

Collectif pour une loi sur l'élimination de la pauvreté

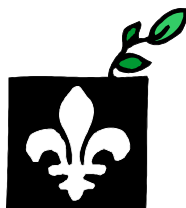


Proposal for an ACT ON THE ELIMINATION OF POVERTY

April 20, 2000

Note : The present document is translated from an original text in French. In any case of doubt about meanings, please refer to the french original. Many thanks to the translators from NAPO who did this wonderful job in a very short time.
Le Collectif

Since 1997, the idea that Quebec adopts a parent legislation on the elimination of poverty has been endorsed by over 166,000 individuals and 1200 organisations. The text that follows was developed in the year 1999-2000 following a major public consultation, held in 1998-1999, involving thousands from throughout Quebec, many of them in a state of poverty. The document was conceived and written like a real legislative text, and demonstrates such a possibility. A first version was made public on December 9, 1999. To put this text up for debate in view of adopting it, the Collective for an Act on the Elimination of Poverty then called popular parliamentary sessions that were held in almost all regions of Quebec between December 9, 1999 and March 17, 2000, on initiatives from the various organisations supporting and relaying this project. A final version, adjusted following the reports from those sessions, was then prepared by the editorial team and the Collective's Contents Committee. It was submitted to the delegates of the relay organisations, who unanimously adopted it at a closure session, in Quebec City, on April 19 and 20, 2000. This stage, at a citizen, pre-legislative level which is unusual in the Quebec customs of legislation development, shows that a society can provide itself with the means to specify the contents of an idea it believes in before taking the initiative to request its implementation by its parliament. Now that this text has been finalised, the Collective wishes to go ahead and submit it in a non partisan way to the Government and the members of Quebec's National Assembly to make this Act a reality.



This text is the result of a huge labour of collective thinking. Thousands of people have said: Let's do it and it will get done!

Among those, there are all the individuals who contributed to the contents of the act, throughout Quebec, starting with the successive facilitation kits, over hundreds of meetings that demonstrated the seriousness of the citizens' will expressed here, especially that of individuals in a state of poverty. There is the network of moderators who have supported their work and communicated the results. The staff and members of the Collective, as well as tens of volunteers who contributed to the input and compilation of the hundreds of contributions received. The members of the contents committee, who, together with those of the Collective, closely monitored all the stages of the development of this text. The individuals who contributed, through their special expertise, to link the text to the government, legislative, scientific, and militant reality. And, finally, the members of the writing team of the Collective, who persevered into giving the text its final form.

It is now up to you to carry the torch and ensure that this proposal is turned into a real Act.

Le Collectif pour une loi sur l'élimination de la pauvreté



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What you should know before reading the proposed Act that follows



An act is not a manifesto, but a set of possible, applicable rules, consistent with the current political, legislative, and parliamentary system. Consequently, it requires a precise, concrete enunciation, which says only once what it has to say, and nothing else. We have taken great pains to ensure that the architecture of the Act is consistent with the usual rules of legislative draughtsmanship and that its contents is both plausible and possible. However, we have not written all the articles modifying other Acts as a result. On the other hand, even if the rule requires that a legislative text be written in the masculine, we have been very careful to use both genders to the maximum in our choice of words, so that the text allows women as much as men to identify with its contents. We hope to have succeeded.

An act does three things: it imposes, it permits, it forbids.

Recent legislative writing techniques suggest that the definitions, when necessary, should be integrated into the exposition of ideas. Therefore, no section will be found for definitions.

This Act is both a parent legislation, that lays the foundation for a major transformation, and a program legislation, which describes how to implement it. This being said, the concept of parent legislation has no precise legal existence in Quebec. Both expressions simply apply a qualification to the Act. This is why they do not appear in its title.

The National Assembly is supreme and cannot constrain itself. It always has the possibility to legislate and modify previous decisions. However, this is not an impediment to a program legislation, which provides for progressive transformations. The Act on a Zero Deficit is an example of this.

The National Assembly can legislate only in its own area of jurisdiction. Some major aspects for the elimination of poverty cannot be dealt with directly in this Act. This is why it is difficult to deal with issues that are of federal jurisdiction, including external affairs. And this explains the limitations of the text with respect the federal and international levels.

The explanatory notes are not part of the legislation as such. The preamble is part of the Act, and it is useful to explain its purpose and extent, although it is not itself a source of legal rules. Each of its statements is self-contained. The reference marks on the left-hand side of the sections are not part of the legislation. They should be construed only as markers. We have not written all the sections modifying other Acts as a result of this Act.

Here is the plan of the proposed Act.

Preamble.

Chapter I. Purpose

Chapter II. Program for the Elimination of Poverty

Section I. Contents and Objectives of the Program

Section II. Immediate Measures

Section III. First Action Plan

Section IV. Second Action Plan

Section V. Permanent Master Plan

Chapter III. Council for the Elimination of Poverty

Section I. Establishment and Mission

Section II. Composition and Organisation

Chapter IV. Follow-up and Citizens' Action

Chapter V. Amending Provisions

Chapter VI. Various and Transitional Provisions

Annex.

Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, the General Assembly of the United Nations, December 9, 1998, Resolution 53/144.

Explanatory Notes

The present act commits the Government of Quebec to a poverty elimination program aimed at implementing the permanent frameworks of a poverty-free Quebec. It provides for the active civic participation of the population in all the stages of this program. It creates the Council for the Elimination of Poverty and mandates it to concur with and monitor the implementation of the program.

Three principles of government action provide direction for the program: the elimination of poverty is a priority, the increase of the incomes of the poorest fifth of the population takes precedence over the increase of the incomes of the richest fifth, and the persons living in poverty and their representative associations are associated with the conception, the implementation and the evaluation of the program. After ten years, the program must have reached the following goals: poverty has been eliminated as an obstacle to the achievement of the rights and liberties of individuals; the incomes and quality of life of the poorest fifth of the population have been substantially improved; the income gaps between the rich and the poor have been reduced, taxation has been revised according to a principle of general fairness to integrate all individuals into its approach to the redistribution of wealth; the inequalities that result in greater poverty for women, youth and the populations of certain regions and territories have been eliminated. The achievement of these final objectives is demonstrated through the achievement of goals that will have been identified by the Council within the three years of the implementation of the Act.

