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This catalog accompanies a photographic exhibition of winning entries to a Call for Entries, *Crisis & Opportunity: Documenting the Global Recession*.

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Cover photo by Tomasz Tomaszewski



### Crisis & Opportunity: Documenting the Global Recession

This exhibition catalog is a collaboration between SocialDocumentary.net and the Center for Economic and Social Rights (CESR). The photographs are by the winners of a Call for Entries conducted by SocialDocumentary.net in the fall of 2009 on the theme, Crisis & Opportunity: Documenting the Global Recession. The report in the back of the book, Human Rights and the Global Economic Crisis, was written by Sally-Anne Way and Shira Stanton at the Center for Economic and Social Rights.

An exhibition of the winners of the Call for Entries will be at powerHouse Arena in Brooklyn, NY, February 16-March 15, 2010, and at the Gage Gallery at Roosevelt University in Chicago in the fall of 2010. Other locations to be determined.

All submissions to the Call for Entries, including the winners, can be found on the SDN website at www.socialdocumentary.net.

Thank you to everyone who submitted work to this Call for Entries!

Photo by Sheikh Rajibul Islam Rajib from "Waiting to be Registered"

#### **About SocialDocumentary.net**

SocialDocumentary.net (SDN) uses the power of photography to promote global awareness of critical issues around the world. Launched in October 2008 as a website, SDN has more than two hundred online photo documentary exhibits exploring issues as diverse as investigating the missing from the massacre at Srebrenica; a traditional stone-collecting community in Bangladesh losing its livelihood because of industrialization; middle-class Americans losing their life savings because of the skyrocketing costs of healthcare; and new sustainable farming communities using traditional methods of agriculture.

Photographers from around the world come to SDN to create their own online exhibits with minimal input from the SDN editors. Once approved, the exhibits are live and viewable to a worldwide audience.

SDN is now going beyond the internet to more traditional means of presenting photography such as gallery exhibitions, publications, and public discussions of documentary and global issues.

www.socialdocumentary.net

### About the Center for Economic and Social Rights

The Center for Economic and Social Rights (CESR) works to promote social justice through human rights. In a world where poverty and inequality deprive entire communities of dignity, justice and sometimes life, we seek to uphold the universal human rights of every human being to education, health, food, water, housing, work, and other economic, social and cultural rights essential to human dignity.

#### www.cesr.org



Photo by **Leslie Alsheimer** from **"Net Gains"** Molly, Penina and Fiyona Nakanike, Rakai Village, Uganda

#### **About the Gage Gallery**

The mission of the Gage Gallery at Roosevelt University is to exhibit contemporary documentary photography that addresses important social issues of our time in consonance with the mission of the university and its ideals of social justice. Past exhibitions include *The Promise of Public Housing, The Aftermath Project: War is Only Half the Story, Photographs by Iraqi Civilians,* and *The Border Film Project.* 

The Gage Gallery was founded in 2001, shortly after Roosevelt University's expansion into the historic Gage building on Michigan Avenue. Situated directly across from Chicago's Millennium Park, the gallery has exhibited nationally and internationally known photographers including Eugene Richards, Nina Berman, Farah Nosh, Jon Lowenstein, and Carlos Javier Ortiz. In addition, the gallery has hosted numerous public lectures, panel discussions, and symposia. The Gage Gallery is affiliated with, and supported by, the College of Arts and Sciences at Roosevelt University.

Crisis & Opportunity: Documenting the Global Recession will be shown at the Gage Gallery at Roosevelt University in Chicago from September 16, 2010 through January 21, 2011.

www.roosevelt.edu/gagegallery

#### Preface

What does it take for a lone individual, camera in hand, to delve into a scene—anywhere in the world, often among strangers—and extract meaningful images? Visual poems, provocative and pacifying, speak volumes about life, self-determination, love, war, despair, loneliness, poverty, freedom, human suffering, and human resilience. We are a special tribe, photographers, supportive yet independent, finding ways to thread together every last detail in order to create a story—to share with each other, and more importantly share with the world at large details that otherwise might not be noticed, even things passed by every day.

SocialDocumentary.net is little more than a yearold, but the entries for this first Call for Entries— *Crisis & Opportunity: Documenting the Global Recession*—covered stories in 25 countries on 4 continents focusing on a wide spectrum of today's social, political, economic, and cultural issues.

First-Place Winner Tomasz Tomaszewski, a native of Poland, whose background is in magazine photography (including *National Geographic*), and Honorable Mention, Khaled Hasan, a young man from Bangladesh intent on using photography to affect social change, both created emblematic images of lives built around disappearing traditions of manual labor. Tomasz' vibrant color photographs provide a window into Upper Silesia, Poland, "where the work

ethos, traditions, and related customs seemed to be most alive, apparent and colorful" while paying homage to the families and men whose livelihoods are dying out. Lyrical images of children at play and men at work: in one photograph, the wall of a coal mine becomes the backdrop to a child saving a soccer game goal in mid-air.

Khaled's beautiful black and white images from Bangladesh show us people affected by the global recession in one of the furthest corners of the world. His abstract images are representative of the harm this industry brings to the environment and the stone-laborers themselves. In both Tomasz' and Khaled's work, harsher realities are balanced with images of joy; the human spirit overcoming the most difficult of circumstances.

Shiho Fukada and Michael McElroy, who received Honorable Mentions, show us the great losses suffered by older men in lands of plenty—Japan and the United States. Shiho Fukada, a young Japanese woman, brings us into a world of men lost to poverty, homelessness, illness, and loneliness due to the loss of labor sector jobs, the downside of high tech development in Japan. American photographer Michael McElroy tells a very touching and memorable story of one man who lost his savings paying the high medical costs of caring for his dying wife, making personal the need for changes in the U.S. healthcare system, while bringing to light

the difficulties so many families are facing during the current recession.

The lines between documentary photography, fine art, and photojournalism are blurring. And even as traditional media outlets shrink, new venues are expanding the way photography is seen. While the monetary compensation is not what it should be, and hopefully will be, these outlets now reach across the globe. With support from venues such as SocialDocumentary.net, Open Society Institute, multimedia outlets such as MSNBC and MediaStorm, various blogs, online book publishers like Blurb.com, and photography festivals around the world, it does not seem like documentary photography is in danger of becoming a lost art; and more documentaryphotojournalism is being accepted in galleries and fine art institutions, alongside newer traditions in fine art photography.

Photographs are documents of our time, preservation of realities in flux, statements on current affairs or personal testimonies, history, and time capsules. I can't imagine that we will ever be without the medium or places eager to showcase it in all its forms.

Lori Grinker

Advisory Committee, SocialDocumentary.net

#### **Human Rights and the Global Economic Crisis**

Coming at the confluence of the financial, fuel and food crises, the global economic crisis has devastated lives and livelihoods across the world. And it has rapidly turned into a human rights crisis.

