



CANADIAN LAWYERS ABROAD
AVOCATS CANADIENS À L'ÉTRANGER

2006-2007 Student Chapter Theme

*Law and Development: How law can contribute to the global
fight to eliminate poverty*

CLA-ACE Theme	2
Fast Facts on Poverty	3
The Millennium Development Goals	4
Law and the MDGs	5
Canada and the MDGs	6
Suggested Student Chapter events	7
Online Resources	8



CLA-ACE Theme

Each year our Student Chapter Program focuses on a theme. The purpose is to allow students to gain a better understanding of pressing international issues so that they can use this knowledge to help educate others and contribute to finding solutions. Student Chapters are expected to educate themselves, the wider academic community and the general public on the theme through various activities (e.g., organizing seminars and speakers, writing articles, participating in conferences). The topics are generally interdisciplinary: they can't be understood properly viewed solely through the lens of the law.

This year's topic is "Law and Development" and in particular, the question of how law can contribute to the global fight to eliminate poverty.

Extreme poverty is one of the most pressing problems faced by the world today but it is one that can be eradicated. However, despite the best efforts of many to get the internationally community to take serious action, millions continue to die. To be successful in finding effective solutions, we need to have a more sophisticated understanding of the problem of extreme poverty and be committed to taking the necessary steps to help solve this complex problem.

As law students and future lawyers, you are in a very privileged position in your community. This position brings with it a great responsibility to use the tools and knowledge that you will gain in law school to fight for public justice and a more equitable society. Each CLA-ACE annual theme will challenge you to learn as extensively as you can about an issue and to begin to contribute in a meaningful and effective way in the world around you to make a difference. Differences happen through education, discussion, spreading the word to the community at large, and ultimately, action!



Fast Facts on Poverty

- Every year six million children die from malnutrition before their fifth birthday.
- Everyday HIV/AIDS kills 6,000 people and another 8,200 people are infected with this deadly virus.
- Every 30 seconds an African child dies of malaria-more than one million child deaths a year.
- More than 800 million people go to bed hungry every day...300 million are children.
- Every 3.6 seconds another person dies of starvation and the large majority are children under the age of 5.
- More than 2.6 billion people-over 40 per cent of the world's population-do not have basic sanitation, and more than one billion people still use unsafe sources of drinking water.
- More than 40 percent of Africans do not even have the ability to obtain sufficient food on a day-today basis.
- Declining soil fertility, land degradation, and the AIDS pandemic have led to a 23 percent decrease in food production per capita in the last 25 years even though population has increased dramatically.
- More than 40 percent of women in Africa do not have access to basic education.
- The children of a woman with five years of primary school education have a survival rate 40 percent higher than children of women with no education.

For more facts, go to www.unmilleniumproject.org



The Millennium Development Goals

The eight Millennium Development Goals (MDGs) form a blueprint agreed to by all the world's countries and all the world's leading development institutions to address extreme poverty in its many dimensions - income poverty, hunger, disease, lack of adequate shelter, and exclusion - while promoting gender equality, education, and environmental sustainability. They are also basic human rights - the rights of each person on the planet to health, education, shelter, and security.

The MDGs:

Goal 1: Eradicate Extreme Hunger and Poverty

Goal 2: Achieve Universal Primary Education

Goal 3: Promote Gender Equality and Empower Women

Goal 4: Reduce Child Mortality

Goal 5: Improve Maternal Health

Goal 6: Combat HIV/AIDS, Malaria and other diseases

Goal 7: Ensure Environmental Sustainability

Goal 8: Develop a Global Partnership for Development

For a detailed breakdown of the targets for achieving these goals, go to:

<http://www.unmillenniumproject.org/goals/index.htm>



Law and the MDGs

While law on its own will never end extreme poverty, ensuring adherence to the rule of law, the promotion of human rights and a commitment to democracy are essential to tackling it.

Some of the many links between the MDGs and law:

- One of the keys to combatting AIDS is ensuring that impoverished countries have access to generic anti-retroviral drugs (Canada passed legislation in this regard – see: http://www.stephenlewisfoundation.org/news_item.cfm?news=1236).
- Many believe that ending poverty requires reducing agricultural subsidies by developed countries – this is a focus of the Doha Round of WTO negotiations.
- Achieving gender equity (both in law and in practice) is critical to finding a solution to ending poverty.
- Poverty issues are intrinsically linked with the environment. Stronger domestic environmental laws work to reduce poverty by ensuring healthy living and working conditions. Stronger multilateral environmental laws ensure a sustainable environment and work to counteract the effects of climate change.
- Acceptance as a legal principle the collective responsibility of the international community to end unconscionable acts of violence wherever they occur (“Responsibility to Protect”) is critical to finding a solution to extreme poverty.

