

Practical Information Note on Promising Practices in Realizing the Right to Social Security

I. Introduction and purpose

This practical information note is prepared pursuant to Human Rights Council resolution 52/11, which mandated OHCHR to ‘compile best practices on social protection with regard to human rights’. As requested by the resolution and in preparation for this note, the Office invited Member States, national human rights institutions, civil society organizations, the International Labour Organization and United Nations agencies, and other relevant stakeholders to provide inputs and suggestions.ⁱ This practical information note compiles information provided by the aforementioned stakeholders and aims to assist Member States in implementing their obligations in relation to the right to social security. This practical note is a living document and will be regularly updated with new developments and promising practices.

II. Background

In the wake of multiple and intersecting global crises such as the COVID-19 pandemic, the triple planetary crisis, the cost-of-living and economic crisis, and emerging and protracted conflicts, poverty and economic inequality have been wider and deeper at the national and global levels. This has resulted in an estimated additional 75 million to 95 million people having plunged into extreme poverty, and resulting in the reversal of the progress made before the pandemic to reduce poverty and inequality (Sustainable Development targets 1.3, 3.8, and 8.b and Goal 17). Women and individuals in vulnerable situations such as persons with disabilities, older persons, children, indigenous people, and minorities have been disproportionately affected and left further behind.

Respecting and upholding the right to social security is instrumental in reducing poverty and inequality. To support individuals from the economic and health fallouts of the pandemic, countries around the world, regardless of their development levels, made significant investments in social security systems by

introducing new social security schemes, strengthening the existing ones, and expanding public services. The impact of social security systems is greater when they are in line with human rights norms and standards and are embedded in well-functioning quality public services including housing, health, education and care and support services.

Despite the recent progress in global social security coverage, which resulted in the coverage of 52.4 percent of the world’s population by at least one social protection benefit, 3.8 billion people remain unprotected. Only 16.7 per cent of unemployed people receive unemployment cash benefits, 37.4 per cent of workers enjoy protection for work-related injuries and occupational diseases, and 36.4 per cent of women with newborns worldwide receive a cash maternity benefit.ⁱⁱ Even when social security benefits are available, they are often not sufficient to meet the basic needs of recipients. Furthermore, legal and practical barriers in accessing benefits, the lack of information including on eligibility criteria, fear of humiliation and stigma, and distrust of beneficiaries towards social service providers contribute to the prevalence of non-take-up of social benefits.ⁱⁱⁱ

While States have made efforts to strengthen their social security systems, many of them especially developing and least-developed countries, struggle to create and sustain adequate and coherent social security systems due to immediate and long-term fiscal constraints. Low-income countries often spend more on debt servicing and repayments than on social protection, health, and education combined. The rise in interest rates poses further challenges to keep existing social protection systems afloat and maintain the current level of coverage and adequacy.

According to the International Labour Organization (ILO), on average, countries spend 12.9 percent of their Gross Domestic Product (GDP) on social protection (excluding health) with wide disparities among countries of different income levels (ranging from 16.2 percent in high-income countries, 8.5 percent in upper-middle-income countries, 4.2 percent in lower-middle-income countries and 0.8

percent in low-income countries).^{iv} To guarantee at least a basic level of social security through a social protection floor, low- and middle-income countries would need to invest an additional 3.3 per cent of the aggregate GDP (2024) of these countries per annum, and low-income countries an additional 52.3 per cent of their GDP, which is unfeasible in the short term without international support.

III. Relevant human rights standards and principles

The right to social security is guaranteed in a number of international human rights instruments, notably the Universal Declaration on Human Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other human rights treaties^v which also establish State obligations to realize this right. The respective monitoring bodies (the Treaty Bodies) of these human rights treaties, in particular the Committee on Economic, Social and Cultural Rights (CESCR), have provided the authoritative interpretation of this right and guidance on its implementation. More specifically, the CESCR has done so through its General Comment No. 19 on the right to social security (E/C.12/GC/19).

The right to social security

The right to social security guarantees human dignity for all persons when faced with circumstances that impede the full realization of other economic, social and cultural rights. It is an enabling right that supports the realization of other human rights, such as the right to an adequate standard of living, including adequate food and housing, the right to health, and the right to education, especially for disadvantaged and marginalized individuals and groups. States must take effective measures and regularly revise them, when necessary, within their maximum available resources to fully realize the right of all persons without any discrimination to social security.

The right to social security encompasses:

- The right to access and maintain benefits without discrimination in order to secure protection, inter alia, from a) lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; b) unaffordable access to health care; c) insufficient family support, particularly for children and adult dependants.
- The right not to be subject to arbitrary and unreasonable restrictions of existing social security coverage.

- The right to equal enjoyment of adequate protection from social risks and contingencies.

Essential elements of the right to social security

- **Availability:** A social security system should be available to ensure that benefits are provided for social risks and contingencies. Social security schemes are established for nine major social risks and contingencies – healthcare, sickness, old age, unemployment, employment injury, family and child support, maternity, disability, and survivors and orphans. The social security system should be established under national legislation and public authorities must be responsible for its administration and supervision.
- **Adequacy:** Benefits must be adequate in amount and duration in order for recipients to realize their rights to family protection and assistance, an adequate standard of living, health, and education. The adequacy criteria should be monitored regularly to ensure that recipients can afford the necessary goods and services.
- **Accessibility:** encompasses the following elements.
 - **Coverage:** all persons should be covered by the social security system without discrimination, especially the most disadvantaged and marginalized groups.
 - **Eligibility:** qualifying conditions for benefits must be reasonable, proportionate and transparent. The withdrawal, reduction or suspension of benefits should be based on reasonable grounds, subject to due process, and established in national law.
 - **Affordability:** the direct and indirect costs related to contributions to a social security scheme must be affordable and must not interfere with the realization of other economic and social rights.
 - **Physical access:** benefits should be provided in a timely manner and recipients should have physical access to social security services in order to access benefits and information.