We at the Center for Economic and Social Rights have examined and analyzed the human rights dimensions of this crisis. The ability to document the crisis through photography, however, greatly aids our understanding of it, and the work by photographers presented here is at once poetic and grounded in reality.

The effects of the crisis have tended to be discussed in terms of faceless economic statistics on declining economic growth and rising unemployment. Missing from much of the coverage is the harmful impact of the crisis on individual human lives and dignity. We partnered with SocialDocumentary.net because through photography we can bring home and understand better the human consequences of the crisis. The images in this collection remind us of the real people behind the statistics and tell a story of dignity and resilience in the face of extreme hardship.

The loss of lives and livelihoods inflicted by the crisis is often presented as a tragic but inevitable casualty of uncontrollable market forces. A human rights perspective challenges this complacency; these devastating consequences are not inevitable, nor should they be acceptable. It demands

accountability for the human wrongdoings which gave rise to the crisis, and redress for the human rights violations they caused.

Every year during this crisis, as many as 400,000 more children will die before they reach their fifth birthday simply because their families cannot afford food or basic medical care for preventable diseases. World hunger reached an historic high in 2009 with more than one billion people going hungry every day, according to the UN's food and agriculture agency. This means that one in six people are too poor to eat adequately. Chronic malnutrition will affect children's physical and intellectual development for the rest of their lives. The crisis has also had a direct impact on children's right to education, as children are pulled out of work to help support their families, though children who leave school early will never catch up.

Bankruptcies and economic retrenchments mean that the increase in global unemployment as a direct result of the economic crisis was expected to reach 38 million by the end of 2009. The right to decent work has been under massive threat as companies radically reduce costs, ramping down wages and allowing working conditions to become more hazardous. At the same time, the housing crisis has left many people without homes or shelters. The sub-prime mortgage crisis has left many people facing foreclosure, some of them victims of fraud and abusive practices by

mortgage brokers. In developing countries, the number of people living in slums has risen, and millions more slum dwellers face lack of access to clean water and sanitation, and increased insecurity of tenure.

While trillions of dollars were made available for bailing out the banking sector, this has not been matched by funds to support those who are suffering most from the crisis. As millions of people fall into desperate circumstances as a result of a global crisis not of their own making, the provision of social safety nets is limited and shrinking, depriving people of their right to social security. As taxes, exports, foreign investment and other sources of revenue decline, government budgets are falling, with spending on social programs likely to be slashed first. Governments are cutting back on social services and social safety nets just at the time they are most needed to guarantee minimum levels of economic and social rights essential for survival and human dignity, including the rights to health, food, housing and education.

### **What Needs to Change**

Despite the human rights consequences of the crisis, governments have been loathe to recognize their obligations in their responses to the crisis. Indeed, human rights principles have been studiously avoided in the international declarations and commitments made by states since the crisis.

The deterioration in the global economy is no justification for states to compromise on their fundamental human rights obligations. In such times, it is all the more important that states guarantee minimum essential levels of these rights; take deliberate measures targeted at the most vulnerable; avoid measures that are retrogressive or discriminatory; and implement fiscal policies that ensure the progressive realization of the rights of the whole population through the equitable distribution of available resources. Richer states have an obligation to provide appropriate levels of development assistance to enable developing states to guarantee delivery of core services such as health, education, and sanitation.

The economic crisis is an opportunity as well as a threat to human rights: an opportunity to rethink the values which should underpin our economic order and to create more democratic and accountable institutions of economic governance. Around the world, ordinary people angered by the inequities and injustices laid bare by the crisis have been mobilizing at the local, national and international level. They are demanding accountability from their leaders for what they are doing to end the assault on human dignity so powerfully illustrated in the stories which follow.

Ignacio Saiz
Executive Director, Center for Economic and Social Rights



Photo by **Yusuke Harada** from **"Behind the War on Terror"**A heroin addict injected by his friend on the roadside in the early morning.

### **Tomasz Tomaszewski**



Specializing in press photography, Tomasz Tomaszewski has had his photos pub-

photos published in the world's major magazines appearing in several dozen countries: Stern, Paris Mach, Geo, New York Times, Time, US News & World Report, and numerous others. He has also authored a number of books — including Remnants, The Last Jews of Poland; Gypsies, The Last Once; In Search of America; and has co-illustrated over a dozen collective works. His numerous individual exhibitions have been held in the U.S., Canada, Israel, Japan, Madagascar, the Netherlands, Germany, France, Italy and Poland. He is the winner of Polish and international awards for photography. For over twenty years, he has been a regular contributor to National Geographic Magazine, where 18 of his photo essays have been published. Tomaszewski teaches

photography in Poland, the U.S.,

Germany, and Italy.







Left: The Labendy Factory was once a very famous flagship of the Polish heavy industry. Today, it has lost over 70% of its workers, and is only providing simple services

Top: Zbigniew Talda has two years to go before he retires from the Bobrek Coke Factory. He is very afraid that the management will shut down the factory before then due to the current recession. This was the first private factory in Silesia.

Above: The steel factory of Katowice was the biggest and best of all the steel factories in Poland. Today, there is only one working "Big Oven" out of seven used to produce high quality steel.

### Hades ? Upper Silesia, Poland

This exhibit pays homage to people who perform hard manual labor. Workers who once were very proud of their positions are now losing their jobs due to the recession.

In Upper Silesia, Poland, the work ethos, traditions, and related customs are alive and colorful. But, in recent years, half of the existing coal mines here were shut down, along with 70% of the heavy industry factories. Very little is done by the state to help those who have lost jobs, including men traditionally accustomed to supporting their families.

These photographs depict tasks, places and objects that are becoming things of the past. It is a story about Silesia and what it is today.

This series of photographs was taken from March through August 2009.





Tomasz Tomaszewski

Left: Kristina has been working in the coal mine "Peace" for over 25 years, and hopes to retire here, before they shut down the entire mine.

Above: Deep under. Hard manual labor in the coal mine "Peace," Ruda Slaska.



Above: The well-known "monument factory" in Gliwice stays alive due to the fact that it gets a lot of orders from the US. It still had to reduce the work week to only four days.

Above right: Collecting pigeons is an old tradition and passion among the coal miners of Silesia. It is an excellent way to kill time for the retired, or these days, the jobless.







Tomasz Tomaszewski

Left: Religion was always very strong in Silesia. Now, in these difficult times, it plays an additional important role, to keep the spirits of people high.

Above: On a street in the Silesian neighborhood, Nikiszowiec, Rudolf Wrobel, 56, is proud to be a Polish coal miner.



Bobrek is a bad neighborhood near the town of Bytom. It is a place for poor, jobless people who have no money to pay for the rent. Young kids are exposed to heavy drinking by the adults.