The Premier is responsible for the program, which comprises four stages: emergency and immediate measures, a first action plan after one year, a second action plan after five years, and a permanent master plan submitted after ten years. Seven emergency measures are undertaken as soon as the Act is implemented: new government measures are prevented from increasing the poverty of the individuals in the poorest fifth of the population; a bottom level revenue is guaranteed to individuals eligible to the employment assistance program, the level of which is raised to the level now payable to persons with severe employment constraints; essential needs are to be covered through revenue support legislation within three years; free drugs are to be made available to individuals on social assistance and those receiving the guaranteed income supplement pursuant to the Old Age Security Act; salaried individuals in unstable jobs are granted the same rights and benefits, in proportion, as permanent full time salaried workers, and dependent self-employed workers are assimilated to salaried workers; the right to access, on a voluntary basis, continuing measures of training and integration to employment for any individual requesting it, is to be implemented within one year; and the minimum wage is increased. Instructions are given by sector of intervention for the first action plan; the second action plan must fill the gaps between the results of the first plan and the final objectives. These plans will be evaluated and subjected to consultation.

The Council includes in its composition individuals in a state of poverty. It has a mandate of vigilance, advice, information and facilitation of citizens' participation. Part of its mandate is also to gather knowledge useful for its mandate; to this effect, the Observatory of the Elimination of Poverty is assigned to it. The National Assembly receives the annual reports submitted by the Council and the Premier and debates them after a review by a standing parliamentary commission which conducts public hearings. The Minister of Finance and the President of Treasury Board report on an annual basis on the means they intend to use to integrate the priority of the fight against poverty and the implementation of the action plans into the budget and the government's budget forecasts. The Auditor General also reports to the Assembly, as he is mandated to do, on the implementation of the program. The rights and liberties of the public are those stated by the Declaration of the General Assembly of the United Nations on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. Any individual who believes that, because of poverty, she or he is a victim of the violation of her/his recognized rights may submit a complaint to the Commission for the rights and liberties of individuals and the rights of youth.

Preamble

*«I'm a leaf beside the tree.
After the legislation, I will be in the tree.»*
Lucien Paulhus, Drummondville

«One must dream logic.»
Yvette Muise, Quebec

Whereas human rights and liberties are indissociable and inviolable,

Whereas poverty hinders the realisation of those recognised rights and, by this fact, violates equality in rights,

Whereas poverty is caused by unjust systems, moved by the profits of a few, the effects of which have increased towards the end of the twentieth century by becoming global, thus causing a severe lack of solidarity, greater insecurities that result in misery, and repeated inequalities which exclude part of the population from their just share of wealth and quality of life,

Whereas age old inequalities between men and women have structurally ingrained women's poverty into society,

Whereas it is universally recognised that poverty has a major impact on the health and welfare of populations,

Whereas individuals in a state of poverty are the first to take action to improve their situation and that of their families,

Whereas it is the responsibility of society as a whole to join the individuals in a state of poverty to re-establish solidarity, to eliminate unjust and discriminatory situations which condemn them to exclusion, and to make the realisation of the rights effective,

Whereas in 1995, the World States committed to the global elimination of poverty and to take decisive national actions to honour that commitment,

Whereas, when proclaiming 1996 the International Year of the Elimination of Poverty the Secretary-General of the United Nations expressed the state of knowledge of the solutions by declaring that "the ethical progression of humanity happens when moral ideals bring about specific legal obligations",

Whereas, in Quebec, in the spirit of the First decade of the United Nations for the elimination of poverty started in 1997, hundreds of thousands of people have translated this ideal into action by requesting an Act on the Elimination of Poverty, insisting that it be tabled with the present Assembly,

Whereas the equilibrium of society as a whole is fostered when poverty is eliminated,

Whereas it is necessary, in spite of obstacles, to apply, at State level, principles which must cross borders,

Whereas solidarity must transcend such borders and societies and their governments must take the risk of what they believe in,

Whereas this is the manifest will of the population,

Whereas poverty is intolerable and unacceptable,

For each individual to be able to reach his/her dreams in a poverty-free Quebec and for the whole of society to reach a state of self-achievement,

The Parliament of Quebec enacts the following:

Chapter 1. Purpose

- Purpose* 1. The purpose of this Act is to establish a permanent government action program for the elimination of poverty. It provides for the active civic involvement of the people at all stages of this program.

It creates the Council for the Elimination of Poverty and mandates it to concur with and monitor the implementation of the Program.

- Precedence* 2. This Act has precedence over the other laws. If any doubt arises in the interpretation of a provision of those laws, it is resolved in the sense indicated by this Act.

Chapter II. Program for the Elimination of Poverty

Section I. Contents and Objectives

- Program* 3. The Program for the Elimination of Poverty is established.

The Program is comprised of a range of measures¹, including legislative measures, related to the elimination of poverty and its causes.

The Premier coordinates the development and the implementation of those measures.

- Phases* 4. The Program is permanent. It includes the following phases:
- 1° on the date this Act comes into effect, the implementation of a set of emergency measures;
 - 2° in the year that follows the implementation of this Act, the formulation of a first action plan that includes the measures to be implemented in the following four years;
 - 3° in the fifth year after the implementation of this Act, the formulation of a second action plan that includes measures to be implemented in the following five years;
 - 4° in the tenth year after the implementation of this Act, the formulation of a Permanent Master Plan for action and vigilance.

- Principles* 5. The Program, and the measures it includes, rests on the following

¹ The word measure is the broadest expression used to designate the forms of government action. This may involve laws, but also regulations, policies, programs and other types of rules or actions.

three principles:

- 1° the elimination of poverty is a priority of government action until Quebec may be considered a poverty-free society;
- 2° the improvement of incomes of the poorest fifth of the population takes precedence over the improvement of the incomes of the richest fifth;
- 3° the individuals in a state of poverty and the associations that represent them are associated to the development, the implementation and the evaluation of those measures.

Objectives after ten years

6. At the end of the second action plan, the objectives of the Program are the following:

- 1° poverty has been eliminated as an obstacle to the effective exercise of human rights and liberties, as demonstrated by the goals reached;
- 2° the incomes and the quality of life of individuals in the poorest fifth of the population have substantially improved, as demonstrated by the income goals and the human development indicators reached;
- 3° the gaps in private income and disposable income² between the poorest fifth and the richest fifth of the population has been reduced, as demonstrated by a goal reached;
- 4° both individuals and businesses are covered by a taxation system based on a principle of general equity that includes all individuals in the redistribution of wealth;
- 5° the inequalities resulting in greater poverty, among other, for women, youth and the population of certain parts of the territory have been eliminated, as demonstrated by goals reached.

Rights and liberties

7. The rights and liberties stated in paragraph 1° of Article 6 are those included in the Quebec *Charter of human rights and liberties of the person* (L.R.Q., chapter C-12) in the *International Covenant on Economic, Social and Cultural Rights* and in the *International Covenant on civil and Political Rights*.