Key principles

- **Non-discrimination and equality (leave no one behind):** Everyone should be able to enjoy the right to social security without discrimination on grounds of sex, colour, age, language,

religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status, sexual orientation, and civil, political, social or other status. States should take the necessary measures – legislative, policy, financial – to combat and prevent discrimination in law or practice, direct or indirect. In doing so, States should pay particular attention to disadvantaged and marginalized individuals and groups, such as women, persons with disabilities, older persons, children, minority groups, migrants and refugees.

- **Gender equality:** Women and men should equally enjoy the right to social security. Existing inequalities between men and women often stem from gender stereotypes rooted in the private and public spheres and negatively impact women's lives and the enjoyment of their rights. It is therefore essential that social security systems and strategies are designed to ensure the full enjoyment by women of economic, social and cultural rights. Furthermore, social security systems must be inclusive and address women's life-cycle risks and the burden of care that they often bear within the family; access to work and the integration of women in the formal economy; and the obstacles faced by women in accessing social security. Gender-sensitive social protection systems can play an important role in providing women and girls sustainable routes out of poverty and addressing the structural drivers of inequality and marginalization.
- **Participation and information:** Recipients of social security benefits and other relevant stakeholders including civil society must be able to participate in the design and administration of social security systems. Their feedback in the design, implementation and evaluation of social security systems improves the effectiveness of the systems and contribute to ensuring that these achieve the intended objectives. Social security systems should ensure the right of individuals and organizations to seek, receive and provide information on all social security entitlements in a transparent manner.

IV. Social security systems anchored in human rights standards

Social security systems are an essential instrument to realize the right to social security and may be composed of a single social security scheme or several schemes – contributory schemes (social insurance), non-contributory schemes (social

assistance), or other types of schemes. These systems should be established under national legislation and public authorities are responsible for their administration and supervision.

Social security systems should be designed, implemented and administered in compliance with international human rights norms and principles. The following are some of the key elements that systems that respect human rights include. These systems should be:

- Enshrined in a solid legislative and policy framework;
- Supported by adequate public funding;
- Developed and implemented based on people's needs and effective participation;
- Provide healthcare and income security against risks or contingencies throughout the life cycle and ensure an adequate standard of living for recipients;
- Cover all individuals in need of social security without discrimination and stigma;
- Respond to complaints and provide accountability mechanisms/procedures.

The adoption of a universal social protection system is the best way for States to comply with their human rights obligations and to ensure that there is no discrimination in the selection of recipients. It ensures that every person is protected against social risks or contingencies, including the most disadvantaged and marginalized who often face multiple and intersecting forms of discrimination and may not be able to contribute to social security schemes. The process of building a universal social protection system requires States to strike a balance between contributory and non-contributory schemes. Additionally, it requires States to ensure that their national policies for the establishment of a social protection system progressively guarantee sufficient benefits for all individuals.

A universal social protection mechanism, anchored in international human rights norms, is a powerful tool for reducing poverty, inequalities and social exclusion.

Good coordination between social security systems and public service delivery systems makes social security systems more effective. Essential public services such as quality education, accessible healthcare services, adequate housing, safe drinking water, efficient transportation, and care and support services should be provided to complement, enhance effectiveness and sustain the impact of social security systems. In addition, public services should be responsive to gender-specific needs and the barriers to accessing these services should be removed.

V. Promising practices on the realization of the right to social security

1. Legal recognition of the right to social security and adoption of the legislative framework

A number of countries have adopted and/or amended relevant legislation and policies. For example, **Egypt**^{vi} guarantees the right to social security and refers in the Constitution to the State's obligation to provide social insurance and social services. The Constitution also provides for social pensions, particularly for farmers, agricultural workers, fishermen and irregular workers. Egypt has also adopted the Social Security Law No. 137 (2010), a framework law on the right to social security, which sets out obligations regarding the right of individuals to receive social security assistance. In addition, Egypt adopted the Social Insurance Law No. 148 which establishes a social protection system that provides insurance coverage to all sectors of society, including informal workers. The law sets the minimum pension equal to the minimum wage.

Colombia^{vii} is another example of a country where the Constitution guarantees the right to social security and establishes that social security is provided under the direction, coordination and control of the State, in accordance with the principles of efficiency, universality and solidarity. In addition, Law 100 (1994) established a comprehensive social security system in response to the fragmentation of protection schemes in the areas of health, pensions and occupational health and safety.

The Maldives^{viii} adopted the Social Protection Act No. 2/2014, establishing a legal framework to regulate social security schemes such as disability allowance and old age pension scheme (Disability Act No. 8/2009 and Pension Act No. 8/2009). In addition, the social security system is being strengthened through the adoption of legislation, including laws establishing social security schemes. In 2023, **Lebanon**^{ix} adopted Law No. 319, which will significantly change the social security system by introducing a new pension scheme within the National Social Security Fund (NSSF) for private sector workers, which will provide periodic benefits in line with international social security standards.

In **Armenia**^x, the Law on Social Assistance has been amended several times since its adoption in 2014 to improve the social security system and bring it in line with international human rights standards.

These amendments have included the establishment of new social services in the system, the expansion of existing social services such as housing support and social rehabilitation assistance, and the definition and review of the main functions and duties of the authorities responsible for providing services.

Vietnam^{xi} has amended the Social Insurance Law several times to ensure compliance with the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) and other relevant standards. As a result, non-contributory pensions have been brought under the law; social protection for workers with shorter contributory careers has been strengthened through the creation of a "mixed" pension; pension coverage has been increased; and social insurance coverage has been steadily extended towards the goal of universal social insurance.

