

BRIEFING NOTE: HUMAN RIGHTS AND THE ECONOMIC CRISIS
January 2012

This briefing note is published as part of Amnesty International's work to examine how the economic crisis and governments' responses to the crisis are affecting human rights. It highlights some issues the organization believes require further attention by governments and inter-governmental bodies, as countries in many parts of the world struggle to cope with the effects of the economic downturn. It calls on governments to incorporate a human rights analysis into response mechanisms, to adopt effective regulations in order to prevent future crises and to put in place measures to mitigate the impacts of the crisis, particularly on the most disadvantaged groups and people.

Introduction

Many countries are currently grappling with severe economic difficulties, to which governments – often with the involvement of international financial institutions – are responding. The economic crisis, which follows hard on the heels of the food and fuel crises of 2007/8, has undoubtedly put the human rights of millions of people at risk.

Massive unemployment is pushing more and more people below the poverty line. In 2009, the World Bank estimated that 50 million additional people globally had fallen into poverty because of the economic crisis,ⁱ and that 64 million more would be pushed into poverty by the end of 2011.ⁱⁱ

According to recent data from the International Labor Organization (ILO) nearly 30 per cent of all workers in the world – more than 900 million – were living with their families below the US\$2 poverty line in 2011. The ILO estimates that this represents some 55 million more than expected on the basis of pre-crisis trends. Of these 900 million working poor, about half were living below the US\$1.25 extreme poverty line.ⁱⁱⁱ

These figures call into question the sustainability of poverty reduction programs based on the market if governments fail to appropriately regulate the market, including by vigorously addressing labor exploitation.

For some people, deepening poverty in a context where necessary safety nets do not exist or are not sufficient to cope with the scale of need, hardship has given way to human rights violations, such as being rendered homeless, or unable to access minimum necessary amounts of food. For example in the United States, where millions of families have faced foreclosure on mortgages they could not repay, research by the National Law Centre on Homelessness and Poverty suggests that thousands who experienced foreclosure have become homeless.^{iv} With no available alternatives, some of those made homeless have ended up in informal settlements, without adequate access to water, sanitation and other basic services.

Serious concerns are also being highlighted with respect to how cuts in government spending in the areas of health, housing and social services are affecting or will affect people's ability to access even minimum essential levels of these services. Without safety nets to mitigate impacts, the effects will be felt most harshly by disadvantaged groups in each society.

While the human cost of the crisis has received some attention from governments, there has been almost no consideration of the extent to which the failure to prevent the crisis – by failing to effectively regulate financial systems and markets – and failure to mitigate the negative impacts on people's enjoyment of human rights, constitute breaches of States' legal obligations.

There is broad consensus that the financial crisis of 2007/8, which gave way to the present economic crisis, was due in large part to a lack of effective oversight and regulation of the financial services sector – encompassing both deregulation and lax enforcement of the limited regulation that did exist – and to unethical, and in some cases criminal, corporate behaviour.

States have obligations to respect, protect and fulfil human rights. The obligation to respect human rights means that States should not interfere with the enjoyment of human rights. The obligation to protect human rights requires governments to ensure that private actors, such as corporations, do not infringe individual's human rights. This obligation has been elaborated in the work of international and regional human rights monitoring bodies, including the UN expert on business and human rights. The UN Human Rights Council has explicitly recognised the importance of effective regulation of corporations in order to safeguard human rights.

The obligation to fulfil requires governments to put in place the policies and systems to progressively realise economic and social rights, using the maximum of available resources. While the obligation to fulfil rights accepts that for some States the full realization of rights, particularly economic, social and cultural rights, requires time, it also encompasses duties for which no delay is permissible. These include prioritising access to, at least, minimum essential levels of each right for all people; prioritising the most disadvantaged groups while allocating resources and developing programmes and ensuring that government policies and programmes of action are directed towards full realization of rights in the shortest time feasible.

Amongst non-governmental organizations and human rights experts, work has begun to apply the human rights framework to an analysis of the causes, consequences and responses of States to the economic crisis.^v Such analysis is needed not only to more clearly expose the scale and severity of the human rights violations that have occurred and continue to occur, but to bring forward robust recommendations to prevent future crises and ensure that responses to crisis effectively address the States obligation to respect, protect and fulfil human rights.

