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and extreme poverty**

Mr. President, Distinguished members of the Human Rights Council, Excellencies, Ladies and Gentlemen,

I am honored to present two reports to the Council today: my first annual report and a report on my visit to Ecuador in November 2008. In both reports, I address the relationship between extreme poverty and human rights and focus on analyzing concrete initiatives that aim to alleviate the situation of those living in poverty.

As proposed in my initial report to the General Assembly in 2008, the thematic report that I am presenting to you today concerns cash transfer programmes. This thematic report results from a year of study and analysis of cash transfer programmes from a human rights perspective.

In recent years, numerous cash transfer programmes have been implemented in all regions of the world, especially in Latin America, Africa and South Asia. Cash transfer programmes provide non-contributory payments in the form of cash to individuals or households living in extreme poverty with the stated aim of improving their situation. These programmes have been identified by many States and international financial institutions as effective tools for poverty eradication, as they may help to improve economic indicators, reduce economic inequalities and break the intergenerational transmission of poverty. A large number of cash transfer programmes are also extremely interesting because they were developed and replicated through South-South cooperation.

These programmes are often presented as flagship programmes for reducing poverty. Yet, to date cash transfer programmes have seldom been examined from a human rights perspective. The report I am presenting today therefore aims to fill this gap by analysing cash transfer programmes from a human rights perspective.

To prepare the report a questionnaire was sent to Governments and, as of today, responses have been received from 32 countries. An expert meeting was held in February 2009 at which 28 experts from across the world shared their knowledge and greatly contributed to my work. I am extremely grateful to all those who participated in this effort and look forward to continuing to work with governmental and civil society partners to identify ways of strengthening cash transfer programmes using a human rights-based approach.

Mr. President,

From a human rights point of view, cash transfer programmes have many reported benefits. First and foremost, they have the potential to assist in the realization of the right to an adequate standard of living (including food, clothing and housing), and the rights to health and work. As a component of social assistance policies, cash transfer programmes may also contribute to the realization of the right to social security.

The importance of stable mechanisms that provide the most basic minimal resources necessary for the survival of the poor is well known both in poor and rich countries. Unsurprisingly, today, as every government is grappling with the financial and economic crisis, some countries have chosen to invest in these strategies in order to protect the most vulnerable from the effects of the economic slowdown.

Nonetheless, cash transfers programmes are not necessarily the most appropriate and effective means of tackling extreme poverty and protecting human rights in all contexts. In fact, much more attention needs to be paid to human rights standards and principles in the design, implementation and monitoring of the many different types of cash transfer programmes in place today, to avoid negative side-effects and ensure a long lasting impact for those living in extreme poverty.

Mr. President,

Cash transfer programmes do not work in isolation. The multidimensional nature of poverty always requires a variety of responses. Hence, there is a need to fully integrate cash transfer programmes into stable social protection systems. The provision of income must be accompanied by a broad range of long lasting social policies and the offer of good quality public services to effectively increase the chances of families overcoming the obstacles of poverty.

Cash transfer programmes must be based upon appropriate legal and institutional frameworks. The implementation of social protection systems is not a matter of charity; they are part of States' human rights obligations. Therefore, cash transfer programmes must be regulated by clear, stable and transparent legal and administrative frameworks. Adequate legal and institutional frameworks are shields against political and economic instabilities and, most importantly, are essential elements to ensure that the programmes are transparent and accountable.

The thematic report stresses that CTPs cannot in and of themselves provide a substitute for social security schemes as defined by international human rights law and labor law. States must fully integrate cash transfer programmes within broader social protection systems. In this sense, it notes that CTPs must comply with international and national human rights standards; in particular, those established in relation to the right to social security – a right which is frequently neglected. In addition, States are obliged under international human rights law to work towards universal access to social security and the realisation of the right to an adequate standard of living, regardless of any CTPs.