In addition, a number of countries have taken measures to guarantee the right to social security in domestic legislation and adopted a legal framework to establish social security schemes. For example:

- **Maldives**^{xii}: Disability Act (No. 8/2010) provides a disability allowance for persons with disabilities; the old-age pension scheme is established in Act No. 8/2009.
- **Saudi Arabia**^{xiii}: Royal Decree No. (m/32) of 2020 outlines the social security system.
- **Ecuador**^{xiv}: Art. 3 of the Constitution guarantees the right to social security.
- **Guatemala**^{xv}: the Constitution guarantees the right to social security and establishes in Art. 100 that the Guatemalan Institute of Social Security (IGSS) is in charge of enforcing the right to social security.
- **El Salvador**^{xvi}: Law on Development and Social Protection (2014), establishes a legal framework for development, protection and social inclusion.

2. Adoption of a national strategy and plan of action on social security

One of the core obligations of States in relation to the right to social security is to adopt and implement a national strategy and plan of action. Social security systems should be supported by long-term strategies and strengthened by an appropriate institutional framework. In order to ensure effectiveness of different measures adopted through policies, strategies, and programmes there should be coordination among the various ministries and public agencies, which develop and implement these measures. It is also essential that the necessary steps are taken to ensure coherence across government

institutions in relation to the social protection efforts undertaken.

In 2022, **Timor-Leste**^{xvii} adopted the National Strategy for Social Protection (2021-2023), the first policy document in this area developed in the country. The strategy identifies three strategic objectives: reducing poverty, improving and expanding social protection for workers, and promoting institutional development. For the effective implementation of the strategy, the Ministry of Social Solidarity and Inclusion is also in the process of establishing a governance structure for the coordination and integration of the social protection sector.

Nepal^{xviii} has adopted the Integrated National Social Protection Framework to ensure coherence and consistency among social protection programmes implemented by relevant ministries and agencies at different levels by strengthening the coordination and integration of relevant programmes. The framework provides structures to coordinate and integrate social protection programmes at the national and provincial levels.

In **Jordan**,^{xix} with the adoption of the National Social Protection Strategy (NSPS) 2019-2025, the Implementation Support Unit (ISU) and the Higher Coordination Committee and Technical Committees were established under the Ministry of Social Development to coordinate the implementation of the NSPS by different agencies. In order to facilitate effective coordination, the roles and responsibilities of the implementing agencies have been identified, guidance on the implementation of the NSPS has been provided and the implementation process has been monitored.

3. Allocation of funding for the social security system

All social security systems should be adequately and sustainably financed, including through contributions, public funding and other resources. Under the International Covenant on Economic, Social and Cultural Rights, States have an obligation to mobilize and use the maximum available resources (MAR), including domestic resources and resources received from international assistance and cooperation, for the realization of economic, social and cultural rights. In fulfilling this obligation, States must work on their fiscal policies to broaden the tax base and fiscal space to invest in social security systems. Despite the progress made during the COVID-19 pandemic, social security systems in many countries suffer from inadequate and unsustainable financing due to debt distress, a lack

of political will and budgetary constraints, particularly in the aftermath of economic and financial crises.

The adoption of various measures, including subsidy reforms, taxation of natural resources and the transition to formal employment, has allowed countries to expand fiscal space to invest in social protection. **Botswana**^{xx} has created fiscal space through its natural resources and finances its social protection system from its own domestic resources, with mineral revenues playing a key role. **Brazil**^{xxi} has adopted an integrated approach to the transition of informal workers into formal employment, which has helped to increase fiscal space for social protection. Between 2009 and 2020, the transition to formal employment increased by more than 23 percent, which subsequently led to a significant increase in the social contribution and tax base, creating more fiscal space for investment in social protection systems.

Regular evaluation of budget allocations to assess whether resources are being used in progressively achieving the right to social security is key, as is the formulation of budget proposals in a transparent and participatory manner. OHCHR supported, before the current conflict, **Sudan** in preparing a human rights budget analysis and a preliminary costing of the minimum essential level of the right to social protection for women tea vendors. It included a human rights impact assessment of reduced income due to the COVID-19 pandemic and other factors, including austerity measures, on the livelihoods of disadvantaged and marginalized groups. The human rights impact assessment and the budget analysis enabled the authorities to identify the specific needs of individuals belonging to vulnerable groups and consequently to design targeted social protection programmes for them. In **Ukraine**, OHCHR conducted a human rights analysis of local government budgets – budget allocation and expenditure – related to social protection and built the capacity of the Human Rights Monitoring Mission in Ukraine (HRMMU) to assist local authorities in integrating a human rights-based approach into the budgeting process. The project contributed to the development of methodologies to operationalize the protection of economic, social and cultural rights, in particular the right to social security.

To be sustainable, social security systems should be primarily financed from domestic resources, including taxation. Financial resources coming from international assistance and cooperation including grants and loans, often complement the efforts

undertaken at the national level, particularly for those countries with limited domestic fiscal capacities. States should ensure that the funding provided through international assistance and cooperation is invested in strengthening social security systems in compliance with international human rights standards. Furthermore, International Financial Institutions (IFIs) should respect and recognize the legal obligation of States to realize the right to social security. In **Mozambique**^{xxii}, the Government increased a budget allocated to non-contributory social protection programmes by 42.6 percent (MZN 2 billion or USD 31.3 million) from MZN 4.7 billion in 2022 to MZN 6.8 billion in 2023 through an International Monetary Fund (IMF) Extended Credit Facility Programme. Mozambique, with the technical advice of the ILO, was able to negotiate with the IMF that the enhanced fiscal space through the programme would extend the coverage of non-contributory social protection programmes in line with international standards.