The economic crisis affecting many countries is not a natural disaster but a man-made crisis. The failure to prevent corporate malpractice and bad practice was a root cause of the economic crisis, and therefore a key factor in the human rights impacts. The failures of regulation occurred not only at the level of complex trade in financial instruments, but at the level of engagement by banks and mortgage corporations with customers: for example, research has exposed the predatory lending practices of some corporations, and the way in which they targeted women and ethnic minorities.^{vi}

Most governments would not see financial systems and economic and fiscal policy as having any connection with human rights. But clearly when a man-made crisis unfolds and brings with it loss of homes, shortages of food and jobs, then it is imperative to look at the chain of cause and effect. If the way in which financial systems operate – and are enabled by States to operate – is the root cause of human rights violations, then the framework of national and global financial systems must be the subject of scrutiny from a human rights perspective.

Human rights and financial regulations – the right to food

In 2007/8 many countries experienced a significant rise in food prices, which large portions of their population could not afford. In 2010 the UN Special Rapporteur on the Right to Food, Olivier de Schutter, noted that the food crisis had a number of causes, one of which was speculation in food commodities, facilitated by deregulation in the financial sector.^{vii} According to the UN expert, “The initial causes related to market fundamentals, including the supply and demand for food commodities, transportation and storage costs, and an increase in the price of agricultural inputs. However, a significant portion of the increases in price and volatility of essential food commodities can only be explained by the emergence of a speculative bubble. In particular, there is a reason to believe that a significant role was played by the entry into markets for derivatives based on food commodities of large, powerful institutional investors such as hedge funds, pension funds and investment banks, all of which are generally unconcerned with agricultural market fundamentals. Such entry was made possible because of deregulation in important commodity derivatives markets beginning in 2000.”

He warned that fundamental reform of the broader global financial sector was urgently required in order to avert another food price crisis.

RESPONDING TO THE CRISIS

Governments face serious challenges: few would argue that spending must reduce in contexts where national debt is unsustainable. But governments have obligations to respect, protect and fulfil human rights. They are legally bound to consider how government policies and programmes will affect rights. The balancing needed to curb public expenditure while upholding legal obligations requires explicit consideration of human rights – and particularly economic, social and cultural rights – throughout the policy development process. It requires governments to carry out a comprehensive and transparent assessment of the impacts of proposed cuts in expenditure on the enjoyment of economic, social and cultural rights and to put in place safety nets to minimise such impacts, particularly on the most disadvantaged groups and people within any country.

This note considers four issues to which governments should give attention: learning the lessons of the past; the importance of bringing a discrimination framework to bear on crisis response measures; the need to pursue accountability; and the need to ensure meaningful integration of human rights into economic decision-making.

Learning lessons and heading warnings: a proactive approach to protecting rights

The axiom that an ounce of prevention is better than a pound of cure is as true for human rights as other issues. Governments must become more focused on the mechanisms for preventing human rights violations, more acutely aware of warning signs and take timely remedial action.

While the economic crisis itself has placed rights at risk, the way governments respond can mitigate and ameliorate the risks - or it can place human rights at greater risk. In their response to the crisis governments must look at both their immediate obligations to prioritize the “minimum essential levels” of social and economic rights, and at how response measures may affect longer-term progress in the realization of these rights. Retrogressive measures need to be carefully scrutinized and fully justified while considering the full use of maximum available resources.^{viii}

In the context of responding to economic crises and recessions, governments and financial institutions have a range of lessons to draw on from the past, including lessons in relation to human rights impacts. Post-hoc studies of responses to economic recessions and crises, conducted by UN agencies, NGOs, the World Bank and others have exposed how response measures can negatively affect human rights, and social indicators that strongly correlate to respect for specific human rights.

During the 1980s and 90s the World Bank and the International Monetary Fund (IMF) required the implementation of structural adjustment policies in developing countries as conditions of the loans those countries received from these institutions.^{ix} Current policy actions by governments to address the economic crisis bear many of the hallmarks of structural adjustment, and the lessons learned from the impact of structural adjustment on poverty and human rights need to inform current policy action.

