



**Submission by Human Rights Watch to the Special Rapporteur on extreme poverty and human rights, Olivier De Schutter, for his Thematic report to the UN Human Rights Council: “Social protection: a reality check”**

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Universal social protection is a powerful tool for governments to reduce poverty and economic inequality and plays a critical role in realizing human rights. Chief among these is the right to [social security](#), first set out in the [Universal Declaration](#) and later enshrined in the [International Covenant on Economic, Social, and Cultural Rights](#). Social protection is also key to securing a series of other economic and social rights, in particular the [right to an adequate standard of living](#), which includes the rights to food and to adequate housing.

Although the Covid-19 pandemic has brought into sharp focus the importance of social protection and instigated an unprecedented worldwide expansion of social protection programs, the right to social security remains unfulfilled for many. As of 2020, the International Labour Organization (ILO) estimates that [more than half](#) of the global population had [no income security](#) at all from their national social protection system. Only one in four of the world’s children had social protection coverage, and just 18.6 percent of [unemployed](#) persons received unemployment benefits.

This submission is based on the research Human Rights Watch conducted since the start of the pandemic related to social protection and Covid-19 relief in 15 countries, spanning 5 continents ([Austria](#), [United Kingdom](#), [Ukraine](#), [Kazakhstan](#), [Turkmenistan](#), [Cambodia](#), [Nepal](#), [Nigeria](#), [Ghana](#), [Uganda](#), [Kenya](#), [Cameroon](#), Jordan, [Lebanon](#), and the [United States](#)). These examples provide a window into some of the gaps in social protection around the world and are not meant to be comprehensive or to suggest that the selected countries are either representative or are particularly egregious.

Despite efforts to expand existing social protection programs and introduce new ones, our research finds that most have proven insufficient or maladapted to the economic realities of people in poverty and those in precarious employment or have excluded parts of the population. As social protection responses have largely piggy-backed on existing systems, they have exposed and in some cases worsened deep-seated [inequalities in access to social protection](#), for example between formal and informal sector workers.

The global pandemic response has also been uneven and insufficient, deepening the social protection coverage gap between countries, with high-income countries having higher coverage rates. While [84 percent of people in Europe](#) were covered by at least one benefit, that share is much lower in Africa ([17.4 percent](#)).

Inadequate social protection systems fail to prevent people from experiencing [poverty](#), hunger, or houselessness. Many children have had no choice but to enter the [workforce](#) to help their families survive, while others have been forced to work longer hours or enter more precarious and exploitative situations.

## 1. Key gaps in social protection systems

In many countries, Covid-19 relief programs reached only a fraction of households needing support, reflecting gaping holes in existing social protection systems.

In [Lebanon](#), there are few government programs to support households experiencing poverty. The [Emergency National Poverty Targeting Programme](#) is the primary official anti-poverty response, but [experts](#) have [criticized the program as ineffective](#) and not reaching those in need. The inadequacy of the [social protection system](#) is exacerbated by client and patronage networks, with political parties in control and doling out services to their supporters.

ILO figures show that only [26.4 percent of children](#) globally receive social protection benefits. For example, [Nepal](#) initiated a [Child Grant program](#) in 2009-2010 to provide monthly cash support for vulnerable families with children under age 5, but the program covers only 6 percent of Nepal's children, and does not reach those most likely to enter child labor.

Pensions for older people are the most widespread form of social protection in the world, with [77.5 percent of people](#) above retirement age receiving some form of old-age pension. However, many people, particularly informal workers, are left out of pension schemes. **Nigeria's** pension scheme

is open to employees in the formal and informal sectors, but enrollment is only [about 40 percent](#) nationally, according to the World Bank. There is no right to social security among the rights protected by Nigeria's constitution and Nigerian laws create [no entitlement to unemployment or child benefits](#). Long-term underinvestment in social protection meant that, prior to the pandemic, only 4 percent of the poorest 40 percent of households had access to any form of social safety net. [Human Rights Watch analysis](#) of government household surveys revealed that in May, August, and November 2020 no more than 15 percent of households nationwide received cash transfers or food assistance. Approximately half of all households surveyed at the same intervals had run out of food in the previous 30 days.