The adoption of measures to ensure that civil servants involved in the design, management and implementation of social security systems are adequately trained in public finance management is needed to maximize the human rights impact of investment. **Paraguay**^{xxiii} has taken measures to train civil servants to strengthen their skills in developing social protection programmes and public financial management. This has been achieved through the establishment of a diploma course on the design and management of social protection programmes within a results-based budgeting framework, and the provision of scholarships. As a result, the capacity of the various ministries in the social area and of the Ministry of Finance to develop social protection programmes that ensure adequate coverage, sustainability and sufficiency has been strengthened, and inter-institutional work has been facilitated through shared knowledge.

4. Improving the existing social security schemes through coverage, accessibility and adequacy

Social security benefits, whether in cash or in kind, must be adequate in amount and duration to enable recipients to realize their rights to family protection and assistance, an adequate standard of living, and health. Furthermore, the coverage of existing social security protection schemes should be monitored and expanded, when necessary, to ensure that every person is protected including those individuals belonging to vulnerable groups. The benefits provided should be assessed to ensure that they are sufficient for the recipients to afford the goods and

services required to realize economic, social and cultural rights. The gradual expansion of coverage can constitute in countries with budget constraints a first step towards universal coverage.

Old age: In 2021, **Cambodia**^{xxiv} adopted a “Pension Scheme for Persons Defined by the Provisions of the Labour Law” aimed at extending coverage and increasing the adequacy of benefits. The new pension scheme is expected to cover approximately 1.5 million people and provide better service delivery through digitalized services such as online registration, e-payments, and more efficient monitoring and evaluation. In **Cabo Verde**^{xxv}, the Ministry of Family, Inclusion and Social Development adopted in 2023 the actuarial study of the health social protection branch of the National Social Pensions Fund. This initiative was based on international labour standards and supported by the ILO, it is expected to improve financial governance and extend coverage to more than 10,000 elderly people.

Unemployment: In **Ecuador**^{xxvi}, an action plan has been adopted to reform unemployment insurance for better alignment with international social security standards following an actuarial valuation of the unemployment insurance scheme. This measure aims to increase the coverage of unemployment insurance by approximately four times. During the COVID-19 pandemic, the **United States**^{xxvii} implemented the Pandemic Unemployment Assistance (PUA) Program. This provided temporary benefits to workers, including self-employed, independent contractors and gig workers, who had lost work for COVID-19-related reasons.

Employment injury: **Malaysia**^{xxviii} has put in place contributory social security schemes – the Employment Injury Insurance Scheme and Invalidity Pension Scheme through the Employees’ Social Security Act of 1969, which provide income security to employees and their dependents in cases of work-related accidents and occupational disease, as well as non-work-related invalidity and death. These schemes are provided together with other services, including the Occupational Safety and Health Promotion programme, Health Screening programme, Return to Work programme and rehabilitation centres, with the aim of preventing accidents and facilitating the reintegration of injured workers into the workforce.

Family and child support: **Mongolia**^{xxix} provides a tax-financed universal Child Money Programme with a monthly benefit for all children aged 0-17 years. During the COVID-19 pandemic, the Government increased the monthly benefit from

MNT 20,000 to MNT 100,000 to support families and prevent any negative impacts of reduced spending on food and other essential goods on children's well-being. **Egypt**^{xxx} has established the Takaful and Karama conditional and unconditional cash transfer programmes. The Karama programme provides benefits without conditions to older persons (over 65 years of age), persons with severe disabilities and diseases and orphans, while the Takaful programme provides income support to families with conditions related to children's school attendance, health clinics visit and nutrition education. **Albania**^{xxxi} guarantees special protection to unemployed women with three or more children under the age of 18. To be eligible for this programme, one of the children must be under the age of 5, and the family income must be less than 1,000 euro per month. The programme provides them with the payment of health services and an allowance during the first five years of the third child (established by Decision no. 751, 01.12.22; and Directive no. 670, 13.12.22).

Maternity: Argentina^{xxxii} has in place contributory schemes relating to maternity, including maternity protection in the workplace and family allowances. In addition, two non-contributory allowances, such as the pregnancy allowance (Asignacion por Embarazo) and the maternity allowance (Asignacion por Maternidad), have been introduced to extend maternity coverage. Under the pregnancy allowance scheme, recipients receive 80 percent of the allowance monthly and during the whole pregnancy, and the remaining 20 percent after the baby is born. The maternity allowance provides women an amount equivalent to their income during the maternity leave and for up to 90 days. In addition, the programme SUMAR provides universal access to basic health services including antenatal and postnatal consultations and delivery. The national legal framework provides paid and unpaid maternity leave and paid paternity leave for registered workers.

Disability: Portugal^{xxxiii} created the Social Benefit for Inclusion (PSI) (Decree-Law n. 126-A/2017) with a view to promoting dignified living conditions for persons with disabilities. The PSI provides a monthly cash benefit to persons with disabilities who have a disability that results in a work incapacity of 60% or more. The amount of the benefit depends on the level of disability, age, personal income and employment status. The PSI has simplified, modernized and strengthened the framework of social benefits by integrating numerous benefits in the area of disability. The measure has progressively covered an increasing

number of recipients. **South Africa**^{xxxiv} has a non-contributory Disability Grant, which provides an allowance for persons with disabilities over the age of 18. This grant also covers persons with chronic illnesses such as HIV/AIDS. A permanent disability grant may be provided if the disability continues for more than one year and a temporary disability grant if the disability lasts for a continuous period of not less than six months and not more than 12 months. The maximum amount is 2,180 South African rands (ZAR) per month.

5. Measures taken with a specific focus on workers in the informal economy and migrant workers

Informal workers remain unprotected in law and in practice despite their contribution to the national and global economy. Women and individuals belonging to vulnerable groups predominantly comprise the workforce in the informal sector. The gender, migration status, skill and education levels, and demographic characteristics of informal workers negatively affect their access to formal employment and social protection systems. In this context, States should take effective measures to ensure informal workers access to social security and decent work opportunities.