Structural adjustment programmes had significant negative impacts on key development indicators and human rights.^x A 1987 UNICEF report, “Adjustment with a Human Face,” was an early critique of the effect structural adjustment programmes were having on children, especially as it concerned their access to health and education.^{xi} UNICEF found that the school enrolment rate had fallen in 20 Sub-Saharan countries, in large part because of a reduction in government spending on education and the imposition of school fees to make up for the budget cuts, which parents could not afford.^{xii}

At the end of the 1990s the IMF conducted an external review of its structural adjustment policies, examining the economic and social impact of their loans on the countries that received them.^{xiii} Amongst the findings of the review was that in some cases structural adjustment programmes eroded

social protections. For example, the study noted that the reduction in public spending and the reduction in household incomes reduced access to schools and health care for the poor.^{xiv}

Various other reviews of the impacts of structural adjustment programmes have reinforced these findings.^{xv} Similar concerns have also come from examinations of the response to other economic crises. In respect of the East Asia crisis, the Nobel prize-winning economist Joseph Stiglitz has pointed out:

“During the East Asia crisis, just a decade ago, America and the I.M.F. demanded that the affected countries cut their deficits by cutting back expenditures – even if, as in Thailand, this contributed to a resurgence of the AIDS epidemic, or even if, as in Indonesia, this meant curtailing food subsidies for the starving. America and the I.M.F. forced countries to raise interest rates, in some cases to more than 50 percent. They lectured Indonesia about being tough on its banks – and demanded that the government not bail them out. What a terrible precedent this would set, they said, and what a terrible intervention in the ... mechanisms of the free market.”^{xvi}

Is sufficient attention being paid to these lessons? Already several UN agencies and human rights experts are raising flags of concern that suggest that the lessons of the past have not been adequately incorporated into current responses.

A 2011 report by the UN Department of Economic and Social Affairs (UN-DESA) noted that: “International financial institutions – despite having declared changes in their policy prescriptions...have paid insufficient attention to the social implications of such policies.”^{xvii}

A September 2011 UNICEF study^{xviii}, which examined 128 developing countries’ fiscal policies through their IMF country reports, found that an increasing number of countries are considering structural adjustment measures like “wage bill cuts/caps, subsidy reversals, and rationalizing social protection schemes in order to achieve cost-savings; many governments are also considering introducing or increasing consumption taxes on basic products that vulnerable populations consume.” For example, a large number of developing countries are considering taxing basic “food, fuel, and energy” products, a move that UNICEF warns will have a “disproportionate negative impact on poorer households, reducing their already limited disposable income and further exacerbating existing inequalities.”

UNICEF cautioned that “the current wave of fiscal consolidation [austerity measures] that is taking hold of developing countries...threaten[s] children and poor households’ survival, nutritional growth and other rights.”

Other UN agencies are also sounding alerts. Margaret Chan, the Director General of the World Health Organization (WHO), has highlighted serious concerns about the impact of responses to the crisis, stating “As incomes fall, public sector services become the more favoured source of health care at the very time that government revenues to finance them are under greatest pressure. Information is still patchy, but we know that at least seven ministries of health in Africa - including some of the poorest - have already been notified that the budget for health will be cut as the result of the crisis. Others anxiously await the next budget cycle.”

The legal obligations of States include an implicit requirement to consider how government policy and action will affect rights - but frequently governments do not conduct even the most rudimentary assessment of the potential impact of their policies on rights. Clearly if States do not analyze the potential human rights impact of their policies, this failure can lead to violations of a whole range of human rights – and can further entrench poverty and deprivation.

Applying a non-discrimination lens to crisis response and prioritising the most disadvantaged people

The principles of non-discrimination and equality are the bedrock of human rights law. States are obliged to ensure the law prohibits any discrimination and guarantees to all persons equal and effective

protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, disability, property, birth, or other status.

The guarantees of equality before the law and the equal protection of the law prevent a government from arbitrarily making distinctions among classes of persons in promulgating and enforcing its laws. The Human Rights Committee has clarified that the obligation "prohibits discrimination in law or in fact in any field regulated and protected by the public authorities."

