



## United Nations Independent Expert on Human rights and Extreme Poverty

***The United Nations independent expert on the question of human rights and extreme poverty, Magdalena Sepúlveda, issued the following statement on 28 August 2009 in Lusaka, Zambia:***

Members of the press, ladies and gentlemen, I would like to start by warmly thanking the Government of Zambia for inviting me and for giving their full support to my visit. This is the first time that a UN human rights expert has had the opportunity to visit Zambia and I was pleased by the spirit of openness and cooperation shown during the last eight days.

I would also like to thank the UN Country Team and in particular the Office of the Resident Coordinator for its support in the organization of an excellent program of meetings and visits to communities in both rural and urban areas.

During my stay, I met with various Government authorities, including His Honor the Vice President and Minister of Justice, the Minister of Community Development and Social Services, the Minister of Education, the Minister of Labor and Social Security, the Deputy Minister of Finance and National Planning, the Permanent Secretary of the Gender in Development Division, the Chairperson of the National Constitutional Conference, and the Attorney General. I also met the Permanent Secretary of the Provincial Administration of the Eastern Province, the Director General of the National HIV/AIDS/STI/TB Council and the Director of the Human Rights Commission.

During my visit, I also met with many representatives of international organizations, donor agencies and the UN Secretary General's Special Envoy on AIDS in Africa. In addition, I had the pleasure of meeting with a number of civil society organizations working in Zambia.

I had the privilege to visit and meet residents in the communities of Kalumbi in Katete, in the Mchini and Umodzi compounds in Chipata, as well as the Chazanga and George compounds in Lusaka. I also met urban refugees living in Lusaka and migrants living in Chirundu.

I take this opportunity to warmly thank all those who have given their time and advice. I am particularly thankful to all who generously received me in their communities and shared their experiences of struggling with the plight of extreme poverty.

Today, I would like to limit myself to a few preliminary and provisional remarks on some of the issues that, along with others, will be explored in more detail in my final report. My report will be presented at the 14<sup>th</sup> session of the Human Rights Council, which will be held in June 2010.

Ladies and Gentlemen:

Zambia is a country rich in natural resources that has experienced significant economic growth in the last eight years. Yet, I was extremely concerned to see for myself the devastating effects of extreme poverty that persist in many different regions of the country. Despite recent economic growth, over 60% of the population of Zambia are living in poverty.

During my visits to many different communities, I learnt about the daily struggle for survival of people living in extremely poor conditions, both in urban and rural settings. These conditions violate a wide range of human rights and threaten the lives of many, in particular women, children, persons with disabilities, persons with HIV/AIDS and the elderly.

The Zambian Government has made clear commitments and outlined important plans to improve the conditions of the population living in poverty. Yet, implementation of these commitments and plans is, at present, insufficient to meet the immense challenges. Although resources are scarce, commitments must be urgently translated into action.

During my visit, I was informed about the ongoing review of the Constitution by the National Constitutional Conference. This process provides a unique opportunity to bring the Zambian legal framework into line with international human rights commitments. In particular, it provides an opportunity to concretely work towards the progressive realisation of all economic, social and cultural rights, placing them on equal footing with civil and political rights.

Zambia has ratified a number of international human rights instruments, which recognize these rights, including the African Charter on Human and People's Rights and the International Covenant on Economic Social and Cultural Rights. It is of the utmost importance that the human rights outlined in these documents are included in the Zambian Bill of Rights.

The current review of the Constitution offers an important opportunity to ensure that international human rights treaties are automatically incorporated into domestic law. The Constitution should also include specific provisions for the protection of vulnerable groups, such as children and persons with disabilities, and for the elimination of all forms of discrimination against women.

Ladies and Gentlemen:

The Government has made clear commitments and outlined important plans to reduce poverty. Nonetheless, it is necessary to move from words to action. The long lasting promises to reduce poverty must be accompanied by the necessary resource allocation.

I was pleased to learn that Zambia has a long tradition of social assistance programs such as the Public Welfare Assistance Scheme (PWAS), the Food Security Pack (FSP) and the School Feeding Programme (SFP). Without doubt, these are very important programmes which do assist some of the poor. However, the Government, supported by donors, has allocated only 0.2 per cent of the GDP representing just 1 per cent of total government spending to these programmes. Contributions to such programmes must be increased as a matter of urgency in order to provide basic protection for people living in extreme poverty.

The Sixth National Development Plan (SNDP) should continue giving great importance to social protection and public services. However, the SNDP will have little meaning if adequate resources are not allocated to its full implementation. It is clear that more effective social assistance requires much larger financial resources to cover many more beneficiaries.