Workers in the informal economy: in 2021, the National Social Security Fund of **Togo**^{xxxv} approved a social security programme specifically for workers in the informal economy, which integrates them into the general old-age pension scheme. This has allowed informal workers to register in the social security system, as provided in Act no. 2011-006 on the Social Security Code. During 2020-2021, Togo, with the support of the ILO, conducted a comprehensive mapping of informal economy organizations at the national level to determine suitable mechanisms for affiliating each sector of activity to social security. Some studies were also carried out to determine the social security contribution capacity of workers in the informal and rural economy. During the COVID-19 pandemic crisis, **Jordan**^{xxxvi} created through the Jordanian Social Security Corporation (SSC) a special fund for employment support and formalization of workers in the informal economy ("*Estidama Fund*" – Extension of Coverage and Formalization) to provide short-term income support and extend social security coverage to informal workers, including refugees and migrant workers. Furthermore, a Technical Steering Committee for the Extension of Coverage has been established to oversee the implementation of the Fund. The Estidama Fund is expected to support the extension of social security coverage and the transition of 13,000 workers from the informal to formal economy.

Domestic workers: In **Mexico**^{xxxvii}, the Federal Labour Law (1970) and Social Security Law (1995) were amended in 2019 to incorporate domestic workers in the Mandatory Social Security Regime. The Law provides for a clear definition of “domestic worker” and establishes the obligation of employers to register domestic workers at the Mexican Institute of Social Security and pay corresponding contributions. The amendments to the Social Security Law include a Chapter regulating the social security coverage of domestic workers and providing for a simplified scheme accessible to employers.

Migrants: In **Guatemala**^{xxxviii}, the Guatemalan Institute of Social Security has adopted Agreement 1543 on the Regulations of Social Security Coverage for Guatemalan Migrants abroad, which establishes a contributory social security scheme for Guatemalan migrants abroad and their families in Guatemala. Guatemalan migrants abroad can voluntarily join this contributory scheme and benefit from an old-age pension, a survivor’s pension and medical care for themselves and their family members in Guatemala. Contributions can be made by family members in Guatemala or by Guatemalan migrants abroad through online transfers. **China**^{xxxix} has expanded the coverage of the Minimum Living Standard Guarantee (Dibao) to rural migrant workers to cover all persons living in poverty in rural and urban areas and introduced subsidized health insurance and pension schemes for urban and rural residents. In addition, migrant rural workers have been gradually included under the social insurance for urban workers (SIW). This measure aims to ensure that rural migrant workers working in cities, given their large number and high mobility, have access to social security schemes and a higher level of protection.

Extension of social security coverage in crisis situations

Ensuring social protection in the context of global crises such as conflict and environmental crises is essential to overcome these situations and protect the most vulnerable and marginalized individuals.

In response to the impact of a natural disaster, **Nepal**^{xl} implemented a shock-responsive programme aimed to provide support to landless, daily wagers and families with disabilities and children under 5 years of age in flood-prone areas in the Jaleshwar Municipality of Madhesh Province. The shock-responsive programme has enabled the local government to enhance preparedness on shock-responsive social protection and, more specifically, on potential flood response by identifying households at high risk of flooding and linking them with financial institutions.

Since 2012, **Mauritania**^{xli} has been hosting Malian refugees following the outbreak of the security crisis in Mali. Among the different measures undertaken by the Government of Mauritania to protect refugees, is the inclusion of refugee households in the National Social Security Registry of Mauritania. This measure was introduced in 2021, with the support of the World Bank and in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP), to allow eligible refugees to benefit from the assistance provided under national social protection programmes. The enrolment of refugees in the Social Registry has allowed them to benefit from social protection programmes including, the Tekavoul programme which provides to the poorest households with monthly cash transfers; and the El Maouna programme to enable households to cope with shocks, particularly during lean season and droughts.

In the context of internal displacement rooted in intercommunal tensions, conflict and environmental crisis, the Government of **Iraq**^{xlii} took steps to include internally displaced persons (IDPs) in its Social Safety Net. In 2023, the Ministry of Labour and Social Affairs (MoLSA) assessed the IDPs living in 25 camps in the Kurdistan Region (KR-I) for enrolment in its poverty reduction programme – the Social Safety Net (SSN). The MoLSA’s IDP assessment campaign was key to ensuring the accessibility to the programme, given that IDPs could not self-register online, as the system did not have the option for recording the applicant’s place of residence in the KR-I. The SSN provides recipients with a monthly cash payment that helps them meet their basic needs (an average of \$85/IQD 125,000 per person per month). Furthermore, vulnerable groups and individuals, including female-headed households and individuals with disabilities, receive cash top-ups.

6. Adoption of universal social security systems including social protection floors

Countries of all income levels can adopt universal public schemes to build comprehensive and inclusive social security systems over time. According to the Committee on Economic Social and Cultural Rights, social protection floors should provide a basis for the development of a social security system that guarantees universal coverage to every person throughout the life cycle and provides benefits that are sufficient to support a life with dignity.^{xliii} A number of countries have taken

measures in line with this approach and adopted universal pension schemes.