The standard of living stated in Section 45 of the Quebec *Charter of human rights and liberties of the person* include the capacity to exercise the following rights:

the right for any individual to influence his/her society through the exercise of citizenship;

² The private income is the income from work and investment. The disposable income is the income after taxes and transfers. These are terms in current use in statistics.

the right to a sufficient income to meet one's basic needs and the right to improve one's situation;
the right to employment, to activity and to the means to contribute to social life;
the right to have handicaps and functional limitations taken into account in the access to the distribution of wealth;
the right to health and education services;
the right to food and clothing security;
the right to housing;
the right to have access to culture, leisure and vacations, as well as respite;
the right to develop one's potential.

The rights and liberties stated in paragraph 1° of Article 6 also include the right to childhood, the right of the child to preserve his/her family relations and the right of parents to the support of society.

- Respect of individuals in a state of poverty* 8. The Program and the measures it includes preserve, within their development and their implementation, the right of any individual in a state of poverty to the respect of his/her person, dignity and life style.
- Expertise of individuals in a state of poverty* 9. The Program and the measures it includes provide for appropriate means to solicit and take into consideration the expertise of individuals in a state of poverty and the associations that represent them.
- The fight against biases* 10. The Program includes measures to counter biases that stigmatise individuals and families in a state of poverty. Such measures encourage a better understanding of the living conditions of these individuals and the responsibility of society in this respect.
- Inequalities experienced by women* 11. The Program includes measures for the elimination of systemic inequalities resulting in states of poverty for women, as well as differentiated measures for identifying and suppressing the obstacles that prevent women from effectively and fully exercising their rights.
- Inequalities experienced by the youth* 12. The Program includes measures for the elimination of any unequal or inequitable treatment causing states of poverty for the youth, as well as measures for the improvement of their access and their integration to society.
- Inequalities between territories* 13. The Program includes measures for the elimination of development inequities causing a higher incidence of poverty in the residents of certain regions or other parts of the territory.
- Categories specifically affected by poverty* 14. The Program includes measures for the elimination of situations that result in certain categories of persons being generally more affected

by poverty than others, such as visible minorities.³

- Accumulation of states of poverty* 15. The Program includes measures specifically designed to fight the accumulation of the causes of poverty.⁴

Section II. Immediate Measures⁵

- Non-impooverishment* 16. No measure, especially legislative and regulatory, may have the effect of impoverishing the individuals making up the poorest fifth of the population.

- Bottom level income* 17. Any individual eligible to benefits pursuant to the *Act on income support and encouraging employment and social solidarity* (L.R.Q. chapter S-32.001) must have access to a bottom level income. This bottom level income is made up of those benefits, plus the incomes, earnings and benefits that may be added to it. No reduction may have the effect of depriving that individual of that income for a given month.

Starting on the date this Act comes into effect, the Government raises the amount of the benefit payable to any person eligible to the employment insurance program at the same level as that which is payable to an individual with severe employment constraints.⁶

- Coverage of essential needs* 18. Within three years of this Act coming into effect, the bottom level income that is guaranteed by the laws on income support for individuals is progressively raised to the level corresponding to the

³ This article makes it possible to act on all special situations, but does not attempt listing them. The state of the knowledge and the evolution of circumstances will indicate which categories are in a situation requiring action. The text limits itself to dealing expressly with visible minorities to take into account an inescapable reality, but it implicitly aims at other situations. Many parts of the first action plan extend this article.

⁴ This article allows action on all situations of double discrimination, but does not attempt listing them. The state of the knowledge on this question, and specifically, the findings at the Observatory established in Article 43, will allow an understanding of such situations and how they can be resolved.

⁵ The measures included here are both urgent and sufficiently specific and framed to be implemented as soon as the Act comes into effect. For example, they do not involve prior discussion and fine tuning which would require that the Council for the Elimination of Poverty be in place, or that a consultation be held within the scope of an action plan. In reality, at the time this Act is adopted, a good part of this section will translate into provisions modifying other Acts or into the adoption of regulations.

⁶ This article and the one that follows establish a bottom level scale demanded by the Front commun des personnes assistées sociales du Québec and by the World March of Women against Poverty and Violence. "For one given month" protects the minimum living standard. "Income, earnings and benefits" is a formulation that delivers a precise technical signal, because those are the terms of the law. The *Act on income support and encouraging employment and social solidarity* ("Bill 186") is modified accordingly. This measure and the one that follows are of a transitory character, since they apply until the program has transformed taxation in the direction provided for by the action plans the end objectives.

threshold of coverage for essential needs.⁷

- Free Drugs* 19. The individuals eligible to benefits in accordance with the *Act on income support and encouraging employment and social solidarity* and the beneficiaries of the guaranteed income supplement according to the *Act on old age security* (L.R.C. 1985, chapter 0-9) have free access to the drugs listed under the *Act on drug insurance* (L.R.Q., chapter A-29.01).
- Access to employment support* 20. Any individual has the right, at his/her request, to employment orientation, training and integration within a continuous path adapted to his/her situation and choices. The measures needed for the exercise of this right are implemented in the year following the coming into effect of this Act.
- Status and rights of salaried employees* 21. Labour laws recognise that salaried workers with precarious status have the same rights and benefits, in proportion, as permanent full-time salaried workers, and assimilate dependent self-employed workers to salaried workers.
- Minimum wage increase* 22. From the date this Act comes into effect, pursuant to Article 40 of the *Act on labour standards*, the Government raises the minimum wage payable to salaried workers. This wage is increased to an actualised level corresponding to a rate of \$8.50 in 1999.⁸

Section III. First Action Plan

- Contents of the plan* 23. The Premier tables the action plan mentioned in paragraph 2 of Article 4 with the National Assembly, in the year that follows the coming into effect of this Act.

The action plan contains any measure giving effect to the provisions of Section I of this Chapter, and specifically the measures specified in this Section.

- Taxation and the redistribution of wealth* 24. The action plan includes measures to modify the taxation system in the direction of greater general equity and to ensure a better redistribution of wealth, including the following:

1° the immediate launching of public discussions for the integration into general taxation of a guarantee of basic income

⁷ The laws referred to here are the *Act on income support and encouraging employment and social solidarity* and the *Act on financial aid for education*. This article takes the minimum income to the level that the Council will propose in accordance with article 41.