The Secretary General in his report focusing on the Millenium Declaration explains that human rights, rule of law and democracy are ends in themselves and that “no security agenda and no drive for development will be successful unless they are based on the sure foundation of respect for human dignity.” However, the report emphasizes that there is no shortage of laws, rules and norms relating to human rights – it is the enforcement of laws that is critical:

“Villagers huddling in fear at the sound of Government bombing raids or the appearance of murderous militias on the horizon find no solace in the unimplemented words of the Geneva Conventions, to say nothing of the international community's solemn promises of “never again” when reflecting on the horrors of Rwanda a decade

5



ago. Treaties prohibiting torture are cold comfort to prisoners abused by their captors, particularly if the international human rights machinery enables those responsible to hide behind friends in high places. A war-weary population infused with new hope after the signing of a peace agreement quickly reverts to despair when, instead of seeing tangible progress towards a Government under the rule of law, it sees war lords and gang leaders take power and become laws unto themselves. And solemn commitments to strengthen democracy at home, which all States made in the Millennium Declaration, remain empty words to those who have never voted for their rulers and who see no sign that things are changing.”

See: <http://www.un.org/largerfreedom/chap4.htm>

Canada and the MDGs

While Canada spearheaded the idea of having developed countries contribute 0.7% of their gross domestic product to Official Development Assistance, Canada spends only 0.34%. For a more comprehensive discussion about how Canada is doing, see the document, “How’s Canada doing”, found on the Millenium Campaign’s website: www.millenniumcampaign.org.

- 6

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Suggested Student Chapter events:

1. Have a discussion about extreme poverty, the Millenium Development Goals and how law can contribute to the alleviation of extreme poverty.

Invite a professor or other knowledgeable speaker to discuss the MDGs or have the President (or other member of the Executive) provide an overview of the MDGs and start a discussion about how law can contribute to these goals.

2. Show video clip of a speech by Jeffrey Sachs, one of the world's leading development economists and author of *The End of Poverty*. His Speech to the Canada 2020 Conference is available at: [feed://feeds.feedburner.com/Canada2020](http://feeds.feedburner.com/Canada2020)

3. Play part one of Stephen Lewis, Massey Lecture entitled *The Race Against Time*: <http://www.cbc.ca/ideas/massey/massey2005.html>

4. Organize a STAND UP Against Poverty event (15-16 October 2006)

Launched by the Millenium Campaign, STAND UP challenges people from around the world to stand up to voice their will to fight poverty and to hold their governments and leaders accountable for promises to meet the Millenium Development Goals and eradicate poverty by 2015. The goal is to set an official world record. Organize a film screening, speaker, pub night for poverty awareness or any other gathering. For more information and to register your event, go to: www.milleniumcampaign.org.

5. Invite a student who has been on an internship in a developing country to discuss his/her experience and in particular the disconnect between the law and reality on the ground.



6. Organize for members to attend the Canadian Council on International Law (CCIL) Conference, “Responsibility of Individuals, States and Organizations” in Ottawa (26-28 October)

Every year the CCIL hosts a Conference on a topic relating to international law. In the past, CLA-ACE has hosted a cocktail reception and participated in the Student Job Fair and Forum which provides information about work and internship opportunities in international law. This year’s conference adopts CLA-ACE’s theme from 2005 on “The Responsibility to Protect”. Students may be eligible for travel assistance. To find out more, go to: www.ccil-ccdi.ca.

7. Submit articles about law and development in your student newspaper and to Perspectives Légales Internationale - International Legal Perspectives (University of Montreal Chapter of CLA-ACE’s law journal).

8. Organize a group to attend the University of Ottawa Law School’s spring conference on Law and Development (Date TBC – likely February 2007)

Online Resources:

<http://www.millenniumcampaign.org>

<http://www.unmilleniumproject.org>

<http://www.earthinstitute.columbia.edu/endofpoverty/>

<http://www.stephenlewisfoundation.org>

[http://www.millenniumcampaign.org/standup\](http://www.millenniumcampaign.org/standup)

<http://www.un.org/largerfreedom/chap4.htm>

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