Mauritius^{xliiv} has established a universal pension of approximately US\$200 per month provided to all citizens of the country aged 60 and above as long as they have resided in the country for 12 years since reaching 18 years of age. This requirement does not apply to Mauritian citizens aged 70 and older. Protection is also provided to non-citizens who have resided in the country for at least 15 years since reaching the age of 40. Recipients having a disability of sixty percent or more and requiring care support can receive a caregiver's allowance. The universal pension was initially introduced as a poverty-targeted benefit in 1950 but was made universal in 1958. In 2007, **Bolivia**^{xliv} introduced a universal old-age pension for individuals aged 60 and above (Renta Dignidad). The pension is financed by public revenues generated from taxes on natural resources and dividends from a group of state-owned companies. In 2014, Law No. 3791 regulating the universal old-age pension was amended to include the provision of an annual bonus. Although the scheme is universal, there are differences in the amount transferred to recipients if the person receives an income or pension from contributory social security. In the context of the COVID-19 pandemic, an exceptional advance payment of the benefit was authorized. **Kenya**^{xlvi} established the Inua Jamii Senior Citizens' Scheme, a tax-financed universal pension for all citizens aged 70 or above. This measure, implemented since 2018, shows the progress by Kenya to transform a targeted scheme into a universal scheme for older persons. It builds on the means-tested Older Person Cash Transfer (OPCT) programme which targets households living in poverty with a member aged 65 years or above. The establishment of the universal scheme was accompanied by the implementation of new mechanisms for the registration and enrolment of recipients which made possible a rapid enrolment of recipients.

Oman^{xlvii} has reshaped its social protection system with the recent promulgation of the Social Protection Law (Decree No. 52/2023) with the support of the ILO. The reformed social protection system is based on a life-cycle approach. It provides universal child benefits for children aged 0-17 and equal to OMR 10 (approx. USD 26) per month and per child; universal disability benefits for persons with a permanent disability amounting to OMR 130 (approx. USD 340) per month; and universal old-age pension for those over the age of 60 equal to OMR 115 (approx. USD 300) per month. The **Maldives**^{xlviii} established the Husnuvaa Aasandha Scheme by the National Social Health Insurance Act No. 15/2011, a universal healthcare scheme ensuring healthcare services for all residents of the Maldives. All medical services are fully covered at public

hospitals and healthcare centres and partially covered in case services are provided by private hospitals. Technical support was provided by the World Bank and the World Health Organization (WHO) for the design and implementation of the Husnuvaa Aasandha Scheme. The increasing expenditure on the scheme over the years and its fiscal sustainability have been identified by the Government as an issue and efforts are currently being made to identify the areas of reform.

In addition, a number of countries have adopted universal social security schemes covering other principal branches of social security. For example^{xlix}:

- **Universal old age pensions:** Botswana; Brazil; China; Georgia; Kosovo; Maldives; Mongolia; Thailand; Zanzibar.
- **Universal social protection for children and adolescents:** Argentina.
- **Universal disability coverage:** Azerbaijan; Timor Leste.
- **Universal health coverage:** Trinidad and Tobago.

7. Improvement of accessibility to social protection programmes

The necessary measures should be taken to prevent exclusion errors and non-take up and to remove any physical and administrative obstacles encountered by individuals in accessing social protection (e.g., application processes that require literacy; limited physical mobility; inadequate transport and infrastructure facilities). In this context, the digitalization of social security systems can facilitate access to and delivery of social protection, particularly in the area of registration. However, it is crucial that digital systems are developed and implemented in a non-discriminatory manner. The digitization of social security systems and services should not amplify existing inequalities (e.g., digital divide), reinforce stereotypes about poverty, or violate the right to privacy.

Digitalization of social security: **Cyprus**^l launched the upgraded Social Contributions Payment System "SISnet", which became mandatory from 25 January 2021. Through the upgraded system, citizens can pay online their contributions to the Social Insurance Services, by either using a credit or debit card, or through Direct Banking. In the context of the COVID pandemic, the Government pushed forward the digitalization of services for children, particularly in relation to social insurance. A user-friendly online payment system was designed and

implemented. In addition, specialized customer service desks were set up; hotlines were operating; and detailed manuals were published.

Digital technologies have been used to expand the social protection coverage and improve the quality of services, for example, **Indonesia**^{li} has launched a mobile application for the National Social Health Insurance Scheme. The application improves accessibility for recipients and reduces the workload for the administrator. In **India**^{lii}, the e-SHRAM portal was launched to create a national database of unorganized workers for furthering optimum realization of their employability and extend the benefits of social security schemes to them. In addition, to ensure large scale, speedy and transparent public service delivery, India is using digital technology through initiatives like the Unified Payments Interface and the JAM trinity which facilitate digital payment.

There should be a broad outreach to recipients to ensure that they are informed of their rights and entitlements, the eligibility criteria for social protection programmes, the participation requirements, and the accountability and complaint mechanisms available. The non-take-up of social security benefits is often caused by the lack of information among individuals, particularly those belonging to vulnerable groups on the social security system and how to access the different social security benefits.

Information and awareness raising: In **Nepal**^{liii}, capacity building and advocacy initiatives have been undertaken with the support of the ILO, to increase good governance and inclusion. This has included building communication and awareness raising as well as providing orientation and trainings on social security, aimed at ensuring citizens' participation in budget formulation processes; institutionalizing public hearing systems to disseminate information and receive the feedback of rights holders; improving the delivery modalities of social security allowances (SSA); institutionalizing grievance mechanisms at the local level; and promoting the inclusion of excluded rights holders in social security programmes. In 2007, **Uruguay**^{liv} launched an initiative through a joint effort between the Social Security Institution (BPS) and the institutions responsible for education and culture in the country, aimed at introducing content on social security to the curricula of all schools and professional training institutions at all levels. This initiative demonstrated that the development of a culture of social protection constitutes an important tool to extend social security and improve its functioning.

8. Ensuring accountability and effective remedies

Social security systems should be accompanied by accountability and redress mechanisms. There should be accessible complaint mechanisms in place that effectively respond to the obstacles encountered by individuals in realizing their right to social security, and judicial and quasi-judicial remedies must also be available to recipients. It is also essential that recipients have information about available complaint mechanisms and that effective measures are taken to ensure that this information reaches disadvantaged and marginalized individuals and groups.