## **2. Informal workers remain largely excluded**

Despite facing higher risks of poverty than formal sector workers due to low pay and lacking labor protections, informal workers are mostly excluded from social protection systems. Although attempts were made to expand social protection during the pandemic, the [majority of informal workers remain unprotected](#). This is alarming considering the pervasiveness of informal work with [more than 6 out of 10 workers](#) globally operating in the informal economy.

In the **United States**, federal Covid-19 relief and social protection programs generally exclude [informal workers](#) like street vendors and undocumented immigrants, many of whom work in the informal economy. Some states and cities attempted to fill the coverage gap by providing additional support. New York created a US\$2.1 billion fund in October 2021, the [Excluded Workers Fund](#), to help those without access to federal support with joblessness, such as back rent and medical bills. But demand for relief was high and the fund [depleted quickly](#); tens of thousands remained without support.

In [Kazakhstan](#), informal sector workers, who represent 30 percent of the workforce, were eligible for temporary state aid early in the pandemic. However, they had to pay a non-refundable social security contribution to access the aid. The [payments](#) of 1,325 Kazakhstani Tenge (KZT, approximately \$3) in rural areas and KZT 2,650 (approximately \$6) in urban areas presented a barrier for take-up of benefits, given that many informal workers earn incomes below the poverty line.

### 3. Narrow targeting can be exclusionary, foster stigma

In many countries, overly targeted programs can prevent people from accessing the support they urgently need. When cash transfers are targeted according to economic or other criteria, many needy households may be left out, while some less vulnerable households may be included. Social protection systems composed of a set of narrowly means-tested social assistance instruments can [leave](#) a “missing middle” in social protection coverage. Accurate means testing is difficult, and errors can be [significant](#). An International Monetary Fund (IMF) [study](#) of nine Sub-Saharan Africa countries found that 80 percent of poor households were counted as non-poor, while 40 percent of non-poor households were counted as poor.

Targeted programs can foster tensions or resentment between recipients and non-recipients, including social stigma. They may also cause unintended negative consequences by creating incentives for adults in the household to work less or under-report their income to qualify for the program. Administrative costs, particularly for conditional cash transfers, may also be high.

In **Nepal**, an evaluation of cash transfer pilot programs found that the targeting process took up [22 percent](#) of the project’s total costs. The UN Children's Fund (UNICEF) [estimates](#) that the targeting methods used—based on caste and a simple proxy means test—excluded more than two-thirds of eligible children living in poverty from the program. It concluded that a universal option would best reduce the poverty gap and best reach “the poorest of the poor.”

After the onset of the pandemic, the **Ugandan** government initiated an emergency program in April 2020 targeting 1.4 million people in Kampala and Wakiso districts for food assistance. The initiative was [criticized](#) for targeting districts with some of the lowest poverty rates in the country (3 percent), compared to much higher rates in Karamoja (61 percent), Bukedi (48 percent) and Busoga (42 percent) sub-regions. In Karamoja, the government and World Food Programme distributed take-home food rations in July and November 2020 to [117,000 children](#) who were no longer receiving school meals.

### 4. Corruption undermines support

Corruption depletes public resources that could otherwise be used to strengthen social protection programs and impedes benefits from reaching people most in need. Since the start of the pandemic, dozens of countries have relied on IMF emergency loans, as well as other external support, to finance their health and social support response. Human Rights Watch [research](#) on

**Kenya, Cameroon and Nigeria**, as well as **Ecuador and Egypt**, found major gaps in the information governments disclosed about how they had spent IMF funds, despite committing to a range of transparency measures.

In [Kenya](#), President Uhuru Kenyatta announced in May 2020 that he had allocated 10 billion Kenyan shillings (approximately \$100 million) to protect vulnerable households from the pandemic's economic fall-out. But the program was not only inadequate and short-lived but also lacked basic transparency. Only a small fraction of vulnerable families in Nairobi benefited from a pandemic social security program, which was characterized by cronyism, nepotism, and outright favoritism. Government officials failed to follow the stated selection criteria or to share information that should have enabled more vulnerable families to enroll.

In [Cameroon](#), corruption and a lack of transparency in the government's use of Covid-19 relief funds meant that many people in need never received support. People who lost jobs or wages due to the pandemic [told](#) Human Rights Watch that they [received](#) little or nothing to stave off hunger. The risk of corruption has been increased by [inadequate oversight](#) over funds loaned for Covid-19 response by the IMF.

