### **II. How to answer the questionnaire**

When answering the questionnaire, States are asked to provide information on participatory processes related to the design, implementation or monitoring of legislation, policies or programmes. Specifically, examples of participatory processes or mechanisms which expressly target the participation of persons living in poverty are requested.

The Questionnaire focuses on to **what degree persons living in poverty are enabled and/or supported to engage in the participatory processes, the obstacles or challenges to meaningful and effective participation identified, and the lessons learnt from them participatory process in place.**

The response may concentrate on one experience, for example a national consultation (with reference to any relevant law, policy or decree), or various experiences in different policy areas. **Examples of areas of interest for this report, in which participatory mechanisms may be used, are: national consultations, development programmes, service delivery, budgetary processes, social protection**



**programmes and welfare policies.** States are encouraged to reflect on both challenges and successes.

Whenever possible, States are encouraged to provide copies of relevant laws, policies, assessments, programme outlines and evaluations etc. Additional appropriate information, beyond that which is specifically requested, would be welcome.

If the information requested in the questionnaire has been provided by the State in another context (e.g. in a report to one of the UN human rights treaty bodies) reference to the specific report or document should be provided. There is no need to repeat the information provided elsewhere.

States may wish to identify a focal point responsible for coordinating the response to the questionnaire, and make this focal point known to the mandate of the Special Rapporteur for further follow up.

### **III. Submission of responses**

Due to the limited capacity for translation, we kindly request that you submit your answers, if possible, in English, Spanish or French. Responses should be sent in hard copy or electronic format no later than 14 December 2012 to:

**UN Special Rapporteur on extreme poverty and human rights**  
**UNOG – OHCHR**  
**CH – 1211 Geneva 10**  
**Telefax: 41 22 917 90 06**  
**E-mail: [srextremepoverty@ohchr.org](mailto:srextremepoverty@ohchr.org)**

### **IV. Questionnaire**

Please list and describe any legislation, public policy or programme which was expressly designed to include the participation of persons living in poverty in the design, implementation or evaluation. If currently there is no such participatory process ongoing, please include information on examples that have been conducted in recent years. In particular, please refer to the questions below. Please provide a separate reply to the questions below for each initiative implemented.

1. What is the subject and main aim(s) of the programme or policy in question?
  - Is the participatory process related to the entire programme or to a specific aspect of it?
  - Where in the programme or policy cycle does the participatory process occur?
  
2. How is the participatory process structured and managed and what are its desired outcomes?
  - Who are the government departments, agencies or actors involved in the design and facilitation of the process?
  - Where does the consultation(s) take place?



- How is the information on both the programme and the participatory process distributed to the public, including persons living in poverty? Please specify the mechanisms used for dissemination.
  - What are the procedures employed to allow the public to submit comments, information, analysis or opinions that it considers relevant to the process?
3. What measures are taken to ensure that persons living in poverty can participate?
- How are the participants identified?
  - Are participants prepared and supported before the consultation(s)?
  - Are the potential financial and opportunity costs to the participants taken into account?
  - What measures are taken to ensure the diversity of the participants, in terms of gender, ethnicity, age etc.? How is the participation of marginalized groups living in poverty ensured and supported, for example indigenous peoples, persons with disabilities, or older persons?
4. What are the particular challenges faced, or obstacles that have to be overcome, to ensure meaningful participation by those living in poverty?
5. How successful is the process in terms of the levels of participation of persons living in poverty? If available, please include information on how the process is evaluated, including if the participants are able to give feedback.
6. What is the impact (actual or envisaged) of the participatory process on the design or implementation of the legislation/policy/programme?
- What follow-up is undertaken after the process with the participants, if any? Are the outcomes of the process shared with the participants?
  - How are the results documented and how are they used?
7. What are the lessons learnt from the process? What additional changes would have been necessary to ease the constraints on the participation of persons living in poverty?
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