⁸ This article makes a one-time raise of the minimum wage to a level that meets both the demand of the March of women against poverty and violence and the calculation which allows an individual working full time at the minimum wage to get out of poverty as it would be defined by the low-revenue threshold of Statistics Canada. Afterwards, the Collective advocates instead the establishment of a method for the automatic update of the minimum wage, as specified in paragraph 5° of Article 25.

covering the essential needs and supporting the income, up to the threshold of zero taxation, as a replacement of the laws of income support for individuals⁹;

- 2° the institution of a universal component into the allowance provided for in the *Act on family allowances* (L.R.Q., chapter P-19.1) and the raise of the maximum amount of the allowance payable to the benefit of the child dependent of an individual in a state of poverty;
- 3° the exclusion of family allowances and the alimony paid for this child from the calculation of the income of an individual being principally responsible for a dependent child;
- 4° measures for narrowing the gaps in wealth and for making individuals and businesses responsible for a part of the redistribution of wealth which is proportional to their capacity to contribute;
- 5° the annual publication, by the Ministry of Finance, in a form readily accessible to the general population, of general data of public accounts, as well as the average income of individuals by quintile, distinguishing between private incomes, transfer incomes and disposable income, and according to the distribution between genders.

*Access to employment;
incomes and
conditions of
employment*

25. The action plan contains measures to mend and prevent situations of poverty through increased access to employment and satisfactory employment incomes and through the transformation of labour frameworks in society, including the following:

- 1° measures resulting in the obligation for employers to maintain and create accessible, stable and quality jobs, as well as to participate in on-the-job integration, especially through providing access to individuals with little education;
- 2° fiscal penalties to employers who use massive layoffs;
- 3° the enhancement of the measures provided for in Article 20, specially for individuals working in a sector with unstable or low-paying employment, for individuals on long-term unemployment, as well as for individuals who have been out of the job market for a long time;
- 4° fiscal measures supporting salaried workers who participate in voluntary projects of time sharing of work and the launching of

⁹ The popular consultation conducted by the Collective clearly expressed the need to move towards a formula of income guarantee. Given the complexity of the social and fiscal aspects at work, and given the variety of the possible formulae (citizenship income, guaranteed minimum wage, universal allowance, etc.), the precise nature of this formula seems to warrant a public debate, which does not need to be only a debate of specialists, but the opportunity for society to both reflect on the matter and practise self-determination.

a public debate leading to the generalised reduction of working hours;

5° the improvements of minimum work standards including measures to counter the negative aspects of instability resulting from new forms of work, to prevent a individual working full time on a minimum wage employment from being in a state of poverty and to provide for the automatic actualisation of the minimum wage;

6° measures aiming at facilitating the access of women to the workplace;

7° measures aiming at the elimination of discriminatory practices and related discrepancies in the area of income and working conditions;

8° measures resulting in the obligation for employers to facilitate the balance between work and family needs;

9° measures for enhanced accessibility to unionisation.

Activities contributing to society

26. The action plan includes measures to give full effect to the right to the activity mentioned in Article 7, the widening of the mission of ministries and agencies responsible for employment so as to recognise and encourage activities which relate to another mode of involvement of individuals in society.

Support to individuals and families

27. The action plan includes measures to improve the support to individuals and families and to translate the responsibility of society towards children, youth, seniors and individuals losing or having lost their autonomy, including the following:

1° measures to counter the social isolation of families in a state of poverty, while respecting the parents' role;

2° measures responding to the specific needs of single parent families, including the need for respite, and for facilitating the access of those in charge of these families to the labour market or to education;

3° measures aiming at covering the special needs of individuals with functional limitations through recognising and compensating for the additional costs related to such limitations;

4° measures responding to the specific difficulties of individuals losing or having lost their autonomy;

5° measures responding to the respite need of individuals responsible for persons losing or having lost their autonomy;

6° measures responding to the specific difficulties of individuals claiming refugee status and immigrant individuals;

7° measures responding to the specific difficulties of homeless or distressed individuals.

- Relationships with the authorities* 28. The action plan, to give effect to the right of individuals in a state of poverty to be served without discrimination by the ministries and agencies of the Government, includes measures aiming at improving communications and services, and at training staff of those ministries and agencies into the spirit of this Act.

These measures give effect to the right of individuals in a state of poverty to be accompanied and represented in their dealings with those ministries, as well as to their right to be consulted in the development and evaluation of the measures that concern them.

- The right of association* 29. The action plan includes measures promoting the effective exercise of the right of association of individuals in a state of poverty and providing for a long-term funding formula for the associations that represented them.

- Access to common services* 30. The action plan includes measures to ensure the universal access to common services, including the following:

- 1° the maintenance, improvement and promotion of a public, universal, free health care system oriented towards the prevention of physical and mental health problems, as well as the transformation of the drug insurance plan into an entirely public system;
- 2° the maintenance, improvement and promotion of a public and universal education system, as well as measures aiming at ensuring the effective exercise of the right to education at all levels, including professional training, measures to ensure the right to go back to school after a break, and measures to prevent the exercise of those rights from resulting in states of poverty, specifically for reasons of indebtedness;
- 3° measures aiming at ensuring the effective exercise of the right of adults to literacy, to basic education, and, for migrant individuals, to learning the French language, as well as measures aiming at the recognition of the acquired knowledge and experience of adults for education, training and employment purposes;
- 4° measures aiming at giving effect to the right to decent and affordable housing and increasing public financing support to social housing, including community housing;
- 5° measures aiming at maintaining the access to telephone and power supply services for individuals in a state of poverty;
- 6° measures aiming at facilitating the access of individuals in a

state of poverty to means of transportation;

7° measures aiming at eliminating discrimination on the basis of income in the access to financial institutions;

8° measures aiming at improving access to legal services for individuals in a state of poverty;

9° measures aiming at facilitating the access of individuals and families in a state of poverty to cultural and recreational activities, and to vacations.

Community Life 31. The action plan, to give access to community life to individuals in a state of poverty, includes measures improving the financial support of autonomous organisations for popular education and community action in the respect of their specific mission.

Discussions with Native peoples 32. The action plan provides for the launching of discussions with representatives of the Native peoples which could be initiated in the spirit of this Act to meet the specific needs of Native populations.

International solidarity 33. The action plan includes measures to develop international solidarity in the fight against poverty, including:

- 1° actions for an international tax on speculative financial operations;
- 2° measures for the promotion of the spirit and objectives of this Act at the international level;
- 3° measures facilitating the participation of individuals in a state of poverty in international exchanges, as well as the associations that represent them.

Federal jurisdiction 34. As the action plan is being implemented, the Government urges the Parliament and Government of Canada to take measures consistent with the spirit of this Act in the areas of their jurisdictions, including employment insurance, old age security, bank services and taxation.

