



IF RIO+20 IS TO DELIVER, ACCOUNTABILITY MUST BE AT ITS HEART

Background Note: *The Role of Comprehensive Rights-Based Social Protection in Facilitating Equitable and Sustainable Development*¹

The Zero Draft recognizes the key role played by social protection in improving food security (para. 66) and protecting the labour force from the impact of unemployment (para. 77).

The Special Rapporteur on extreme poverty and human rights welcomes the emphasis placed on social protection and calls on all stakeholders to maintain and strengthen this emphasis throughout the Zero Draft. She also offers proposals for improvement of the Draft, in order to ensure that the Rio+20 commitments are coherent with previous commitments related to social protection.

Proposal 1: Reaffirm the centrality of social protection for eradicating poverty and ensuring sustainable, equitable development

In addition to the important objectives of improving food security and protecting labour force from unemployment, social protection systems are effective means of achieving a number of other sustainable development aims. By transferring resources to those living in extreme poverty and allowing beneficiaries to generate income, protect their assets and accumulate human capital, social protection programmes have the potential to contribute to considerably improving standards of living, including access to food, clothing, housing, and water and sanitation; facilitating access to education and health services; stimulating the economy by generating aggregate demand and improving the well-being of the labour force; and improving social cohesion and community ownership of development and poverty eradication initiatives.

Implementing social protection programmes is also an effective mean by which States can meet their international human rights obligations to progressively realise a number of economic, social and cultural rights, such as the right to an adequate standard of living – including the right to adequate food, clothing, and housing² – as well as the rights to education³ and health.⁴

Proposal 2: Ensure that the commitments in Rio+ 20 are in line with previous commitments regarding social security

Establishing social protection systems is an obligation under human rights law, one which flows directly from the right to social security, which is articulated in articles 22 and 25 of the

¹ See also *Open Letter from Special Procedures mandate-holders of the Human Rights Council to States negotiating the Outcome Document of the Rio+20 Summit*.

² For example, International Covenant on Economic, Social and Cultural Rights (ICESCR), art. 11 and Universal Declaration of Human Rights (UDHR), art. 25.

³ For example, ICESCR, arts. 13 and 14; UDHR, art. 26.

⁴ For example, ICESCR, art. 12; UDHR, art. 25.

Universal Declaration of Human Rights and article 9 of the International Covenant on Economic, Social and Cultural Rights.

The right to social security is also enshrined in the Convention on the Elimination of All Forms of Racial Discrimination, Article 11; Convention on the Rights of the Child, article 26; and the Convention for the Protection of Migrant Workers and their Families, article 27. It also appears in regional human rights instruments (for example, article 9, Protocol of San Salvador and article 12, European Social Charter), and in several Conventions of the International Labour Organization (ILO), in particular Convention No. 102 on Minimum Standards of Social Security. The Commission on the Rights of Persons with Disabilities explicitly refers to the right to social protection (article 28).

In 2009, the UN Chief Executives Board launched the Social Protection Floor Initiative as one of the nine UN joint initiatives to cope with the global economic and financial crises. Subsequently, Heads of State and Government, gathered at the United Nations Millennium Summit in September 2010, acknowledged the value of social protection in consolidating and achieving further progress towards the Millennium Development Goals (MDGs) and committed to providing social protection floors to address and reduce inequality and social exclusion.⁵ The importance of social protection was reiterated by the G20 States in the 2011 Cannes Summit Final Declaration, which emphasised that nationally determined social protection floors “will foster growth resilience, social justice and cohesion.”⁶

Recently, the resolution on poverty eradication adopted at the 50th session of the UN Commission for Social Development (February 2012) urged Governments to develop systems of social protection including for workers in the informal sector and acknowledge that universal access to social security systems can address poverty and vulnerability. The upcoming 2012 International Labour Conference will consider the adoption of an autonomous international labour Recommendation on social protection.

Acknowledging these previous commitments and the overwhelming international support for social protection, the Zero Draft should emphasise the integral role played by social protection in ensuring equitable and sustainable development.

Proposal 3: Ensure that social protection is rights-based

At Rio+20, governments must recognize not only the importance of mainstreaming social protection in their social policies, but also to adopting a human rights-based approach to social protection, in accordance with their legally-binding domestic and international obligations.

Human rights obligations relate not only to the final outcome of social protection programmes, but also to the process through which such programmes are implemented. Therefore, Governments are obliged not only to adopt social protection programmes, but to design, implement, monitor and evaluate such programmes in accordance with human rights standards. This includes mainstreaming principles of equality and non-discrimination

⁵ United Nations General Assembly Resolution 65/1, “Keeping the promise: united to achieve the Millennium Development Goals,” 19 October 2010, para 51.

⁶ G20, “Cannes Summit Final Declaration; Building our Common Future: Renewed Collective Action for the Benefit of All,” 4 November 2011, para 4.

(including accessibility, acceptability, affordability and the incorporation of the gender perspective), participation, transparency and accountability into social protection systems.

The adoption of a human rights approach to social protection not only responds to international obligations and commitments but also improves the effectiveness of poverty reduction efforts and aligns them with the holistic perspective required to tackle the various dimensions of poverty. Those most in need of assistance are more likely to be reached by a human rights-based social protection programme, and the assistance they receive is more likely to be appropriate and effective in addressing their deprivations. Poverty reduction is then more effective and sustainable, as participatory and accountability mechanisms ensure that the voices of social protection beneficiaries are taken into account and programmes are designed to respond to their needs accordingly. The human rights approach to social protection also assists in building social consensus and mobilising durable commitments at the national and international level, facilitating a more efficient use of resources by promoting access to information and fighting corruption, and empowering those living in poverty.

In this context, the UN Special Rapporteur on extreme poverty and human rights urges States to consider the following proposals at Rio +20:

- **The Rio + 20 commitments should reaffirm that universal access to social services and a universal and comprehensive rights-based social protection floor are essential to consolidate gains in development and poverty reduction, and to achieve further progress. The adoption of social protection systems that respond to inequality and social exclusion is an essential pre-condition for inclusive development and the achievement of the Sustainable Development Goals.**
- **States should also reaffirm that social protection systems are key tools to build economic and social resilience, and should call for efforts to maintain and strengthen existing social protection systems as a means of mitigating the effects of social, economic and environmental crises.**
- **States should recall that the establishment of social protection systems is necessary to ensure compliance with economic, social and cultural rights, particularly the right to social security. The outcome document should emphasize that a rights-based social protection system must be integrated into each country's long-term development strategy. In this regard, paragraph 77. should be amended to read:**

The Special Rapporteur on extreme poverty and human rights stresses the need to provide social protection to all members of society, including those who are not employed in the formal economy. In this regard she strongly encourages national and local initiatives aimed at providing a social protection floor for all citizens, *founded on established human rights principles such as equality and non-discrimination, enables the progressive realisation of internationally agreed economic, social and cultural rights.*