In the coke factory, the workers have a year-long competition "for the best kept and most creative piece of land" on the factory field. Coke Factory "Jadwiga."

### End of Labor Town: Dumping Ground of Old Men in Japan

### By Shiho Fukada

In Osaka, Kamagasaki is home to about 25,000 mostly elderly day laborers, with an estimated 1,000 who are homeless. It used to be called a "laborer's town" but now it's called a "welfare town", a dumping ground of old men. Alcoholism, poverty, street death, suicide, TB, and most of all, loneliness, prevail here. These men don't have family ties and live and die alone as social outcasts from the mainstream "salary man" culture. Labor towns, like Kamagasaki, are on the verge of extinction in Japan.

According to the most recent government report, Japan's economy, the world's second largest, is deteriorating at its worst pace since the oil crisis of the 1970s, setting off more unemployment among young and educated and layoffs among big corporations. It is even more hopeless for graying men of the construction industry to find work here.





Left: A man plays pachinko.

Above: People wait in line to receive a charity meal at a church.

Right: Hiromi Minakami, 70, lives in a tiny room paid by welfare.

Below: Tamiichi Kuwata, 65, depends on welfare.

Photographs taken in January 2009 in Osaka, Japan





### Living Stone: A Community Losing its Life

#### By Khaled Hasan

This story is about a hard working community in Jaflong, in the northeastern part of Bangladesh. At dawn every day, more than a hundred little boats carrying thousands of men, women and child stone-laborers enter the Piyain River, buckets and spades on board. During the monsoon season, the river currents wash down precious rocks and pebbles.

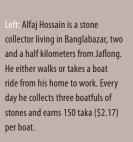
The stones that tumble down the riverbed from India are decreasing in volume and the laborers are taking risks by crossing the politically sensitive no-man's land along the Indo-Bangla border.

The large stones are put into crushers and the chips are transported to the city to be used at construction sites and for building roads and highways.

Uncontrolled and unstoppable, stone extracting and crushing poses a serious threat to public health by creating air and sound pollution and harmful dust particles, to the environment, and to agriculture. The stone workers also fear losing their jobs in the coming years.









Above: Probal Das (age 67) and Priti Rani Das (age 39) are a couple working together as stone laborers. They have worked here for four years. They have two daughters. They used to earn 400 taka (\$5.79) per day. But now each of them earns only 150 taka (\$2.17) per day. Some days, they only get 80 taka (\$1.15) for their work

Far left: Modern machinery, such as cranes, has caused stones to become extinct in some places in Piyain. For this reason the stone collectors have to work harder. Every night they travel upstream to collect stones and dock their boats on the banks — ready to supply.

Left: Alya Begum, a stone crusher and mother of two children, could not go to work because of illness. But without her wages, she does not have money to buy food and medicine. There is no sick leave in the stone industry.

### An American Nightmare

### By Michael McElroy

Across the U.S., more and more people are falling through the cracks: losing their homes, jobs, and health care. There was a time when we believed in the American dream and the pursuit of a better life. Unfortunately, that dream has become a nightmare for countless families who have seen everything they've worked so hard for slowly slip away. Howard Mallinger is one of those Americans whose dream has been shattered. This is his story.



Howard breaks down as he thinks about his wife and his current situation.





Left: Howard comforts his wife, Sheryl, during her monthly chemo treatment.

Above: Howard visits his cardiologist at the Cleveland Clinic. Since his wife's diagnosis, Howard's health has also suffered but he refuses to get any treatment for fear of not being able to be at his wife's side during her battle with cancer.

Right: Howard says Jewish prayers of comfort at his wife's gravesite.

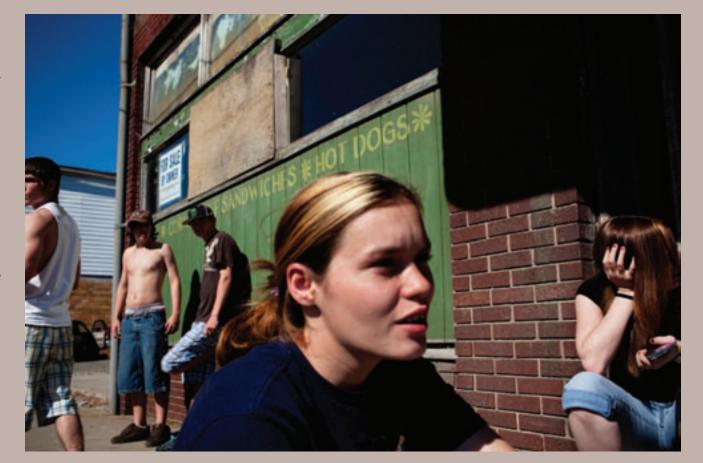


### Carry Me Ohio By Matt Eich

Once known for its bounty of coal, salt, clay and timber, Southeastern Ohio was stripped of its resources by the mining corporations that thrived from the 1820s to the 1960s. When they had mined all that they could, the corporations left and the residents remained.

For the past three years, Matt
Eich has been documenting the
people of this region. The foothills
of Appalachia have been his home
for the past five years. He met his
wife here and their daughter was
born here. Now, the same lack of
opportunity that has plagued the
residents of Southeastern Ohio for
decades has forced Eich and his
family to move.

Rampant unemployment, poor housing conditions, drug abuse and sub-standard schools have left many families here in crisis. In 2006, Athens County, one of the poorest counties in the state, had a poverty rate of 27% and a per capita income of just \$14,171. With the economic downturn of the United States, these numbers have only gotten worse.







Above: Lisa Russel, 20, and other teens hang out on the street corners in Glouster, Ohio. Glouster was once a thriving community in Southeastern Ohio, but with the departure of extractive industries such as coal mining, the town's economic sources dried up. The town youth have little to do and substance abuse runs rampant.

Far Left: "I think Glouster is not a good place to raise kids," says Neosha Andrews (R). She spends time with her daughter, Jessica Maffin, 1, and sister Lindsay, 17, in Glouster, Ohio

Left: A family walks home across the tracks in Glouster, Ohio on Saturday, May 17, 2008.







Above: Weeds grow in a failed and abandoned housing development in Merced, California.

Far Left: Pacifier left behind by the former owners in a foreclosed home in Los Angeles, California

Left: Shoes left behind by the former owners of a foreclosed home in Los Angeles, California.

## Foreclosed Dreams By David Wells

"Foreclosed Dreams" is a photoessay exploring the empty homes and foreclosed dreams littering the American landscape in the wake of the foreclosure crisis across the United States

Owning a home was once the American dream. Now that dream, like those homes, is being foreclosed on. More than 1 in 10 American homeowners are either behind in mortgage payments or in foreclosure— twice the number from a year ago. The empty homes and foreclosed dreams are powerful symbols of lives shattered, families devastated and communities destroyed.