Section IV. Second Action Plan

Contents of the plan 35. In the fifth year after the coming into effect of this Act, following an evaluation of the results of the first action plan, the Premier shall table the second action plan mentioned in paragraph 3° of Article 4 before the National Assembly. This plan shall include any measure giving effect to the provisions of Section I of this Chapter, including the measures needed to meet the objectives stated in Article 6. It shall be submitted to public consultation.

Section V. Permanent Master Plan

Contents of the plan 36. In the tenth year after the coming into effect of this Act, the Premier shall table the master plan mentioned in paragraph 4 of Article 4

before the National Assembly, after an evaluation of the results of the second action plan confirming that the goals mentioned in Article 6 have been met. This plan shall include any measure giving effect to the provisions of Section I of this Chapter, including the measures needed to preserve the results of the Program and to fight the reappearance of the causes of poverty. It shall be submitted to public consultation.

Chapter III. Council for the Elimination of Poverty¹⁰

Section I. Establishment and Mission

Institution 37. The Council for the Elimination of Poverty, reporting to the National Assembly, is established.

Mission 38. The Council's mission is to concur with and monitor the implementation of this Act. This mission includes the specific tasks stated in Articles 39 to 48.

Participation of the people 39. The Council promotes and ensures the participation of the people in the implementation of this Act.

Specifically, it makes sure, through its action and its operation, that the individual or collective participation of individuals in a state of poverty, including the most excluded, is ensured in the design, the implementation and the evaluation of the Program and the measures it includes, as well as in the public debates provided for by the Program.

It receives the submissions of the public on the effective implementation of the measures making up the Program and on the contribution to the effective exercise of the rights and liberties stated in paragraph 1° of Article 6.

Indicators and targets 40. The Council determines, within three years of the coming into effect of this Act, the targets and indicators mentioned in Article 6.

Methods, instruments and 41. In particular, it determines, within eighteen months of the coming

¹⁰This chapter is a little more technical because it establishes a new institution, the Council, and takes the time to describe it to make sure it closely resembles what is intended. This institution is essential to ensure vigilance in the implementation and the monitoring of the Act. Its legitimacy gives it moral authority and its mission of permanent vigilance allows it to intervene at any time. In this sense, the Council is indissociable from the Program as such: no Program without the Council, no Council without the Program. To put this Chapter in its proper context, one can take the example of the Quebec *Charter of human rights and liberties of the person*. The first part of the *Charter* describes the contents as such of the rights and liberties which are defined. The second part of the *Charter* creates the Commission for the rights and liberties of individuals and the rights of the youth. Great care is exercised here to ensure that the Council has the same type of authority, credibility and independence as that which is granted to three institutions reporting directly to the National Assembly: the Auditor General, the Ombudsman, and the Director General of Elections.

- differentiated analyses* into effect of this Act, the threshold of coverage of the essential needs listed in Article 18, the minimum income consistent with this threshold, as well as the method for the periodical actualisation of that threshold.
- Consultation and evaluation* 42. The Council ensures that the continued and terminal evaluation of the results of the measures and the action plans mentioned in Articles 16 to 36 and proceeds with the public consultation mentioned in Articles 35 and 36.
- Research and the Observatory of the Elimination of Poverty* 43. The Council conducts or initiates research projects useful to its mission.
- To this end, the Observatory of the Elimination of Poverty, reporting to the Council, is established¹¹.
- The Observatory's function is to bring together the knowledge necessary for the successful accomplishment of the Council's mission. As needed, it coordinates, orders or undertakes research projects, of a qualitative or quantitative nature, and conducts consultations.
- Advice on the laws* 44. The Council may provide advice on the compliance of a proposed act with the provisions of Section I of Chapter II.
- Advice on regulations* 45. With respect to a proposed regulation or administrative measure submitted to it by the Premier, the Council provides advice on its compliance with the provisions of Section I of Chapter II.
- Recommendations* 46. The Council may recommend to the National Assembly or the Premier any measure, specifically legislative or regulatory.
- Information and education* 47. The Council informs the public and contributes to its education on this Act and its implementation, as well as on the state of knowledge about poverty.
- International solidarity* 48. The council encourages the development of international solidarity in the fight against poverty. To this end, it cooperates with similar agencies of other States and with non governmental organisations.

¹¹ The Observatory performs a specific function within the mission of the Council which remains the authority responsible for making the recommendations it deems useful in the light of the knowledge presented to it. The Observatory makes it possible to ensure that the knowledge necessary for the Council's mission is gathered in the spirit driven by this mission: It does not necessarily need to undertake research projects itself. To ensure the best possible coordination and avoid useless repetitiveness, the person who will be its director will be well advised to gather a committee or office of scientific direction representing the variety of the research institutions, organisations and expertise susceptible to contribute to the effort of knowledge required here. It is, however, not appropriate to insert this mechanism into the Act. It is part of the normal prerogatives of the Council and the regulatory authority provided to it in Article 55.

Section II. Composition and Organisation

Composition 49. The Council is composed of 19 members, including:

- 1° ten individuals representing associations having one of their objectives dealing with the fight against poverty, of whom at least six were individuals in a state of poverty at the time of their appointment;
- 2° four individuals representative from government agencies, having one element of their mission dealing with the fight against poverty, and from health care organisations, social services, education, professional training, and local and regional development¹²;
- 3° five individuals representative of areas of civil society.

The members are selected for their sensitivity, their experience or their expertise with respect to the fight against poverty.

At least half of the members are women.

The composition of the Council is representative of the variety of the ages and the regions, as well as of the cultural diversity of society.

Term of the mandate 50. The mandate of the Council members is for a term of three years. It may be renewed only once.

However, among the members appointed in the first place after the coming into effect of this Act, six are appointed for two years, and six for one year.

Mode of appointment 51. The Council members are appointed by the National Assembly on a proposal by the Premier approved by two thirds of the members of the Assembly.

The individuals whose appointment is proposed by the Premier according to paragraph 1° of the first section of Article 49 are selected from a list established by the Council. The number of names on that list is at least double that of the members to be appointed. The Council establishes this list on a yearly basis after a public call for nominations. A regulation of the Council, approved by the Office of the National Assembly, determines the conditions of eligibility of the nominations, how they should be submitted, how

¹² In fact, the idea is to reach public (except ministries), parapublic, and peripublic organisations whose missions may be complementary to that of the Council. Since the words parapublic and peripublic do not have a precise legal meaning, a descriptive method is used to specify who one intends to reach.

the public call for nominations should be made, the procedure for establishing the list and how it is to be forwarded to the Premier.