The Committee on Economic, Social and Cultural Rights has also emphasised the obligation of states to prioritise the most marginalised and disadvantaged groups while allocating resources and developing programmes. The Committee has underlined "the fact that even in times of severe resources constraints whether caused by a process of adjustment, of economic recession, or by other factors, the vulnerable members of society can and indeed must be protected by the adoption of relatively low-cost targeted programmes".^{xix}

Despite these obligations discrimination persists in every country in the world. There is a severe risk that unless proactive measures are taken the impacts of the crisis will be felt most severely by those groups and individuals who are already the most marginalised and disadvantaged in any country. In the context of crises, it is important to examine how both the crisis and crisis response affect different groups and whether governments are taking adequate steps to assess and mitigate the impacts of the crisis and their own responses on these groups. Only by explicitly considering how different groups are affected will governments be able to ensure that their response actions are non-discriminatory.

The impact on women

There is currently little empirical data on which to assess the impact of the crisis on gender equality. However, previous government responses to economic crises were subsequently found to have negatively affected gender equality and women's human rights. At present, available evidence suggests that gender impacts vary significantly by country.^{xx}

Nonetheless, there are some red flags which governments should immediately address. The World Bank predicts that the economic crisis will result in higher infant mortality rates for girls than boys; families pulling girls out of school as household finances are reduced; and decreased access for women to the loans and credit necessary to run businesses and households.^{xxi}

A 2011 report by the UK Institute of Development Studies found signs that gender inequities in the distribution of household resources are already worsening.^{xxii}

While official government data is largely non-existent, case studies indicate that the economic crisis has increased the informal job market in the world economy, and that most of the new entrants in the largely unprotected informal sector are women.^{xxiii}

Studies carried out in the area of gender and development have signalled a range of concerns at the macro and micro levels, noting that the impacts of the crisis on women remains, as with previous crises, largely hidden, especially the impacts on unpaid work, such as caring for the elderly and the ill, often with less income and less state support.^{xxiv}

Despite concerns about impacts of the economic crises on women and girls, governments' stimulus packages, as the UN's Commission on the Status of Women noted, failed to address the impact of job losses on women, instead focusing the resources on capital-intensive, industrial-focused, male-dominated industries like auto manufacturing and financial institutions.^{xxv} In the United States, for example, an analysis found that a very low percentage of stimulus money went to women-run businesses or social protection programmes primarily accessed by women and their families.^{xxvi}

While the evidence base is, as yet, limited, in the absence of government action that explicitly addresses the gender-differentiated impacts of the crisis and the response, there is real concern that there will be gender-specific consequences which are harmful in the short and long term.

The risk of reinforcing discrimination against migrants

Some 200 million people live and/or work in a foreign country. Migrants are vulnerable to a range of human rights abuses, which are often rooted in or facilitated by discriminatory policies and social attitudes. Those working in low-paying jobs, and in sectors that are under-regulated, and those whose status is irregular, are frequently the most likely to be exploited.

Governments have a legal duty to prevent and address discrimination, including discrimination affecting migrants. However, in the context of responding to the crisis some governments' statements are reinforcing or even fuelling discriminatory attitudes, and there is an increasing concern that officials are failing to take necessary action in the face of growing populism and xenophobia, placing human rights at risk.

Governments are aware of pre-existing social tensions around migration. And they are – or at least should be – aware of the risk of fanning the flames of discrimination. Statements by government that reinforce discriminatory attitudes run contrary to their obligation to combat such attitudes.

In 2010-2011 alone, government leaders in Austria, Belgium, Denmark, France, Germany, the Netherlands, Norway and the United Kingdom made speeches or comments criticizing the effect of multiculturalism on their country's fortunes, linking the presence of immigrants as a cause of the European Union's financial crisis.^{xxvii}

UK Prime Minister David Cameron blamed "mass immigration" into Britain for the economic "pressures on communities up and down the country, on schools, housing and healthcare."^{xxviii} German Chancellor Angela Merkel proclaimed that multiculturalism had "utterly, utterly failed" in Germany^{xxix} and emphasized that immigrants (guest workers) should not be considered for jobs in Germany "until we have done all we can to help our own people to become qualified and give them a chance."^{xxx} French President Nicholas Sarkozy, noting economic and social unrest in his country, declared in a speech that, "We are suffering from 50 years of lax immigration regulation which has led to a failure of integration."^{xxxi} In discussing his government's focus on immigration, Sarkozy noted, "With the difficulty we have providing jobs for all of our citizens, and an unemployment rate of 23 per cent for non-EU foreigners, we have to ask ourselves questions about legal immigration, it's just common sense."^{xxxii}