After the foreclosure and before the houses are cleaned up and returned to the market, there is a fleeting moment when the ghosts of the one-time owners are all that are left. The remaining signs of life that Wells photographs during this period of time echo the voices and footsteps that once filled these newly emptied houses. Marks on the wall, property left behind., all remind us of what, and who, used to be there.

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# Human Rights and the Global Economic Crisis

# Consequences, Causes and Responses

A report by the Center for Economic and Social Rights



Photo by **Jan Sochor** from "**Hunger and Rage**"

An angry woman from the slum of Cite Soleil (Port-au-Prince, Haiti) shouting and accusing the U.S., together with the United Nations, of being a cause of the deep poverty and overall misery in Haiti.

# What is Happening and Why

Far from being an unpredictable event, the financial crisis was predicted by a number of organizations, including the Bank for International Settlements (an association of central banks) which warned in June 2007 that "years of loose monetary policy have fuelled a giant global credit bubble, leaving us vulnerable to another 1930s slump" (cited in Wade, 2008).

The financial crisis began as the "sub-prime crisis" in the United States in August 2007 and then erupted into a global credit crisis in September 2008. It was caused by the combination of loose monetary policy, deregulation, excessive risktaking by banks, and the explosion of credit/debt between 2002-2007 (UNCTAD, 2009). The "subprime crisis" was the result of the unsustainable and predatory lending of mortgage brokers to people whose salaries were too low to pay off the loans ("sub-prime" mortgages). Instead of keeping these high-risk loans on their books, banks and brokers invented new ways of packaging and selling them to other banks and investors (see Baily et al, 2008). At the same time, many banks and investors took out insurance against the default of these new assets ("credit default swaps") from companies such as U.S. insurer American International Group (AIG) (see Moneyweek, 2008). This contributed to an explosion in credit derivatives, which investor

Warren Buffet called "financial weapons of mass destruction" because of the huge threat they posed to the stability of the financial system (cited in *The* Economist, 2008). Such warnings were ignored, however, because of the opportunities for vast, short-term profits. But these profits were unsustainable: as soon as house prices started to fall and borrowers started to default on high-risk loans, the system collapsed. The value of "toxic assets" was wiped out, insurance failed as AIG collapsed, and the credit markets froze, bringing down a series of banks – including major U.S. investment bank Lehman Brothers on September 15, 2008. Banking regulators, who had stepped back from strong regulation because of an increasingly strong belief in the infallibility and efficiency of markets, had to step in to rescue the banking system and prevent systemic collapse. In a rapid and unprecedented response, trillions of dollars were spent bailing out bankrupt banks.

However, the prevention of systemic financial melt-down did not prevent the global economic downturn. As problems of the financial sector spilled over into the real economy, economic crisis emerged not only in developed economies, but across the world. In developed economies, the credit crunch triggered a collapse of consumer demand which quickly translated into rising unemployment, in turn further affecting consumer demand, particularly given unprecedented levels of household debt.

But the crisis also spread to developing countries, transmitted first through an abrupt decline in trade finance (WSJ, 2008) and then through a precipitous drop in demand for the exports of developing countries, many of whose economies have become disproportionately dependent on an export-driven model of growth promoted by the international financial institutions. Exacerbated by a decline in migrant workers' remittances, aid and private capital flows, this has created massive unemployment, pushing millions more people into poverty around the world (ODI, 2009a).

While trillions of dollars were made available for bailing out the banking sector, this has not been matched by funds to support those who are suffering most from the crisis. As ODI notes, so far there has been a "minimal social protection response to this crisis" (ODI, 2009b).

# The Consequences of the Crisis

### Impacts on the realization of human rights

As the financial crisis has spilled over into the real economy, it has had, as we shall see, devastating effects on lives and livelihoods across the world, especially on the poorest people in the poorest countries, with women and children, migrants and minorities bearing the brunt. The economic crisis threatens

the full range of human rights. It threatens not only economic, social and cultural rights, including the right to an adequate standard of living and the rights to health, housing, food and education, but also civil and political rights.

It is still too early to tell the full extent of the damage caused by the crisis, but poor and low-income families across the world are being hardest hit. The World Bank is estimating that up to 90 million more men, women and children may be pushed into poverty, in addition to the estimated 160 to 200 million people who fell into poverty as a result of the food crisis between 2005 and 2008. Greater poverty, and the hunger that it brings, will threaten the right to life and health of many of these people, especially children. Every year during this crisis, as many as 400,000 more children will die before they reach their fifth birthday simply because their families cannot afford food or basic medical care for preventable diseases, according to one estimate (World Bank, 2009). And the impacts will be hardest in the poorest countries: "While people in developed countries are feeling the impacts on their standards of living, their jobs and their homes, people in developing countries are bearing the brunt of the crisis, with few safety-nets to protect them from severe poverty and deprivation, and without the fiscal capacity and space to soften the blow" (ESCR-Net, 2009).

World hunger will reach an historic high in 2009 with more than one billion people going hungry every

day (FAO, 2009). This means that one in six people will be too poor to eat adequately. The food crisis that occurred as a result of the rapid rise in food prices in 2008 is far from over, as food prices remain high in 40 developing countries and the loss of jobs and remittances produce further food insecurity (UN Special Rapporteur on the Right to Food, 2009). Chronic malnutrition will affect children's physical and intellectual development for the rest of their lives. This also has consequences for other rights: in Zambia, an increased number of girls and young women are reportedly being forced to turn to sex work out of economic desperation, while in Kenya, teachers in Nairobi have reported an increase in student pregnancies as girls exchange sex for food (UNDP, 2009a).

Bankruptcies and economic retrenchments mean that the increase in global unemployment as a direct result of the economic crisis is likely to reach 38 million by the end of 2009 (ILO, 2009a). The right to decent work is under threat as companies radically reduce costs, ramping down wages and allowing working conditions to become more hazardous. At the same time, the housing crisis has left many people without homes or shelters. The sub-prime mortgage crisis has left many people facing foreclosure, some of them victims of fraud and abusive practices by mortgage brokers (UN Special Rapporteur on the Right to Housing, 2009). In developing countries, the number of people living in slums will rise, and mil-



Photo by Nancy Siesel from "Slave-Like Conditions of Tobacco Leaf Harvesters in North Carolina" Portrait of a tobacco leaf harvester on his bed on a Sunday in crowded, dilapidated house he shares with other workers in North Carolina.

lions more slum dwellers will face lack of access to clean water and sanitation, and increased insecurity of tenure (UN Habitat, 2008). The crisis has also had a direct impact on children's right to education, as children are pulled out of work to help support their families, though children who leave school early will never catch up (World Bank, 2009).