In the choice of individuals whose appointment he proposes according to paragraphs 2° and 3° of the first section of Article 49, the Premier takes advice from the Council, which consults with the communities concerned.¹³

Replacement 52. The Council members remain in function until they are replaced, except in cases of resignation.

Presidency 53. The National Assembly, on a proposal by the Premier approved by the vote of two thirds of its members, appoints among the members of the Council the individual who will act as the chair.

This person is required to dedicate his/her activity to the exclusive exercise of this function.

Personnel 54. The Council appoints members of staff required to discharge its duties. Their number is determined by the Government. They may be removed only by the Government, but only on a recommendation of the Council.

Internal governance 55. The Council may make regulations for its internal governance, specifically for the organisation of the Observatory.

Annual Report 56. The Council reports to the President of the National Assembly, for the Assembly, by the 30th of September of each year, on its activities for the previous fiscal year.

The President of the National Assembly tables this report before the Assembly within three days of its reception, if it is in session or, if it is not, within three days of the resumption of its activities.

Access to relevant information 57. The Government ministries and agencies communicate to the Council, at its request, the documents and information necessary for the achievement of its mission.

Budget forecasts 58. The Council submits its annual budget forecast to the Office of the National Assembly. After review and modification, as appropriate, by the Office, these forecasts are charged to the budget of expenditures tabled before the National Assembly.

The Council may report to the National Assembly if it believes that

¹³ This formula, inspired by the mode of appointment of other institutions, among which the Permanent Council of the youth, offers good guarantees of transparency and allows the Council to intervene at the crucial points while leaving the Premier with his prerogatives, which he can use only within reasonable limits, given the prior consultation with the Council and the subsequent vote of two thirds of the Assembly. However, it requires an interim procedure for the appointment of the first Council. This is described in Chapter VI on the transitory provisions.

its budget forecast, as modified, is insufficient. It forwards this report to the President of the National Assembly, who tables it before the Assembly within three days of its reception, if it is in session or, if it is not, within three days of the resumption of its activities.

Administrative system 59. The *Act on public administration* (2000, chapter), with the exception of paragraph 6° and of the second part of Article 9, of Articles 10 to 28, of Article 44, of the fourth part of Article 45, of articles 46, 48, 49, 50, 53, 58 to 66, 74, 75 and 78, applies to the Council.

The President of the National Assembly tables before the Assembly the strategic plan of the Council, mentioned in Article 8 of the Act on public administration.¹⁴

Chapter IV. Follow-up and Citizens' Action

Premier 60. The Premier ensures the coordination between ministers in the design and the implementation of the Program and the measures that make it up.

He receives and forwards to the ministers the advice and recommendations mentioned in Articles 44 to 46.

Impact review 61. The Premier makes sure that any measure, specifically legislative or regulatory, submitted to the Government, is submitted to an impact review process¹⁵ about its effect on individuals in a state of poverty and on social exclusion.

Disaster 62. In the case of a disaster having a major impact on the revenues or expenditures of the Government, measures provided for in one action plan may be postponed only by one year.

Premier's report and speech 63. The Premier ensures the follow-up of the implementation of the program and reports on it to the National Assembly, on a annual basis, in a speech on the elimination of poverty.

The National Assembly receives the annual reports of the Council and the Premier at the same session.

Review of the reports 64. The annual report of the Premier and the Council are reviewed by a

¹⁴ This article, to be linked to an amending provision stated in Article 75, models on those of the Auditor General the prerogatives and the obligations of the Council regarding the future *Act on public administration*. This Act is still under examination from the National Assembly in spring 2000. The amending provision refers to the proposed Act in its state at the time of going to press.

¹⁵ This is work that the Government has already done as regards the impact on businesses. Here, the Government is forced to think of other forms of impact.

permanent commission of the National Assembly vested with a mandate consistent with all the matters dealt with by the Program.

The commission holds a general consultation during which it specifically hears individuals in a state of poverty and associations which represent them.¹⁶

The commission reimburses individuals in a state of poverty and the associations representing them for the expenditures incurred to appear before it

The report of the commission is the subject of a debate at the National Assembly.

Citizens' action 65. In order to ensure the active citizens' participation of the public to the design, the implementation and the evaluation of the Program, the rights and responsibilities of the public are those stated by the *Declaration of the General Assembly of the United Nations on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, appearing in the Annex.

In particular, each individual has the right, individually or in association with others, to make submissions to the Council, as well as to Government ministries and agencies, aiming at improving the application of this Act. These submissions must be dealt with and result in a response.

Complaints 66. Every one has the right to be recognised and to exercise, in full equality, of the rights stated in paragraph 1° of Article 6 without any distinction, exclusion or preference based on his/her social condition as an individual in a state of poverty. Any individual who believes to be the victim of a violation of that right may submit a complaint to the Commission for individual rights and liberties and the rights of the youth, according to Chapter III of Part II of the *Charter of human rights and liberties*.

Dissemination outside of Quebec 67. The President of the National Assembly, in the external relations of the Assembly, specifically interparliamentary relations, promotes this Act, as well as the democratic values that inspire it, and the citizenship practices that have led to its adoption.

Chapter V. Amending Provisions

Free drugs 68. [Modifications to the *Act of drug insurance* (L.R.Q., chapter A-

¹⁶ Without a parliamentary commission, no report is discussed by the Assembly. The commission's consultations aim at allowing direct contacts between individuals and parliamentarians.

29.01) to give effect to Article 19.]¹⁷

- Status and rights of salaried workers* 69. [Modifications to the *Labour Code* (L.R.Q., chapter C-27) to give effect to Article 21.
- Status and rights of salaried workers* 70. [Modification to the *Act on the orders of collective agreements* (L.R.Q., chapter D-2) to give effect to Article 21.]
- Status and rights of salaried workers* 71. [Modifications to the *Act on labour standards* (L.R.Q., chapter N-1.1) to give effect to Article 21.]
- Minimum income, essential needs and employment support* 72. [Modifications to the *Act on income support and encouraging employment and social solidarity* (L.R.Q., chapter S-32.001), to its regulations and other relevant laws to give effect to Article 17, 18 et 20.]
- Auditor General* 73. Article 41 of the *Act on the Auditor General* (L.R.Q. chapter V-5.01) is modified by the addition, at the end, of the following part:
- «This report specifically accounts for his audit efforts concerning the implementation of the Program for the Elimination of Poverty.»
- Budget Speech* 74. Article 4 of the *Act on the ministry of Finance* (1999, chapter 77) is modified by replacing paragraph 1° by the following:
- «1° to prepare and submit to the National Assembly the Budget Speech, which states the Government’s orientations in the areas of the economy, taxation, budget and finances, and indicates how the Government’s budgetary policy gives priority to the elimination of poverty;»
75. The *Act on public administration* (2000, chapter) is modified:
- Administrative system* 1° by replacing the first part of Article 4 by the following:
- «Not concerned by Article 3 are the National Assembly, any person appointed or designated by it to perform a function resulting from it, with the staff he/she directs, as well as the Council for the Elimination of Poverty and its personnel. An Act may, however make applicable to them certain provisions of this Act.»;
- Budget of expenditures* 2° by inserting the following after the third part of Article 45:
- «The Budget of expenditures includes in annex a summary of the expenditures of ministries and budgetary agencies for the implementation of the Program for the Elimination of Poverty.»

