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

Today, I am honoured to present my fifth report to the Council as well as the reports on my official missions to Timor-Leste (A/HRC/20/25/Add.1) and Paraguay (A/HRC/20/25/Add.2). I wish to thank the Governments of Timor-Leste and Paraguay for inviting me and for extending their welcome and cooperation during my visits.

First, allow me to briefly highlight the activities of the mandate during this past year. Since my presentation last year, I submitted a report to the General Assembly (A/66/265), on the topic of penalization of poverty, in which I analysed laws, regulations and practices that punish, segregate, control and undermine the autonomy of persons living in poverty.

During this past year, I have participated in numerous events and held working meetings with Governments, United Nations agencies and funds, the World Bank, donor countries, the European Parliament, academic institutions, non-governmental organizations and representatives of people living in poverty. Among these many activities, I would like to highlight the opportunities I had to contribute to discussions around the recently adopted ILO social protection floor Recommendation, the consultation of the High Level Panel of Experts on Food Security and Nutrition, the open-ended working group on ageing, the European Union consultation on social protection in Development Cooperation and the UN-ECLAC and FAO regional annual meeting on cash transfer programmes. I have also organised and participated in several side events at the Human Rights Council as well at the General Assembly to promote issues related to the mandate.

Moreover, I have been actively developing the draft guiding principles on extreme poverty and human rights, in accordance with the Council's Resolution 12/19, requesting me to pursue further work on this important standard-setting instrument. In September, at the 21st session, a revised draft will be presented, with a view to a possible adoption by States of the Guiding Principles, whose history was initiated by the former Commission on Human Rights in 2001.

Madam President, I will now present my thematic report to this Council.

During the first three years of my mandate, I have presented reports to the Human Rights Council on my official visits to Ecuador, Zambia, Bangladesh, Viet-Nam and Ireland. The present report provides a critical assessment of developments in relation to the recommendations made in those country reports, and also highlights the challenges confronted by special procedure mandate holders in undertaking follow-up to their country visits.

Constraints on human and financial resources prevented me from undertaking follow-up visits to any of the countries concerned to conduct a review *in situ*, which would clearly have been the most desirable option. Instead, in order to carry out the follow-up initiative, I requested the five States concerned, and other stakeholders in those countries, including UN country teams, NHRIs and civil society organisations, to provide information regarding developments since my visit.

I sent detailed country-specific questionnaires to the Governments of Ecuador, Zambia, Bangladesh, Viet Nam and Ireland requesting information about progress and challenges in the implementation of my recommendations. I wish to express my appreciation to the Governments of Viet Nam and Ecuador for responding to the questionnaires on time and for their continuing cooperation. The Government of Ireland submitted a late response, and responded in detail to a draft of the report, and while the response is not reflected in the report, it will be central to future engagement. The fact that some Governments did not respond to the Questionnaire or the draft report sent to them was a major obstacle to conducting this follow-up exercise effectively. The report takes into account recommendations and observations made by other human rights mechanisms since my visit, including treaty bodies and the UPR.

Distinguished Delegates,

Due to limitations of time, I will only speak very briefly about the content of the report regarding the countries assessed. The countries differ greatly in terms of development and relevant human rights concerns. Therefore the report should not in any way be considered a comparative analysis. Overall, all the countries had made some progress in the

areas tackled in my original mission reports, while some troubling omissions remain in terms of protecting the rights of persons living in poverty.

To highlight some positive developments since my mission reports: Ecuador was the first state to ratify the Optional Protocol to the ICESCR, one of my report's recommendations, and an important step for the protection of economic, social and cultural rights in the country. Zambia's Sixth National Development Plan envisages a significant expansion of social protection programmes in the country, and implementation and coordination of the child grant programme has been improved. In Bangladesh, budgetary allocation to social protection has increased and there has been a significant reduction in poverty at the national level. The Vietnamese Government has expanded direct support programmes to the rural poor, and the teaching and learning of ethnic languages in schools. In a welcome move, Ireland's 2012 budget has raised the threshold for the payment of the Universal Social Charge, and the Government has recently indicated that it will sign the Optional Protocol to the ICESCR.

However, despite their very different situations, all the countries concerned continue to experience significant challenges in ensuring that the human rights of persons living in poverty are respected, protected and fulfilled. In each country, there exist groups who are particularly vulnerable to poverty due to entrenched discrimination and other factors. These groups are often excluded from general poverty reduction trends and remain persistently poor and excluded. Women face discrimination and are disproportionately vulnerable to poverty in all of these countries. All the States concerned must take more concerted action to tackle the obstacles that persons living in poverty face in accessing essential services, including physical, economic, cultural and administrative barriers. Of course, the global economic downturn has affected the availability of resources in many States, but in some cases the measures taken to address the crises have in fact further undermined the enjoyment of economic, social and cultural rights.

Madam President,

I encountered several challenges in compiling this report and I would like to take this opportunity to discuss more generally the issue of how special procedures can ensure meaningful follow-up of their recommendations, given that resource constraints usually prevent repeat visits to countries. Currently, there is no institutionalized mechanism at the

international level through which the impact of special procedures' visits and recommendations can be measured. While compiling this report, I found that in some cases, information and statistics are not readily available; this was a particular obstacle in those cases where the Government did not respond to the questionnaire.

In several cases, information provided by National Human Rights Institutions, civil society organisations and UN country teams was invaluable, and I extend my sincere gratitude to those who contributed to the report, despite scarce time and resources. Visits and their follow-up are immeasurably improved with engagement from such organisations. However, levels of engagement varied considerably and collaboration cannot always be guaranteed.

Wishing to contribute to the important debate on improving follow-up on the recommendations and observations of human rights mechanisms, including special procedures, I would like to highlight some key issues that the Human Rights Council and the Office of the High Commissioner for Human Rights should consider.

1. The HRC as well as the OHCHR should seriously explore options for an institutionalized and well-resourced follow-up mechanism on country visits of special procedures. Such a mechanism is extremely important in order to ensure the long-term impact of country visits, and should also take into account the recommendations of other human rights monitoring bodies such as treaty bodies.
2. States should also explore the possibility of establishing a mechanism at the domestic level, with broad participation of stakeholders including civil society, UN agencies and NHRIs, to internally review and monitor the progress made with regard to recommendations of human rights treaty bodies, including special procedures, regional mechanisms and the UPR.
3. It is also vital to enhance the constructive dialogue between States and special procedures. While I acknowledge the multiple reporting and follow-up demands State face from different human rights mechanisms, insufficient engagement by States limits the possibility of an ongoing interactive dialogue between States and special procedures, which has the potential to improve the human rights situation in the country. The preparation of this report has opened a space for a very constructive

dialogue with some of the States concerned, which I am certain will bear fruit in the future.

4. To improve the protection of human rights, all stakeholders must strengthen their efforts towards implementing the recommendations of human rights monitoring bodies. Additional efforts must be made, by special procedures ourselves, for example, in ensuring that recommendations are precise and actionable. National Human Rights Institutions, United Nations country teams, NGOs, and civil society also have an important role to play in terms of monitoring of and advocacy around the recommendations. Additionally, we must also work harder to strengthen coordination among special procedures, treaty bodies and the UPR process, for better and more integrated follow-up with States.

Madam President,

I am convinced that such measures could meaningfully improve the impact of the work of all the UN human rights mechanisms, and foster more productive and collaborative engagement with States.