Meanwhile, as millions of people fall into desperate circumstances as a result of a global crisis not of their own making, the provision of social safety nets is limited and shrinking, depriving people of their right to social security. As taxes, exports, foreign investment and other sources of revenue decline, government budgets are falling, and spending on social programs is likely to be slashed first (UNDP, 2009a). This means that governments will be cutting back on social services and social safety nets just at the time they are most needed to guarantee minimum levels of economic and social rights essential for survival and human dignity, including the rights to health, food, housing and education.

The economic crisis is also having disproportionate impacts on the rights of specific groups of people, particularly the poorest and most marginalized, who are the most vulnerable because they already suffer from discrimination and abuses of power. The protection of the rights of migrants is weak, but becoming worse as fear and anxiety caused by the economic crisis have generated a wave of xenophobia. In Malaysia for example, a rise in xenopho-

bic attitudes is reflected in greater discrimination in the workplace against migrants and the unlawful termination of employment without payment of wages (ILO 2009c). There are increasing reports of severe abuses of migrants, including in Russia (HRW, 2009), Greece (IPS, 2009a) and several Eastern European countries (IPS, 2009b). Even though working conditions are worsening around the world, few migrant workers have the resources to return home and their families are suffering as remittances dramatically decline.

The rights of women are also particularly at risk, as unemployment and social unrest can translate into greater violence against women. Female workers, who tend to be concentrated in the informal economy with lower wages and less employment protection, are losing their jobs and incomes (ILO, 2009b). Especially in developing countries, women predominate in many export industries that have been hardest hit by the economic crisis (export manufacturing, garments, electronics and services) (Oxfam, 2009). Whenever women lose their financial independence, they are more likely to face sexual violence in the home or be pushed into sexual exploitation or other slave-type labor through trafficking. Oxfam cites one female union leader in Thailand: "Factories are closing everywhere—and now the women are being approached by sex traffickers asking if they want to go and work in the West"

(Oxfam, 2009:6). Human trafficking is expected to escalate as the economic crisis fuels poverty and unemployment.

The full impact of the crisis on civil and political rights around the world is not yet clear, but there is already evidence that these rights are at risk. Social protests were brutally repressed in many countries during the 2008 food and fuel crises. In February 2008, up to 100 protesters were shot and killed in Cameroon by armed forces and more than 1,600 were imprisoned (Amnesty, 2009; WANEP, 2008), after protests against the rising costs of basic food became violent. Concerns are rising that social frustration is also being exacerbated in many countries, as people feel a loss of control over their lives and cannot understand or challenge the reasoning behind policy responses. Failures to respect the right to information and the right to participation in government policy decisions around the crisis abound.

### **The Causes of the Crisis**

# Implications for implementation of human rights obligations

The economic crisis is a human rights concern not only because of the serious consequences on human rights, but also because of the underlying structural causes of the crisis which relate directly to failures to fulfill human rights.

Under human rights law, governments are responsible for creating the conditions in which their citizens (and other people living in their territories) can exercise the full range of their human rights, including economic and social rights. Human rights set out the basic minimum standards against which the actions (and failures to act) of governments can be judged. Over the last three decades, however, a package of economic policies was promoted globally which effectively enabled governments to abdicate many of their responsibilities towards their citizens, particularly those related to the fulfillment of economic and social rights, by leaving the fulfillment of these responsibilities up to the "market."

The underlying causes of the crisis lie in what has been termed "market fundamentalism"—the belief that unfettered pursuit of self-interest though self-regulating markets would ensure economic prosperity for all the most efficient allocation of resources (Stiglitz, 2009). In this view, the market was prioritized over the state as driver and guarantor of human development. Any form of government action (including the regulation of private business and redistribution of wealth) was seen as interference with the working of the market mechanism, and discouraged on the assumption that this would reduce, rather than increase aggregate social welfare. These beliefs, which dominated international economic policymaking throughout the 1980s and 1990s, supported the promotion of a policy package of liberalization, deregulation and privatization of the "Washington consensus" by international financial institutions including the International Monetary Fund (IMF) and World Bank (Rodrik, 2006). This meant effectively "rolling back the state" in the belief that this would benefit global economic growth and, by extension, all of the world's people.

But the financial crisis has clearly demonstrated that the unfettered pursuit of self-interest in the financial markets has done little more than encourage greed and the pursuit of unsustainable short-term profit. As UNCTAD has argued, "Market fundamentalist laissez-faire of the last 20 years has dramatically failed the test" (UNCTAD, 2009). Vast wealth has been generated, but much of this has depended on the illusory profits of the financial markets and the creation of financial products with no economic or social utility (UNCTAD, 2009). Little of that wealth has trickled down to the majority of people. While aggregate economic growth has boomed, disaggregating its impacts shows the rise in inequality, the widening gap between rich and poor, and the concentration of wealth in the midst of widespread persistence of hunger, poverty and desperation. Without an effective government role in redistribution, markets have failed to guarantee basic human needs or the conditions in which everyone can secure an adequate standard of living consistent with human dignity. The rolling back of social safety nets, particularly in developing countries, has left people

even more vulnerable to the effects of economic crises. Without government regulation, markets have become more prone to crises. In the Outcome Document of the UN's June 2009 conference on the crisis, governments recognized that the crisis was caused by "regulatory failures, compounded by over-reliance on market self-regulation, overall lack of transparency, financial integrity and irresponsible behavior..." (UN General Assembly, 2009: para 7).

It is ironic that irresponsible banks, which have long campaigned against government regulation or intervention in markets, have been the first to demand government help to rescue them from bankruptcy. Trillions of dollars in banking bailouts have effectively transferred losses onto taxpayers, amounting to a massive transfer of wealth from ordinary people to the wealthy. This has been popularly referred to as "privatizing profits and socializing losses" or "socialism for the rich, capitalism for the poor" (Newsweek, 2009; Roubini, 2008). At the same time, it is ironic that governments (in the global north), who have long claimed that they have insufficient resources for social programs, have suddenly made available trillions of dollars to save the international financial system. As Shalil Shetty, director of the UN Campaign to achieve the Millennium Development Goals, has pointed out:

"The massive bailouts we have seen for the financial industry have shown us that the real issue we face in addressing this global crisis is not the availability of money, but the availability of political will. The amount of money needed annually to achieve the Millennium Development Goals is a miniscule fraction of the estimated \$5 trillion of public money mobilized for the bank bailouts (Shetty, 2009)."