¹⁷ Articles 68-72 indicate that the Acts referred to will have to be modified in the direction announced. Many paragraphs will have to be written to make those corrections. It was not deemed necessary to deal with that at this stage, but this will have to be done at the time legislation is passed.

Chapter VI. Various and Transitional Provisions

Initial appointments to the Council 76. For the designation of the members of the Council appointed in the first instance after the coming into effect of this Act, the list specified in the second part of Article 51 is prepared by a provisional committee, the members of which are appointed by the National Assembly, on a proposal by the Premier approved by two thirds of the members of the Assembly.

The provisional committee is composed of five members, three of whom are representatives of associations with one goal concerning the fight against poverty, and one person selected after consultation with the Director General of Elections.

For the establishment of the list used for the designation of the members of the Council mentioned in the first part, the committee exercises the powers granted to the Council by the second part of Article 51.

It is substituted to the Council for the application of the third part of Article 51 with respect to the proposals made by the Premier.

The committee is disbanded as soon as the Council commences its operations.

Transitional financing 77. The amounts necessary for the application of this Act shall be taken, for the financial year 20 -20 (insert the current year), from the Consolidated Revenue Fund.

Effective date 78. This Act becomes effective on the date of its assent.



Collectif pour une loi sur l'élimination de la pauvreté

Quebec City, April 20, 2000

The Collectif pour une loi sur l'élimination de la pauvreté was formed during the winter of 1998. Its members in May 2000 are : Association québécoise des organismes de coopération internationale (AQOCI), ATD Quart Monde, Caisse d'économie Desjardins des travailleuses et travailleurs (Québec) (CEDTTQ), Carrefour de pastorale en monde ouvrier (CAPMO), Centrale de l'enseignement du Québec (CEQ), Centre de pastorale en milieu ouvrier (CPMO), Confédération québécoise des coopératives d'habitation (CQCH), Confédération des syndicats nationaux (CSN), Conférence religieuse canadienne - section Québec (CRC-Q), Fédération des femmes du Québec (FFQ), Fédération des locataires d'habitations à loyer modique du Québec (FLHLMQ), Fédération des travailleurs et travailleuses du Québec (FTQ), Fédération étudiante collégiale du Québec (FECQ), Front d'action populaire en réaménagement urbain (FRAPRU), Front commun des personnes assistées sociales du Québec (FCPASQ), Mouvement québécois des camps familiaux (MQCF), Regroupement des groupes populaires en alphabétisation du Québec (RGPAQ), Regroupement des ressources alternatives en santé mentale du Québec (RRASMQ), Regroupement québécois des intervenants et intervenantes en action communautaire en CLSC et CHSLD (RQIIAC), Syndicat de la fonction publique du Québec (SFPQ).

Annex

Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms¹⁸

United Nations. Resolution of the General Assembly 53/144
85^e plenary session. December 9, 1998.

The General Assembly,

Reaffirming the importance of the observance of the purposes and principles of the Charter of the United Nations for the promotion and protection of all human rights and fundamental freedoms for all persons in all countries of the world,

Reaffirming also the importance of the Universal Declaration of Human Rights and the International Covenants on Human Rights as basic elements of international efforts to promote universal respect for and observance of human rights and fundamental freedoms and the importance of other human rights instruments adopted within the United Nations system, as well as those at the regional level,

Stressing that all members of the international community shall fulfil, jointly and separately, their solemn obligation to promote and encourage respect for human rights and fundamental freedoms for all without distinction of any kind, including distinctions based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and reaffirming the particular importance of achieving international cooperation to fulfil this obligation according to the Charter.

Acknowledging the important of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals, including in relation to mass, flagrant or systematic violations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination or occupation, aggression or threats to national sovereignty, national unity or territorial integrity and from the refusal to recognize the right of peoples to self-determination and the right of every people to exercise full sovereignty over its wealth and natural resources,

Recognizing the relationship between international peace and security and the enjoyment of human rights and fundamental freedoms, and mindful that the absence of international peace and security does not excuse non-compliance,

Reiterating that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,

Stressing that the prime responsibility and duty to promote and protect human rights and fundamental freedoms lie with the State,

Recognizing the right and the responsibility of individuals, groups and associations to promote respect for and foster knowledge of human rights and fundamental freedoms at the national and international levels,

Declares:

Article 1

Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

Article 2

¹⁸ The Collective has chosen to integrate this declaration as an annex to the law to make the effective contents of Article 65 more accessible and to provide an interpretation framework to the innovative character of the active exercise of citizenry, of which Article 1 makes it an integral part. Its more "ample" style is characteristic of this type of international instrument where, on the other hand, no one has yet learned how to make texts in the feminine gender... However, it gives the spirit in which the law may evolve. In addition, the integration of this international instrument to the proposal has the effect of linking Quebec's approach to a more universal intent and of allowing other similar initiatives throughout the world to refer to Quebec's approach for support.

1. Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.
2. Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.

Article 3

Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion, protection and effective realization of those rights and freedoms should be conducted.

Article 4

Nothing in the present Declaration shall be construed as impairing or contradicting the purposes and principles of the Charter of the United Nations or as restricting or derogating from the provisions of the Universal Declaration of Human Rights, the International Convention on Human Rights and other international instruments and commitments applicable in this field.

Article 5

For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right individually and in association with others, at the national and international levels:

- a) To meet or assemble peacefully;
- b) To form, join and participate in non-governmental organisations, associations or groups;
- c) To communicate with non-governmental or intergovernmental organisations.

Article 6

Everyone has the right, individually and in association with others:

- a) To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;
- b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms;
- c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

Article 7

Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.

Article 8

1. Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.
2. This includes, inter alia, the right, individually and in association with others, to submit to governmental bodies and agencies and organisations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

Article 9

1. In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.
2. To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.

3. To the same end, everyone has the right, individually and in association with others, inter alia:
 - a) To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay;
 - b) To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments;
 - c) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.
4. To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.
5. The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

Article 10

No one shall participate, by act or by failure to act where required, in violating human rights and fundamental freedoms and no one shall be subjected to punishment or adverse action of any kind for refusing to do so.