Monitoring and evaluation of social security systems is a necessary step in ensuring transparency and accountability. In **Paraguay**^{lv}, the Superintendence of Retirement and Pensions monitors the compliance of the various retirement and pension funds with their obligations in terms of investments, provision of benefits and risk management. It is a mechanism designed to monitor, supervise and guide the operation of the various pension funds in the country and the services provided to recipients. This institutional framework reinforces the principle of the 'ultimate responsibility of the State', enshrined in the Social Security (Minimum Standards) Convention No. 102. **Cabo Verde**^{lvi} has also taken steps in this regard, in 2023, the first statistical bulletin on social protection (2016-2020) was adopted. The development of the statistical bulletin aimed at ensuring the sustainability of the social protection system, improving the information system, and strengthening its monitoring and evaluation.

Accountability and redress mechanisms should be integrated into the design and implementation of social security programmes and policies. Complaint mechanisms must be adequately resourced, easily accessible and culturally appropriate, and recipients must have access to judicial or other appropriate remedies. In **Brazil**^{lvii}, the Bolsa Familia (BF) programme is a conditional transfer programme that provides basic monthly income to families in extreme poverty. The Bolsa Familia Programme has established complaint channels including i) toll-free hotlines managed by the Ministry of Social Development (MDS), which provide information to recipients and collect complaints; ii) the possibility of submitting complaints by email and letter, which are processed by the MDS; and iii) the possibility of filing complaints to publicly constituted councils at the municipal level which are often integrated by civil society, community members and the government. Furthermore, if the complaints are not

resolved at the municipal level, they can be submitted to the Ministry of Social Development.

In 2018, the Supreme Court of Justice of **Mexico**^{lviii} ruled on the case of a domestic worker against her employer for the payment of unpaid wages and the non-registration in the Mexican Social Security Institute (IMSS) and the National Workers' Housing Fund Institute. Although the Supreme Court did not rule in favour of the plaintiff, the amparo decision was important because it declared unconstitutional Article 13, Section II, of the Social Security Law for not including domestic workers in the mandatory Social Security Regime. The Supreme Court considered the Regime discriminatory and in violation of the right to social security.

9. Initiatives undertaken at the regional level

Association of Southeast Asian Nations (ASEAN): The ASEAN has elaborated the ASEAN Guidelines on Public Service Delivery^{lix} which serve as a roadmap for improving service delivery in the ASEAN Member States.

European Union: The European Pillar of Social Rights^{lx} is an initiative launched by the European Commission to provide guidance for effective employment and social outcomes in responding to current and future challenges directly aimed at meeting people's basic needs and ensuring better enforcement and implementation of social rights.

Caribbean Community (CARICOM): The CARICOM agreement on social security was signed in 1996 to harmonize social security legislation of CARICOM Member States (the agreement has been recognized by the ILO as a best practice).^{lxi}

ACTION/Portugal Project^{lxii}: It is a partnership between Portugal and the ILO initiated in 2015, aimed at providing technical assistance in the area of social protection to countries within the framework of the Global Flagship Programme on Social Protection Floors and the Sustainable Development Goals of the 2030 Agenda.

VI. Conclusion and recommendations

Despite the progress made by States in realizing the right to social security, further steps need to be taken at the national and international levels to ensure the provision of social protection for all. International human rights mechanisms, particularly the treaty

bodies, have provided recommendations for States and other stakeholders, including the international community, to achieve the full realization of the right to social security. The recommendations will guide States and other stakeholders in building social security systems that meet human rights law.

Recommendations to States:

- Ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR) and its Optional Protocol (OP-ICESCR) and ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).
- Ensure that the right to social security is guaranteed in the Constitution and domestic legislation.
- Adopt and review framework legislation and policy on social security and ensure that they comply with international human rights law and international labour standards.
- Establish a universal social security system, including a social protection floor and universal health coverage, and take all necessary measures to mobilise the maximum available resources to support and sustain these systems, including through adequate employer contributions, effective and fair taxation, and debt relief.
- Continue to expand the coverage of mandatory social security schemes and include measures to provide financial support to those who cannot afford to contribute to these schemes, such as reduced or subsidized contributions.
- Establish and strengthen complaint and accountability mechanisms that are effective and accessible by all people and provide adequate support to use them.
- Continue to take steps to improve the social security systems, including the digitization of the systems. Identify and address the unintended negative impacts on current or potential recipients, including data protection, exclusion errors, bias and prejudice against certain groups.

Recommendations to the international community, including international financial institutions:

- Recognize that the borrowing country has a legal obligation to respect the right to social security. Thus, refrain from making conditionality to the loans and grants, which limit the borrowing countries' capacity to fund their social security systems (for international and regional financial institutions and bilateral

donors/lenders) and other human rights-related investments.

- Establish and contribute to a global fund for social protection to achieve universal social protection, which is governed by an independent and transparent mechanism with meaningful consultation and participation of civil society and relevant stakeholders.
- Prioritize universal social protection programmes rather than financing narrowly targeted poverty reduction programmes, which often lead to exclusion and discrimination, and support Ministries of Finance to mobilize funds for a comprehensive universal social protection system, including by identifying opportunities for progressive revenue generation.

ⁱ See [OHCHR | Call for input Human Rights Council Resolution 52/11 on the question of the realization in all countries of economic, social and cultural rights](#)

ⁱⁱ World Social Protection Report 2024-26: Universal social protection for climate action and a just transition, International Labour Organization (ILO).

ⁱⁱⁱ See [g2232217.pdf \(un.org\)](#)

^{iv} World Social Protection Report 2024-26: Universal social protection for climate action and a just transition, International Labour Organization (ILO).

^v Article 11 of the Convention on the Elimination of All forms of Discrimination against Women recognizes the right to social security for women, especially in cases of retirement, unemployment, sickness, invalidity, old age or other incapacity. In addition, Article 11 recognizes the right to paid leave. Article 26 of the Convention on the Rights of the Child recognizes the right of the child to social security and social insurance. Article 27 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families sets out the right of all migrant workers to social security on an equal footing with nationals, as well as to reimbursement of contributions if they cannot access benefits. Article 28 of the Convention on the Rights of Persons with Disabilities recognizes the right of persons with disabilities to social protection without discrimination on the basis of disability and enumerates steps to be taken by States to safeguard and promote the realization of this right. See CESCR, general comment No 19.