As the Institute on Race Relations, a UK think-tank, noted, "The attacks [by government leaders] on multiculturalism are taking place at a time of economic crisis...when politicians are desperate to deflect public anger and explain societal breakdown...To justify the biggest spending cuts since the 1920s, [politicians] are blaming the current economic crisis not on the bankers and global financial crisis, but on immigration."^{xxxiii}

The International Organization for Migration (IOM) recently noted: "There is often a fine line between realistic and honest debate about challenges stemming from migration and politicized stereotyping and scapegoating."^{xxxiv}

Warnings about how governments communicate about migrants and migration are echoed by others. Lamberto Zannier, the Secretary General of the Organization for Security and Co-operation, noted: "In troubled times, it is vital that we communicate clearly about the positive contribution that migrants make to our societies and also that we counter firmly any rise of xenophobia or scapegoating of migrant workers. Violations of human rights and threats to social cohesion cannot be accepted or ignored. These are our starting points."^{xxxv}

A joint statement by the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights, the European Commission against Racism and Intolerance and the European Union Agency for Fundamental Rights sounded a similar warning: "Europe's history demonstrates how economic depression can tragically lead to increasing social exclusion and persecution. We are concerned that in times of crisis, migrants, minorities and other vulnerable groups become 'scapegoats' for populist politicians and the media."^{xxxvi}

In the United States, which has long struggled with xenophobia and racism directed at immigrants (among others), the economic crisis has increased momentum, especially at the state level, for decades-old policy proposals that target un-documented immigrants, placing them – and their families – at risk.

In 2011, Alabama passed a law, known as the Beason-Hammon Act, which prohibited unauthorized immigrants from entering into “business transactions” with the state, declaring it a felony punishable by one to ten years in prison and up to \$15,000 in fines.^{xxxvii} As a result, state and local agencies have declared that unauthorized immigrants cannot sign up for water and other utilities, live in the homes they own or rent, or renew licenses for their own small businesses.^{xxxviii} The law also requires that all residents of the state carry documentation of their legal status with them at all times, and that schools check each student’s legal status.^{xxxix}

Alabama legislators frequently cited concerns for the economy as they debated its merits. US Representative Mo Brooks, Republican from Alabama, noted his support for the bill, declaring, “There is a sure-fire way to create jobs now for American citizens: Evict all illegal aliens from America and immediately open up millions of jobs for unemployed Americans. The eviction of illegal aliens from America has the side benefit of eliminating the abundance of cheap, illegal alien labour, which, in turn, forces blue-collar wages up, thus helping American families afford and pursue the American Dream.”^{xl}

It is not just in the United States or Europe where the rights of immigrant workers and their families are at risk. The ILO and others have warned that the rights of vulnerable migrant workers are at greater risk across many regions, in the context of the economic crisis, with many more people vulnerable to labour exploitation.”^{xli}

Accountability and the duty to protect human rights

Accountability is vital to the meaningful protection of human rights. As noted in the introductory section of this Briefing Note, in the context of the current economic crisis, the failure to prevent corporate malpractice and bad practice was a root cause of the economic crisis and therefore a key factor in the human rights impacts. States must engage with the clear evidence of the link between lack of regulation of financial systems and markets, and negative human rights impacts, and examine how to give effect to their legal responsibility to protect rights.

Existing guidance from human rights experts, including the Guiding Principles on Business and Human Rights, endorsed by the UN Human Rights Council, provide clear starting points for State action. These Principles guide States in deciding on the nature and scope of regulation needed to protect human rights. The Principles state that, in meeting their duty to protect, “States should: enforce laws that are aimed at, or have the effect of, requiring business enterprises to respect human rights, and periodically to assess the adequacy of such laws and address any gap [and] Provide effective guidance to business enterprises on how to respect human rights throughout their operations”. The Guiding Principles also note that it is equally important for States to review whether their existing laws and regulations “provide the necessary coverage in light of evolving circumstances and whether, together with relevant policies, they provide an environment conducive to business respect for human rights.”

Developing and strengthening regulation of financial systems must also take into account the trans-national nature of financial operations. States should ensure - both through their individual regulatory actions and in cooperation with other States - that they address regulatory gaps that create a permissive environment for abusive and unethical practices. Again, the UN Guiding Principles provide a useful starting point for States in this regard. They note that States should maintain adequate domestic policy space to meet their human rights obligations when pursuing business-related policy objectives with other States or business enterprises...”