Mr. President,

Who should benefit from cash transfer programmes? This question is a central concern for policy makers and those responsible for their implementation. The principle of equality and non-discrimination requires States to give priority to disadvantaged and marginalized individuals and groups. They must ensure that targeting processes and eligibility criteria are fair, effective and transparent, and that they safeguard against discrimination.

Some programmes, generally known as Conditional Cash Transfers Programmes, require the beneficiaries to fulfill certain conditions (sometimes called “co-responsibilities”) in order to receive the transfers. Generally, these conditions involve keeping children at school and/or taking them to regular medical check-ups. When conditionalities are imposed, human rights obligations require States to ensure that their enforcement will not be punitive for the poorest. States must ensure that whatever policy they implement, the final result will not violate the right of individuals to at least a minimum essential level of human rights.

Moreover, the report stresses that States implementing conditional cash transfer programmes must have the financial and administrative capacity to monitor compliance with the conditions while simultaneously providing access to quality social services such as education and health.

The report also stresses the need to reinforce the participation of people receiving cash transfers in decisions affecting them. Without fair, transparent and effective mechanisms that enable beneficiaries to actively participate, cash transfer programmes are vulnerable to political manipulation.

The report also refers in detail to the impact of CTPs on women, children and persons with disabilities. Without going into details, let me briefly highlight here the importance of mainstreaming gender in these programmes. Given that cash transfers are often channeled through women, there is a need to assess how they affect women's decision-making role and participation and whether the programmes eliminate or perpetuate gender stereotyped roles for men and women.

Distinguished Delegates,

In sum, the report recognizes that cash transfer programmes are a tool that can assist States in fulfilling their human rights obligations. Hence, efforts made by States implementing cash transfer programmes are welcomed. Nonetheless, they should be seen as only one component of comprehensive efforts to reduce poverty, and the design, implementation and evaluation of these programmes must take into account human rights obligations.

Mr. President,

I also have the honor of presenting a report on my first country mission since assuming this mandate. Between 10 and 15 November 2008 I visited Ecuador upon the invitation of its Government. I take this opportunity to once again thank the Ecuadorian Government, as well as international and civil society organizations based in the country, for all the support provided to my work.

This visit provided a good opportunity to address a number of relevant issues; in particular, the direct link between eliminating poverty and promoting human rights, a topic that is quite present in the current public debate in Ecuador.

The recently adopted Constitution recognizes a broad range of human rights and ensures various mechanisms to promote and protect them. Steps have been taken in order to introduce a human rights-based approach in public policy planning and there has also been a significant increase in social spending by the Government. However, as the Government recognises, extremely serious socio-economic inequalities persist in Ecuador. They are exacerbated by historic differences between regions, ethnic groups and gender.

There are also great concerns about the possible impact of the current crisis and recent institutional instability in the country. In this sense, I call attention to my recommendations regarding the need for the government of Ecuador to maintain its commitments with respect to social policies and human rights promotion. For example, to ensure the legitimacy and sustainability of social programmes, it is essential to continue strengthening mechanisms to promote transparency and accountability.

Ecuador's cash transfer programme, the *Bono de Desarrollo Humano* (BDH), was the particular focus of my attention. My report recognises the positive impact of the BDH in communities living in extreme poverty. Yet, I also recommend that the programme be strengthened through a human rights-based approach. For example, there is a need to improve access to the programme by the indigenous communities, and there is also a need to establish more efficient channels to ensure the reception and processing of complaints from those receiving the BDH.

In general, as I also stress in my thematic report, it is essential to continue articulating the BDH within the overall social protection system, keeping in mind the common goal, enshrined in the Constitution of Ecuador and in the human rights norms that promote universal access to social security.

Mr. President:

As we all know, eliminating poverty and promoting human rights are inter-related objectives. I hope that the findings and recommendations of both my reports will help shape concrete measures that not only improve the income situation of families living in extreme poverty but also enable them to consistently exercise their human dignity.

The debate is only starting and I intend to further examine these issues in my next report to the General Assembly, which will address the impact of the current financial crisis and the measures taken to strengthen social protection systems.

I look forward to comments on these and other issues,

Thank you