



International
Labour
Organization

BUILDING SOCIAL PROTECTION FLOORS WITH THE ILO TOGETHER, TO CHANGE MILLIONS OF LIVES WITH LEGAL ADVISORY SERVICES

ILO SOCIAL SECURITY STANDARDS FOR THE DEVELOPMENT OF NATIONAL LEGAL FRAMEWORKS

As a standard setting agency guided by the objective of securing decent work for all, the ILO has a long history of providing policy and legal advisory services to its constituents based on the comprehensive body of international labour standards. In the area of social protection, the ILO is assisting its Members through a proactive, integrated and rights-based approach aimed at developing a comprehensive policy and legal frameworks giving effect to the human right to social security. ILO's expertise and authority in the area of social protection are well recognized and commended at the national level as well as within the wider United Nations' system and among development partners.

The main reason for such a widely shared appreciation of ILO's policy and legal advisory services is the fact that they are based on internationally agreed social security standards adopted by the Organization's tripartite constituents of all 187 member States and recognized as a key reference for the design of rights-based, sound and sustainable social protection systems and used in the context of legal advisory services and recommendations provided by the ILO.

Concretely, the ILO provides tailor-made legal advisory services aimed at designing comprehensive legal frameworks aligned with international social security standards while also taking regionally agreed legal social security frameworks into account. These standards provide a set of internationally accepted norms for social security - a feature that guarantees they are the result of a participatory process and fully correspond to the diverse needs of all ILO member States.



INTERNATIONAL DEVELOPMENT CONTEXT

For the years to come, the entire international community will be guided by the Agenda 2030 for reaching the Sustainable Development Goals. In particular, as an integral part of human rights, the right to social security and its role in attaining sustainable development and reducing poverty is highlighted by target 1.3 which calls on States to implement nationally appropriate social protection systems and measures for all, including floors, as a means to end poverty.

The development of strong and sound legislative frameworks adapted to the various national contexts is key to anchor the universal extension of social protection, starting with the most vulnerable. This allows to a rights-based approach in line with international human rights principles and labour standards and guaranteeing sustainable development. Ultimately, in the area of social protection, from the individual's perspective, the existence of clear and easily accessible legal frameworks is what distinguishes charity from the enjoyment of a right.

TAILOR MADE ILO SUPPORT

The legal advisory services provided to ILO constituents are key to guide the extension of social security and the development of comprehensive national social security system including social protection floors as a fundamental element thereof.

Based on international standards and evidence from comparative legal and policy practices worldwide, the ILO provides technical support on a wide range of issues and notably:

- ✓ **Development of social security legislation**, from design to implementation
- ✓ **Training and capacity-building** on legal drafting
- ✓ **Ratification and implementation of ILO social security standards**

DEVELOPMENT OF SOCIAL SECURITY LEGISLATION

Support for the development of social security legislation includes advising on the:

- ✓ Formulation of social security laws and regulations guided by the core principles and benchmarks contained in ILO social security standards following gap assessments to fill gaps in protection;
- ✓ Formulation and implementation of national, legislation following a participatory process;
- ✓ Establishment and review of social security schemes anchored in law;
- ✓ Strengthening of legal compliance, enforcement, recourse and monitoring mechanisms;
- ✓ Development of bilateral and multilateral social security coordination agreements as well as regional social security agreements

HOW TO GUIDE ON DRAFTING SOCIAL SECURITY LEGISLATION

Given the increasing number of requests, ILO has put its wealth of knowledge and experience into a global guide to support the drafting of social security law. The guide provides national law and policy makers, social partners, partner organisation, NGOs and persons in academia with practical guidance to develop or strengthen national social protection legal and institutional frameworks consistent with ILO standards and international best practices.

CAPACITY BUILDING

The ILO also engages in an array of capacity building activities for tripartite constituents and UN family including through ILO's Academy on Social Security, United Nations System Staff College, partnerships with many prominent Universities, regional and sub-regional conferences, meetings and workshops, and at the national level including through standalone activities or as a key component of legal review, ratification processes and wider development cooperation projects.