In responding to the economic crisis States must also confront a critical obstacle to the effective regulation of corporations and financial systems: the nature of the State–corporate relationship. Companies – especially major multinationals – often have significant influence with or over the State.

One key manifestation of the State-corporate relationship is the influence that companies have on the legal and regulatory framework within which they operate. Laws and regulatory bodies that should be independent and act as a check on corporate power, and a protection for human rights and the environment, have, in reality, been subject to substantial corporate influence.

Conclusion

States have a legal obligation to protect human rights. The economic crisis has exposed serious failures by States in this regard. Bringing the human rights framework to bear on the analysis of the economic crisis, and governments' responses, including in the area of financial regulation, is imperative to ensure that governments are fulfilling their legal obligations. This means examining the chain of cause and effect through a human rights lens and taking appropriate remedial action, including putting in place effective regulations in order to prevent future crises.

In responding to the crisis governments must explicitly act to protect economic, social and cultural rights, as well as civil and political rights.

Governments have long claimed that economic and social rights are fundamentally unenforceable and therefore any obligation on States is illusory. However, an increasingly strong body of jurisprudence has demonstrated the fallacy of this argument.

Effectively protecting economic, social and cultural rights means carrying out a transparent assessment of the impacts of any proposed cuts in expenditure on the enjoyment these rights including assessing the risk of discriminatory impacts on marginalized groups. Governments must put in place mitigation measures or safety nets to minimise negative impacts of any cuts in expenditure on the enjoyment of economic, social and cultural rights, particularly on the most disadvantaged groups and people within any country. Any measures which would lead to a retrogression in people's enjoyment of their economic, social and cultural rights would need to be carefully scrutinized and fully justified while considering the full use of maximum available resources.^{xiii}

ⁱ World Bank, The Global Economic Crisis: Assessing Vulnerability with a Poverty Lens, <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:22067892~pagePK:64257043~piPK:437376~theSitePK:4607,00.html>, accessed 28 December, 2011.

ⁱⁱ World Bank, The World Bank Group's Response to the Global Economic Crisis, <http://www.worldbank.org/ieg/crisis/index.html>, accessed 31 December, 2011.

ⁱⁱⁱ International Labor Organization, Global Employment Trends 2012: Preventing a Deeper Jobs Crisis, <http://www.ilo.org/global/publications/books/global-employment-trends/lang--en/index.htm>, accessed 24 January, 2012.

^{iv} Testimony of the National Law Center on Homelessness & Poverty before the Subcommittee on Housing and Community Opportunities House Committee on Financial Services, 28 March 2009. See:

http://www.nlchp.org/content/pubs/HR_TestimonyforLA2.pdf, last accessed 24 January 2012. See also: Radhika Balakrishnan, Diane Elson And James Heintz, Financial Regulation, Capabilities and Human Rights in the US Financial Crisis: *The Case of Housing*, *Journal of Human Development and Capabilities* Vol. 12, No. 1, February 2011

^v Significant work has been done by the Madrid-based Center for Economic and Social Rights. See: <http://www.cesr.org/article.php?list=type&type=139>, last accessed 24 January 2012.

^{vi} Radhika Balakrishnan, Diane Elson And James Heintz, Financial Regulation, Capabilities and Human Rights in the US Financial Crisis: *The Case of Housing*, *Journal of Human Development and Capabilities* Vol. 12, No. 1, February 2011.

^{vii} Olivier De Schutter, United Nations Special Rapporteur On The Right To Food, Food Commodities Speculation and Food Price Crises, September 2010, at http://zembla.vara.nl/fileadmin/uploads/VARA/be_users/documents/tv/pip/zembla/2011/Handel_in_honger/20102309_briefing_note_02_en_ok.pdf, last accessed 24 January 2012.

^{viii} UN Committee on Economic, Social and Cultural Rights, General Comment 3: The Nature of States Parties obligations (Art. 2.1), 14 December 1990, para 9, available at <http://www2.ohchr.org/english/bodies/cescr/comments.htm> (last accessed 24 January 2012).

^{ix} International Monetary Fund, External Evaluation of the EASF: Report by a Group of Independent Experts, 1998, <http://www.imf.org/external/pubs/ft/extev/index.HTM>, accessed December 30, 2011.