## 5. Bureaucratic or technological hurdles prevent take-up of benefits

Countries that have opted to digitize access to benefit programs risk excluding people that lack access to banking technology and mobile devices. The use of big data to identify people eligible for social assistance can also lead to discrimination and social exclusion.

In the **United States**, app workers told Human Rights Watch that excessive bureaucratic requirements, low benefit amounts, and stigma associated with relying on social assistance were reasons for their non-take up of benefits. Some states use [facial verification technology](#) to make sure that applicants are who they are. Errors verifying their identity, and the lengthy and cumbersome process of appealing these errors, create delays in obtaining urgently needed benefits, and have sometimes forced people to abandon their benefit application altogether.

In **Kazakhstan**, workers who tried to get relief in April 2020 had to apply through a cumbersome [online process](#), which created confusion, delays, and mistrust, especially for those with spotty or no internet access. [Radio Azattyk reported in early April](#) that several dozen people gathered outside a post office in Kyzylorda to submit their applications by mail, since they were unable to do so online.

In [Austria](#), the government allocates employment support based on an algorithm it programmed to predict the employment prospects of job seekers. The government prioritizes people with moderate prospects for access to services such as job search assistance and job placement schemes. People with low prospects are confined to crisis support measures. Studies have shown that the algorithm discounts people's hiring chances when they are women over age 30, women with childcare obligations, migrants, or have disabilities. Misclassifying people from these groups and limiting them to crisis support is not only discriminatory but could undermine their ability to find and maintain a job and enjoy their right to an adequate standard of living.

Human Rights Watch has also analyzed how other European Union countries are [relying on automated decision-making](#) to verify the identity of applicants for public benefits and social security programs, assess their eligibility and the amount to which they are entitled, and prevent and investigate benefits fraud. While automating these decisions can make social security administration more efficient for the government, it can compromise the privacy of people in need, make it more onerous for them to prove they qualify for government assistance, and profile them in harmful ways.

## **6. Global inequalities in access to social protection have widened**

World Bank [data](#) from May 2021 show that residents of high-income countries benefitted from pandemic-era social protection measures averaging \$847 per person, while residents of African countries had received an average of just \$28 per person.

According to the [ILO](#), only 17.4 percent of Africans had access to at least one social protection benefit in 2020, including 5 percent of unemployed workers and 13 percent of children. This compares with 51 percent of unemployed workers and 82 percent of children in European and Central Asian countries. There were also [wide discrepancies](#) across countries within regions: almost half of South Africans could get at least one social protection benefit compared to just 11 percent of Nigerians and 3 percent of Ugandans. The lack of access reflects the long-term underinvestment in social protection in Africa, where governments spend [less than 4 percent](#) of their gross domestic product (GDP) on social protection programs, excluding health care, compared to the global average of [13 percent](#).

To address the need for [increased funding](#) for social protection in lower-income countries and show solidarity in the fight against poverty, governments worldwide should support the call to establish a [Global Fund for Social Protection](#).

## **7. Refrain from cuts to social protection as economic struggles continue**

In many countries, the expansion of social protection measures during the pandemic was temporary and has since been reversed despite the continued economic struggles people living in poverty or on low incomes experience. International human rights law provides that states should avoid spending or program cuts that would have a regressive impact on people's human rights—including the rights to an adequate standard of living and social security. Such measures could only be justified if following careful consideration, the maximum available resources have been used before such cuts are proposed, and the regressive impact on certain rights can be justified with respect to the totality of rights protected.

In the [United Kingdom](#), in October 2021 the government cut the rate of Universal Credit support to people living on low incomes by up to £1040 per year, despite multiple warnings from a wide range of specialist organizations about the likely harm. The government argued that it was simply withdrawing a temporary pandemic-related increase in support to an estimated 5.9 million people, further exacerbating a situation where the social security system does not guarantee people's right to an adequate standard of living. An estimated further 2 million people, many with disabilities or long-term health conditions, on the pre-Universal Credit "legacy" social security never received any increase in support at all.

In the [United States](#), the federal government cut pandemic unemployment expansions that provided a critical lifeline for millions of unemployed workers in September 2021, reducing benefit rates for all applicants and excluding app and other nonstandard workers altogether. An [estimated 7.5 million workers](#) lost access to expanded benefits on September 6, 2021, the largest recorded cutoff of unemployment benefits in the country.