The rapid and unprecedented response to the crisis in developed countries has also highlighted for developing countries the unfairness and hypocrisy in how economic policies have been implemented and imposed. As 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." (Stiglitz, 2009)

But now even the prophets of free markets are repenting. Markets left to themselves have not

maximized social welfare. Even the oft-lauded Alan Greenspan, former president of the Federal Reserve admitted that he placed too much faith in the ability of markets to self-regulate (NYT, 2008). Billionaire investor, George Soros, has argued that governments must regulate to correct for the excesses of self-interest that markets encourage. Long a critic of market fundamentalism, Joseph Stiglitz has argued that "...what is required for success is a regime where the roles of market and government are in balance, and where a strong state administers effective regulation. They [States] will realize that the power of special interests must be curbed" (Stiglitz, 2009). Former IMF economist, Simon Johnson has also argued that special interests, particularly those of the powerful financial elite, must be curbed, otherwise they will capture and skew the government's actions to benefit themselves:

"...elite business interests—financiers, in the case of the U.S.—played a central role in creating the crisis, making ever-larger gambles, with the implicit backing of the government, until the inevitable collapse. More alarming, they are now using their influence to prevent precisely the sorts of reforms that are needed, and fast, to pull the economy out of its nosedive. The government seems helpless, or unwilling, to act against them." (Johnson, 2009)

From a human rights perspective, governments must act in the public interest, not in the interests

of the powerful, and their actions must be judged against the standards set in human rights law. Governments have a binding obligation to ensure that all their economic and social policies are consistent with standards of human rights law. At the same time, the role of the state is to act as the guarantor of human rights of its citizens, including economic and social rights. These responsibilities cannot be left only up to the market. Rather the state must play an active role in harnessing the operations of the market economy toward the realization of human rights. According to a former UN Special Rapporteur on the right to education, "the raison d'etre of economic and social rights is to act as correctives to the free market" (Tomasevski, 1998 cited in Balakrishnan and Elson, 2008). This does not mean that a human rights framework is anti-market. In contrast, a human rights framework recognizes the emancipatory potential of markets to break down feudal relations of power and unsettle traditional forms of discrimination, including gender discrimination. From a human rights perspective, however, governments must step in when markets fail to create conditions in which all people, including the poorest and most marginalized, can exercise the full range of their human rights.

Human rights set out various types of obligations of governments. These include the duty to take positive measures to *fulfill* human rights, as well as the duty to *respect* human rights (by refraining

from deliberate infringement of those rights), and to *protect* people against abuses of human rights by corporate or other private actors (including by regulating the activities of private actors and ensuring justice and redress to victims of abuses). Some human rights obligations are immediate, including the duty of non-discrimination and the duties to refrain from harming or abusing human rights. Other human rights obligations, given the context of limited resources, may be achieved progressively over time but governments have to prove that they are taking positive steps, using the maximum of available resources and making constant progress in the realization of these rights. (See table on p. 26.)

Human rights advocates, like many human development economists, cite evidence that "private enterprises and market forces cannot be relied upon to produce outcomes that satisfy the immediate obligations for non-discrimination and equality and minimum core standards. To achieve this, private enterprise and market forces need to be carefully regulated by the state and complemented by a substantial and well-functioning public sector." (Balakrishnan and Elson, 2008).

Redressing the balance between the state and the market is therefore an essential part of constructing a sustainable long-term response to the crisis. This will require replacing the ideal of the "minimal state" with the ideal of a "rights-fulfilling state" that acts in accordance with the standards set out in human rights law.



Photo by James Chance from "Living with the Dead: Manila's North Cemetery"

The residents overcame significant challenges daily in order to access utilities in an area which was obviously not built to support permanent, living residents. There is no sewage system, for instance, so people rely on bucket toilets, disposing of the waste where they can.

# **Choices of Policy Responses to the Crisis**

### Adopting a human rights approach

"States can neither waive nor limit their obligation of upholding civil, cultural, economic, political and social human rights in times of crisis. Rather, by fully integrating human rights principles and standards into law and practice are governments able to respond to an economic downturn in a truly sustainable manner..."

—Navi Pillay, UN High Commissioner for Human Rights in her statement to the UN General Assembly High Level Conference on the World Financial and Economic Crisis and its Impact, June 18, 2009

Despite the human rights dimensions of the crisis, the language of human rights is still largely absent from the diagnoses or prescriptions proposed by national governments or the international community (Saiz, 2009). Responses to the crisis have so far neglected or ignored human rights. There has been little analysis of either the causes or the consequences of the global economic crisis in human rights terms. International meetings have recognized the human dimensions of the crisis, but not the need for human-rights-based responses.

This must change. There is an urgent need to identify immediate responses that address the devastating human rights consequences of the crisis, and

to identify longer-term measures that address the structural causes of the crisis that impinge on governments' capacities to meet their human rights obligations. This should start with governments' recognition of the legally binding human rights obligations enshrined in the Universal Declaration of Human Rights and the core international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights.

While international human rights law does not prescribe a specific economic system, nor provide a set of detailed and specific prescriptions on how to re-orient financial, economic and social policy, it does set clear priorities and clear boundaries.

### Immediate responses to address the consequences of the crisis

In the immediate term, the first responsibility of governments must be to prevent and alleviate the devastating impacts of the crisis on human lives. It is unacceptable that 400,000 children under the age of five should die because of this crisis. Or that millions should starve or become malnourished for lack of sufficient food, or be forced to sleep in the streets because they have lost their homes or shelter. Or that people should lose their lives in protests against precipitous rises in food prices.

### **State Human Rights Obligations**

**The obligation to Respect:** Refrain from harming the enjoyment of human rights

**The obligation to Protect:** Ensure that third parties (non-state actors) do not infringe the enjoyment of human rights (through, for example, regulation and effective remedies)

**The obligations to Fulfill:** Take positive steps (legal, administrative, budgetary) to

Facilitate: Create an enabling environment for individuals and communities to enjoy human rights

**Provide:** State parties are obliged to fulfill (provide) when individuals or a group are unable, for reasons beyond their control, to realize a right themselves by the means at their disposal.

#### **Core obligations of State parties include:**

Guarantee the satisfaction of, at the very least, minimum essential levels of human rights as an immediate priority

Use the maximum resources available, including through international assistance and cooperation, to achieve the realization of human rights

Guarantee that rights will be exercised without discrimination of any kind, by eliminating laws, policies and practices with direct or indirect discriminatory effects, and prioritizing the most excluded and disadvantaged in resources allocations and policy interventions.

Source: UN (2008), Compilation of General Comments adopted by the Committee on Economic, Social and Cultural Rights

### Refraining from violating civil and political rights

Governments must refrain from violating civil and political rights, including the rights to freedom of expression, freedom of association and rights to information. Rather than using disproportionate force against protesters, social protest should be defused by permitting democratic debate and enabling active and meaningful citizen participation in the design and monitoring of policy responses.