^x See for example: Structural Adjustment Participatory Review International Network, The Policy Roots of Economic Crisis and Poverty: A Multi-Country Participatory Assessment of Structural Adjustment, http://www.saprin.org/SAPRIN_findings.pdf, accessed December 31, 2011.

World Bank, African Development Indicators 1997, cited in Centre for Economic Policy Research, A Survey of the Impacts of IMF Structural Adjustment In African Countries, <http://www.cepr.net/index.php/a-survey-of-the-impacts-of-imf-structural-adjustment-in-africa/>, accessed January 1, 2011.

^{xi} Richard Jolly, Journal of World Development, Adjustment with a Human Face: A UNICEF Record and Perspective on the 1980s, Journal of World Development, Volume 19, Issue 12, December 1991, Pages 1807-1821.

^{xii} Richard Jolly, Journal of World Development, Adjustment with a Human Face: A UNICEF Record and Perspective on the 1980s, Journal of World Development, Volume 19, Issue 12, December 1991, Pages 1807-1821.

^{xiii} International Monetary Fund, Report of the Group of Independent Persons Appointed to Conduct an Evaluation of Certain Aspects of the Enhanced Structural Adjustment Facility, 1998, <http://www.imf.org/external/pubs/ft/extev/index.HTM>, accessed January 1, 2011.

^{xiv} Kevin Watkins, Break the Cycle of Poverty: Education Now, Oxfam International, 1999.

^{xv} See, e.g. Pamela Sparr, Mortgaging Women's Lives: Feminist Critiques of Structural Adjustment, Palgrave Macmillan, 1994; Easterly, William, The Effect of IMF and World Bank Programs on Poverty, December 2000, <http://ssrn.com/abstract=256883> or doi:10.2139/ssrn.256883, accessed January 17, 2012; Paul Mosely, Assessing Adjustment in Africa, *World Development*, 1995, <http://www.sciencedirect.com/science/article/pii/S0305750X9500062H>, accessed January 17, 2012.

^{xvi} Stiglitz, 2009, quoted from, Center for Economic and Social Rights, Human Rights and the Global Economic Crisis: Consequences, Causes and Responses, 2009.

^{xvii} UN, The Global Social Crisis: Report on the World Social Situation 2011, <http://www.social.un.org/rwss2011-fullreport-1.pdf>, accessed December 31, 2011.

^{xviii} UNICEF, Social and Economic Policy Working Paper: Austerity Measures Threaten Children and Poor Households, http://www.unicef.org/austerity_measures_threaten_children.pdf, accessed December 28, 2011.

^{xix} Committee on Economic, Social and Cultural Rights, General Comment 3, para. 12.

^{xx} Sabarwal, Sinha, and Buvinic (2010); Newhouse and Cho (2010); Turk and Mason (2009)

^{xxi} World Bank Policy Group, The Global Financial Crisis: Assessing Vulnerability for Women and Children, Identifying Policy Responses, <http://www.worldbank.org/Women-Children-Culnerability-March09-pdf>, accessed December 30, 2011.

^{xxii} Institute of Development Studies, Accounts of Crisis: Poor People's Experience of the Food, Fuel, and Financial Crisis in Five Countries, <http://www.ids.ac.uk/index.cfm?objectid=7BEEE2E6-E888-1C81-4222828ABE71B95A>, accessed December 31, 2011.

^{xxiii} Inclusive Cities Project, No Cushion to Fall Back On: The Global Economic Crisis and Informal Workers, Inclusive Cities Project, http://www.inclusivecities.org/GEC_Study.html, accessed December 31, 2011.

See for example: Stephanie Seguino (2010): The global economic crisis, its gender and ethnic implications, and policy responses, *Gender & Development*, 18:2, 179-199, available at:

<http://dx.doi.org/10.1080/13552074.2010.491318>; Zoe Elena Horn (2010): The effects of the global economic crisis on women in the informal economy: research findings from WIEGO and the Inclusive Cities partners, *Gender & Development*, 18:2, 263-276, available at: <http://dx.doi.org/10.1080/13552074.2010.491339> and Devaki Jain and Diane Elson, in Collaboration with the Casablanca Dreamers, Vision for a Better World: From Economic Crisis to Equality, published UNDP, 2010.