Article 11

Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession. Everyone who, as a result of his or her profession, can affect the human dignity, human rights and fundamental freedoms of others should respect those rights and freedoms and comply with relevant national and international standards of occupational and professional conduct or ethics.

Article 12

1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.
2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.
3. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Article 13

Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.

Article 14

1. The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights.
2. Such measures shall include, inter alia:
 - a) The publication and widespread availability of national laws and regulations and of applicable basic international human rights instruments;
 - b) Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary records of discussions and the official reports of these bodies.
3. The State shall ensure and support, where appropriate, the creation and development of further independent national institutions for the promotion and protection of human rights and fundamental freedoms in all territory under its jurisdiction, whether they be ombudsmen, human rights commissions or any other form of national institution.

Article 15

The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training program.

Article 16

Individuals, non-governmental organisations and relevant institutions have an important role to play in contributing to making the public more aware of questions relating to all human rights and fundamental freedoms through activities such as education, training and research in these areas to strengthen further, inter alia, understanding, tolerance, peace and friendly relations among nations and among all racial and religious groups, bearing in mind the various backgrounds of the societies and communities in which they carry out their activities.

Article 17

In the exercise of the rights and freedoms referred to in the present Declaration, everyone, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Article 18

1. Everyone has duties towards and within the community, in which alone the free and full development of his or her personality is possible.
2. Individuals, groups, institutions and non-governmental organisations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.
3. Individuals, groups, institutions and non-governmental organisations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

Article 19

Nothing in the present Declaration shall be interpreted as implying for any individual, group or organ of society or any State the right to engage in any activity or to perform any act aimed at the destruction of the rights and freedoms referred to in the present Declaration.

Article 20

Nothing in the present Declaration shall be interpreted as permitting States to support and promote activities of individuals, groups of individuals, institutions or non-governmental organisations contrary to the provisions of the Charter of the United Nations.

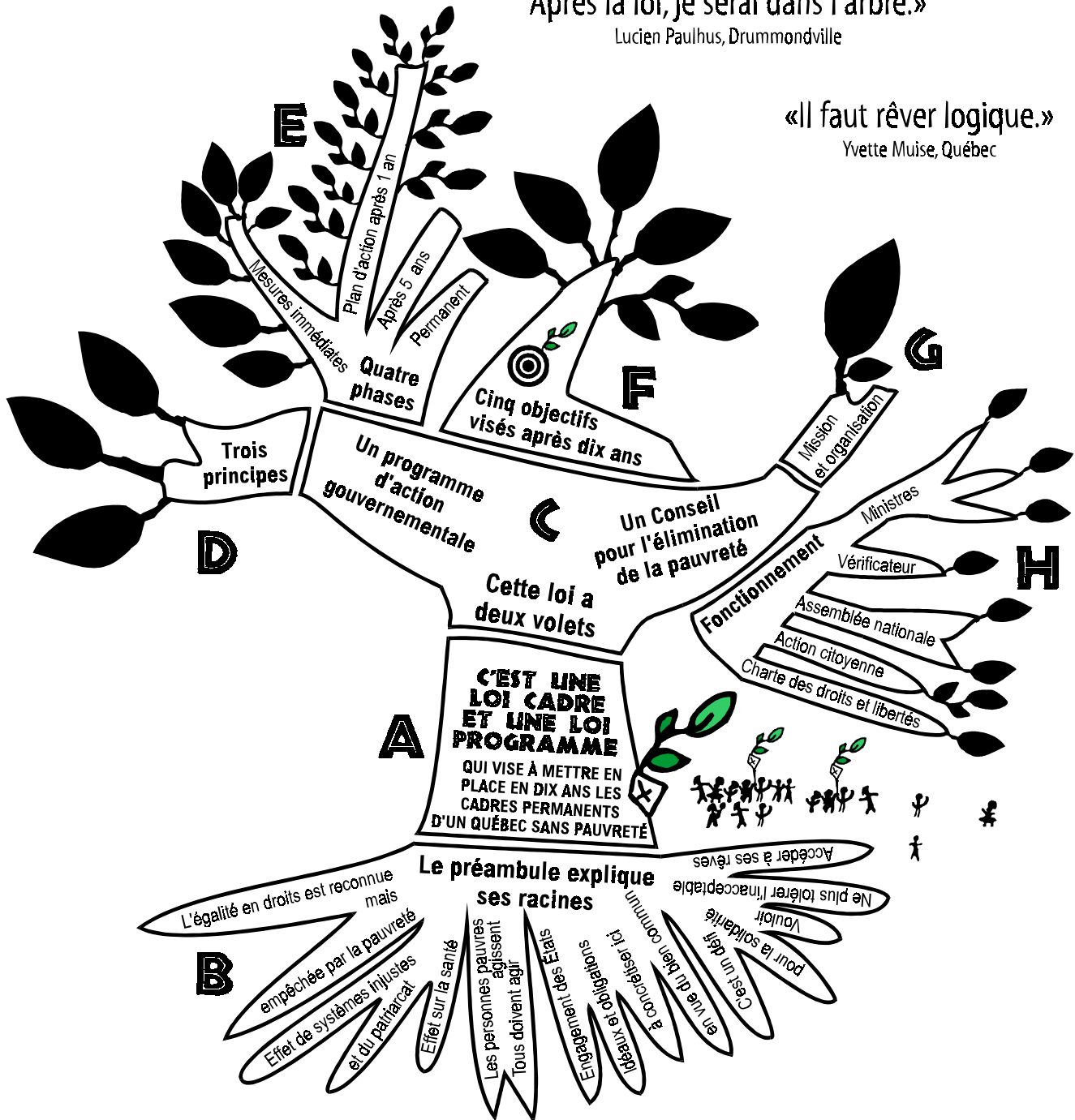
«Je suis une feuille à côté de l'arbre.

Après la loi, je serai dans l'arbre.»

Lucien Paulhus, Drummondville

«Il faut rêver logique.»

Yvette Muisse, Québec



Aide-mémoire pour présenter

La Proposition du Collectif pour une loi sur l'élimination de la pauvreté

L'expérience montre que ce schéma est utile pour expliquer la Proposition. Il suffit de procéder bloc par bloc, en suivant l'ordre des lettres éventuellement en ajoutant visuellement les blocs à mesure, si on procède avec un agrandissement ou un rétroprojecteur.



Le Collectif pour une loi sur l'élimination de la pauvreté

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