^{vi} Submission Egypt

^{vii} Submission Colombia

^{viii} Submission Maldives

^{ix} Submission ILO

^x Submission Armenia

^{xi} Submission ILO

Recommendations to national human rights institutions and civil society

- Raise public awareness on the right to social security and its importance to the 2030 Agenda – duties of States.
- Advocate for:
 - The adoption of legislation recognizing the right to social security;
 - The ratification of the ICESCR and its Optional Protocol, and ILO Convention No.102;
 - The establishment of universal social security systems, including social protection floors, based on international human rights and labour standards;
 - A progressive increase in public investment in social security systems.
- Monitor the enjoyment of the right to social security in the country.
- Address the violation of the right to social security and support victims to access accountability and remedy mechanisms at the national, regional and international levels.

^{xii} See [Submission Maldives](#)

^{xiii} See [Submission Saudi Arabia](#)

^{xiv} See [Submission Ecuador](#)

^{xv} See [Submission Guatemala](#)

^{xvi} See [Submission El Salvador](#)

^{xvii} See [ILO | Social Protection Platform \(social-protection.org\)](#)

^{xviii} Submission ILO

^{xix} Submission ILO

^{xx} See [Microsoft Word - Botswana - Financing.docx \(social-protection.org\)](#)

^{xxi} See [Media.action \(social-protection.org\)](#)

^{xxii} See [ILO | Social Protection Platform \(social-protection.org\)](#)

^{xxiii} Submission ILO

^{xxiv} Submission ILO

^{xxv} Submission ILO

^{xxvi} Submission ILO

^{xxvii} Submission Human Rights Watch and other organizations

^{xxviii} See [Media.action \(social-protection.org\)](#)

^{xxix} Submission Human Rights Watch and other organizations

^{xxx} Submission Egypt; See [The Story of Takaful and Karama Cash Transfer Program \(worldbank.org\)](#)

^{xxxi} See [The special protection to unemployed women / Coverage with social security elements of unemployed women due to the need to care for minor children | International Social Security Association \(ISSA\)](#);

Statement delivered by Albania during the Panel discussion on challenges and good practices to realize the right to social security and to provide quality public services, held during the 55th session of the Human Rights Council.

- xxxii Submission Global Social Justice; See [Diario de la seguridad social.pdf \(unicef.org\)](#); See [Solicitar la Asignación por Embarazo para Protección Social | Argentina.gob.ar](#); See [Tramitar la Asignación por Maternidad | Argentina.gob.ar](#)
- xxxiii Submission Portugal
- xxxiv Submission Global Social Justice; See [Disability grant | South African Government \(www.gov.za\)](#)
- xxxv Submission ILO
- xxxvi See [Estidama++ Fund factsheet | International Labour Organization \(ilo.org\)](#)
- xxxvii Submission Mexico
- xxxviii Submission Guatemala
- xxxix See [Media.action \(social-protection.org\)](#)
- xl Submission ILO
- xli See [UNHCR-WFP support to Refugee intergration in the Social Registry of Mauritania | Les Nations Unies en Mauritanie](#)
- xlii See [SSN Note, UNHCR Iraq, August 2023 EN \(2\).pdf](#)
- xliiii See [tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2F2015%2F1&Lang=en](#); See [Recommendation R202 - Social Protection Floors Recommendation, 2012 \(No. 202\) \(ilo.org\)](#)
- xliv Submission Human Rights Watch and other organizations; See [Basic Retirement Pension \(Universal Old-Age Pension\) and Caregiver's Allowance | socialprotection.org](#)
- xlv Submission Global Social Justice
- xlvi Submission Human Rights Watch and other organizations; See [Media.action \(social-protection.org\)](#)
- xlvii See [Far-reaching reforms in Oman set new benchmark for social protection in the region | International Labour Organization \(ilo.org\)](#)
- xlviii Submission Maldives
- xlix See [Botswana Universal Old Age Pension](#); [Brazil Universal Old Age Pension](#); [China Universal Old Age Pension](#); [Georgia Universal Old Age Pension](#); [Kosovo Universal Old Age Pension](#); [Maldives Universal Old Age Pension](#); [Mongolia Universal Old Age Pension](#); [Thailand Universal Old Age Pension](#); [Zanzibar Universal Old Age Pension](#); [Argentina Universal social protection for children and adolescents](#); [Azerbaijan Universal Pensions](#); [Universal old-age and disability pensions](#); [Trinidad and Tobago Universal health coverage](#)
- ¹ Submission Cyprus
- ^{li} See <https://www.social-protection.org/gimi/Media.action?id=16856>
- ^{lii} Statement delivered by India during the Panel discussion on challenges and good practices to realize the right to social security and to provide quality public services, held during the 55th session of the Human Rights Council.
- ^{liii} Submission ILO
- ^{liv} See [ILO | Social Protection Platform \(social-protection.org\)](#)
- ^{lv} Submission ILO
- ^{lvi} Submission ILO
- ^{lvii} See [Social Protection Policy Paper 3 final.cdr \(undp.org\)](#)
- ^{lviii} Submission Mexico
- ^{lix} See [ASEAN-Guidelines-on-Public-Service-Delivery Final 19Feb2021.pdf](#)
- ^{lx} See [European Pillar of Social Rights - Building a fairer and more inclusive European Union - Employment, Social Affairs & Inclusion - European Commission \(europa.eu\)](#)
- ^{lxi} See [Social Security in CARICOM – CARICOM](#)
- ^{lxii} See [Action Portugal - Action Portugal](#)