### Prioritizing a basic minimum of effective economic and social rights for all

Governments have an immediate obligation to ensure the "minimum essential levels" of social and economic rights which are essential to the survival and a life with dignity. Meeting this obligation must trump all other policy considerations. This means immediately instituting social protection programs to relieve poverty, hunger and homelessness. It also means ring-fencing government budgets to ensure that there is no retrogression in the provision of essential goods and services (including those necessary to prevent maternal or child mortality and to ensure completion of primary school education). It also means ensuring that economic stimulus packages and counter-cyclical economic policies (in countries where they are possible) should be focused on limiting the worst human consequences of the crisis, and priority in distribution of resources must be given to the most vulnerable and marginalized.

### Protecting the most vulnerable and ensuring non-discrimination

Governments have an immediate obligation of non-discrimination which must be applied to all policies and programs. This prohibits responses to the crisis that benefit wealthier groups over traditionally marginalized groups or peoples. It also means taking into account, and compensating for the disproportionate effects of the crisis on different groups, in order to ensure substantive, as well as formal, equality (see UN CESCR, 2009). It also requires that governments take special measures to protect the rights of women, migrants, minorities and other groups that are being particularly threatened in this crisis.

### Respecting human rights principles in policy processes as well as outcomes

The human rights principles of participation, transparency, accountability and redress, must also be integrated into policy responses. A human rights approach requires a focus not only with the consequences of policies and programs, but also on the processes by which those policies are adopted. This means that, in the crisis response, programs must be designed, implemented and evaluated in a manner that ensures transparency, full participation (including of women) and institutes mechanisms for accountability and redress (OHCHR, 2006).



Photo by **Jared Moossy** from **"Leaves of Grass"**An Afghan girl rides her donkey down to the well at the bottom of the mountain to fetch water. Kabul, Afghanistan

### Long-term responses to address the causes of the crisis

The global economic crisis is a threat to human rights, but also an opportunity to rethink the role of the state in complying with human rights obligations, particularly those related to economic and social rights. It provides an opportunity to rethink governance and accountability both at the national and global level. "This systemic collapse calls for a new framework for national governments – both domestically and increasingly at the international level – in which people and the environment, not banks or business, are at the center of economic policy-making," (ESCR-Net, 2009).

### National level: rethinking the role of the state

The eruption of the financial and economic crisis has demonstrated that markets may be necessary, but are not sufficient to guaranteeing the conditions for the realization of rights. An essential starting point for redressing the imbalance between the state and the market, is to recognize and reaffirm that governments have duties to respect, protect and fulfill human rights, as well as obligations to meet the human rights principles of non-discrimination, participation, transparency and accountability. The implications of these standards and principles for longer-term responses to the crisis at the national level are outlined here.

### The duty to respect human rights

The duty to respect is essentially a duty to "do no harm." This means that governments must prevent, avoid or mitigate any negative impacts of government policies and programs, paying particular attention to the poorest and most marginalized groups, whose rights are most likely to be violated. Many of the economic measures implemented over the last three decades in the policy package of liberalization, deregulation and privatization have had harsh impacts on the poorest. This is often not evident from aggregate economic data. Redressing the balance will mean that the state cannot leave the distribution of benefits and harms only up to

the market, but must take an active role to identify who is likely to be harmed and to minimize those harms. This is necessary not only to be able to introduce safeguards and compensatory measures, but also to guard against policies and programs that benefit only special interests.

The duty to protect is essentially a duty to regulate,

### The duty to protect human rights

and it requires the provision of remedies in the case of abuses by non-state actors. This means that governments must regulate the activities of corporations and other non-state actors and hold those actors to account and seek redress in cases of abuses of human rights. The trend of de-regulation has undermined governments' capacities to regulate. This is particularly clear in the case of financial markets and the shift towards "self-regulation" of the financial industry. Many of the rules governing financial markets, which that had been put in place after the financial abuses of the 1920s and the original Great Depression, were rolled back. Yet had these rules remained in place, much of the damage caused by this financial crisis may have been avoided (see e.g. Baker, 2009). Redressing the balance will require recognizing that the state must play an important role in regulation, control and oversight of the financial industry (and other economic actors) to guard against excessive risk-taking, speculation and greed and to protect citizens and consumers against abuses of their rights.

### The duty to fulfill human rights

tive action, by putting in place measures and policies to guarantee rights, including the minimum essential levels of each right necessary to guarantee human survival and a life of human dignity. This means providing emergency programs in times of crisis, but it also means maintaining a social safetynet to guarantee a basic social minimum at all times. The trend to "roll back the state" has reduced the redistributive role of the state, leaving ever fewer resources for social programs that guarantee a basic minimum and reduce inequality. Redressing the balance will require recognition that the state needs to step in when the market does not provide for the poorest, as market prices for food, housing, health, and education move beyond their reach.

The duty to fulfill is a essentially a duty to take posi-

### Integrating human rights principles with national economic policymaking

Human rights principles require establishing processes for policymaking that are participatory, transparent and institute mechanisms for accountability and redress. Rather than being subject to forms of democratic deliberation, decision-making on economic policies has become increasingly left to technocratic experts. Redressing the balance will require recognizing that it is not only *outcomes*, but also the *processes* that are important.

### International level: rethinking global governance

The rapid escalation of the financial crisis into a global economic crisis also demonstrated that the liberalization of trade and markets has brought an unprecedented degree of integration and interdependence amongst economies and countries. While the economic crisis was generated in the countries of the global north, its impacts have disproportionately affected the countries and peoples of the global south, which are more vulnerable to economic shocks and have fewer resources to respond. A new system of global governance is necessary which is just and fair and capable of addressing the concerns of all countries and all peoples. This will require reforming the rules that govern global economic policymaking, recognizing the relations of power between governments and rebalancing the forces that have undermined government capacities to meet their obligations to respect, protect and fulfill human rights.

#### Reform of international financial institutions

The one-size-fits-all policy package of the "Washington Consensus" has been widely promoted by the World Bank and the IMF, and often coercively imposed on developing countries through conditions on loans and grants (Stiglitz, 2009). Reform of the financial institutions should include ensuring that they operate in accordance with the UN Charter,

the UN Universal Declaration on Human Rights, the ICESCR and other international treaties and ensure that the policies that they propose or impose do not undermine the capacities of governments to respect, protect and fulfill their human rights obligations. At the same time, when acting within the World Bank, the IMF, and or other ad hoc meetings of the G-20, governments should guarantee their policies are consistent with and conducive to the realization of human rights (ESCR-Net, 2009). Reform of the governance of the World Bank and IMF should result in greater inclusion of less powerful states, on the basis of basis of "a fair and equitable representation of developing countries, in order to increase the credibility and accountability of these institutions" (UN General Assembly, 2009: para 43). Both institutions should also refrain from setting conditions that limit the policy and fiscal space of developing countries to take counter-cyclical economic stimulus policies in the context of urgent crisis responses.

