**GCSPF WORKING GROUP TWO**

**HUMAN RIGHTS MONITORING OF**

**THE IMPLEMENTATION OF THE FOUR SOCIAL SECURITY GUARANTEES**

The aim of this working group is to provide guidance to our members and other interested CSOs to monitor the realization of the right to social security, and in particular the four social security guarantees formulated in ILO Recommendation No.202. These guarantees

include access to essential health care as well as to basic income for children, for adults who are not able to work, and for old-age persons. The realization of these guarantees depends on a number of factors, such as the socio-economic development of a particular country, on their priorities and on their governance capacity. However, a robust human rights monitoring framework and practice can provide an additional impetus for achieving the right to social security.

This note will concentrate on international mechanisms to monitor the realization of the right to social security and access to the four social security guarantees at the national level. There is a variety of monitoring procedures available, such as the Universal Periodical Review – within the context of the UN Human Rights Council. However, the Committee on Economic, Social and Cultural Rights (CESCR) is probably best equipped for civil society to report on SPF implementation. The CESCR monitors the implementation of the International Covenant of Economic, Social and Cultural Rights (ICESCR), which explicitly recognizes the right to social security and is ratified by almost all countries in the world. The CESCR reviews in principle each country every five years and works on the basis of an in-depth review mechanism.

The annual reporting procedure (the Voluntary National Reviews – VNRs) within the context of the High-Level Political Forum (HLPF) provides a new opportunity for human rights monitoring. Most of the Sustainable Development Goals (SDGs) can be interpreted as human rights obligations, and in particular target SDG1.3, which explicitly mentions social protection systems and floors. The advantage of reporting to the HLPF is that it happens every year, and that a number of indicators have been developed (amongst others by the ILO), which permits regular monitoring. The advantage is also that the monitoring results are generally well published. However, it is basically a state-controlled procedure on which civil society can only have a limited impact.

There are also new opportunities to monitor the implementation of the right to social security and of the four social security guarantees within the framework of regional organizations. For instance, the African Union is in the process of adopting the first binding instrument on social protection i.e. the Protocol of the African Charter on Social Security and Protection. Moreover, many of the 47 member States of the Council of Europe (COE) have ratified – partly or completely - the European (Revised) Social Charter, which is monitored by the European Committee of Social Rights. The (Revised) Charter is aimed at applying the UN Universal Declaration of Human Rights, which includes the right to social security.

**Action proposals for our coalition**

1. Provide information as to how members can participate in different human rights monitoring mechanisms, and provide training for submitting shadow reports on the right to social security to the Committee for Economic, Social and Cultural Rights (CESCR)
2. Provide information on countries that will be monitored in 2020. Countries for which CESCR will start monitoring in 2020 are: ***In the 9-13 March session*** (DR of Congo, Canada, Chile, Czech Republic, France, Italy and Uzbekistan); and ***in the 19-23 October session*** (El Salvador, Guatemala, Luxembourg and Yemen).
3. Write a note on South Africa, to show how and to what extent the CESCR monitoring in 2018 has improved the realization of the right to social security in South Africa.
4. For countries that are being (or to be) monitored point the way to detailed estimates of government expenditure required to finance national SPFs - in collaboration with the our GCSPF working groups on financing, on universal health care and on the EU DEVCO project.
5. For countries that are being (or to be) monitored to point the way to human rights indicators for social security – with regard to not only expenditure and other resources, but also human rights procedural aspects, such as participation, legal framework, transparency and accountability - in collaboration with the OHCHR statistical section and with the ILO
6. Propose changes in the UN Guidelines for Voluntary National Reviews so as to strengthen the human rights monitoring function for the right to social security – in collaboration with our working group on HLPF.
7. Point towards training opportunities for GCSPF members and other interested organizations to make submission to UN, regional or national human rights bodies.
8. Report on developments on the AU Protocol of the African Charter on Social Security and Social Protection.
9. Provide information on countries that will be submitting state reports to the African Commission on Human and Peoples; Rights in 2020

Wouter van Ginneken <van.ginn@orange.fr>

Ebenezer Durjaye <edurojaye@uwc.ac.za>

WvG/ED/SB/9.2.2020