It should be understood once and for all that investing in the protection of the poor is neither a matter of choice, nor a gesture of compassion, but rather a human rights obligation.

It is important to underline that there can be no trade off between promoting job creation, business activities and providing financial support for social protection. If we want to see economic growth changing the very unequal social structure of Zambia, if we want to see sustainable development, then investments in adequate social protection and social services must be made.

Amongst the existing programmes being implemented at the present time in the country, I would like to say a few words about the social cash transfer schemes. Although they are only being implemented so far in five districts (Kalomo, Chipata, Katete, Kazungula and Monze), social cash transfers are a cost effective way of providing assistance to vulnerable population groups in Zambia. I had the opportunity to talk with beneficiaries of the programmes being implemented in Katete and Chipata and learn about the implementation of these programmes. These are commendable initiatives that must be expanded to reach more beneficiaries.

Even if the amount of support offered to each household is extremely small, the impact on the living conditions of the beneficiaries is remarkable. These programs benefit households that are unable to undertake any income generating activity. I have seen that the poor spend wisely. The little amount of money that beneficiaries of these programmes receive is helping them to buy food and send their children to school. Without the program, older people, widows and children would be virtually abandoned in extreme poverty with no escape route.

I was extremely pleased to learn during my visit that the Government has decided to scale-up these programs and expand them to more beneficiaries in the districts where they are already in place and progressively move towards national coverage.

Nonetheless, social cash transfers are not a panacea. They need to be embedded in a comprehensive social protection strategy. More efforts need to be made to better combine these cash transfer programmes with other strategies implemented by the government of Zambia and by cooperating partners. Social protection, combined with other measures that ensure access to public services such as education and health, must be made available to all.

Ladies and Gentlemen:

While I am alarmed by the situation of people living in extreme poverty, I fully acknowledge that the Government faces important resource constraints. In this sense, I call on the international community, in particular developed countries, to enhance its support to social protection programmes in Zambia.

Nevertheless, I am convinced that the Government can do more with its limited resources in the battle against extreme poverty. In particular, the Government could do more to ensure effective participation, accountability and transparency. These are essential components in comprehensive and functional poverty reduction policies.

Participation in public life is a human right. Public policies are not effective unless they are developed in a participative and consultative way. Civil society has a crucial role to play in the struggle against poverty. It should not only actively participate in the design of public policies, but it should also be able to monitor and evaluate what is being done to protect human rights.

I was glad to learn that civil society organisations collaborate closely with the Government in a number of ways. However, I am extremely concerned about the possible interference in the independence of NGOs with the recent adoption of the NGO Act. Excessive constraints to the independence of NGOs' work can easily hamper accountability and undermine the democratic process.

Monitoring institutions must have the capacity and resources to perform their mandates with independence. In this regard, I urge the authorities to increase the support given to the Human Rights Commission and to ensure a more effective and systematic implementation of its recommendations.

Finally, it is clear that there must be a fierce battle against corruption in Zambia. Corruption disproportionately affects the poor, especially in times when resources are limited. Corruption not only obstructs economic growth and discourages foreign investment, but also reduces the net income of the poor and diverts resources away from investments in public services, which would be crucial to lift people out of poverty. Corruption may not be perpetrated with impunity.

Zambia must strengthen its independent anti-corruption bodies. It should also immediately adopt the Anti Corruption Statute and this Statute must include strong whistleblower protection. Zambia should also adopt an Act concerning access to information. Even small amounts of resources lost through corruption directly contribute towards the perpetuation of poverty for millions of Zambians.

Ladies and Gentlemen:

I leave Zambia convinced that despite the immense challenges faced by the country with regard to the situation of people living in extreme poverty, more can be done to improve the current situation.

The Government has shown, on different occasions, its commitment and capacity to outline very important initiatives. However, much more can and must be urgently done to ensure that these very good proposals aimed at poverty reduction are put in place. To this end, the government must ensure that appropriate resources are allocated and spent in social services and social protection.

I will finish by reiterating my commitment to continuing the dialogue initiated during this visit and to closely follow the measures taken by the Government to improve the situation of people living in extreme poverty in Zambia.

Thank you.

*Magdalena Sepúlveda is the Independent Expert on the question of human rights and extreme poverty since May 2008.*

*For further information on the Independent Expert mandate and work, please visit: <http://www2.ohchr.org/english/issues/poverty/expert/index.htm>*

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