### Reform of global economic governance architecture and regulatory frameworks

The economic and financial crisis is a global crisis that requires global solutions. It is a crisis generated in the global north, yet having disproportionate impacts on the global south. Decision-making on global policy responses and new regulatory frameworks cannot, therefore, remain in powerful, self-selected decision-making forums such as the G8 or the G20, but should be carried out in multilateral forums such as the



Photo by **Melissa Barnes** from **"Selena"**Selena takes a moment to bond with her family.

United Nations where 192 countries are represented. As Joseph Stiglitz wrote in his comments on the June General Assembly UN conference, "If globalization is to work for everyone, decisions about how to manage it must be made in a democratic and inclusive manner—with the participation of both the perpetrators and the victims of the mistakes." (Stiglitz, 2009b). Reform should include the adoption of a new UN-based coordination mechanism, such as Global Economic Coordination Council proposed by the UN Commission of Experts on Reforms of the International Monetary and Financial System. Decisionmaking on economic policies and responses to the crisis at the global level should also meet the human rights principles of non-discrimination, participation, transparency and accountability.



Photo by Naotomo Umewaka from "Philadelphia/NY - Drug Addict/ Prostitution/HIV/Pregnant/Poverty" A crack addict just bought her dose from selling her body. And she just finished smoking her first dose of her crack.

#### Fulfilling the duty of international assistance

The primary responsibility for meeting human rights lies with national governments. But, under the UN Charter and human rights treaties, governments also bear a legal obligation of international cooperation and assistance in the realization of economic, social and cultural rights. As well as positive responsibilities to assist other states in the fulfillment of these rights, governments have duties to respect and protect rights trans-nationally They must ensure that their trade and investment policies do not negatively impact human rights beyond their borders. In relation to their positive duties, the commitments of donor countries to assist developing countries in meeting the Mil-

lennium Development Goals must be honored. Without external financing, there is little scope for developing countries to put in place the kind of fiscal stimulus packages that developed countries have been able to implement and are needed if developing countries are to meet their basic human rights and development commitments (See World Bank, 2009). Among other things, this means that northern governments must not reduce their aid budgets, but rather heed the calls to assist developing countries in the fulfillment of their core human rights obligations. At the UN Human Rights Council Special Session in February 2009, states committed themselves to respond to the consequences of the crisis from a human rights perspective, ensuring that there was a safety net whenever possible, and refraining from reducing their Monterrey commitments to international aid (that 0.7 percent of OECD countries' GDPs would be allocated to overseas development aid) (UN Human Rights Council, 2009), though so far few states have honored this commitment.

# Action on these human rights responses is needed now

Despite the human rights causes and consequences of the crisis, governments have been loathe to recognize their obligations in their responses to the crisis. Indeed, "human rights principles have been studiously avoided in the international declarations and commitments made by states since the

crisis" (Saiz, 2009). At the UN General Assembly's conference on the crisis in June 2009, governments did recognize and rhetorically commit to addressing the human costs of the crisis but fell short of reaffirming their human rights obligations (UN General Assembly, 2009). This signals a profound lack of political will, not only to take the immediate responses required by the human rights framework, but also to undertake the larger process of replacing the ideal of the "minimal state" with the ideal of a "rights-fulfilling state".

Ordinary people, and civil society, including human rights organizations have, however, found a voice to demand and push for urgent change in different forums around the world. The framework of human rights may not provide the specific, detailed prescription for that change, but it does provide a language for making those claims and it starkly sets out the basic responsibilities of governments. The human rights framework roundly challenges the pervasive complacency in the face of the terrible consequences of the crisis. It locates the causes of the crisis, not in unpredictable, uncontrollable market forces, but in the human decisions, actions and inactions that produced the crisis. Recognizing this opens a path for accountability and offers the potential for profound change.

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### **About this Paper**

This briefing was written by Sally-Anne Way and Shira Stanton at the Center for Economic and Social Rights. Comments welcome at saway@cesr.org.

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### **Photographers**

interned with National Geographic Magazine, traveling to Peru, India, Rwanda and Botswana before returning to Ohio to complete his degree. As a freelance photographer, he has worked for clients such as Newsweek, Mother Jones, TIME, The FADER, Smithsonian, More, The New York Times, US News and World Report, The Wall Street Journal, Apple, The Canadian Opera Company and others. In 2009 Matt won POYi's Community Awareness Award, The Magenta Foundation's Bright Spark Award, was a finalist for the W. Eugene Smith Grant and was selected for the 16th World Press Photo Joop Swart Masterclass. Most recently he was awarded the 2010 Juried Fellowship at the Houston Center For Photography. He is a founding member of LUCEO.

Matt Eich began his studies in 2004 in pho-

tojournalism at Ohio University. In 2008, Matt

**Shiho Fukada** is a freelance photographer based in Beijing. She is a native of Tokyo with a degree in English literature, and worked in the fashion and advertising industries in New York before becoming a photojournalist in 2004.

Her work has been featured in numerous publications internationally. She moved to Beijing in February 2009.

**Khaled Hasan** is a graduate of the South Asian Institute of Photography. He is a freelance photographer and has been published in Sunday Times Magazine, American Photo, National Geographic Society, Better Photography, Saudi Aramco World Magazine and others. His awards include the 2008 All Roads Photography Program of National Geographic Society; Alexia Foundation Student Award (Award of Excellence); 2009, Grand Prix winner of "Europe and Asia - Dialogue of Cultures" organized by Museum of Photography (Russia); Mark Grosset Documentary Prize 2009, and others.

Michael McElroy is a contract photojournalist based in Miami, Florida and represented by Zuma and Wonderful Machine. His work encompasses news, portraits, documentary and urban landscapes. McElroy spent 2008 covering the presidential elections and in 2009 he has been working on stories about the economic crisis and how it affects people and the American landscape. His work has been published in the New York Times, the Wall Street Journal, the Los Angeles Times, Monocle, Wallpaper, Revue, The Guardian, Associated Press, Black Enterprise, Ad Week, Esquire, and other national and international magazines. His awards include Pictures of the Year, Ernest Haas Awards, American Photo, Society for News Design Annual Creative Competition, Editor & Publisher, Communication Arts Photo Annual, and Atlanta Photojournalism.

**Tomasz Tomaszewski.** See page 6.

David H. Wells is a free-lance photographer, based in Providence, Rhode Island. He specializes in intercultural communications and the use of light and shadow to enhance visual narratives. His work has been featured in one-person exhibits at Brown University, the University of California at Berkeley and Harvard University. His work has been part of group exhibitions at the Houston FotoFest and the Visa pour l'Image Photojournalism Festival in Perpignan, France. He has been an artist-in-residence at the Visual Studies Workshop and the Light Works Photography Center. He has taught classes at the University of Pennsylvania as well as workshops at the International Center for Photography in NYC and the Maine Media Workshops.

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Photo by Leslie Alsheimer from "Net Gains" Girls Laughing, Rakai Village, Uganda