^{xxv} UN Commission on the Status of Women, Gender Perspectives of the Financial Crisis, E/CN.6/2009/CRP.7, <http://www.un.org/E-CN-6-2009-CRP-7.pdf>, accessed December 31, 2011.

^{xxvi} Kirwan Institute for the Study of Race and Ethnicity, Press Release: Recovery Act Funds Reaching Limited Number of Minority-Owned Businesses, http://4909e99d35cada63e7f757471b7243be73e53e14.gripelements.com/NewsRelease/2009_1026_arra_fund_dist_minorities_and_race.pdf, accessed December 31, 2011.

^{xxvii} Institute on Race Relations, The Attacks on Multiculturalism are Linked to the Economic Crisis, <http://www.irr.org.uk/2011/april/ha000022.html>, accessed December 22, 2011.

^{xxviii} The Telegraph, David Cameron: Migration Threatens Our Way of Life; David Cameron Will Claim Today That Uncontrolled Immigration Has Undermined Some British Communities, <http://www.telegraph.co.uk/news/uknews/immigration/8449324/David-Cameron-migration-threatens-our-way-of-life.html>, accessed December 26, 2011.

^{xxix} The Guardian, Angela Merkel: German Multiculturalism has 'Utterly Failed,'; Chancellor's assertion that onus is on new arrivals to do more to integrate into German society stirs anti-immigration, debate <http://www.guardian.co.uk/world/2010/oct/17/angela-merkel-german-multiculturalism-failed>, accessed December 26, 2011.

^{xxx} The Guardian, Angela Merkel Declares Death of German Multiculturalism; Chancellor's Remarks, Which Claimed Multiculturalism had 'failed utterly', Interpreted as a Shift Rightwards from Previous Views <http://www.guardian.co.uk/world/2010/oct/17/angela-merkel-germany-multiculturalism-failures>, accessed December 26, 2011.

^{xxxi} Reuters, France's Sarkozy Cracks Down on Crime and Immigrants, <http://www.reuters.com/article/2010/07/30/us-france-security-idUSTRE66T3D420100730>, accessed December 26, 2011.

^{xxxii} Reuters, France Has Too Few Jobs for Immigrant Wave, <http://af.reuters.com/article/tunisiaNews/idAFLDE74211X20110503>, accessed January 4, 2011.

^{xxxiii} Institute on Race Relations The Attacks on Multiculturalism are Linked to the Economic Crisis, <http://www.irr.org.uk/2011/april/ha000022.html>, accessed December 22, 2011.

^{xxxiv} International Organization for Migration, World Migration Report 2011 | Communicating Effectively About Migration

^{xxxv} 'Economic crisis sharpens need for effective migration management, say OSCE Forum participants' Press Release by the Organization for Security and Co-operation in Europe, May 2009, in full: <http://www.osce.org/eea/50918>.

^{xxxvii} The Beeson-Hammon Act, <http://media.al.com/bn/other/Alabama%20Immigration%20Law%202011.pdf>, accessed December 27, 2011. Portions of the law are currently enjoined by the courts due to lawsuit and is currently at the appellate level in Alabama.

^{xxxviii} The Immigration Policy Center, Turning Off the Water: How the Contracting and Transactions Provisions of the Alabama Immigration Law Make Life Harder for Everyone, November 2011, Friedland_ - Alabama_Contracting_and_Business_110111_0.pdf, accessed December 27, 2011.

^{xxxix} The Beeson-Hammon Act, <http://media.al.com/bn/other/Alabama%20Immigration%20Law%202011.pdf>, accessed December 27, 2011.

^{xl} Think Progress, GOP Rep. Brooks Claims 'Evicting All Illegal Aliens' Would Create 'Millions Of Jobs For Americans', <http://thinkprogress.org/economy/2011/09/09/315392/gop-rep-brooks-evict-aliens-create-jobs/>, accessed December 27, 2011.

^{xli} Quoted from "Financial Crisis and Human Trafficking," U.S. State Department report, 2009.

^{xlii} UN Committee on Economic, Social and Cultural Rights, General Comment 3: The Nature of States Parties obligations (Art. 2.1), 14 December 1990, para 10 available at <http://www2.ohchr.org/english/bodies/cescr/comments.htm> (last accessed 24 January 2012).