RATIFICATION AND APPLICATION OF ILO SOCIAL SECURITY STANDARDS

The ILO also supports the ratification of ILO social security standards including through:

- ✓ Raising awareness among national stakeholders concerning ILO social security standards and the advantages related to their ratification;
- ✓ Carrying out gap-assessments between national legal frameworks and practices and ILO social security standards and formulating recommendations in view of their possible ratification;

Building national capacities on ILO's social security Conventions and Recommendations by:

- ✓ Strengthening constituents' capacities with regard to ILO social security standards and obligations arising out of ratification;
- ✓ Advising Governments on how to ensure compliance with ILO standards in times of reform and extend the ratification to more parts of a given Convention;
- ✓ Advising Governments on best technical and legal options to enhance coverage and protection levels;
- ✓ Assisting Governments in the preparation of their periodical reports on the application of ratified Conventions;
- ✓ Following up on comments by ILO supervisory bodies and advising constituents on ensuring conformity with ILO standards.

HOW WE WORK

In providing social protection legal advisory services, the ILO strives to deliver high quality products and support in a timely manner. The Social Protection Department (SOCPRO), together with the field-based ILO Decent Work Teams, tailor their support to the needs and context of the specific request as well as available resources. The activities range from fact-finding and advisory missions, to facilitation of working groups (e.g. national drafting groups), tripartite consultations, promotional presentations, training

Figure 2. Main steps common to ratification processes in most countries



courses, capacity building workshops, etc. The HQ-based policy and legal team collaborates broadly across the different departments and Country offices of the Organization and with other UN partners to provide technical advice to member States in all regions of the world in close collaboration with national constituents and relevant stakeholders duly taking into consideration the varying national contexts and social protection systems.

TOOLS AND CAPACITY BUILDING MATERIALS

The ILO counts on a wide array of tools and capacity building materials to support constituents in building sound social security legal frameworks based on ILO social security standards including briefs, booklets, power points presentations and resource platforms such as the Social Protection and Human Rights

platform. The Social Protection Policy and Legal team is further developing and strengthening its package of tools and capacity building materials with the objective of improving its response to an increasing number of requests for legal technical assistance. These include a Guide to support the development of national social security legislation based on international social security standards and comparative practice and a Toolkit to support the ratification of ILO social security standards. The Department has also capacity building materials that are complementary to the development of comprehensive social security legal frameworks, such as the ABND guide to support policy development processes.

All products and activities are developed, carried out and delivered in consultation and collaboration with tripartite constituents and other key stakeholders.

SOCIAL PROTECTION AND HUMAN RIGHTS PLATFORM

The ILO has been working with UNRISD, OHCHR, ECLAC, ESCAP, ESCWA, FAO and UN Women on a knowledge hub for a rights-based approach to social protection (<http://socialprotection-humanrights.org>).

The platform provides a unique combination of resources: a clear explanation of fundamental principles and relevant instruments, examples of jurisprudence, and an inclusive space for engagement around experiences, best practices and innovative solutions.



“ With a view to concretizing the right of all citizens to social protection, Vietnam has gradually established the minimum floor in social protection policies and improve the legal framework for social protection [...] The Committee on Social Affairs of the National Assembly consulted ILO experts on formulating social insurance policies based on the modern international social protection principles and standards, [...] especially formulating policies to extend the social insurance coverage to workers in the agricultural and informal sectors. The ILO experiences were a crucial reference for Vietnam to develop and improve its social insurance system which becomes a modern and adapted to the country's context, and contributes to improve the citizens' access to and benefit from better social protection policies. This is an aspiration of the State, of the Vietnamese people, and also a mandate and role for the ILO and UN agencies working in Vietnam.

”
Mr. Bui Sy Loi
Vice Chairman of the Social Affairs Committee, National Assembly

FROM RIGHT TO REALITY WITH YOUR SUPPORT

The ILO has long-standing experience in extending social protection to all. With your financial support we can help more countries ensure that social protection systems cover everyone's needs.

You can support us to:

- Undertake legal, feasibility and impact studies to ensure sustainable implementation of legal reforms.

US\$120,000 per country

- Build capacities of the drafting units to ensure sound social security legislation.

US\$ 100,000 per country

- Strengthen the abilities of agencies and bodies responsible for the implementation of the law.

US\$ 80,000 per country

- Support the development or amendment of social security law.

US\$ 200,000 per country

- Promote ratification and compliance of up-to-date social security standards.

US\$ 175,000 per country

- Build capacities through training courses on international standards and best practices.

US\$ 250,000 per country

- Develop and update hands-on tools and capacity building materials in close partnership with on-going initiatives in countries.

US\$ 150,000

- Support drafting of bilateral and multilateral social security agreements.

US\$ 80,000

LISTENING TO YOUR AMBITIONS

As a donor, you receive regular reports on the progress made and have access to ongoing project activities and performance indicators.

To further discuss your objectives and the ways in which you can improve millions of lives, you can contact:



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